



For those wishing to listen live to the meeting, please go to shorewoodMN.gov/CityCouncil for the meeting link. Pursuant to MN Statute 2024, Section 13D.02, subdivision 4, members may participate in the meeting by interactive technology.

AGENDA

1. CONVENE CITY COUNCIL MEETING

- A. Pledge of Allegiance
- B. Interactive Technology: Councilmember DiGruttolo will participate via Interactive technology
- C. Roll Call
 - Mayor Labadie _____
 - Councilmember Maddy _____
 - Councilmember Sanschagrin _____
 - Councilmember Gorham _____
 - Councilmember DiGruttolo _____
- D. Review and Adopt Agenda

2. CONSENT AGENDA

The Consent Agenda is a series of actions which are being considered for adoption this evening under a single motion.

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

- A. City Council Work Session Minutes
- B. City Council Regular Meeting Minutes
- C. Planning Commission Meeting Minutes
- D. Claims List
- E. 2026-2028 Water Efficiency Grant Program
- F. Resolution Denying a PUD Concept Plan at 25485 State Highway 7
- G. Resolution Appointing 2026 Election Judges and Absentee Ballot Board
- H. Add 1.0 FTE Engineering Technician to the 2028 Budget

3. MATTERS FROM THE FLOOR

This is an opportunity for members of the public to bring a matter related to the governance of the City of Shorewood to the attention of the City Council. If the

matter relates to a topic that is identified on tonight's agenda as a public hearing, please hold your comments until the public hearing is opened. The full rules for this forum can be found on the agenda table in back and on the City's webpage. 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 five 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. GENERAL BUSINESS

- A. Presentation by County Commissioner Edelson
- B. 5850 Boulder Bridge Ln Conditional Use Permit
- C. 6145 Club Valley Rd Variance
- D. 23120 Summit Ave Variance
- E. Curbside Organics Recycling
- F. Mill Street Watermain Project
- G. Discussion of Proposed Changes to the Excelsior Fire District JPA

5. STAFF AND COUNCIL REPORTS

- A. Staff
- B. Mayor and City Council

6. ADJOURN



City Council Item 2.A.

Title/Subject: City Council Work Session Minutes
Meeting Date: June 22, 2026
Prepared By: Sandie Thone, City Clerk/ HR Director

Attachments

1. 06.08.2026 WS Meeting Minutes

Background

06/08/26 City Council Work Session Minutes

Strategic Alignment

Organizational Strength & Good Governance

- Sound and strategic record keeping of government activities lead to comprehensive long-term planning, principled, data, and stakeholder-driven decisions, and a culture of continuous improvement.

Budget Impact

Minute preparation costs vary based on length of meeting and level of detail.

Action Requested

Motion to Approve Consent Agenda. Simple Majority is required.

MINUTES

1. CONVENE CITY COUNCIL WORK SESSION MEETING

Mayor Labadie called the meeting to order at 5:32 P.M.

A. Roll Call

Present. Mayor Labadie; Councilmembers Maddy, Sanschagrin, Gorham, and DiGruttolo; City Administrator Nevinski; City Clerk/HR Director Thone; and Director of Public Works Morreim

Absent: None

B. Review Agenda

Sanschagrin moved, Maddy seconded, approving the agenda as presented. Motion passed 5/0.

2. DISCUSSION

A. Engineering Staffing Discussion

Public Works Director Morreim presented on Engineering Staffing as found in the Agenda Packet. City Clerk/HR Director Thone shared information on the engineering models as found in the Agenda Packet. Public Works Director Morreim continued with the presentation as found in the Agenda Packet.

Mayor Labadie asked about the various cities that were looked at, and how many are fully built out with water. Mr. Morreim noted that he did not have the information.

Councilmember DiGruttolo stated that the report noted many potential future infrastructure projects, such as installing water, which seems to suggest that the Staff is asking for higher consultant costs and lower engineering costs to save money. Mr. Morreim shared that many CIP projects involve water and that there are currently zero water projects in the CIP, except Mill Street. He added that all the new water main projects were pushed out due to increased costs and the lack of a guarantee or requirement that residents hook up. That makes it more financially challenging. He explained that the Mill Street project is different in that it is more strategic and regional, as it is a piece to connect to, and the City is not performing the road project.

Councilmember DiGruttolo pointed out that the model comparisons are insufficient because different data are being used for each model. She noted that the report states that model two does this in the short term, but model one does this in the long term. She stated that if water projects and other big projects are being pushed off in the CIP, that is already saving money in consultant fees. She added that, by having a consultant, the consultant would be incentivized to expand the scope or make decisions in the employer's favor. She asked if the City could make a rule that whoever the consultant is cannot win the bid for the project. The consultant would only

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provide consulting advice and work with the contracted engineering firm. She stated that she is looking at the long-term cost savings and the resident input that the Council and the City received. She added that there is a perception that engineering costs appear excessive, that hiring the consultant, who also works for Bolten and Menk, seems like a conflict of interest, and that the consultant's influence appears very strong. There is little visibility into engineering decisions until they are made and discussed after the fact. She shared that the charts were not measuring the same thing the same way. Mr. Morreim disagreed that the consultant has as much control as Councilmember DiGruttolo claims over project scopes and such. The ultimate control is vetted through a process under his direction, and there is a process with the Council to approve as well. He added that project scopes are vetted through the project process. He gave the example of Eureka Road and all the options provided, some more expensive, but the cheapest project was chosen. He noted that consultants in certain industries are stereotyped as adding things to projects to pad their pockets. He has not seen that with Bolten and Menk and noted that it is an unfair assertion, with City Engineer Budde doing a very good job. He explained that City Engineer Budde wants to put the best project through for the City and the residents in the most cost-effective manner.

Councilmember Gorham shared that there might be a perception that the consultant would drive up costs, but in his experience with the City Engineer, that is not the case. He noted that a street is a street and will not be paved in gold. Councilmember DiGruttolo shared that it is not just the streets. She gave an example of the overengineering of Freeman Pond. She asked how the City determines whether a project is being overengineered if the City does not have a staff engineer. Mr. Morreim stated that multiple options for the ponds were evaluated, with the design standards recommended by a different engineering firm. He asked why people think the ponds were overengineered. The ponds are large, but a lot of stormwater goes into them. Just saying the ponds are overengineered does not mean they are. He shared that, regarding the residents who are sharing that information, he would like to speak with them to see their point of view and have the conversation.

Councilmember DiGruttolo asked whether there is ever any overengineering or scope creep. Mr. Morreim shared that the issue is minimal and that he personally does not see it. He added that it is a generalization of consultants.

Councilmember Gorham stated that there are many good reasons to adjust the model. If the Council is worried about overengineering and gold-plating to benefit Bolten and Menk, there does not seem to be any good evidence of that.

Councilmember Sanschagrin shared that one consideration to make is what is highlighted by being committed to the Shorewood vision. He added that it is a concern as strong as having split motivations. He stated that many residents have concerns about preserving Shorewood's natural character. A case study is one of the projects that highlighted whether there was a need to clear-cut the entire property, as opposed to another design. He explained that if the position is internalized, there will be greater ownership in preserving the natural character of the City. He appreciated that the City was considering model one. He asked if there is a variation to model two, considering the use of a part-time engineer. Mr. Morreim stated that the option could be explored, but he has not seen part-time work occur unless someone retired from the city and then worked part-time afterward. Many engineers who work for cities retire and then work for a consulting firm. He shared that the Council's goals for the position are long-term, improving responsiveness and institutional knowledge, and he thought that having a part-time person would not accomplish those goals. Councilmember Sanschagrin asked whether, if the City were to

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update some version of the water plan, the engineering technician would take that on. Mr. Morreim explained that he was not sure who would take that on. Updating the plan would be 20 to 40 hours of work. He added that everything is in the plan, but the costs need to be updated. Councilmember Sanschagrín explained that the memo included information about linking east and west Shorewood with water, and that determining whether that is even possible would need to be part of the plan. Mr. Morreim noted that it had been discussed in the past and is feasible, but multiple other projects need to be completed to link east to west. Councilmember Sanschagrín stated that there is no cost associated with that and that it would need to be analyzed and added to the plan. Mr. Morreim stated that it could happen. He recommended that high-level policy changes be made before the City expands the water plan beyond its current scope. Councilmember Sanschagrín agreed. He added that the plan would not be implemented as written now, given the direction the Council has given.

Councilmember DiGruttolo asked if the Staff had reached out to James Landeini. Mr. Morreim noted that he did not.

Mayor Labadie shared that, in considering a part-time position for the engineering department, she worries that, in the grand scheme of things, Shorewood is a stepping-stone City for gaining valuable experience. Shorewood has fairly large road projects, and not a large business district. She added that the City does need road improvements and water lines put in. She noted that hiring someone part-time would narrow the applicant pool; there is enough work to share with someone 50/50 with another city, and every time a person familiar with the City leaves, everything has to start over. She added that someone coming in as a part-time role, especially if younger, will view the position as a stepping stone and may move on quickly. Councilmember DiGruttolo stated that it is the same risk as with a consultant, since they would have no responsibility or ties to the City.

Councilmember Maddy asked how long Andrew Budde had been working for the City. Mr. Morreim shared that it had been seven years. Councilmember Gorham pointed out that it is not normal. He added that having a company like Bolten and Menk is a good thing because there is always someone to pool from. City Clerk/HR Director Thone shared that it is uncommon to have someone like Andrew Budde serving the City continuously. However, the Bolten and Menk model has an engineer serve the same city throughout their tenure. She added that, especially for a City of Shorewood's size, with most engineering firms, the City would just be getting the newest engineer each time as the others moved to larger cities. She pointed out that when higher-level staff positions in the city become available, certain candidates will apply, while others will prefer to work in a larger city.

Mayor Labadie stated that in the past, Shorewood had a city prosecutor who was processing the City's criminal matters, and that person was a solo practitioner. Then the City changed to the model of hiring a firm, and an individual within the firm was assigned to the City. If that person could not handle cases, others from the firm could fill in. She added that it would be the same for the engineer; if someone cannot be there, someone else could step in with a high level of competency. She noted that many cities are using firms rather than individual solo practitioners. Mr. Morreim noted that in Shorewood's case, as in many other cities, project managers seem to be consistent. He shared that if something were to happen with an individual such as Andrew Budde, there are others at the firm who are knowledgeable about the city staff, city processes, development, practices, policies, and city code. Many of those individuals are doing reviews behind the scenes. He noted that Bolten and Menk may be a little less typical in having the same person handle tasks, but Excelsior has also had the same city engineer for many years.

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Councilmember Sanschagrín asked what the timeline would be if the City were to go with model one. Ms. Thone shared that it would be three to nine months. Mr. Morreim added that this would be the case if the Council wants to create a new position. He noted that the recommendation is that a staff member is currently doing about 60 to 70 percent of what the new position would do. The most cost-effective option would be to wait, which would be cost-neutral. He added that if a new position were needed, it would require an additional employee's salary.

Councilmember Maddy stated that the proposal is to add an engineering tech as budget-neutral. An engineering tech at a \$130,000-per-year fully loaded is \$500 in work per day. He asked where the City is cutting costs. Ms. Thone noted that on page 11 of the Agenda Packet, the analysis shows that the \$116,000 to \$138,000 is fully loaded for the position. If the City transfers the engineering tech position from the streets inspector position it currently holds, that would be budget-neutral. Councilmember Maddy asked who would inspect the streets then. Ms. Thone shared that some of those duties overlap between the streets inspector and the engineering tech. Councilmember Maddy asked whether this model would redistribute responsibility at a different price. Mr. Morreim explained that there would be higher technical expertise with an engineering tech. There would be drafting abilities that could be utilized for smaller projects. Hiring an engineering tech would allow the City to do more of those technical things in-house.

Councilmember Maddy asked whether the proposal is to fire the street inspector and then open a hiring process for an engineering tech. Mr. Morreim stated that the Staff is not proposing that at all. Councilmember Maddy asked how the plan would be budget-neutral, given that the City would not be eliminating the street inspector. Mr. Morreim noted that the transition would happen when the street inspector retires or resigns. Councilmember Maddy asked if the street inspector had given a date. Mr. Morreim stated that he had not. Councilmember Maddy asked where the money would come from without firing anyone. City Administrator Nevinski stated that if the Council wants to move forward with adding a position, hiring someone would be part of the budget discussion.

Councilmember DiGruttolo stated that the analysis showed that hiring an engineering tech would reduce consultant costs because the tech could handle some of the work. She noted that there would be some savings because it would cost less to pay the engineering tech than to pay the consultant. Mr. Morreim agreed and stated that a portion of the \$116,000 to \$138,000 is benefits, so the hourly wage is about \$42 to \$52 per hour, which is half of the costs the consultants are charging. He added that the Staff has already been reducing that cost by completing some of the tasks that Bolten and Menk formerly handled. An example of that is a sanitary and sewer cleaning project coming up; the Staff is doing all the fieldwork for it. He noted that, even before the conversation started, the costs were being brought back in-house, and the Staff is being more intentional about transitioning some of those things.

Mayor Labadie noted that the current Staff would take on the smaller chunks of the existing project. She asked whether there would be enough hours in the day for the current Public Works Staff to do that if the Council decides to go with model one. She added that hiring an engineering tech would put more strain on the Public Works Department. Mr. Morreim noted that he was a little confused by the question but would try. He shared that the proposal is not to take on smaller chunks of larger capital projects. If the City decides to bring on an engineering tech, the Staff would have to figure out how to keep that person busy. He does not currently have a plan for that, and if there is a down year like the one we are currently in, it would be a struggle to stay busy.

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Councilmember Sanschagrin shared that he does not understand the need to couple the engineering tech position with the street inspection role. He asked whether the current streets inspector is underutilized. Mr. Morreim noted that the street inspector is not underutilized. Ms. Thone stated that when this was first proposed in March, the Staff reviewed each of the relevant job descriptions and the consultant's scope of work. One of the positions reviewed was the streets inspector. The streets inspector position was aligned with the engineering tech position held by other cities. She explained that Mr. Morreim compared the engineering tech job duties to the street inspector's and found that some of the street inspector's duties aligned more closely with those of an engineering tech. The current job description of the streets inspector was not completely aligned with the position's actual day-to-day job duties – as presented in that memo.

Councilmember Gorham asked if the streets inspector is full-time. Mr. Morreim confirmed that to be true. Councilmember Gorham asked whether the streets inspector is inspecting streets full-time. Mr. Morreim explained that for smaller, non-specialized capital projects, the streets inspector is responsible for inspection. The streets inspector manages the right-of-way projects, which are a bigger item. He added that the streets inspector works with Mr. Morreim on pavement management projects. The streets inspector updates the utility records and has also been involved in the lead service line survey. He shared that there are some intermittent tasks the streets inspector can accomplish with the reprioritization of duties, but ultimately, there are always things the streets inspector can do. He stated that his goal is to implement an asset management system in which the street inspector would play a critical role.

Councilmember DiGruttolo asked whether the City is optimally structured right now to meet all the needs the Council has outlined in the past. Mr. Morreim stated that over the past year, there have been productive conversations and that the Staff has listened to Council's priorities. He noted that the Staff has provided decent options. He personally does not think the system in place right now is broken; it is far from it. There is always room for improvement, but when the Council wanted the Staff to be the face of most things, the Staff took that to heart and has done a good job of transitioning, which has been for the better. He added that the City has been able to reduce consulting hours. He shared that as he has grown in his role, his oversight of CIP projects has expanded. To the point that the consulting firm controlled some of the costs, which may have been truer in the past, even though the Council still had to approve the recommendations. He noted that the Staff has much more control over and understanding of the needs that come down from the Council, which drive the CIP plans. He noted that there are big things the engineering tech could handle well, but tasks such as asset management would be better left to the street inspector. He added that the streets inspector has a lot of great institutional knowledge that is super valuable. He understands the pressure from the residents and the things that have been communicated, but many of those things the City already has. He noted that when he and City Administrator Nevinski were hired, City Engineer Budde was a wonderful asset for learning about the City. He noted that the City is in a good position for a City of Shorewood's size, and that the number of large CIP projects is low, but there will, at times, be more to do.

Councilmember DiGruttolo shared that Mr. Morreim is the City Council's advisor and the professional engineer on the Staff, and the Director of Public Works, if he states that the City is optimally designed and structurally sound right now to accomplish all of the goals, save the costs, have oversight, and respond quickly. She added that she will believe Mr. Morreim because she is not an engineer. She asked whether the City is optimally designed and whether there are changes the City Council needs to make to policy, personnel, governance, or transparency. She asked what the trigger would be for any changes in that. Mr. Morreim noted that, based on what

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he mentioned and the analysis, he would say yes: the City is optimally structured to perform a wide range of engineering projects at various levels. He added that customer service can be provided for both simple and more advanced tasks. Councilmember DiGruttolo asked if the cost of those services is high compared to other cities. Mr. Morreim stated that he is not looking at everyone's billable rates; generally, they are all the same. He noted that he cannot say that someone is billed out \$10 more per hour. Generally, all the cities are the same. He added that, with City Engineer Budde, the time he spends on a job will be less than that of someone new to the job. Every city is different, so it would be hard to make direct comparisons, but Shorewood is unique and structured to be cost-effective. He noted that this is reflected in the year-to-date costs, which are trending under \$500,000. He shared that many things are happening now, such as better communication, changes in project size, and listening to what the Council is saying.

Councilmember Sanschagrín noted that, looking at the CIP and the schedule of projects, such as the mill and overlay projects, many are done in one year and then none the next. He asked if the City would benefit from flattening that work out and optimizing the overall CIP schedule. Mr. Morreim explained that from the economies of scale, flattening the work would not be beneficial to the City. He shared that if the City had larger, consistent mill-and-overlay projects, it would be beneficial to have them done every year. Larger cities may have \$2,000,000 mill-and-overlay projects, which offer good economies of scale. He noted that doing every other year is the best way to go, because the City will get better pricing by going for a bid. That has already been seen.

Mayor Labadie shared that there has been a lot of good discussion, but that the Staff is looking for direction.

Councilmember Sanschagrín stated that model one makes sense, but he does not want to wait for an event that they do not want to have happen with the streets inspector leaving. He asked whether there was another approach to accelerate the transformation the Council is seeking.

City Administrator Nevinski pointed to page 13 of the Agenda Packet, where three options were laid out for the Council and could be used as a basis. He pointed out that Councilmember Sanschagrín was suggesting option two, which is adding the engineering tech position.

Councilmember Sanschagrín asked if it would be possible to share with another city. He added that part-time would be another option, but he understands the concerns associated with it. City Administrator Nevinski stated that those discussions were not had about sharing someone. He pointed out that he does not know whether other cities in neighboring communities are looking for an engineering tech. Mr. Morreim shared that it would be challenging to share someone. He stated that he had not seen that type of idea. Ms. Thone explained that, from an HR perspective, it would be difficult to recruit for and find. She noted that in theory, it would be a good option, but does not know how feasible that would be.

Councilmember Gorham asked how long Option One would take to implement. Mr. Morreim stated that he anticipates it will be about one to five years, but does not know for sure.

Councilmember Gorham stated that the last time he was reluctant to create an additional position, knowing that some of the duties are tied to the street inspector. He added that there is a lot of value in the engineering tech role, but the priority of that is not urgent. There is value in a Shorewood person representing Shorewood's interests and offsetting some of the consultant costs. He asked how much would be levied if the decision were made to go with option one. Mr. Morreim pointed out what was laid out in the March presentation. He added that many of

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the projects are not twelve months a year, but someone would be employed twelve months a year. He explained that once a project is completed, the consultants are no longer billing for it.

Councilmember Gorham shared that he is okay with having a vision for the role, but the decisions do not need to be immediate. Mr. Morreim pointed out that the Staff has changed significantly in its activities. If changing significantly means hiring someone, then the City is not quite there yet. He added that the Staff has listened and changed many things, most notably the customer contact, with the Staff doing most of that.

Councilmember Maddy pointed out that three options have been given, but the fourth option would be to continue doing what the City is already doing, which is budget-neutral. He added that this is a solution to a problem that the City does not have. There are consulting engineers to take care of the big stuff, and the Staff is taking care of the little things. He noted that he did not see why the budget needed to be changed because of events from three years ago.

Mayor Labadie pointed out that the work session would need to be recessed to keep to the time, and that staff needed

Councilmember Sanschagrín moved, Mayor Labadie seconded, recessing the work session meeting until after the regular meeting. Motion passed 4-1 (Maddy).

Mayor Labadie recessed the meeting at 6:52 P.M. The meeting reconvened at 9:37 P.M.

Mayor Labadie summarized the first portion of the meeting.

Councilmember Sanschagrín stated that it would be helpful to lay out all the work the Staff has done to be responsive, such as the tasks that the Staff has taken over and how much that is saving residents. He added that a specific direction would be chosen now, but over time, the Council would continue to review it regularly to see whether the goals are being achieved. Mayor Labadie agreed that those are great ideas.

Mr. Morreim stated that Councilmember Maddy had noted an option four, which is not a thing, but he understood what was being brought forward. He noted that before the discussion, the Staff was looking for option one to be the direction the Council would go in, but at this point, upgrading the streets inspector position to an engineering tech has been his vision. He explained that, eventually, upgrading the position to one with a more technical background would be his recommendation. He noted that the streets inspector is very technically proficient, and when the time comes, someone else will take the role who is just as capable and will step things up just a little bit.

Councilmember Gorham stated that if option one is the preferred option but the City is not ready to execute it, then the outcome of the discussion could be a staffing plan that would wrap up what the Council and the Staff have been doing. Pointing out that when the time comes, the City is ready to go with that plan. He added that the engineering strategy's success should be revisited every three to six months. Mayor Labadie asked if the suggestion was to stay the course for now. Councilmember Gorham explained that he is choosing option one and that the City is executing on it, just not right now. He shared that the decision would be to take the Streets Inspector position to transition to the engineering tech role, and that there would be a plan so that when the City is ready to execute, it can be done easily.

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Councilmember DiGruttolo stated that her concern is that the Council is continually putting things off and that there needs to be a timeline in place. She noted that the only thing that she does not like about option one is that it is uncertain when the street inspector will retire. The plan needs to be time-bound: if the streets inspector does not retire within the next two years, the City will move ahead and hire someone. Councilmember Gorham pointed out that there are efforts underway to change things. Mr. Morreim added that the plan is to have quarterly check-ins with the metrics that the City has. The idea of solidifying the plan and preparing the position description of what the City would look to hire on a timeline. He pointed out that every budget season, there could be a check-in to see whether the Council wants to add the position. Councilmember DiGruttolo explained that the City should plan for this person to step into the role by budgeting for a new position, so that a massive levy would not be needed to hire them. She added that during check-ins, those numbers should reflect how much is being saved. She noted that she would be more comfortable stating that the City will transition eventually and will not eliminate the streets inspector position, but that in two years the money will be there to hire for the new position or to transition that. City Administrator Nevinski pointed out that money can be set aside for one year's salary, but that is an ongoing thing. He noted that in year two, that would then become part of the levy. He shared that the suggestion makes sense if the City is making a one-time purchase.

Ms. Thone asked whether it would make sense to plan for the new position in the 2028 budget and to do all the things that Councilmember Gorham discussed. That would give the Staff time to do some of the things that were asked for. She noted that staffing opportunities arise, and if the plan is ready and budgeted for 2028, the opportunity could be seized. City Administrator Nevinski titled it "succession planning" and said there would be details to work out, but it is possible. Councilmember DiGruttolo agreed that is not a bad plan.

Mayor Labadie asked whether, until the new position could be implemented, things would remain the same. Councilmember DiGruttolo stated that things have changed because the course was not working. She would like to see how the changes play out. Mr. Morreim noted that it will be reported back to the Council.

Councilmember Maddy asked what would happen next time a street is reconstructed if this is done. Mr. Morreim noted that if an engineering tech is being hired in addition to the current staffing, there will need to be a different conversation. Ms. Thone pointed out that that information may not be known, but within the 2028 budget, there might be opportunities where that is a budget-neutral decision. Councilmember Maddy added that Bolten and Menk have at times been hired to do things they were overqualified to do, so he could see where things were going. Mr. Morreim stated that the streets inspector plays a critical role in resident engagement. Hiring an additional person would allow for more engagement, but that is not being considered until 2028. Then it would give the Staff time to plan what that would look like based on the CIP plan.

Councilmember DiGruttolo pointed out that there is an opportunity to find out what an engineering tech could do all day. Mr. Morreim pointed out that he could find things to do, but as that relates to reducing consulting costs, there would not be a one-for-one. Councilmember DiGruttolo pointed out that the engineering tech helps free up time for the streets inspector to focus on things like right-of-way.

Mayor Labadie pointed out that the Council had given direction and asked whether there was anything additional the Staff needed. The Staff confirmed they had enough direction.

Maddy moved, Gorham seconded, Adjourning the City Council Work Session Meeting of June 8, 2026, at 9:54 P.M. Motion passed 5/0.

ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk

DRAFT



City Council Item 2.B.

Title/Subject: City Council Regular Meeting Minutes
Meeting Date: June 22, 2026
Prepared By: Sandie Thone, City Clerk/ HR Director

Attachments

1. 06.08.2026 CC Reg Meeting Minutes

Background

06/08/26 City Council Regular Meeting Minutes

Strategic Alignment

Organizational Strength & Good Governance

- Sound and strategic record keeping of government activities lead to comprehensive long-term planning, principled, data, and stakeholder-driven decisions, and a culture of continuous improvement.

Budget Impact

Minute preparation costs vary based on length of meeting and level of detail.

Action Requested

Motion to Approve Consent Agenda. Simple Majority is required.

MINUTES

1. CONVENE CITY COUNCIL REGULAR MEETING

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

A. Pledge of Allegiance

B. Roll Call

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

Absent: None

C. Review Agenda

Sanschagrin moved, DiGruttolo seconded, and the agenda was approved as presented.

Motion passed 5/0.

2. CONSENT AGENDA

Mayor Labadie reviewed the items on the Consent Agenda.

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

A. City Council Regular Meeting Minutes

B. City Council Special Closed Minutes

C. Excelsior Fire District Board Minutes

D. Claims List

E. Freeman Park AED Donation, Adopting RESOLUTION NO. 26-33, "A Resolution Accepting the Donation of an AED and Mounted Cabinet for the Freeman Park South Concession Stand."

Motion passed 5/0.

3. MATTERS FROM THE FLOOR

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

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Barry Brown, 6050 Burlwood Court, stated that since the City will begin reviewing the 2027 budget, it should also begin considering AI tools. Mass adoption of AI is underway, and generative AI will peak in the United States by 2028. He noted that other cities nearby are already embracing AI. The League of Minnesota Cities has published its second set of guidelines as of April 2026. He urged the Council to form an AI task force before the City falls behind or has too many silos. The task force will help to formalize an AI policy, including ethical guidelines, fairness, privacy, and accountability. He added that the plan is to formalize this with the Flock systems, but it should be expanded to all systems. He shared that the Road AI cameras used by the Public Works Department should be considered, as some have the same issues as Flock. He stated that the task force should identify and force-rank future AI needs, focusing on productivity, cost savings, and risk abatement. He shared that there were a couple of ways the Council could consider using AI in the City: in general, maintaining institutional knowledge, with turnover in top-level positions being a problem in Shorewood, such as in director positions and water main hook-ups. He explained that in engineering, Bolten and Menk use AutoCAD Civil 3D; for road design, AI-language-assisted models can dynamically integrate GIS data, street mapping, and historical information while conforming to Shorewood's construction standards and guides. This can proactively catch errors before contracts are signed and groundbreaking occurs. He added that requests for bids containing hundreds of detailed specifications can be generated in minutes, rather than hours of billable time. For the finance department, AI can automatically capture code and process vendor invoices, reduce audit preparation time from days to minutes, and create financial simulation models that more accurately predict future revenue and expenses, thereby eliminating the need for some consulting contracts. In the Planning Department, AI can automatically rewrite city zoning code to coincide with the changes to the city's comprehensive plan, and AI could also rewrite the confusing language and the redundancies that are currently in the zoning codes. He shared that, for the City Clerk, simply producing meeting minutes for the City Council and Commission meetings can reduce costs by up to 75 percent. He added that data requests that take hours for the Staff to gather could be done in minutes. None of the items could be done without human oversight or approval. He noted that AI will save time and money if properly implemented. He urged the Council to form an AI policy and identify and prioritize future AI needs before the City falls behind.

Andrew Daly, 35 Water Street, thanked the Council for taking the measures to cover the Flock cameras. He noted that Shorewood was not alone in covering the cameras; there is a growing list of many other cities as well. He explained that he reviewed the audit attached to the meeting agenda, and there is no audit of the actual searches conducted in Shorewood, as seen in many other cities' audits. Unless this is tied to an active investigation, the search queries should be included in the audit. He added that is where a majority of misuse may be occurring by other agencies, potentially including immigration enforcement in the community. He noted that he and everyone else at the meeting expected the South Lake Minnetonka Police Department (SLMPD) to follow its internal policies correctly, and it is good to see that they are. He shared that the real question that should have been uncovered is who, when, and why outside agencies searched SLMPD cameras. He mentioned Flock's recent terms of service change, on February 16, that can be found on the website: "Customer hereby grants Flock a limited, nonexclusive, royalty-free, irrevocable, perpetual, worldwide license to A) use and disclose customer data to provide the Flock services and B) use customer data to support and approve Flock's products and services." He shared that the new, broader language allows Flock to use all of its surveillance data to build its business, particularly the Flock Nova Platform, under the slogan "Search once, see everything." Discovered via a demo on the Flock Nova Platform, Flock tries to compile as much data as possible about individuals, including vehicles, social media accounts, physical addresses, emails, IP addresses, Social Security numbers, and even advertising IDs used to identify users

across apps and more. He noted that those are all real data points from a real demo that can be linked to someone, but without full access to the live platform, it is hard to know if Flock is running in production. He encouraged a Flock representative to refute the claims fully, but has, in the past, dropped out of news stories. He shared that, going back to the recent terms of service change, Minnesota statute requires ALPR data not tied to an active investigation to be destroyed in 60 days. Flock's default retention period is 30 days, but adding the perpetual, irrevocable license language means that even after the data is supposedly deleted from the customer-facing system, Flock retains the legal right to use the data indefinitely for product improvement. He shared that Flock's marketing claim, "Customers own 100 percent of the data," is technically not contradicted but amounts to misleading framing. Ownership is meaningless, aside from increased liability, once the person has already granted a perpetual license to Flock for all uses. He shared that the damage is already being done in Shorewood, and the City needs to get the other cities in the SLMPD up to speed on this, especially given the clash with existing Minnesota laws. He stated this is a clear loophole that allows Flock to retain the data indefinitely.

George Greenfield, 24715 Yellowstone Trail, stated that in connection with the Flock discussion, he would like to read into the record the Fourth Amendment of the United States Constitution. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. He added that there are no special circumstances or extenuating circumstances, and it is an absolute regulation. He shared that the technical details are irrelevant, with Flock clearly being unconstitutional and should be out of the City.

4. GENERAL BUSINESS

A. Excelsior Fire District Presentation

Interim Fire Chief Basinger shared that a second Battalion Chief, Troy Walsh, has recently been onboarded. He shared that Troy Walsh is in charge of emergency management and also does IT for the Fire District. The new second Battalion Chief started in late March and is now up to speed on the 24/7 rotation. He added that, in combination with the first Battalion Chief, two-thirds of the shifts are covered, which has provided tremendous coverage for the EFD through the duty officer program and has taken a huge burden off the paid on-call officers as well. He added that there is always an experienced officer on duty, no matter when a call comes in. He shared that part of the 24/7 budget proposal is bringing on a third Battalion Chief to complete the three-battalion rotation. He shared that the EFD has about 43 members and is looking to hire five members to run the academy in the fall. There continues to be strong interest from both untrained firefighters and other firefighters looking to pick up extra work. He reminded the Council that the 2026 budget was a large increase because the EFD needed new SCBAs. The SCBAs consist of the actual pack itself and the air bottle on the back. He added that the DOT regulates the bottle itself, which has a 15-year lifespan, so it must be replaced every 15 years. He shared that the group demoed the three major SCBA manufacturers, and they liked the simple, basic pack. The EFD went with a lighter frame and a smaller bottle lasting only 30 minutes, compared to the previous 45 minutes. He shared that it is misleading because 30 minutes is for sitting at a table, not for doing anything and breathing normally. Part of the reason for switching to a smaller bottle was to reduce the weight and bulk carried around. The other part was that, in learning about the physiological strain firefighting puts on firefighters, the industry is relying on having more people to spread the workload on scenes. He noted that less is being asked of individual firefighters due to physiological strain and efforts to keep them healthier. He shared that the identification has been upgraded to glow-in-the-dark, as visibility can be very difficult, but it is very important. He

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explained that the new compressor should be in shortly, and along with it would be the designated gear washer that the packs can go in, which decontaminates the carcinogens and soot and extracts them from all of the gear that cannot be put in a normal washer.

Councilmember DiGruttolo thanked Interim Fire Chief for his service to the community. She asked how the new SCBAs work. She noted that it does not seem possible to fight a fire in less than 30 minutes. Interim Fire Chief Basinger explained that all riding positions in the apparatus have their own packs with bottles, and spare bottles will be carried to the scene. He shared that the firefighters will go in and work for 12 to 20 minutes, depending on how hard they are working, then come up and take a breather. After that, they will get a new bottle and go back to work, but the standard in Hennepin County is two cycles due to the strain. Councilmember DiGruttolo asked whether it would be possible not to replace all of the SCBAs at the same time. She noted being worried last time because everything expired on the same day, and if there were a supply issue, the EFD would be down operationally. Interim Fire Chief Basinger shared that there was a conversation had asking how to break this cost up so that it is not such a massive lump sum every 15 years. He explained that an issue that is run into is that the National Fire Protection Agency regulates the packs, and that if the packs were replaced on a different cycle, then there may be some packs that meet the code and some that do not. He added that even though they stayed with the same company, none of the things in the packs are compatible with the previous packs. He stated that the EFD would continue to look into ways to get ahead of the massive cost every 15 years.

Councilmember Sanschagrín appreciated the inclusion of the administrative report in the packet. He noticed that false alarms were up compared to last year and that there is a cost associated with that. He asked if something was causing those false alarms to increase more than double. Interim Fire Chief Basinger shared that part of the message is that the National Fire Reporting Incident System has changed to a new system, so the way calls are recorded and documented has also changed. Some of the numbers might not be a direct comparison. He shared that the EFD is investigating false-alarm calls. Typically, if the call is to a place of residence and is not followed by a business call, each municipality may authorize the fire department to charge for multiple alarms on the same issue. He shared that it is tracked and followed up on by the Fire Marshal.

Councilmember Sanschagrín asked if the EFD is still doing a lot of work around senior living homes. Interim Fire Chief Basinger stated that they are.

B. Discussion of ALPR (Flock) Audit

Chief Ballsrud stated that Lieutenant O'Keefe was also present, actively involved in the audit process, and had greater knowledge of it than others. He stated that they were there for any questions.

Mayor Labadie noted that the 2026 ALPR Audit was in the Agenda Packet, along with the Minnesota Statute relating to the audit and the compliance confirmation letter from the State.

City Administrator Nevinski added that ALPRs in Minnesota are required to meet certain statutory standards and undergo an audit every two years to ensure the department meets those standards. In April, the SLMPD completed the audit and was found to comply with the standards. He noted that the audit is rather quick and succinct, so that questions could be asked of the Chief

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and Lieutenant, and they could then provide an update on next steps regarding the Flock cameras.

Councilmember Sanschagrin asked about the requests that have been made for the Flock data and requested that the SLMPD has made to other agencies. Chief Ballsrud clarified that an audit log is available to administrators for active users. Currently, the SLMPD is only sharing data with one other agency with which it has a data-sharing agreement: another west metro city. He noted that since he took over as Chief, access has been further restricted. At no time have there been any agreements with Federal Agencies. He shared that when the discussion began in the fall, no out-of-state agencies were allowed to see the SLMPD data. It was learned that the best practice is to have a written shared agreement, and until that was received, the SLMPD eliminated others' ability to see their data.

Councilmember Gorham asked if there was more to the audit than what was shared. Chief Ballsrud explained that this was the first audit of the SLMPD system, and the SLMPD learned that it was not all-encompassing as they had thought it might be, but that is the standard. He pointed out that the data is retained for only 60 days, so only a limited amount can be reviewed. Lieutenant O'Keefe shared that the audit process is standard. The police department administrator conducted an online screen share with the auditor to review everything; this is a sample of the available data. Many agencies use the auditor throughout the metro. He noted that, as far as meeting all the statutory requirements, the auditor must review them. He shared that he is not sure what the product would look like from a competitor auditor. Councilmember Gorham asked if the sampling falls within the State's requirements. Chief Ballsrud explained that this is the industry standard because looking through every single one would take a long time.

Councilmember Gorham asked what the auditor would be looking at if much of the information is gone. Lieutenant O'Keefe explained that the auditor follows a step-by-step process. The auditor reviews user settings, as detailed in the executive summary, and the specifics of the actions taken to ensure the system meets compliance requirements. He added that the auditor reviews all the settings to ensure they are consistent with the policy and the statute.

Councilmember Gorham asked how the SLMPD would know that the requests over the years are not in violation of anything. Chief Ballsrud pointed out that it is a challenge with everything the SLMPD does as a department, because the information is criminal justice information. He shared that, for the SLMPD, there are over 10,000 license plate queries per year, and there is no way to know 100 percent that it is being done without violating anything. He added that the SLMPD hires, backgrounds, and trains people; there are policies and State law, and at some point, there has to be trust that things are being done correctly. If there were reason to believe that people are not doing things correctly, audit logs would be reviewed, and an investigation could be conducted. He added that there are too many to say that every single query is legitimate or not.

Councilmember DiGruttolo thanked the police officers for their service and noted that the balance between safety and security is delicate. She asked what the other JPA cities are thinking and how they are talking about Flock. Chief Ballsrud stated that other cities are talking about Flock. He recently spoke with Tonka Bay, and they are increasingly concerned. He shared that AI is an emerging technology with many benefits, but there also have to be controls in place. He added that law enforcement is slow to develop technology, but there are reasons for that. An AI policy is being developed for the SLMPD. He shared that there are certain considerations because some data cannot be entered into AI in accordance with Chapter 13 data practices. Reports cannot be generated through AI; proofing a report is possible, but it must be very specific about

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what can be included. He stated that the SLMPD believes technology is important to examine and engage with, but that this must be done with community comfort in mind. He shared that at the National Academy, in talking with others about Flock, there is a mixture of support and agencies that have dropped Flock. This is a nationwide issue.

Councilmember DiGruttolo stated that her concern is less with SLMPD misuse or abuse; policies can change, the Federal government could change a policy, and the law could require that all data be shared. Many residents are pointing out that there is an illusion of control over the data because of the statutes, but that could change. She noted that there is not much benefit to having Flock. Chief Ballsrud noted a mix of support and concern from the other JPA cities. There is support for the tool, but there is concern about the company itself. He added that Flock representatives have spoken with them, but there is no detailed information about what is going on with their servers. He shared that he has heard of support for the tool, but is using a different vendor. He noted being open to that idea, as there are other vendors, but the SLMPD is under contract with Flock, and options are being explored to end that contract or not proceed.

Councilmember Gorham agreed that there is strong public sentiment about Flock. In doing a cursory review of Flock, there are many constitutional violations. He noted that the Compliance Confirmation Letter does not function independently as a trust-building document. He stated that the audit capability is important and should show the output and how we prove that the Flock is safe, but this is not included in this letter. Chief Ballsrud shared that when an officer makes a query, the SLMPD knows who did it, the date, the license plate, the reason, and, if applicable, a case number. Councilmember Gorham stated that he is not alleging any malfeasance; an audit was performed, but the document itself cannot vouch for it. He asked what sort of software and AI camera are used to provide output to the people and the government, showing that they are doing it lawfully. Chief Ballsrud stated that the information is private, making it difficult to include in a report.

Mayor Labadie noted that the Council was shocked by the audit's lack of content. She understood that the SLMPD did not create the document and that the data is not available forever. She asked about the positions of Greenwood and Excelsior. Chief Ballsrud shared that Greenwood has had some discussion, but there is a mixture of concern and support, with them being more supportive. Excelsior has had some concerns raised at Council, but also support.

Mayor Labadie stated that, at the Coordinating Committee level, there have been discussions about concerns regarding the company Flock itself. She noted that if anyone on the Council would like to present additional options to the Coordinating Committee beyond Flock, they could do so. Councilmember DiGruttolo shared that she has not heard of any real benefits to having cameras. Chief Ballsrud stated that the cameras are a valuable tool that has proven their value nationwide. The cameras have helped to locate missing and endangered people and violent criminals. That does not happen a lot with the SLMPD, but there have been some significant arrests. He pointed out that the cameras are a force multiplier, being that the police cannot be everywhere at once.

Councilmember Sanschagrín noted that the report was labeled "Executive Summary" and asked whether there was more to it. Lieutenant O'Keefe stated that the SLMPD had not received. Councilmember Sanschagrín asked if Chief Ballsrud or Lieutenant O'Keefe was aware of any agencies that failed the audit. Chief Ballsrud stated that he was not aware of any, but that could be on the Secretary of State's website.

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Councilmember Maddy asked what the subscription fee was per camera. Chief Ballsrud stated that it was \$3,000 per camera per year. Councilmember Maddy asked what the Chief's vision is for the future with Flock and other camera options. Chief Ballsrud explained that other companies have stationary cameras, other agencies have cameras mounted on vehicles, and technology has evolved to the point where it can be built into in-car camera systems. There is a cost to it. He added that the cameras in the vehicles were installed in 2015 and at the end of their life. He would like to continue to explore the squad cameras as an option.

Mayor Labadie pointed out that the department is not seeking any specific actions and asked whether there were any other questions. City Administrator Nevinski asked if there was a direction for the Mayor to bring back to the SLMPD board.

Councilmember DiGruttolo stated that she would like to hear what the other cities are thinking regarding Flock. Mayor Labadie reiterated that Tonka Bay is having a more thorough discussion, Greenwood has already discussed it and is not willing to give it up, and Excelsior is looking at it from the perspective of being more downtown.

Councilmember DiGruttolo asked if the bag was still on the camera. Chief Ballsrud stated that it is. There were some challenges with the company deactivating the camera, with all the cameras going down and then coming back up. He pointed out that the SLMPD did not feel that the off button on the Flock end was necessarily working.

Councilmember Maddy asked whether, if Shorewood does not want the camera, it could be moved to another city, since it is already being paid for. Chief Ballsrud stated that it could be done. Ultimately, they wanted to get to the point where the audit was completed and presented to the Council. He added that if the Council directs the camera's redeployment, the SLMPD would proceed from there. Councilmember Gorham stated that he is not ready to proliferate a system that he inherently disagrees with.

Mayor Labadie stated that, as a former prosecutor, he believes that any shred of evidence obtained helps strengthen the case. However, she does think that Shorewood has reservations about Flock. She noted that she would like the SLMPD to explore the feasibility of exiting the Flock contract early and what that would entail. She pointed out that residents have raised serious concerns, but there is also a budgetary component to the line of thinking. Shorewood has 50 percent of the SLMPD budget, so the cost of the Flock to Shorewood is \$6,000 per year. Councilmember DiGruttolo agreed and pointed out that getting half of the money back is better than getting none. Mayor Labadie stated that it does not need to be a termination, but could be information to the Coordinating Committee, which could be brought back to the individual cities.

Mayor Labadie stated that she would present to the Coordinating Committee that Shorewood would like to try to get out of the Flock camera contract early if possible. She would inform the Council as things went along. She added that it does provide strong evidence, but it is not just her opinion. Chief Ballsrud agrees that Flock is a useful tool, but the SLMPD wants to ensure it uses technology most people are comfortable with, and that is not happening with the current vendor.

C. Report by Commissioner Hirner on the April 28 & May 19 Park Commission Meetings

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Commissioner Hirner shared that at the April meeting, the Commission reviewed the Parks Commission handbook, which had not been reviewed in at least five years. The Commission was happy with the changes made to the handbook. He noted that the Commission discussed that, within the handbook, if something could be found on the website, it should be included in any City documents, and that the City should look into doing so. The reason is that it helps residents find what they need. He added that, at the April meeting, the Park Commission also discussed the off-season use of the Cathcart Rink as a dog park. The Commission is excited to see what that will look like going forward. He noted that Park and Recreation Director Czech has spent a lot of time looking at what other cities are doing with their hockey rinks. He pointed out that it has been helpful to know that others are also looking at the hockey rinks and how to use them in the summer. He stated that, for the May meeting, the Commission was looking at the Cathcart tennis and basketball courts, including refinishing and resurfacing. He shared that there was a lot of discussion because of the root damage, there were many good ideas, but the recommendation to the Council was delayed until the Commission can do park tours in June. During the park tours, the Commission will review the courts to determine the best option for them and make them safe. He stated that lastly, the Commission discussed the SeeMyLegacy Software. The Commission is excited about what the City can do with the software and the different ideas that emerge from its use.

Councilmember Sanschagrín asked whether there was any discussion about the timing of painting the hockey rink. Commissioner Hirner explained that the Commission had not yet discussed the timing, but is thinking it will be at the end of the season. The question is whether any upgrades to the off-leash dog area are needed and whether they would align with the painting timeline. Park and Recreation Director Czech noted that the church across the street from Cathcart is working to organize volunteers to paint the boards. M Carlson Painting is willing to donate paint for the project. Many things are in the works, and an official date will be announced for the project.

D. SeeMyLegacy Program

Park and Recreation Director Czech presented on the SeeMyLegacy Program as found in the Agenda Packet.

Mayor Labadie stated that she loves the program.

Councilmember DiGruttolo asked who runs the program, the Staff or the organization that is being paid the \$2,500. Park and Recreation Director Czech stated that there would be a dedicated customer support person to help the City get up and running and be onboarded. If there is a specific campaign, then the organization would build the webpage. He noted that for all the tracking and such, he would be the one to approve and confirm the sponsors. There is a Staff approval process for sponsors. He added that the Staff time would be significantly less than it is right now with the current event sponsorship. He spoke with the Parks and Rec Manager for Prior Lake, who uses the program, and he stated that the memorial bench side of things is much more seamless. Prior Lake also informed him that sponsorship has increased slightly, but nothing significant to attribute to the program.

Councilmember DiGruttolo asked how many requests for memorial benches the City receives. Park and Recreation Director Czech stated that in the last year, the City has had six or seven requests, and two went in last year. There were five or six that did not end up going, one that will go in at Freeman, and another that is waiting on pricing. He shared that the process is long and confusing. Councilmember DiGruttolo asked if the program would do all of the work. Park and

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Recreation Director Czech explained that there will be work on the Commission's end to identify priority pre-approved locations, but once that is set, the person will sign up, and then the bench will be ordered and installed.

Councilmember DiGruttolo asked whether the organization handles all funding and money collection. Park and Recreation Director Czech stated that the payment is processed online, and the City will then remit it to Finance. Councilmember DiGruttolo asked if the organization takes a percentage fee. Park and Recreation Director Czech noted that there were just transaction fees on credit cards. The organization does not get a percentage of the money; they get the yearly fee.

Commissioner Hirner explained that the program is like any other software; the initial setup must be completed as part of the process. The program standardizes the approach. He added that instead of having everything defined for each request, everything will be defined as part of the process, and someone will be able to put their bench in specific locations. He stated that all the work and time spent today will be standardized by the program. The decision to donate a bench can be made; the Staff will approve it, and the bench can be installed.

Councilmember Gorham asked how the program would determine the cost of a concrete pad. Park and Recreation Director Czech stated that it would be done on the City's side. Commissioner Hirner shared that, with the same bench, the same type of pad would be needed. All that information is predefined. He added that, from a resident-experience perspective, the program will be fabulous rather than frustrating. Councilmember Gorham asked where the frustration comes from. Commissioner Hirner noted that frustration comes from time. He explained that there was a bench that went into Freeman, which had been discussed for six months. That is not a great experience for the residents. Councilmember Gorham stated that there would still be six months of talking through the location. Commissioner Hirner shared that at that point, the Commission did so because nothing had been predefined. Now, the Commission will predefine all the locations on a map. He added that the entire conversation would be handled on the front end.

Councilmember Sanschagrín asked if Civics Plus has a competitive program. Park and Recreation Director Czech noted that Civics Plus does not. At the moment, if there is an event, then the City can create a program in Civics Plus for people to sign up; those are one-off things. He added that the garden program is in Civics Plus and can be signed up for. As for a memorial program, there is nothing in Civics Plus. Councilmember Sanschagrín asked if there was any integration with Civics Plus. Park and Recreation Director Czech stated that the two are separate, but with the SeeMyLegacy website, another website could be embedded. He explained that on the City's website, there could be a dedicated memorial bench webpage, so users do not have to leave the site.

Councilmember Maddy stated that the donors initially pay for the bench and the pad. He asked who maintains the bench. Park and Recreation Director Czech stated that the City would maintain the bench. Councilmember Maddy asked what would happen if the City no longer wanted to have the program. He pointed out that the benches would be removed, or the organization could upcharge to preserve the family members' legacy. Park and Recreation Director Czech shared that the City would continue to maintain all the information. The City would have to find a different way to keep the memorial bench program going. He added that the benches and physical things are the City's. He explained that in other cities, he has seen that for 10 years the city will maintain the bench, and then, if it is beyond repair, it is removed. The city will contact the donor and ask

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whether they would like to donate another bench or have the bench removed. Councilmember Maddy asked whether the ten-year verbiage for donors is something the City has. Park and Recreation Director Czech shared that it is not done yet, but it would be part of the program's initial rollout. Councilmember Maddy shared that if the City were to have that, he would support the program.

Councilmember Gorham asked about the cost of a bench and concrete pad. Park and Recreation Director Czech stated that the cost for the pad, bench, plaque, and labor is between \$3,000 and \$4,000.

Park and Recreation Director Czech clarified that the memorial bench is not a revenue stream. He added that the benches are adding an amenity in the park, and the cost of donating a bench covers the City's costs. Councilmember Sanschagrín asked if the maintenance costs are included in the donation. Park and Recreation Director Czech stated that it is included, but the bulk of the cost is general installation.

Councilmember Gorham stated that the City is paying \$2,500 a year to have maybe two benches installed. The City is paying to enable an easier, customer-friendly interface, and will force the City to plan where benches should go. He noted that the program was expensive for two or three benches a year. Commissioner Hirner noted that the program began with memorial benches but now allows the City to develop other programs. He shared options such as memorial trees or sponsored pavers, all of which are available on the platform. Councilmember Gorham pointed out that he understands, but there is a cost that has to be weighed.

Labadie moved, Sanschagrín seconded, Approving the quote for implementation of the SeeMyLegacy platform in the amount of \$1,999. Motion passed 4-1 (Gorham).

E. Watermain Repairs

Public Works Director Morreim presented on the watermain repairs as found in the Agenda Packet.

Councilmember Sanschagrín asked if there is a way to measure how much water is leaking. Mr. Morreim stated that there is not. Water is on the street when it is not raining. He noted that the City does not have intermediate meters. He noted that the leak is slow enough that there is not a river on the road, so it is not significant right now. There is a risk that it could become a larger leak and an emergency in the future. He added that the quotes received are lower than they would be if the leak were an emergency.

Councilmember Sanschagrín asked what causes the leaks. Mr. Morreim stated that the biggest reason for the leaks is that Shorewood was built on a marsh, and most of the pipes are ductile iron, which corrodes over time. Councilmember Sanschagrín asked whether a repair would involve replacement or patching. Mr. Morreim explained that it depends. The last water main leak at Smith Town: a big patch was put over the leak and bolted down. He noted that sometimes it is the bolts on a water main valve. Councilmember Sanschagrín asked if the companies already know how they will fix the leak. Mr. Morreim stated that the companies already know. Most excavation companies are in business because of water mains in cities.

Councilmember Gorham stated that the quote calls for backfilling with on-site materials or materials provided by Shorewood. He asked if there was a stockpile ready for use. Mr. Morreim

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shared that there is material ready for use. He added that all the water main repair work is done; the company does all the digging, and the City handles traffic control, hauling material out, and hauling material in. He added that the company handles all compaction. The City does all of the paving. Councilmember Gorham asked whether the materials come from another business and are paid for separately. Mr. Morreim stated that it was correct. Councilmember Gorham asked where the money to pay for that comes from. He explained that the quote is for \$15,660, but the City provides certain materials. Mr. Morreim explained that there is approximately \$1,000 worth of material for each excavation. There is a significant amount for watermain repairs in the budget, and that depends on the year if all of the money is utilized.

DiGruttolo moved, Labadie seconded, Approving the quote from Digrite Excavating in the amount of \$15,660 to perform the identified watermain repairs. Motion passed 5/0.

F. Mill Street Watermain Project

Public Works Director Morreim presented on the Mill Street Watermain Project as found in the Agenda Packet.

Mayor Labadie pointed out that the Staff is looking for direction. It is not something that is being voted on. She added that time is of the essence to reduce potential costs down the road. She pointed out that the underlying motion months ago to proceed with the project passed 3-2, with Councilmembers DiGruttolo and Sanschagrín voting no. She asked whether the information about additional costs had changed the Councilmembers' votes. Councilmember Sanschagrín stated that it makes his vote a harder no. Councilmember DiGruttolo shared that the project was justified based on cost savings and future water service to communities, but there are no cost savings now. She added that taxpayers who do not benefit from the project will still have to bear that cost at even higher rates.

Councilmember Gorham noted that the decision would be tough. He asked what Chanhassen's motivation is for not having Shorewood cancel the water main. Mr. Morreim stated that they do not care if Shorewood backs out.

Councilmember Maddy stated that the idea is to charge a one-time fee for a one-time expense: public accounting. He noted that Shorewood wants to temporarily use the pipes that are already in the ground and then pay Chanhassen revenue water. He added that Chanhassen will take its water, generate revenue from it, and also require Shorewood to contribute to Chanhassen's capital costs. He stated that if the money could be refunded when Shorewood disconnects and reconnects to its own system, he would be willing to entertain the idea. He could not see why Shorewood would be paying for Chanhassen's infrastructure temporarily. Mayor Labadie agreed. She pointed out that this is a different set of circumstances than when the vote was originally done. She added that this is not being a good neighbor.

City Engineer Budde explained that to provide a functional water main system, a couple of components are involved. Conveyance is just one piece, the pipes in the ground; there are also the wells, the treatment of the water at a treatment facility, and the storage of the water in the water tower. Those are all costs that Chanhassen has invested in. He added that it is part of some of those costs.

Councilmember DiGruttolo asked whether there was any insight into why Chanhassen suddenly decided to charge the fees. She added that the City has been talking about this for over two

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years. Councilmember Maddy asked whether Chanhassen still intends to charge the City for the water used. Councilmember Sanschagrin shared that Chanhassen intends to charge rates the same as those for Chanhassen residents. Originally, the contract was for bulk-rate water charges. Mr. Morreim stated that the rates are in a higher tier but remain within the rate structure. He noted that there is one volume of water per meter, and then the City bills its customers. He added that there is a separate conversation about billing in a different way that would actually benefit Shorewood properties.

Councilmember Sanschagrin asked whether anyone in the City has committed to connecting to the water. Mr. Morreim stated no one has paid \$10,000 to Shorewood. City Administrator Nevinski stated that there is some interest. He noted having a phone call today with interest, but when asked if they wanted to hook up, the resident stated they were thinking about it. He did not have exact numbers. City Engineer Budde stated that, going back to the survey results, it was split into thirds: a third said they were kind of interested in hooking up sooner but with no commitment; another third liked the idea of having water available; and some did not want water available. He added that he has received calls from two residents who could potentially connect. He stated that he has also received calls from others in the City who would like the opportunity to have water, but this project would not serve them.

Councilmember Maddy asked how much the City stands to gain by partnering with the County to bury the pipe that is not yet needed. City Engineer Budde stated that \$200,000 was the estimated cost savings of doing so in conjunction with the Trail Project. Councilmember Maddy noted that most of those savings would be canceled out by Chanhassen demanding the fees. Mr. Morreim shared that it would depend on how the Council wants the fee paid. The Staff's recommendation is to spread the costs among the properties. If the City can get the residents to pay for it when they connect, there would be no upfront fee to Chanhassen. The resident would only have a fee to Shorewood, and then Shorewood would pay Chanhassen. Councilmember Maddy asked if Chanhassen would keep the money when Shorewood disconnects down the road. Mr. Morreim explained that there is probably no situation in which the City would receive a refund.

Councilmember DiGruttolo pointed out two reasons to do this. One being the sunk cost of \$100,000. Two, this is part of the plan for the future, but no residents are buying into the plan.

Mayor Labadie stated that in her mind, the first time the matter was voted on, it felt irresponsible not to approve the project. She shared that now the facts have completely changed. She recognized that without doing this, it would be a long time before the neighborhood would have water available. She noted that Councilmember Sanschagrin stated that the cost savings will be eaten up. Councilmember Maddy stated that if the City wants this done, bonding will be required in the future to ensure it is done right.

Councilmember Gorham explained that if this were any other issue, he would want to escalate it to the mayor; this seems like an appropriate immediate step to discuss the fact that the cities are partners. He noted that if the Council is changing direction, the community needs to know what happened. He asked how this would be communicated to residents, as the opportunity to do so is dwindling. He added that he would be upset if this happened and that there was no option to state the residents' opinions. City Administrator Nevinski stated that it is a great point. That was not something the Staff had focused on, because the focus was on potential solutions. He added that there was a strong focus on making it easier for residents to commit. He pointed out that he did not know if there was a downside to waiting another week to see what the City can come up with in Chanhassen. There may be something palatable that could work. He asked if the Council

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has guidelines for the route that would be helpful for the Staff to know, so that they can be told to go to Chanhassen.

Mayor Labadie noted that she is frustrated. She liked Councilmember Gorham's idea of speaking with the mayor. She noted that they worked well together in the past. The mayor of Chanhassen is on the Highway 7 coalition, and even though Chanhassen's frontage on Highway 7 is smaller, the mayor has been a good team player. However, the Chanhassen City Council meets on the same nights as the Shorewood City Council. She noted that she could chat with the mayor, but she is one voice. Councilmember Gorham asked if Chanhassen discussed this in their council meeting. Mayor Labadie stated that she did not know if they have, Chanhassen's end of the project is happening no matter what. Councilmember Gorham suggested that this decision was made in the Chanhassen engineering department. City Administrator Nevinski stated that Chanhassen was following policy and its city manager form of government, which operates a little differently. He added that Chanhassen's council expects the staff to deal with these things, which is his guess.

Councilmember DiGruttolo asked if there is a possibility for additional fees. She asked the Staff if they had seen anything like this happen before. City Engineer Budde stated that he had not, and this blindsided the Staff. He noted that the City reached out to Chanhassen three years ago about connecting, largely for engineering questions. He shared that updating the agreement was not discussed until it was stated that Shorewood would move forward with the project.

Mayor Labadie respected that notifying residents is important, but no one has followed up. She pointed out that if 30 residents wanted to connect, then that would be a different story.

Councilmember Maddy asked how long the City would have before it would be necessary to start buying pipes. Mr. Morreim stated that at the next meeting, a decision would be needed because materials would need to be ordered. Shorewood is scheduled to begin work on the water main portion of the project. He noted that the Staff can reach out to the residents if that is what the Council wants to include in the decision-making process at the next meeting.

Councilmember DiGruttolo stated that it makes sense to let residents know that if nothing is done now, it will be a long time before they have access to water. She pointed out that maybe the thing to get residents to commit. She added that she may be persuaded if things cannot be done for a long time. City Administrator Nevinski shared that the opportunity to put in the pipe now exists because the road is ripped up, and it will not be ripped up for a long time. City Engineer Budde explained that the County is investing a significant amount of money to adjust the roadway alignment and add a trail, so there will be maintenance projects, but no opportunity to dig up. There will be additional costs because the trail will need to be dug up and replaced.

Councilmember DiGruttolo shared that she would be more inclined to support the project if residents were going to hook up. If a few were convinced, it might tip the balance in favor of doing it. Councilmember Gorham stated that he is not trying to leverage urgency or panic, but rather that the City has been talking about doing this, and now it is all falling apart.

Mayor Labadie stated that the last time Councilmember Gorham said something along the lines of "the time is now." She agreed with that statement, but the circumstances have changed dramatically.

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Councilmember Maddy explained that he has a lot of trouble temporarily paying for Chanhassen's infrastructure.

Councilmember Sanschagrin asked how many properties there are. City Engineer Budde noted that there is potential for 25 connections. Councilmember Sanschagrin asked about the other properties that are connected to other service areas. City Engineer Budde stated that there are three that are not counted in the 25. Councilmember Maddy noted that there are a few large, subdividable parcels. Mr. Morreim mentioned that the subdividable parcels at the south end would not be developable if they required water. Councilmember Maddy asked how much it would cost to run a pipeline from the east side system to that section. City Engineer Budde stated that it is more expensive to run to the east side because the pipe would have to go through Radisson Road, which is very challenging from a right-of-way perspective. Councilmember Sanschagrin stated that the property has the most to gain from this, because otherwise it is not subdividable.

Mayor Labadie stated that the Council is feeling doubtful about this. She asked whether the ideas suggested would make a difference. Councilmember Gorham asked about a meeting of the mayors. Mayor Labadie shared that since this is a city manager-type situation, the manager would be able to make changes regardless of the timeframe. She pointed out that one conversation may not sway anything. Councilmember Maddy stated that if the conversation did not sway anything, that would give the Council impetus to put the matter to bed. Mayor Labadie stated she is willing to have the conversation, but is not optimistic. She asked why Chanhassen would give up the fees. Councilmember Maddy stated that it would be just for water revenue.

Mr. Morreim shared that, based on a conversation with the Chanhassen Public Works Director, if Chanhassen forgoes the connection fee, they will be looking for a significant increase in the water usage rate. Councilmember Maddy asked whether that would be at the retail rate or the bulk rate. Mr. Morreim explained that \$9.07/1000 gallons is the commercial and industrial rate that Chanhassen has. Councilmember Maddy asked if that is substantially more than the residential rate. Mr. Morreim stated that it would depend on how much water is used. He added that currently the City is paying a few dollars less than \$9.07 and was hoping for even less. However, that conversion may not even happen if Shorewood is looking to eliminate the connection fee. That is his opinion. Councilmember Maddy stated that Chanhassen can justify that through water sales, but he does not see the point in connection fees.

Councilmember Gorham asked whether the request seemed in good faith. Mr. Morreim stated that Chanhassen is living within its policies and fees. Councilmember Gorham pointed out that policy is not math-driven. Mr. Morreim added that it is a unique situation. Chanhassen is trying to live within the framework of what it has. Councilmember Gorham stated that charging Shorewood an exorbitant usage rate does not appear to be policy-driven. City Engineer Budde stated that there was a conversation about options, and the usage fee was one option. Ultimately, Chanhassen wants to make its money back and is flexible about how it does so.

Councilmember Maddy asked what money is being spent on Shorewood. City Engineer Budde stated treatment, well, maintenance of the pipes. Councilmember Maddy noted that it should be revenue, not operating costs. Mr. Morreim stated that each city operates and sets its own fee. According to Chanhassen, part of the connection fee includes capital costs for production, conveyance, treatment, and storage.

Councilmember Gorham stated that a portion of operational costs is already included in the normal rate. He asked why Shorewood's would be doubled. Mr. Morreim mentioned that it is a

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separate conversation that the Staff is looking to have with Chanhassen to reduce water usage rates among currently connected residents, potentially. Councilmember Gorham stated that Public Works from both cities have met. He added that this rate is at a ridiculous level, and Shorewood would be paying into the operational pot. Mayor Labadie asked whether those points had already been made at the staff level. City Administrator Nevinski shared that in the last conversation, Chanhassen is looking to recover some of the costs through connection fees for everything in the system. He added that is how Chanhassen does things. He noted that Chanhassen seemed to understand what Shorewood is trying to do, and that there is an opportunity to explore some options. He added that there has not been a full analysis of the options. He shared that it may be best to try to come to some options, knowing this may not happen again for a long time. There is not much to lose by trying, since it can then come back to the Council.

Councilmember Gorham explained that Chanhassen is charging for capital costs, and the usage fees should be for operations. He added that Chanhassen is throwing a policy at Shorewood and not considering the big-picture relationship between the cities. That is why it should be escalated to the mayor, because, relationally, it may not matter to Chanhassen's Public Works Director. Councilmember Maddy pointed out that, ideally, this is a temporary agreement.

Councilmember DiGruttolo asked whether there is a number the Council would be comfortable moving forward with the agreement. She noted that it is silly for the Staff to go and negotiate if there is no concrete number. Councilmember Maddy stated that he is concerned that operating costs are being paid with one-time fees. Councilmember DiGruttolo noted that it is bad accounting, but that is on Chanhassen. She added that the Council should have a number; she is a no-vote no matter what.

Councilmember Maddy stated that Shorewood pays the hookup fees and the water it uses. Mayor Labadie agreed. Councilmember Maddy pointed out that, down the road, if Chanhassen has a problem, Shorewood can help out, providing Chanhassen with redundancy. Mayor Labadie stated that it is the ideal situation. She noted that she would chat with the mayor of Chanhassen.

Mr. Morreim asked whether there is direction on how to communicate with the residents along this water main. Councilmember DiGruttolo noted that there would be no time to react. Mayor Labadie stated that the decision will have to be made at the next meeting. Councilmember DiGruttolo stated that it would not hurt to give the 25 households the information. Councilmember Gorham stated that sending the resident what they missed would be a good idea. Councilmember Maddy shared that he is hopeful that future Councils can provide water to residents within 35 years. Councilmember DiGruttolo felt people did not realize it could take a long time. She shared that many people are justifying not hooking up because they still have time and do not realize that this could not happen for a long time.

Mayor Labadie stated that a decision would be made at the next meeting.

5. STAFF AND COUNCIL REPORTS AND DISCUSSION

A. Staff

i. Response: Duane Laurila, Matter from the Floor

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City Administrator Nevinski stated that he has nothing to present. The Council had no questions beyond the memo presented in the Agenda Packet.

ii. Spring Cleanup 2026 Recap

Mayor Labadie asked the Council if there were any questions relating to the information in the Agenda Packet. The Council had no questions.

iii. Upcoming Tentative Agenda Topics

Mayor Labadie shared that things were similar to the last meeting. She asked for Council questions.

Councilmember DiGruttolo asked about the City Administrator's Annual Review. She asked if this could be done more formally. City Administrator Nevinski shared that he has spoken with Ms. Thone, and there will be something more formal.

Park and Recreation Director Czech shared that the baseball tournament went well and that no noise complaints were received. He added that the Minnetonka Baseball Association (MBA) had postcards that invited the neighbors to the games and offered a free concession item with the postcard.

Councilmember DiGruttolo shared that two people complained to her about the parking issue. Many people were running over the no-parking signs. Mr. Czech stated he did not receive complaints. No-parking signs are posted, and the MBA does the best they can. However, as with anywhere, people cannot be controlled.

Mayor Labadie asked whether MBA has an agreement with the parents in which both parents work specific volunteer shifts. Mr. Czech shared that he is unsure of the volunteer structure, but there are parent volunteers.

City Administrator Nevinski asked if the complaints came from within the park or on residential or side streets. Councilmember DiGruttolo explained that her neighbors with children who play baseball said parking was hard to come by and chaotic, with people parking everywhere. She noted that if people cannot follow signs in the parking lot, then that is an MBA issue. Councilmember Sanschagrín stated that the MBA may need to coordinate the parking. City Administrator Nevinski shared that the Staff will work with MBA to talk through the issue for next year.

Mayor Labadie stated that Tonka United had problems in the past, and the City worked with them, and they went to the parent volunteer parking. She added that there should not be parking on Eureka. Councilmember Gorham explained that during Tonka Splash, there is a strong group of parent volunteers.

Mr. Czech noted that Tonka Splash is Friday through Sunday, with games at Freeman. He added that the City is partnering with Tonka United, and there will be a viewing party on Friday for Team USA in the World Cup at Eddy Station. FIFA licensed the event. He explained that park tours of Freeman and Cathcart were on June 23 and are open to the public. The tours will start at 6:00 P.M. He shared that Safety Camp registration is tracking really well, and Staff is hopeful about filling the 40 registrations. Working with Community Education has been a success.

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Public Works Director Morreim shared that many trees are being removed, and many trees are being planted. He shared that the contractor went through Freeman Park and that several dead ash trees by the south playground have been removed and will be removed. Public Works is receiving many calls from residents about dead ash trees. The Staff will review the trees to determine whether it is the City's responsibility, and there is a list of over 100 trees to be removed. There will be another quote package coming to the Council in July, with more in the fall and winter. He added that in the winter, City Staff will be used to remove the trees. The priority is dead trees. Freeman has had 50-plus new trees planted, and more spots will be found. He shared that there are three seasonal employees currently working. Public Works is cutting a lot of grass. He added that fiber is being put in. T-Mobile is generally done, but they are putting some fiber in private roads. Midco is everywhere in the area, but will not have that on the side of trucks as they contract out. He stated that a third company could be coming in on the east side.

Councilmember Gorham asked about the fiber sticking out of the ground at homes and what happens next. Mr. Morreim explained that the conduit is run first, and then the fiber is pulled through it. He noted that generally, the companies are good about restoring the grass after the process with seeding and black dirt. He stated that if there are issues or complaints, call Public Works. Councilmember Gorham shared that they did a good job on the lawn, but there is still wire sticking out. He asked how the service would come to the house. Mr. Morreim stated that the company would try to be as non-invasive as possible.

City Shepherd noted that he would not be at the next meeting and someone else from his office would be there in his place.

City Administrator Nevinski stated that the Comprehensive Plan survey is still up. He encouraged the Council to get everyone to chime in. He stated that fireworks were on for the Fourth of July. There will be no bands, but there will be food trucks.

Councilmember Sanschagrin asked how many people had responded to the survey. City Administrator Nevinski stated that he did not know and would follow up with Planning Director Griffiths.

B. Mayor and City Council

Councilmember Maddy shared that the Excelsior Fire District operating committee is stepping up and taking the lead on the search for a new fire chief and policy revisions. He added that there was a discussion about creating an administrative position to help the fire and police with HR, accounting, and communications. If there is success with an interim administrator, then staffing may be adjusted. He shared that Deephaven requested some modifications to the joint powers agreement. City Administrator Nevinski shared that Deephaven hired its city attorney to review the joint powers agreement and suggest changes. The significant suggestion was that Deephaven and Shorewood would each get two votes, which did not sit well with other cities. He noted that it would be brought back to the Council in an upcoming meeting. There is concern from the board about opening the joint powers agreement because of all that would accompany it.

Councilmember DiGruttolo asked whether that is the same issue discussed last time. Mayor Labadie noted that this was a fire, and that was the police.

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Mayor Labadie shared that, for the SLMPD, the mayor's dual roles were a problem, which was presented to the Council, and the Council voted unanimously to support the mayor in both roles. She noted that there was a board meeting on Wednesday where the issue would come up. She pointed out that the SLMPD is different from the EFD board, especially on Monday. She would update the Council after the coordinating committee.

6. ADJOURN

Maddy moved, Sanschagrín seconded, Adjourning the City Council Regular Meeting of June 8, 2026, at 9:30 P.M.

Motion passed.

ATTEST:

Jennifer Labadie, Mayor

Sandie Thone, City Clerk



City Council Item 2.C.

Title/Subject: Planning Commission Meeting Minutes
Meeting Date: June 22, 2026
Prepared By: Jake Griffiths, Planning Director

Attachments

1. 05.05.26 Planning Commission Meeting Minutes

Background

Approved minutes from the May 5, 2026 Planning Commission meeting are attached. Minutes were approved by the Planning Commission during the June 2, 2026 Planning Commission meeting.

Strategic Alignment

Organizational Strength & Good Governance

- Sound and strategic record keeping of government activities lead to comprehensive long-term planning, principled, data, and stakeholder-driven decisions, and a culture of continuous improvement.

Budget Impact

Minute preparation costs vary based on length of meeting and level of detail.

Action Requested

Accept the minutes from May 5, 2026 Planning Commission meeting.

MINUTES

CALL TO ORDER

Chair Huskins called the meeting to order at 7:00 P.M.

ROLL CALL

Present: Chair Huskins; Commissioners Longo, Magistad, and Braithwaite; Planning Director Griffiths; Planner Osowski; and Council Liaison Maddy

Absent: Commissioner Holker

1. APPROVAL OF AGENDA

Magistad moved, Longo seconded, approving the agenda for May 5, 2026, as presented. Motion passed 4/0.

2. APPROVAL OF MINUTES

A. April 7, 2026 Planning Commissioner Meeting Minutes

Chair Huskins stated that before the meeting, he found and submitted errors to the Staff.

Longo moved, Braithwaite seconded, approving the Planning Commission Meeting Minutes of April 7, 2026, as presented. Motion passed 4/0.

3. MATTERS FROM THE FLOOR

Brad Rosenberger, 19722 Waterford Court, stated that he was at the meeting to find out information about the development of Highway 7. He noted that the last information he had, the stoplights at Old Market Road would be eliminated, and an exit going East onto Old Market Road, and an exit going East onto Highway 7 from Old Market Road, and no left-hand turns there. He asked if that was still the case and noted that the development is still a couple of years off.

Planning Director Griffiths shared that there could be more conversation outside the meeting, but MnDOT has approved no official design at this point, and the project is largely unfunded. He shared that the City Engineer and the MnDOT rep would have the most up-to-date information, and he could put Mr. Rosenberger in contact with them.

Mr. Rosenberger shared that his only concern is that if the last plan seen is the final plan, a lot of traffic would be going onto Radisson Road, the service road on the north side of Christmas Lake. The road is not designed to handle many cars passing because it is very narrow in places.

4. PUBLIC HEARINGS

A. PUBLIC HEARING – PLANNED UNIT DEVELOPMENT (PUD) CONCEPT PLAN

Applicant: Merle Steinkraus

Location: 25485 State Highway 7

Chair Huskins stated that this evening, the Planning Commission would consider a planned unit development concept plan for 25485 State Highway 7.

Planner Osowski reviewed the request for a PUD as found in the Agenda Packet.

Chair Huskins asked Planner Osowski to point out what the front, rear, and side are to determine the setbacks. Planner Osowski stated the front of the building is on Eureka Road, with the side along Highway 7. Chair Huskins asked if the distance to the property line conforms to the setbacks. Planner Osowski shared that it does conform to the zoning standards that are being requested. Chair Huskins pointed out that it is a major unknown, but there is a possibility that MnDOT could need more right-of-way than is being suggested in the application. Planner Osowski noted a potential, but in MnDOT's review letter on the application, they did not state it as a concern. Chair Huskins asked if it is fair to state that there is a risk. Planner Osowski shared that it could potentially be a risk given that it is unknown what MnDOT is doing specifically with the intersection, if anything. Chair Huskins stated that it would not be unrealistic to assume that, if approved, the development would be underway or completed before the intersection is reconfigured. Planner Osowski shared that the development is likely to be underway or completed. Chair Huskins wondered what the risks are for the developer or the City of undoing something that has been approved.

Commissioner Longo asked what is on the East side of the property. The map shows a ravine, and that is probably where the stormwater would go if there were more impervious surface. Planner Osowski asked whether he was referring to the lot's exterior boundaries. Commissioner Longo stated yes. Planner Osowski explained that it is a common area owned by the Walnut Grove Villas homeowner's association, and the area is either a wetland or a stormwater pond. Commissioner Longo confirmed that the water would go there with more impervious surface, which is why he wondered what would go there. Planner Osowski noted that the Applicant could answer in a little more detail, which is probably why a stormwater pond is proposed on the East end of the property.

Commissioner Magistad noted that the engineering report included a couple of requirements beyond those in the soil report. He asked if Planner Osowski could explain the requirements, line by line. Planner Osowski stated that the City Engineer mentioned providing a soil report based on the soil data, which indicates it might not be suitable for infiltration and that the Surface Water Management Plan Regulations may not be met, as basements may not be possible. He noted that the Engineer had several requirements. Commissioner Magistad noted that other agencies are mentioned, including MnDOT and the Minnehaha Creek Watershed District. Commissioner Magistad asked if, as part of the requirements, the Applicant would be required to get permits from the Watershed District. Planner Osowski noted that it would be a requirement.

Commissioner Longo stated that, in the previous planning, this zone was low-density, and there have been many conversations about the locations of low- and high-density zones in the City. Technically, being on a major thoroughway in the City, it could have been a high-density, or at least middle-density area like the other nearby areas. He asked if there were any reasons why that specific corner was zoned low-density. Planning Director Griffiths shared that, as the surrounding neighborhoods have developed over time, the former property owner has not wished to participate in those development projects. So, the property remained with the low-density designation in the Comprehensive Plan and the Zoning Code, while all the other property was developed around it with higher-density housing. He shared that there were no specific conversations about the property, and the previous owner was not interested in developing it. Commissioner Longo asked

whether there were any concerns about a roundabout or whether the space is needed for something else. Planning Director Griffiths shared that that was not the case. During the previous Comprehensive Planning cycle, any improvements by MnDOT were not known at that time, and are still not known. Typically, the Comprehensive Plan does provide higher-density housing locations along the busier roadways in the City. He added that, to his knowledge, there had been no in-depth conversations by the Council or the Commission on this area.

Chair Huskins assumed that traffic studies had been done along Eureka Road when the other developments went in. He wondered what the traffic reports indicated about the increase on Eureka Road, rather than just paying attention to the incremental increase, because that would not be very much from just six homes. However, if the roadway is already at capacity, the six additional homes might affect traffic flow on Eureka Road. He asked if those traffic studies exist and if they could be made available. Planning Director Griffiths noted not being sure what was done with the previous proposal, as Shorewood Ponds is ten to fifteen years old at this point, so the information would have to be reviewed again. He added that, as part of the review conducted by Engineering and Public Works, the traffic capacity of Eureka Road was assessed. At this point, the addition of six homes would not significantly impact traffic. It would be good to work with MnDOT on the intersection, though.

Ben Passolt, Civil Engineer, ELLIOTT Design Build, INC, shared that the Applicant hired his company to review the project at the conceptual level and help reach the first step in deciding what can be done with the site. He shared that the site is a leftover lot along the highway where there was one single-family home. There are denser homes to the North and denser multi-family units to the West. He stated that the thought was that townhomes would be a good use of the site, and that the concept was the best use. He noted that the impervious does go slightly over the limit, but at this stage, rights-of-way could change, so the limit is unknown. The setbacks are also a little unknown at this point, but the R-3 setbacks were what we were trying to meet, even though the application is a PUD, in case the Applicant did not go with a PUD option. He added that, since the application is just a concept plan for stormwater, no hard-and-fast designs have been done yet, but he tried to show the best solution for the site's stormwater from a high-level standpoint. There are many options for addressing stormwater.

Chair Huskins asked if the snow would be plowed down to where the retention pond would be. Mr. Passolt shared that this is probably what would happen, but did not know whether Shorewood had a specific snow storage requirement; usually, it is ten percent. He added that snow storage would not be too big of an issue on this property.

Chair Huskins noted that there is no need for a turnaround for the emergency vehicles, as the road is only 120 feet long. He asked how Mr. Passolt imagined the vehicles getting back out onto Eureka. Mr. Passolt stated that the Applicant is working with what the Fire Marshal told them to do, and that he does not know how the emergency vehicles get in and out.

Commissioner Magistad asked why the Applicant landed on six units, since it does not necessarily fit within the Comprehensive Plan. Mr. Passolt stated that the six units fit the site well within the setbacks, and depending on what is done, certain approvals would be necessary. He added that six would fit with stormwater requirements and setbacks. Commissioner Magistad asked if two units would fit. Mr. Passolt agreed that two units would fit. Chair Huskins presumed that two units would be better conforming to the impervious surface. He asked if moving to two units was a feasible solution. Mr. Passolt stated that moving to two units would be a significant change to the design and would essentially be a complete redesign of the site. He added that this is why the Applicant is there: to see what can be done from a development standpoint. Chair Huskins asked

about four units. Mr. Passolt explained that, with four units, the architectural plans include a cut line, so the development could go to five units, which would be below the impervious limit.

Commissioner Braithwaite asked whether, although this is just a concept plan, the location of the mailboxes has been looked into at all. Mr. Passolt shared that, at the concept stage, it had not been examined.

Commissioner Longo asked whether the garages were single-car. Mr. Passolt shared that the garages are two-car, 23 feet wide. Commissioner Longo noted very small garages. Mr. Passolt explained that 23 feet is not that small; a standard two-car garage can be as small as 20 feet. Commissioner Longo asked where guests or additional cars would go. Mr. Passolt stated that more parking means more impervious surface. In previous iterations, there were three stalls off the back. He added that since the Applicant does not know what the parking requirement would be, it is unknown how many would need to be offered. Commissioner Longo stated that adding three stalls would significantly increase the impervious surface. Mr. Passolt noted that he did not know the number off the top of his head.

Chair Huskins opened the Public Testimony portion of the Public Hearing at 7:36 P.M.

Glen Coakley, 25430 Park Lane, stated that he recognized the hearing was a preliminary hearing and that some of his questions had already been addressed. He noted that one of the outstanding issues is that when he purchased his house about a year ago in the Walnut Grove Villas, he was informed of a height restriction of less than two stories. The application would be three stories high. He asked if that would require a variance.

Chair Huskins noted that he was unaware that the units would be three stories; he thought that they were two. Mr. Passolt shared that the units are two stories. Mr. Coakley stated that, despite a garage below, the units are still only two stories high. He asked whether developing a multistory garage with two living spaces above it, each reaching 50 feet in height, would still be considered only two stories. Planning Director Griffiths shared that there is a bit of nuance in the rules for the Walnut Grove Villas and this property. He explained that the Walnut Grove Villas neighborhood was approved under its own PUD. In Walnut Grove Villas, there is a restriction that the homes cannot exceed two stories. He added that this application is not a part of that project. In this area, the rest of the City Code applies, which limits the maximum height to 35 feet or less. He stated that, at this time, the proposal would conceptually comply with the City Code. Still, the Applicant could request a deviation from the City Code, just as Walnut Grove Villas did with several different matters. He noted that at this point in the project, there is something to consider: the surrounding area has its own rules that differ from the City Code. He stated that the Applicant can request to create their own rules for the neighborhood.

Chair Huskins asked what Mr. Coakley's particular concern is, assuming that the structures are higher. Mr. Coakley shared that he did not think the height would fit with the surrounding buildings and, aesthetically, be at that height rather than the others.

Mr. Coakley asked if there was any further information about MnDOT's plan or when there might be further information. Planning Director Griffiths shared that MnDOT completed its planning study and identified several conceptual layouts for Highway 7. He added that MnDOT has a small project slated for 2029, which is largely unfunded at this time. The City does not yet know what the project will look like, but may have a clearer idea when the Legislative Session wraps up on May 18.

Mr. Coakley shared that there is work being done on the Northern part of Eureka, and he could not determine whether it would go all the way down to Highway 7. He added that he hoped effort would be given to coordinate the work on Eureka, Highway 7, and this possible new development. Planner Osowski noted that Midco is currently working on Eureka Road. Planning Director Griffiths explained that the City has been in communication with MnDOT, and whatever happens with the site will be coordinated with the agencies.

Ted Koenecke, 25405 Park Lane, stated that he has two concerns. One issue is traffic, which has already been addressed, but it becomes increasingly difficult in the summer when Freeman fields are in use. He added that the density of six units and what that may add, as it is very dangerous to pull out during rush hour. The new units would take the issue and make things a little more complex. The other issue is the density of six buildings. He noted that being in the fourth building would not affect him directly, but if many barriers are removed without adding better barriers that block more sound, that could be an issue. He stated that there is no way of knowing what the buildings would look like, as there are only renderings right now.

Chair Huskins closed the Public Testimony portion of the Public Hearing at 7:45 P.M.

Commissioner Longo shared that his major concern is navigation. He stated that there would not be enough room for all units to navigate with all of the vehicles. He added that six units is too much. He asked if the quantity of the units is not being decided today. Planning Director Griffiths explained that at this point in the process, the Commission is reviewing a concept plan, a rough draft for the site. He shared that the Applicant is seeking to determine whether the Commission is favorable to the project, recommends changes, or has no path forward. The Commission can provide that feedback. Mr. Passolt stated to pull up the first page of the architectural plans, which shows the parking a little better. He added that parking or storage should not be a major concern for the units.

Chair Huskins stated that MnDOT had commented that the trees might not block the sound from Highway 7, and that alternative technology might need to be considered. Mr. Passolt shared that since the project is still conceptual, the sound has not yet been determined. Trees are currently shown on the plans, but the Applicant is open to other options. Chair Huskins noted those would be reviewed at a subsequent stage.

Commissioner Magistad asked if MnDOT could provide recommendations based on rights-of-way and future scenarios. Planning Director Griffiths stated that the Staff could reach out again to see whether MnDOT is willing to provide a more specific recommendation. Still, the letter in the Agenda Packet is MnDOT's recommendation after reviewing the entire plan set.

Chair Huskins noted concerns about the impervious surface, especially given the preliminary soil reports. He added that he is not opposed to the development at the concept stage, but if the number of units were reduced to four or five, that would be more appropriate for the site. Commissioner Magistad shared those concerns with Chair Huskins. He added that he is in no position to say how many units is the correct number, but there are too many contingencies for the rezoning of the one-acre parcel. Chair Huskins noted that the density is greater than that of any adjoining development.

Merle Steinkraus, the Applicant, stated that the concept is preliminary and that he is there to see what the Commission would approve, so five units would be okay and there would be no problem. He shared that the plans allow for cutting off one of the units, and so the proposal would probably

be a three-unit backing up to Highway 7 and a two-unit backing up to the north side. Then the site would be in good shape for the impervious surface.

Chair Huskins asked whether, if the Commission makes a recommendation for approval to the Council, the number of units on the property needs to be addressed. Planning Director Griffiths explained that the Applicant is at the meeting seeking the Commission's preliminary feedback on the concept. If there are concerns or specific requests that the Commission would like the Applicant to address, they can be included in the recommendation. He added that the Commission can revisit things in the future, but if there are requests or changes the Commission would like to see, now is the time to provide feedback.

Chair Huskins stated that a reduction to five units would be acceptable. He noted concerns with the part of the property that abuts Highway 7 from a sound and safety standpoint. In the Southeast corner, there was a note of property that could be used as joint property for all of the residents, but that is closer to the road. He raised concerns about the lane and asked whether the entire area would be the fire lane. Planning Director Griffiths shared that it is correct and in line with the understanding of the Fire Marshal's comments. Many of the details would need to be fleshed out. No street parking would be allowed. Chair Huskins shared that the curbs would be painted yellow along the entire lane. He noted that his comments are in addition to the Staff's recommendations.

Commissioner Magistad would like the City to follow up with MnDOT to ask specific questions about right-of-way and what the future might hold. Commissioner Longo shared that if MnDOT decides to add a roundabout, the entire design is gone. Chair Huskins shared that if the Applicant moves forward with the plans, it would be up to MnDOT whether there is new development that conforms to the plans or whether something that has been built needs to be undone. Planning Director Griffiths stated that the Staff can reach out to MnDOT between now and the City Council meeting to see whether they will make a recommendation.

Chair Huskins asked if there would be another public hearing. Planner Osowski shared that this meeting is the Public Hearing for the PUD concept plan, and that City Council would take it up for discussion. With future stages, there would be more public hearings. Commissioner Magistad stated there could be a new concept. Planning Director Griffiths explained that the PUD concept plan application is optional, and the Staff encouraged the Applicant to follow that process because the property is unique. Based on the feedback, the Applicant could provide another concept plan or, at their own risk, move forward with another application.

Chair Huskins reiterated the need to be clear about the recommendations, including those from the Staff. He shared that, so far, there is a concern about the density of six units and that he was comfortable with five units. Commissioner Longo shared that five would be good to help with the impervious surface and to address the navigational issues. Commissioner Magistad shared that his concern is the impervious surface; if five units mitigate it, he would be fine with that. He shared that there are many contingencies and that if the City is being asked to rezone, the impervious surface requirements must be met. Commissioner Longo stated that they should be more specific with five units, as they are sized in the plan today. Mr. Passolt spoke on the impervious surface. The lot limit, with part in the Shoreland Overlay District, is 1,000 feet from Lake Minnewashta. The area that is not in Lake Minnewashta is 33 percent, and the area that is is 25 percent, so the impervious surface is right in between, about 1,000 square feet over. He added that, with the Watershed, a permit would need to be pulled regardless of what is done, as that is standard operating procedure. From an engineering perspective, 1.1 inches of rainwater needed to be captured over the area, which is about 600 cubic feet. In terms of the overall pond sizing, the only increase needed is approximately 10 percent at this rough concept stage. He added that

exceeding the impervious surface limit right now is not a major change, as the rate requirement, volume retention requirements, and water quality treatment would all still be met.

Chair Huskins stated that it would be appropriate to stay within the Staff's recommendation on the impervious surface requirements and that it would not necessarily have to be the five units. He noted being concerned about safety and sound on the part of the property that abuts Highway 7, and about the in and out of emergency vehicles without an obvious place to turn around. Commissioner Longo pointed out that keeping with the five units would limit the number of cars and residents who need to navigate around. Commissioner Braithwaite pointed out that the Commission could state five units with a higher footprint but still fall within the footprint, resulting in one fewer household. Chair Huskins added that this may also allow the movement of large vehicles. Commissioner Braithwaite noted that the vast majority of emergency vehicles would have to back out and provide their own traffic control, but being right off of Highway 7 is a little unique.

Chair Huskins asked if both the requirements should be stated: the reduction to the units and the impervious surface requirements. Commissioner Magistad stated that he is okay with that, but also wants the MnDOT recommendation. Planning Director Griffiths stated that it can be included in the recommendation. Commissioner Braithwaite expressed appreciation to the Applicant for considering the future proposed right-of-way versus what the City has now. The setbacks are in line with that. He added that his biggest hesitancy is the risk of changes at the what-if intersection, especially in the case of a roundabout. The lower density may also allow for more space. He stated that the plan could be revisited if more information were obtained from MnDOT. Commissioner Magistad pointed out that this project may not be unique, as any development along Highway 7 may have the same issues. Commissioner Braithwaite stated that he is in favor of rezoning this area, as it can accommodate higher density. He noted liking the townhome concept.

Chair Huskins asked about the project's height. Commissioner Braithwaite pointed out that if the project were a single-family home, the height may be higher as well. He stated that with the units being right next to Highway 7, they did not strike him as grotesque. He added that if there were height along Highway 7, that would be the appropriate corridor. The tree screening may help to eliminate that as well, and the majority of the trees on the north side are being kept.

Chair Huskins summarized the concern to the Applicant: the Commission wishes the Applicant consider five units instead of six to conform with the stated impervious surface, consider the side of the property that abuts to Highway 7 and what type of trees might be enough for sound abatement and safety, more consideration given to emergency vehicles entering and exiting along the fire lane corridor, and all of the other recommendations of the Staff. Planning Director Griffiths noted the coordination with MnDOT. Chair Huskins asked if the Staff would do that. Planning Director Griffiths stated that the Staff will reach out to obtain more information before the Council meeting. Chair Huskins stated that information would be shared with the Applicant.

Chair Huskins asked to review the conditions from the Staff. Planning Director Griffiths shared that from the Staff's perspective, the recommendations are fairly standard for any concept plan application of this kind. He reviewed the conditions that were in the Packet.

Chair Huskins asked whether the Applicant understood the conditions and whether they wished to comment. Mr. Steinkraus stated that MnDOT may not be able to get back to the City before the Council meeting. He asked where that leaves the application, then. Planning Director Griffiths said they would do their best. Chair Huskins noted that any recommendation that the Commission

makes would not be contingent on having that information. Commissioner Magistad noted disagreement with there being no contingency regarding whether MnDOT gets back to the City. Chair Huskins shared that it would be contingent upon the Staff reaching out. Planning Director Griffiths shared that, in his experience, MnDOT does not provide formal comments until a project is more fleshed out. He added that the City has a good working relationship with MnDOT and is fairly optimistic that there will be some response. He shared that the Commission and the Council could state that this needs to be figured out, and that, as the project moves forward, with the next application, this is something that absolutely needs to be said by MnDOT. He added that the Staff understands the Commission's direction.

Braithwaite moved, Longo seconded, recommending approval of the Planned Unit Development Concept Plan for 25485 State Highway 7, including the nine Staff conditions with additional recommendations of sound and safety abatement along Highway 7, to meet the impervious surface limits, to reduce overall density by one unit down to five, Staff requests further feedback from MnDOT, and to improve the ingress and egress. Motion passed 4/0.

Planner Osowski stated that the application will be taken to the Council on May 26.

Chair Huskins recessed the meeting at 8:18 P.M. The meeting reconvened at 8:23 P.M.

5. OTHER BUSINESS –

A. Discuss Zoning Code Update

Planning Director Griffiths introduced the HKGi consultants for a presentation.

Beth Richmond, a Consultant with HKGi, stated that the presentation was intended to show what has been done over the last several months. She shared that the Phase One update to the Zoning Code has been in progress. She noted that, along with the Staff, a fully drafted document has been prepared. This is being presented to the Commission to answer questions or provide clarification before the information moves into the next Phase, which includes opening for public comment, Commission review, and formal adoption. She reminded that the project came out of the Zoning Code Audit, which was completed in October 2025. The Audit project was reviewing the existing code and identifying areas that needed changes, updates, or clarification. From the Audit came a comprehensive list of items intended to be changed during Phases One and Two. She added that the items were gone through with the Staff to determine what was Phase One and what was Phase Two. In Phase One, primarily, the items being addressed are those that make the Code more usable. That entails adding tables and graphics, reorganizing the Code, adjusting some zoning districts, and updating the Code's procedures.

Ms. Richmond noted that the project was kicked off in December and that the Code updates were made in the winter and early spring. Now in May, the consultants are meeting with the Commission and the City Council to give them a preview of the full draft to review, with the Code adoption process taking place early this summer. She shared that the big goal of Phase One is to make the Code more usable by reorganizing, ensuring consistency with references, using different terminology and language, and improving graphics and tables. The graphics and tables can clarify and illustrate some of the trickier standards. She showed an example of a graphic that would be used in the Code. She explained that, right now, the Code has 26 sections, and, in reorganizing, they considered how to group the topics and sections in a way that makes sense to all. She gave an example of the base districts being consolidated in one place within the Code

rather than one after another. The other big change is with the existing section 1201.03, which used to be the catch-all section, but now the different pieces of that section have been pulled out into the areas where the information belongs. Instead of 26 individual sections, there are now nine divisions and sections within each division. She explained that, in section 1201.05, Overlay and Special Zoning Districts, the Floodplain of the Zoning Code is incorporated into it, in addition to the existing Shoreland and Planned Unit Development language. Similarly, in the development standards, the wetland development chapter and the tree preservation chapter were incorporated. She added that Chapter 1100 has been removed and is now incorporated into the Zoning Code. She stated that, for the Zoning Districts, the big change is that the number has been reduced from 13 to 8. This came about by reviewing the zoning districts' dimensional requirements and allowed uses, consolidating similar ones, and removing districts that are not applied today. She shared that the naming has been updated for the Zoning Districts, trying to clarify the use of each district and what the districts are. In the existing Zoning Districts, all R-1 districts share the same name, making it difficult to distinguish between them. The renaming was redone to illustrate better what is happening in those districts. She showed a zoning map from the 1950s. She explained that R-1B and R-1C have been combined into a single district, now called Large Lot Detached Residential. The other changes for R-1 are just naming changes. She explained that, for R-2, the proposal is to combine R-2A and R-2B into one Low Density Residential District and eliminate R-2C, as it is not found anywhere in the City today. The density name route was chosen based on the type of housing allowed in the district. She added that R-3A and R-3B have no substantive changes as they were updated recently. R-C district is being proposed for elimination because, when a parcel is developed in the district, the developer chooses either residential or commercial. All of the lots today are either residential or commercial, so they can be rezoned for whatever is on the site. She pointed out that if, while the Comprehensive Plan update is underway, there is a desire for mixed use, it could be added in Phase Two. She explained that C-1 stays the same, with only a change in the abbreviation; C-2 is proposed for removal, as it is not in the City; and L-R is just an abbreviation change.

Commissioner Longo asked whether, by removing the R-C zoning district, mixed use would be eliminated as an option. Planning Director Griffiths shared that the option is currently not in that zoning district. The R-C district does not allow for both residential and commercial; it has to be picked. He added that this is why the proposal is to get rid of R-C: all the properties have been developed. In doing the Comprehensive Plan, it may be decided to add that mixed-use district. Phase One is the cleanup, making the Code easier to update based on the Comprehensive Plan, and Phase Two is making the changes after the Comprehensive Plan is complete.

Chair Huskins asked if the City would be required to allow multiple home types in a single district. Planning Director Griffiths noted that this will be required as part of the Comprehensive Plan update. Chair Huskins shared that there will be an obvious need to update when the City reaches that point. Planning Director Griffiths noted that it is common for cities to amend zoning codes after a Comprehensive Plan cycle.

Commissioner Braithwaite asked if the proposed changes under Phase One would be adopted before the Comprehensive Plan. Planning Director Griffiths stated that it is correct. Commissioner Braithwaite asked whether the City may designate parcels as mixed-use in the Comprehensive Plan if that is not currently in the Code. Planning Director Griffiths shared that it was correct. Ms. Richmond pointed out that the Comprehensive Plan comes first, and the Zoning Code must be consistent with it. Planning Director Griffiths shared that nothing prevents the City from amending the Comprehensive Plan if a mixed-use project arises. Just because the City does not have zoning districts does not mean the projects cannot happen; there is always a process that can be followed.

Ms. Richmond shared that, when discussing the tables in the Code, she mentioned a table that was created for principal uses and accessory uses. The table is intended to list all the different uses and show what is permitted in each district. She shared that the tables are helpful to all people because they clearly show what is permitted. The uses were updated, driven by the protected uses in the State Statute, and the Code needed to be updated to reflect that. She explained that the dimensional table for lot dimensions and site dimensions for each district. Within each district, the allowed types of uses are listed. She added that the lot standards were adjusted as needed to conform to the City's lot requirements in the 2040 Plan, and that different lot uses have different needs and expectations.

Ms. Richmond stated that the next question concerns fencing and that there has been much discussion with the Staff. She pointed out that there is a provision in the Code today addressing boundary line fences, which are located within 8 feet of the property line. She added that the requirement is that boundary-line fences must be constructed so they are at least 25 percent open, meaning a typical privacy fence would not be permitted. The Staff has noted that this has been enforced along all boundary lines, and there are many requests for privacy fences, which are not allowed. She asked whether there is an appetite to adjust the language regarding fences within the interior of the property. Chair Huskins shared that he liked keeping the language, and if someone wishes to have a privacy fence, then they need to bring it to the Planning Commission and the Council. Visually, he is not a fan of putting blockades between homes, and it is not very neighborly. He added that there are situations that require it. Commissioner Longo pointed out that two of the fence requests that the Commission had were for privacy fences. He noted that as the lots become smaller, the Commission should consider revising the language because there will be more variances. Commissioner Magistad stated that he would like to increase the number of options and reduce the number of variances that came before the Commission. Commissioner Braithewaite stated that maybe a balance could be struck between the two options, and stated that, except for the backline, which could lead to weird interpretations of what the backline is. He noted being torn. Another balance could be keeping the Code and reducing the percentage, but that has cons as well. Commissioner Longo pointed out that the fences are just for the side. Ms. Richmond stated that there is already a separate provision requiring fences along any street; this would only apply to the interior.

Ms. Richmond pointed out that, in reading code, a boundary line fence is one on the property line. She asked if there was a reason that this Code states eight feet. Planning Director Griffiths stated that the Staff looked, but they could not find the reason for the eight feet. Ms. Richmond stated that sometimes she has seen if the fence is on the actual property line or within two feet, then there are certain requirements. She stated that the eight-foot gap is unique.

Commissioner Magistad agreed with Commissioner Longo that as Shorewood becomes more urban or parcels become smaller, the desire for privacy will increase. The issue could be addressed now or in the future. Chair Huskins stated that if the Code is changed, that would not preclude someone from putting up a fence that is 25 percent or more. Planning Director Griffiths shared that good direction was received from the Commission, and the language was brought up because it is the number one request that the Staff receives that has to be repeatedly turned down. Chair Huskins noted that the eight feet could be reduced to a closer distance. Ms. Richmond shared that anything is on the table, including the percentage or the distance. Planning Director Griffiths shared that from Staff's perspective, he is not as much of a fan of changing the percentage, because 25 percent is easy to understand. Chair Huskins stated that eight feet does not really make sense. Commissioner Braithewaite asked what distance is required for the adjacent property's approval. Planner Osowski stated that if someone is looking to put up a fence

and the neighbor already has one, and it is within 3 feet of the neighbor's fence, then the neighbor's permission is needed. If the neighbor does not have a fence, then the fence can be right up to the property line. Commissioner Braithewaite stated that three feet makes sense, and that if the eight feet were reduced, then three would be a good number. Chair Huskins noted that with a smaller lot, eight feet makes a big difference, and he would be fine with the three feet. Ms. Richmond shared that the discussion would go to the Council and that adjustments would be made to the full draft based on the Council's input.

Ms. Richmond shared that the last topic concerns procedures and that there have been mostly technical changes. She stated that, as part of the reorganization, all procedures from all sections have been consolidated into one area: 1201.90 Procedures and Enforcement. At the start of the section, there is a common procedures section, such as how the withdrawal of applications occurs, or who can apply, anything that would be the same all the way through. She added that a new procedure has been added for Site Plan Review, which applies to the construction or alteration of non-residential buildings or dwellings with five or more units. This would be part of either the building permit approval process or other requests and would be administratively reviewed, because, with site plans, if it meets Code, the City has to approve it anyway. If something complicated comes up that the Zoning Administrator believes the Commission should weigh in on, there is the option to refer the site plan to the Commission, then to the City Council. She stated that the other procedural change relates to PUDs and would bring Shorewood in line with what other cities typically do. The first is to establish PUDs by zoning amendment rather than by CUP, which is much cleaner and streamlines the process. There were a few procedures for processing amendments to PUDs, and they are divided into minor and major amendments, with definitions in the Code. She added that the concept plan process is being proposed not as approval, but as the Commission providing feedback, which is fairly typical of other cities. The feedback is not binding. She stated that the other change relates to the general concept planning process; some cities do not hold a public hearing, or only notify adjacent neighbors. Public hearings have statutory requirements, and some cities hold public meetings instead of formal hearings. She asked whether the public hearing process is helpful or if there are opportunities to scale it back. Commissioner Magistad noted that the optics would be bad and the timing is wrong to shrink public hearing capacity. He shared that maybe in the future it would be a better time. The rest of the Commissioners agreed.

Chair Huskins stated that enforcement was mentioned and that Shorewood is a complaint-driven enforcement City. He asked if there is a need or benefit to having some language in the Code about that. Planning Director Griffiths explained that the language around code enforcement is not in the Zoning Code; it is in the Administrative Chapter of the City Code. That is on a list of things to update in a separate process later this year to ensure the language is up to date as well. He added that there is some general penalty and enforcement language in the Code that refers back to the general standards that are followed.

Ms. Richmond shared that the draft would be returned to the Council next week to discuss the same information. There is a full draft that is ready to be posted online for everyone to comment on. The draft will be online for about a month. When the feedback is reviewed and incorporated into the draft as applicable, then the adoption process will start later in the summer. Chair Huskins asked how widely the draft will be communicated. Planning Director Griffiths shared that the draft would be made available through all the usual channels for comment. There has been one announcement in the newsletter, and then something will be sent to the dedicated email list. He shared that the Commission will have homework to review the draft at the same time as the rest of the public. Chair Huskins asked whether the draft would go online shortly after the May 11 Council meeting. Ms. Richmond stated that she should be ready to go that same week. Planning

Director Griffiths shared that the updates are not policy substantive. For most things, there will not be a noticeable change; the Code will just be easier to read.

6. REPORTS

A. City Council

Council Liaison Maddy gave a brief overview of recent Council discussions and decisions.

B. Staff

Planning Director Griffiths stated that, for the next meeting, the agenda will include three items: one conditional use permit and two variances for residential projects. He shared that he is not aware of anyone being absent at the next meeting, so that the photo may be taken. He explained that the City Council received the same presentation as the Commission about the Comprehensive Plan update, and that the Comprehensive Plan website and survey are now online. The Comprehensive Plan was on the first page of the newsletter, and a lot more communication will be rolling out over the next few weeks. He noted that volunteers would hand out handouts at the Community Recycling Day and also get things rolling for the other Parks events. At first, the communication will be from the survey, and later this summer, more person-to-person engagement.

Chair Huskins stated that Commissioner Holker had asked if there could be a presence at the voting precinct. He asked if an answer had been received to that. Planning Director Griffiths shared that the Staff looked into that, and those activities cannot be done at the voting precinct. He noted that it is a gray area and is probably not in keeping with the Spirit of the polling places. There will be flyers up at the City Hall.

Commissioner Braithewaite asked how simple and straightforward the survey is to do and whether there is an expense. Planning Director Griffiths stated that, in this case, it is part of the consultant's cost, but similar surveys have been in-house. He added that what was unique about this survey was the mapping question, which the Staff wanted included. He did not know the exact cost. Chair Huskins asked if the exact number of surveys taken so far was known. Planning Director Griffiths stated he would know more on Thursday at the check-in meeting with the consultant.

Planning Director Griffiths shared that, for the next City Council meetings, there would be a Zoning Code update at the work session on May 11 if someone from the Commission would like to attend. Then, a Commissioner is needed for the May 26 meeting to cover the concept plan. Commissioner Magistad stated that he could do it on May 26.

Chair Huskins noted that a Planning Commission meeting is on his calendar for the same day as the general election. Planning Director Griffiths stated that was moved and would send out the work plan with the dates. The August meeting was also moved.

C. Commission

There were no comments from the Commission.

7. ADJOURNMENT

Magistad moved, Longo seconded, adjourning the Planning Commission Meeting of May 2026, at 9:14 P.M. Motion passed 4/0.



City Council Item 2.D.

Title/Subject: Claims List
Meeting Date: June 22, 2026
Prepared By: Dalton Kraay, Senior Accountant

Attachments

1. Payroll 06-15-2026
2. Payroll 06-15-2026 AP
3. Council 06-22-2026

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.

<u>Claims for Council authorization:</u>	
Payroll 06-15-2026	\$65,859.76
Payroll 06-15-2026 AP	\$53,383.10
Council 06-22-2026	<u>\$289,081.11</u>
Total Claims: Checks & ACH	\$408,323.97

Strategic Alignment

Fiscal Responsibility

- Implement best practices to support sound financial management
- Maintain stable and predictable finances over the long-term

Budget Impact

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.
Simple Majority is required.

Clearing House
Distribution Report

User: DKraay@shorewoodmn.gov
Printed: 06/15/2026 - 1:00PM
Batch: 00015.06.2026



Account Number	Debit	Credit	Account Description
700-00-1010-0000	0.00	65,859.76	CASH AND INVESTMENTS
700-00-2170-0000	65,859.76	0.00	GROSS PAYROLL CLEARING
	65,859.76	65,859.76	
Report Totals:	65,859.76	65,859.76	

Accounts Payable

Computer Check Proof List by Vendor

User: DKraay@shorewoodmn.gov
Printed: 06/16/2026 - 12:18PM
Batch: 00005.06.2026 - PR-06-15-2026



Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
Vendor: 12	AFSCME MN COUNCIL 5 - UNION DUES			Check Sequence: 1	ACH Enabled: True
06-15-26Catchup	Catch-Up payment for missed union dues in 202:	89.79	06/16/2026	700-00-2182-0000	
PR-06-15-2026	PR Batch 00002.06.2026 Union Dues	216.30	06/15/2026	700-00-2182-0000	PR Batch 00002.06.2026 Union Dues
	Check Total:	306.09			
Vendor: 5	EFTPS - FEDERAL W/H			Check Sequence: 2	ACH Enabled: True
PR-06-15-2026	PR Batch 00002.06.2026 FICA Employer Portion	5,988.30	06/15/2026	700-00-2174-0000	PR Batch 00002.06.2026 FICA Employer Portion
PR-06-15-2026	PR Batch 00002.06.2026 Medicare Employee Portion	1,400.49	06/15/2026	700-00-2174-0000	PR Batch 00002.06.2026 Medicare Employee Portion
PR-06-15-2026	PR Batch 00002.06.2026 FICA Employee Portion	5,988.30	06/15/2026	700-00-2174-0000	PR Batch 00002.06.2026 FICA Employee Portion
PR-06-15-2026	PR Batch 00002.06.2026 Medicare Employer Portion	1,400.49	06/15/2026	700-00-2174-0000	PR Batch 00002.06.2026 Medicare Employer Portion
PR-06-15-2026	PR Batch 00002.06.2026 Federal Income Tax	8,082.24	06/15/2026	700-00-2172-0000	PR Batch 00002.06.2026 Federal Income Tax
PR-06-15-2026-2	PR Batch 00004.06.2026 Federal Income Tax	133.83	06/16/2026	700-00-2172-0000	PR Batch 00004.06.2026 Federal Income Tax
PR-06-15-2026-2	PR Batch 00004.06.2026 FICA Employee Portion	88.23	06/16/2026	700-00-2174-0000	PR Batch 00004.06.2026 FICA Employee Portion
PR-06-15-2026-2	PR Batch 00004.06.2026 FICA Employer Portion	88.23	06/16/2026	700-00-2174-0000	PR Batch 00004.06.2026 FICA Employer Portion
PR-06-15-2026-2	PR Batch 00004.06.2026 Medicare Employer Portion	20.63	06/16/2026	700-00-2174-0000	PR Batch 00004.06.2026 Medicare Employer Portion
PR-06-15-2026-2	PR Batch 00004.06.2026 Medicare Employee Portion	20.63	06/16/2026	700-00-2174-0000	PR Batch 00004.06.2026 Medicare Employee Portion
	Check Total:	23,211.37			
Vendor: 6	HEALTH PARTNERS-MEDICAL			Check Sequence: 3	ACH Enabled: True
PR-06-15-2026	PR Batch 00002.06.2026 Health Insurance-HSA	315.30	06/15/2026	700-00-2171-0000	PR Batch 00002.06.2026 Health Insurance-HSA
PR-06-15-2026	PR Batch 00002.06.2026 Health Insurance - CoP	79.01	06/15/2026	700-00-2171-0000	PR Batch 00002.06.2026 Health Insurance - CoP
PR-06-15-2026	PR Batch 00002.06.2026 Health Insurance-HSA	415.51	06/15/2026	700-00-2171-0000	PR Batch 00002.06.2026 Health Insurance-HSA
	Check Total:	809.82			
Vendor: 11	MINNESOTA DEPARTMENT OF REVENUE			Check Sequence: 4	ACH Enabled: True
PR-06-15-2026	PR Batch 00002.06.2026 State Income Tax	4,308.63	06/15/2026	700-00-2173-0000	PR Batch 00002.06.2026 State Income Tax

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
PR-06-15-2026-2	PR Batch 00004.06.2026 State Income Tax	56.06	06/16/2026	700-00-2173-0000	PR Batch 00004.06.2026 State Income Tax
	Check Total:	4,364.69			
Vendor: 869	MINNESOTA UNEMPLOYMENT INSURANCE			Check Sequence: 5	ACH Enabled: True
PR-06-15-2026	PR Batch 00002.06.2026 MN PAID LEAVE PRI	817.91	06/15/2026	700-00-2190-0000	PR Batch 00002.06.2026 MN PAID LEAV
PR-06-15-2026-2	PR Batch 00004.06.2026 MN PAID LEAVE PRI	12.52	06/16/2026	700-00-2190-0000	PR Batch 00004.06.2026 MN PAID LEAV
	Check Total:	830.43			
Vendor: 2	MISSION SQUARE RETIREMNT-302131-457			Check Sequence: 6	ACH Enabled: True
PR-06-15-2026	PR Batch 00002.06.2026 MissionSq-ER2	295.25	06/15/2026	700-00-2176-0000	PR Batch 00002.06.2026 MissionSq-ER2
PR-06-15-2026	PR Batch 00002.06.2026 MissionSq-Flat Amoun	2,768.85	06/15/2026	700-00-2176-0000	PR Batch 00002.06.2026 MissionSq-Flat A
PR-06-15-2026	PR Batch 00002.06.2026 MissionSq-ER	636.76	06/15/2026	700-00-2176-0000	PR Batch 00002.06.2026 MissionSq-ER
PR-06-15-2026	PR Batch 00002.06.2026 Mission Sq-Flat Amou	122.47	06/15/2026	700-00-2176-0000	PR Batch 00002.06.2026 Mission Sq-Flat /
	Check Total:	3,823.33			
Vendor: 665	OPTUM BANK			Check Sequence: 7	ACH Enabled: True
PR-06-15-2026	PR Batch 00002.06.2026 HSA-Optum Bank-Ber	1,918.53	06/15/2026	700-00-2183-0000	PR Batch 00002.06.2026 HSA-Optum Ban
PR-06-15-2026	PR Batch 00002.06.2026 HSA-Optum Bank-Em	861.22	06/15/2026	700-00-2183-0000	PR Batch 00002.06.2026 HSA-Optum Ban
	Check Total:	2,779.75			
Vendor: 9	PERA			Check Sequence: 8	ACH Enabled: True
PR-06-15-2026	PR Batch 00002.06.2026 MN PERA Benefit Em	7,195.12	06/15/2026	700-00-2175-0000	PR Batch 00002.06.2026 MN PERA Benef
PR-06-15-2026	PR Batch 00002.06.2026 MN-PERA Deduction	6,235.75	06/15/2026	700-00-2175-0000	PR Batch 00002.06.2026 MN-PERA Dedu
PR-06-15-2026-2	PR Batch 00004.06.2026 MN-PERA Deduction	92.50	06/16/2026	700-00-2175-0000	PR Batch 00004.06.2026 MN-PERA Dedu
PR-06-15-2026-2	PR Batch 00004.06.2026 MN PERA Benefit Em	106.73	06/16/2026	700-00-2175-0000	PR Batch 00004.06.2026 MN PERA Benef
	Check Total:	13,630.10			
Vendor: 1091	VOYA FINANCIAL			Check Sequence: 9	ACH Enabled: True
PR-06-15-2026	PR Batch 00002.06.2026 Deferred Comp-Voya-I	1,660.38	06/15/2026	700-00-2176-0000	PR Batch 00002.06.2026 Deferred Comp-V
PR-06-15-2026	PR Batch 00002.06.2026 Deferred Comp-Voya-I	100.00	06/15/2026	700-00-2176-0000	PR Batch 00002.06.2026 Deferred Comp-V
PR-06-15-2026	PR Batch 00002.06.2026 Deferred Com-Voya	427.87	06/15/2026	700-00-2176-0000	PR Batch 00002.06.2026 Deferred Com-Vi
PR-06-15-2026	PR Batch 00002.06.2026 Deferred Com-Voya	1,439.27	06/15/2026	700-00-2176-0000	PR Batch 00002.06.2026 Deferred Com-Vi
	Check Total:	3,627.52			

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
	Total for Check Run:	53,383.10			
	Total of Number of Checks:	9			

Accounts Payable

Computer Check Proof List by Vendor

User: DKraay@shorewoodmn.gov
Printed: 06/18/2026 - 9:09AM
Batch: 00006.06.2026 - Council-06-22-2026



Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
Vendor: 104 4539988	ADAM'S PEST CONTROL INC Pest Control Svcs - CH	106.53	06/22/2026	Check Sequence: 1 101-19-4400-0000	ACH Enabled: True
	Check Total:	106.53			
Vendor: 171 111702	AE2S CONSTRUCTION, LLC Well Troubleshooting	588.00	06/22/2026	Check Sequence: 2 601-00-4221-0000	ACH Enabled: False
	Check Total:	588.00			
Vendor: 1575 098P45858	All Truck & Trailer Parts Seal & Gasket	117.40	06/22/2026	Check Sequence: 3 101-52-4221-0000	ACH Enabled: False
	Check Total:	117.40			
Vendor: 868 May2026Brenda	BANK OF MONTREAL Purchase Tst Caribou Coffee -	49.39	06/22/2026	Check Sequence: 4 621-00-3362-0000	ACH Enabled: True
May2026Brenda	Purchase Cub Foods #5704	25.17	06/22/2026	621-00-3362-0000	
May2026ChrisH	Water Testing Supplies	257.11	06/22/2026	601-00-4245-0000	
May2026ChrisH	Office Supplies	6.63	06/22/2026	101-32-4200-0000	
May2026ChrisH	Office Supplies	34.94	06/22/2026	101-32-4200-0000	
May2026ChrisH	Office Supplies	24.98	06/22/2026	101-32-4200-0000	
May2026CtyCard	Organic Recycling Svcs	361.92	06/22/2026	621-00-4400-0026	
May2026CtyCard	Chanhassen-18505-000 water	561.55	06/22/2026	601-00-4263-0000	
May2026CtyCard	Water Svc May CH	40.00	06/22/2026	101-19-4400-0000	
May2026CtyCard	Public Works	505.51	06/22/2026	101-32-4400-0000	
May2026CtyCard	SCEC Garbage	160.87	06/22/2026	201-00-4400-0000	
May2026CtyCard	Chanhassen-18505-000 water	7.69	06/22/2026	601-00-4263-0000	
May2026Eric	Credit Voucher Officemax/Depot 6869	-43.91	06/22/2026	101-33-4245-0000	

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
May2026Eric	Purchase Officemax/Officedept#2	38.03	06/22/2026	101-16-4351-0000	
May2026Eric	Purchase Signs Now Plymouth	370.80	06/22/2026	621-00-4347-0000	
May2026Jake	Continuing Education	116.00	06/22/2026	101-18-4331-0000	
May2026Jake	Continuing Education	75.00	06/22/2026	101-18-4321-0000	
May2026Jeremy	Battery	60.38	06/22/2026	101-52-4221-0000	
May2026Jeremy	Roller Parts	33.17	06/22/2026	101-32-4221-0000	
May2026Jeremy	Truck Parts	186.36	06/22/2026	101-52-4221-0000	
May2026Jeremy	Tool Cabinet	1,435.98	06/22/2026	101-32-4240-0000	
May2026Jeremy	Chain saw chains	66.40	06/22/2026	101-52-4221-0000	
May2026Jeremy	Fuel	22.01	06/22/2026	101-32-4212-0000	
May2026Jeremy	Loader Part	18.50	06/22/2026	101-32-4221-0000	
May2026Marc	Strategic Crisis Communications	175.00	06/22/2026	101-13-4331-0000	
May2026Matt	Communications	17.00	06/22/2026	101-32-4321-0000	
May2026Matt	Engineering Licensing	122.50	06/22/2026	101-32-4437-0000	
May2026Matt	Pest Control-PW Facility	90.00	06/22/2026	101-32-4400-0000	
May2026Matt	Hotel-Conference	600.00	06/22/2026	101-33-4331-0000	
May2026Matt	Hotel-Conference	316.52	06/22/2026	101-32-4331-0000	
May2026Mitch	Tablecloth Cleaning	240.13	06/22/2026	201-00-4400-0000	
May2026Mitch	SCEC Supplies	60.97	06/22/2026	201-00-4245-0000	
May2026Mitch	Staff Scheduling	15.00	06/22/2026	101-53-4245-0000	
May2026Mitch	SCEC Pest Control	90.00	06/22/2026	201-00-4400-0000	
May2026Nelia	Purchase Sams Club Renewal	120.00	06/22/2026	101-19-4433-0000	
May2026Nelia	Purchase Usps Po 2630600331	25.80	06/22/2026	101-13-4208-0000	
May2026Nelia	Purchase Tst Joey Novas	155.04	06/22/2026	621-00-3362-0000	
May2026Nelia	Purchase Cub Foods #1636	14.99	06/22/2026	621-00-3362-0000	
May2026Nelia	Purchase Usps Po 2630600331	25.80	06/22/2026	101-13-4208-0000	
May2026RobertH	Fuel	66.25	06/22/2026	101-32-4212-0000	
May2026RobertHo	Mulch & rakes	109.71	06/22/2026	101-52-4245-0000	
May2026Ryan	Fuel	3.47	06/22/2026	101-32-4212-0000	
May2026Sandie	Office Supplies	45.53	06/22/2026	101-13-4200-0000	
May2026Sandie	Zoom Annual Subscription	173.53	06/22/2026	101-13-4400-0000	
May2026Sandie	Election Supplies	96.98	06/22/2026	101-14-4245-0000	
May2026Tim	Fuel	171.47	06/22/2026	101-32-4212-0000	
May2026Todd	City Hall Gutters	8.99	06/22/2026	101-19-4223-0000	

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
	Check Total:	7,159.16			
Vendor: 1509	BLUE NET INC			Check Sequence: 5	ACH Enabled: True
63678	PC Docking Stations-CC/SV	505.26	06/22/2026	101-19-4321-0000	
	Check Total:	505.26			
Vendor: 677	BOLTON & MENK, INC.			Check Sequence: 6	ACH Enabled: True
0396810	Proj.# 24X.136948-2025 Mill & Overlay Design	1,606.00	06/22/2026	420-00-4303-0000	
0396811	Proj.# 0C1.123603-General Engineering	3,340.00	06/22/2026	101-31-4303-0000	
0396812	Proj.# 26X.143287.000 Sanitary Televising Proje	316.50	06/22/2026	611-00-4303-0000	
0396813	Proj. # 24X.135610.000 Denman Subdivision	105.50	06/22/2026	880-00-2210-0000	
0396814	Proj.# 26X.143693.000 5850 Boulder Bridge Ln	163.00	06/22/2026	880-00-2210-0000	
0396815	Proj.# 26X.143692.000 6145 Club Valley Road	268.50	06/22/2026	880-00-2210-0000	
0396816	Proj.# 24X.135611-6180 Cardinal Drive	411.00	06/22/2026	880-00-2210-0000	
0396817	Proj.# 25X.141779.000 Engineering Bulding Per	2,063.50	06/22/2026	101-31-4303-0000	
0396818	Proj.# 0C1.127485-Excelsior Woods	411.00	06/22/2026	880-00-2210-0000	
0396819	Proj.# 0C1.125586-Galpin Lake Road/TH7 Trail	8,625.00	06/22/2026	422-00-4303-0000	
0396820	Proj. # C16.120898.000 Storm - GIS Services	1,710.00	06/22/2026	631-00-4303-0000	
0396820	Proj. # C16.120898.000 Water - GIS Services	1,310.00	06/22/2026	601-00-4303-0000	
0396820	Proj. # C16.120898.000 Streets - GIS Services	990.00	06/22/2026	101-31-4303-0000	
0396820	Proj. # C16.120898.000 Sanitary - GIS Services	1,070.00	06/22/2026	611-00-4303-0000	
0396821	Proj.# 0C1.130016-Lake Park Villas-24250Smith	508.50	06/22/2026	880-00-2210-0000	
0396822	Proj.# 0C1.129164-Mill Street Trail	949.50	06/22/2026	417-00-4303-0000	
0396823	Proj.# 24X.136257-SE Area Water Improvement	12,870.00	06/22/2026	601-00-4303-0000	
0396824	Proj.# C16.120341-Shorewood Ln Ravine Restor	20,117.50	06/22/2026	631-00-4303-0000	
0396825	Proj.# 24X.137116-Shorewood Meadow	105.50	06/22/2026	880-00-2210-0000	
0396826	Proj.# 24X.136951-Water Connection Program	2,110.00	06/22/2026	601-00-4303-0000	
	Check Total:	59,051.00			
Vendor: 125	BOYER FORD TRUCKS, INC.			Check Sequence: 7	ACH Enabled: True
098P20975.01Ref	Refund for double Cr invoice 098P20975.01 and	415.26	06/22/2026	101-32-4221-0000	
	Check Total:	415.26			
Vendor: 508	BRYAN ROCK PRODUCTS, INC.			Check Sequence: 8	ACH Enabled: False

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
74759	Playing Field Material	264.95	06/22/2026	101-52-4245-0000	
	Check Total:	264.95			
Vendor: 1221	CAMPBELL KNUTSON P.A.			Check Sequence: 9	ACH Enabled: True
21320 Summit Av	Legal Services - Charge to escrow - 21320 Sumn	39.20	06/22/2026	880-00-2210-0000	
3526-0000G 53	3526-0000G 53 General Matters/Administration	4,298.00	06/22/2026	101-16-4304-0000	
3526-0001G 53	3526-0001G 53 Planning & Zoning Services	313.60	06/22/2026	101-16-4304-0000	
3526-0009G 41	3526-0009G 41 Code Enforcement-5815 Club L	541.60	06/22/2026	101-16-4304-0000	
3526-0999G 56	3526-0999G 56 Prosecution	2,450.57	06/22/2026	101-16-4304-0000	
Shorewood Mead	Legal Services - Charge to escrow - Shorewood l	142.33	06/22/2026	880-00-2210-0000	
Watten Ponds	Legal Services - Charge to escrow - Watten Pond	274.40	06/22/2026	880-00-2210-0000	
	Check Total:	8,059.70			
Vendor: 136	CENTERPOINT ENERGY-GAS			Check Sequence: 10	ACH Enabled: True
JUN 2026	28125 Boulder Bridge Jun 2026	49.18	06/22/2026	601-00-4396-0000	
JUN 2026	24200 Smithtown Rd Jun 2026	79.65	06/22/2026	101-32-4380-0000	
JUN 2026	5755 Country Club Rd Jun 2026	77.01	06/22/2026	101-19-4380-0000	
JUN 2026	6000 Eureka Road Jun 2026	87.63	06/22/2026	101-52-4380-0000	
JUN 2026	20405 Knightsbridge Rd Jun 2026	39.78	06/22/2026	601-00-4394-0000	
	Check Total:	333.25			
Vendor: UB*00733	Eric Chellen			Check Sequence: 11	ACH Enabled: False
	Refund Check 009420-000, 25815 Wild Rose L	57.69	06/11/2026	631-00-2010-0000	
	Refund Check 009420-000, 25815 Wild Rose L	57.69	06/11/2026	621-00-2010-0000	
	Refund Check 009420-000, 25815 Wild Rose L	134.62	06/11/2026	611-00-2010-0000	
	Check Total:	250.00			
Vendor: 915	CINTAS CORPORATION (Formerly HUEBSCH)			Check Sequence: 12	ACH Enabled: False
4271441009	SCEC - Mat Maintenance	70.67	06/22/2026	201-00-4223-0000	
4271441065	Mat Services - CH	258.83	06/22/2026	101-19-4400-0000	
	Check Total:	329.50			
Vendor: 1403	CITY OF ST. PAUL			Check Sequence: 13	ACH Enabled: False
IN65384	Asphalt Patch Material	260.43	06/22/2026	101-32-4250-0000	

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
	Check Total:	260.43			
Vendor: 1649	Meredith Clawson			Check Sequence: 14	ACH Enabled: False
June 26 Refund	Refund for Damage Deposit Return	200.00	06/22/2026	201-00-3410-0000	
	Check Total:	200.00			
Vendor: 1361	COSTCO-CITI CARDS			Check Sequence: 15	ACH Enabled: False
May 2026	Costco Closed Acct	538.97	06/22/2026	101-15-4440-0000	
	Check Total:	538.97			
Vendor: 1394	CSG FORTE PAYMENTS, INC			Check Sequence: 16	ACH Enabled: True
0015778581	Credit Card Processing	529.32	06/22/2026	201-00-4450-0000	
0015778582	Credit Card Processing	28.70	06/22/2026	201-00-4450-0000	
	Check Total:	558.02			
Vendor: 1096	DAVEY RESOURCE GROUP, INC.			Check Sequence: 17	ACH Enabled: True
9000261213	Forestry Consulting Services May 2026	857.50	06/22/2026	101-32-4400-0000	
	Check Total:	857.50			
Vendor: UB*00734	Shunzhen Du			Check Sequence: 18	ACH Enabled: False
	Refund Check 009816-000, 6180 Chaska Rd	25.04	06/11/2026	631-00-2010-0000	
	Refund Check 009816-000, 6180 Chaska Rd	25.04	06/11/2026	621-00-2010-0000	
	Refund Check 009816-000, 6180 Chaska Rd	58.43	06/11/2026	611-00-2010-0000	
	Check Total:	108.51			
Vendor: 167	ECM PUBLISHERS INC			Check Sequence: 19	ACH Enabled: True
1101077	Legal Notices, all pages	64.00	06/22/2026	101-18-4351-0000	
	Check Total:	64.00			
Vendor: 186	FERGUSON WATERWORKS, LLC. No.2518			Check Sequence: 20	ACH Enabled: False
0566576	Water Meter Parts	219.75	06/22/2026	601-00-4265-0000	
0566577	Pressure Reducing Valves	2,390.40	06/22/2026	601-00-4265-0000	
	Check Total:	2,610.15			

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
Vendor: 188 135047699	FLEETPRIDE TRUCK & TRAILER PARTS Trailer Parts/Lights	66.62	06/22/2026	Check Sequence: 21 101-52-4221-0000	ACH Enabled: False
	Check Total:	66.62			
Vendor: 200 6050752	GOPHER STATE ONE CALL GSOC Service	264.60	06/22/2026	Check Sequence: 22 611-00-4400-0000	ACH Enabled: True
6050752	GSOC Service	264.60	06/22/2026	631-00-4400-0000	
6050752	GSOC Service	264.60	06/22/2026	601-00-4400-0000	
	Check Total:	793.80			
Vendor: 211 7450656	HAWKINS, INC. Water Treatment Chemicals	1,043.36	06/22/2026	Check Sequence: 23 601-00-4245-0000	ACH Enabled: True
	Check Total:	1,043.36			
Vendor: 1384 9249723555	HD SUPPLY FORMERLY HOME DEPOT PRO SCEC Supplies	247.23	06/22/2026	Check Sequence: 24 201-00-4245-0000	ACH Enabled: False
	Check Total:	247.23			
Vendor: 689 1000269165	HENNEPIN COUNTY ACCOUNTS RECEIVABLE 800 Mhz Radio Fee May 2026	239.84	06/22/2026	Check Sequence: 25 101-33-4321-0000	ACH Enabled: False
	Check Total:	239.84			
Vendor: 1456 025-059-6	HKGi Contractual Services-Zoning Code Update May 2026	4,625.60	06/22/2026	Check Sequence: 26 101-18-4400-0000	ACH Enabled: True
	Check Total:	4,625.60			
Vendor: 1637 132527	ISG SCEC Facility Analysis	2,687.50	06/22/2026	Check Sequence: 27 201-00-4302-0000	ACH Enabled: False
	Check Total:	2,687.50			
Vendor: 1647 May 2026	Jeanna Raap Adopt-A-Garden Reimbursement	75.84	06/22/2026	Check Sequence: 28 101-53-4245-0000	ACH Enabled: False
	Check Total:	75.84			
Vendor: 1332	JERRY'S PRINTING			Check Sequence: 29	ACH Enabled: False

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
103302	Name Badge - Kraay	41.00	06/22/2026	101-13-4351-0000	
	Check Total:	41.00			
Vendor: 1515	KATH FUEL OIL SERVICE CO.			Check Sequence: 30	ACH Enabled: True
3755C	Fuel for Trailer	1,509.68	06/22/2026	101-32-4212-0000	
5378	Fuel for Trailer	483.94	06/22/2026	101-32-4212-0000	
5770	Fuel for Trailer	1,676.92	06/22/2026	101-32-4212-0000	
	Check Total:	3,670.54			
Vendor: 247	DREW KRIESEL			Check Sequence: 31	ACH Enabled: False
228591	SCEC Event Setup/Teardown	462.00	06/22/2026	201-00-4248-0000	
	Check Total:	462.00			
Vendor: 1075	LAKE RESTORATION, INC.			Check Sequence: 32	ACH Enabled: False
INV084726	Manor Pond Treatment	548.00	06/22/2026	101-52-4400-0000	
	Check Total:	548.00			
Vendor: 1595	LaPointe Utilities Inc			Check Sequence: 33	ACH Enabled: False
318936	318936 Release ROWay Permits	2,000.00	06/22/2026	880-00-2205-0000	
318937	318937 Release ROWay Permits	2,000.00	06/22/2026	880-00-2205-0000	
319005	319005 Release ROWay Permits	2,000.00	06/22/2026	880-00-2205-0000	
	Check Total:	6,000.00			
Vendor: 1378	MAYA MAINTENANCE LLC			Check Sequence: 34	ACH Enabled: True
1867	Janitorial Services-PWs Facility May 2026	520.00	06/22/2026	101-32-4400-0000	
1870	SCEC-Event Setup/Teardown May 2026	245.00	06/22/2026	201-00-4248-0000	
1870	SCEC Cleaning May 2026	460.00	06/22/2026	201-00-4400-0000	
	Check Total:	1,225.00			
Vendor: 279	METROPOLITAN COUNCIL (WASTEWATER)			Check Sequence: 35	ACH Enabled: True
0001208408	MCES Monthly Fee July 2026	100,018.09	06/22/2026	611-00-4385-0000	
	Check Total:	100,018.09			
Vendor: 1642	Minnesota Department of Health Environmental Healt			Check Sequence: 36	ACH Enabled: False

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
1136955	MDH Hospitality Fee	50.00	06/22/2026	201-00-4437-0000	
	Check Total:	50.00			
Vendor: 1605	MINNESOTA TOPSOIL			Check Sequence: 37	ACH Enabled: False
6908	Topsoil For Restoration	288.00	06/22/2026	101-32-4250-0000	
	Check Total:	288.00			
Vendor: 325	ON SITE SANITATION -TWIN CITIES			Check Sequence: 38	ACH Enabled: True
0002066451	South Shore-5355 St Albans Bay May 2026	89.95	06/22/2026	101-52-4400-0000	
0002066452	Freeman Park-6000 Eureka Rd May 2026	179.90	06/22/2026	101-52-4400-0000	
0002066453	Christmas Lk Rd-5625 Merry Ln May 2026	201.75	06/22/2026	101-52-4400-0000	
0002066455	Silverwood Pk-5755 Covington R May 2026	89.95	06/22/2026	101-52-4400-0000	
0002078036	Freeman Park-6000 Eureka Rd 06/04-06/05/2026	12.90	06/22/2026	101-52-4400-0000	
0002080652	South Shore-5355 St Albans Bay Jun 2026	90.13	06/22/2026	101-52-4400-0000	
0002080653	Freeman- 6000 Eureka Road Jun 2026	360.50	06/22/2026	101-52-4400-0000	
0002080654	Christmas Lk Rd-5625 Merry Ln Jun 2026	202.14	06/22/2026	101-52-4400-0000	
0002080655	Cathcart Park-26655 W- 62nd St Jun 2026	90.13	06/22/2026	101-52-4400-0000	
0002080656	Silverwood Pk-5755 Covington R Jun 2026	90.13	06/22/2026	101-52-4400-0000	
	Check Total:	1,407.48			
Vendor: UB*00735	Tina & Alfredo Perez			Check Sequence: 39	ACH Enabled: False
	Refund Check 008300-000, 6165 Pleasant Ave	50.43	06/11/2026	611-00-2010-0000	
	Refund Check 008300-000, 6165 Pleasant Ave	21.61	06/11/2026	631-00-2010-0000	
	Refund Check 008300-000, 6165 Pleasant Ave	21.61	06/11/2026	621-00-2010-0000	
	Check Total:	93.65			
Vendor: 336	PITNEY BOWES BANK INC PURCHASE POWER			Check Sequence: 40	ACH Enabled: True
3107916315	Postage Lease - Qtr 3	195.00	06/22/2026	101-13-4208-0000	
	Check Total:	195.00			
Vendor: 345	SAFEASSURE CONSULTANTS, INC.			Check Sequence: 41	ACH Enabled: False
4009	SAFETY TRAINING CONSULTING SERVICE	4,000.00	06/22/2026	101-32-4331-0000	
4009	SAFETY TRAINING CONSULTING SERVICE	246.58	06/22/2026	101-52-4331-0000	

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
	Check Total:	4,246.58			
Vendor: 305	SAFEBUILT LLC-LOCKBOX #88135			Check Sequence: 42	ACH Enabled: False
1645959CR	Inspection Services	-0.02	05/11/2026	101-24-4400-0000	
2891389-REV	Inspection Services	-3,169.77	05/11/2026	101-24-4400-0000	
3572353	Consulting Building Inspections Mar 2026	1,881.75	06/08/2026	101-24-4400-0000	
3794544	Inspection Services Apr 2026	579.00	05/11/2026	101-24-4400-0000	
3961527	Consulting Building Inspections	1,737.00	06/22/2026	101-24-4400-0000	
	Check Total:	1,027.96			
Vendor: 1324	SAFE-FAST INC.			Check Sequence: 43	ACH Enabled: True
INV326297	Locate Marking Flags	214.34	06/22/2026	601-00-4245-0000	
INV326297	Locate Marking Flags	214.35	06/22/2026	611-00-4245-0000	
	Check Total:	428.69			
Vendor: 1648	SeeMyLegacy LLC			Check Sequence: 44	ACH Enabled: True
INV-2799	SeeMyLegacy Subscription - Jan - Jun 2027	999.50	06/22/2026	101-00-1551-0000	
INV-2799	SeeMyLegacy Subscription - Jul - Dec 2026	999.50	06/22/2026	101-53-4400-0000	
	Check Total:	1,999.00			
Vendor: 360	SOUTH LAKE MINNETONKA POLICE DEPARTMENT			Check Sequence: 45	ACH Enabled: True
ProcessingMar26	Mar 2026 County Processing Fees	150.00	06/22/2026	101-21-4440-0000	
	Check Total:	150.00			
Vendor: 1101	SPRINGBROOK HOLDING COMPANY LLC			Check Sequence: 46	ACH Enabled: True
INV-024147	May CivicPay Transaction Fees	37.25	06/22/2026	601-00-4450-0000	
INV-024147	May CivicPay Transaction Fees	37.25	06/22/2026	631-00-4450-0000	
INV-024147	May CivicPay Transaction Fees	37.25	06/22/2026	621-00-4450-0000	
INV-024147	May CivicPay Transaction Fees	37.25	06/22/2026	611-00-4450-0000	
	Check Total:	149.00			
Vendor: 1570	SRF Consulting Group, Inc.			Check Sequence: 47	ACH Enabled: True
18960.00 - 11	HWY 7 TMO Study Final	32,282.88	06/22/2026	404-31-4400-0012	
19866.00 - 4	Contractual Services - Comp Plan Update	4,300.96	06/22/2026	101-18-4400-0000	

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
	Check Total:	36,583.84			
Vendor: 694	TIMESAVER OFF SITE SECRETARIAL, INC.			Check Sequence: 48	ACH Enabled: True
32541	5/26 Council Meeting Minutes 05/26/2026	535.01	06/22/2026	101-13-4400-0000	
32543	Minutes 06/02/2026	223.13	06/22/2026	101-18-4400-0000	
	Check Total:	758.14			
Vendor: 1370	TOSHIBA AMERICA BUSINESS SOLUTIONS			Check Sequence: 49	ACH Enabled: False
6859475	US0168238MA-Monthly Service Fee May 2026	8.43	06/22/2026	201-00-4400-0000	
	Check Total:	8.43			
Vendor: 1592	TWIN CITY TREE AUTHORITY			Check Sequence: 50	ACH Enabled: True
3053	Tree Removal	13,000.00	06/22/2026	101-32-4400-0000	
	Check Total:	13,000.00			
Vendor: 386	TWIN CITY WATER CLINIC			Check Sequence: 51	ACH Enabled: True
25226	Monthly Water Testing May 2026	120.00	06/22/2026	601-00-4400-0000	
	Check Total:	120.00			
Vendor: 392	VALLEY-RICH CO. INC.			Check Sequence: 52	ACH Enabled: False
35687	Emergency Water Main Break	6,825.25	06/22/2026	601-00-4400-0000	
	Check Total:	6,825.25			
Vendor: 402	WATER CONSERVATION SERVICES, INC.			Check Sequence: 53	ACH Enabled: True
150941	Leak Detection Services	750.62	06/22/2026	601-00-4400-0000	
	Check Total:	750.62			
Vendor: 405	WESTSIDE WHOLESALE TIRE & SUPPLY			Check Sequence: 54	ACH Enabled: True
984817	Tire Valves	73.98	06/22/2026	101-32-4221-0000	
	Check Total:	73.98			
Vendor: 1055	WL HALL CO INTERIOR SERVICE			Check Sequence: 55	ACH Enabled: False
19156	Yearly Wall Maintenance	1,160.00	06/22/2026	201-00-4223-0000	

Invoice No	Description	Amount	Pmt Date	Acct Number	Reference
	Check Total:	1,160.00			
Vendor: 401	AS PAYMENT AGENT WM CORPORATE SERVICES INC			Check Sequence: 56	ACH Enabled: False
8268312-1593-2	May Recycling Svcs	15,373.21	06/22/2026	621-00-4400-0000	
	Check Total:	15,373.21			
Vendor: 408	WM MUELLER & SONS INC			Check Sequence: 57	ACH Enabled: True
323870	Asphalt Patch Material	270.27	06/22/2026	101-32-4250-0000	
	Check Total:	270.27			
	Total for Check Run:	289,081.11			
	Total of Number of Checks:	57			



City Council Item 2.E.

Title/Subject: 2026-2028 Water Efficiency Grant Program
Meeting Date: June 22, 2026
Prepared By: Eric Wilson, Communications/Recycling Coordinator

Attachments

1. Shorewood - Water Efficiency Grant Acceptance Letter - 2026-2028
2. 26-38 Accepting 2026-2028 Water Efficiency Grant

Background

The City of Shorewood is one of 43 cities in the Twin Cities Metropolitan Area that applied for and was accepted into the 2026-2028 Water Efficiency Rebate Grant program. The Water Efficiency Grant Program helps fund activities that reduce existing water use at residential, commercial, and municipal properties. Met Council-approved grant activities include the replacement of specific water-using devices with more efficient alternatives and irrigation system audits. The City has historically participated in the program.

The following information must be reported on a quarterly basis, on forms to be provided by the Metropolitan Council:

- Number, type and amount of rebates or grants provided to property owners, along with each property address
- Estimated annual gallons of water saved per installation
- Municipality matching funds disbursed
- Electronically scanned copies of receipts to verify the cost of eligible devices being reported

Reporting forms and instructions will be sent to participating communities in summer 2026.

Strategic Alignment

Environmental Stewardship

- Clear and strategic environmental policies and practices — Participation in this program is an actionable way for the City to demonstrate its commitment to environmental stewardship.

Budget Impact

The Metropolitan Council awarded the City of Shorewood the amount of \$6,000 as part of the 2026-2028 Water Efficiency Grant Program. The amount of matching funds from the City of Shorewood, based on the grant award is \$1,500.

Action Requested

Motion to adopt resolution 26-38 accepting the 2026–2028 Water Efficiency Grant Program award.



Eric Wilson
Communications Coordinator
5755 Country Club Rd
Shorewood, MN 55331

May 19, 2026

The Metropolitan Council is pleased to award the City of Shorewood the amount of \$6,000 as part of our 2026-2028 Water Efficiency Grant Program. The amount of matching funds required from your city, based on the grant award above, is \$1,500 (this amount will deviate from the 20% of the total program cost in cases where the community is including a low-income cost assistance option). The City of Shorewood is one of 43 in the Twin Cities metro area accepted into this grant program. We are pleased to report that all available grant funds have been awarded and that all applicants will receive an award.

The amount of funds requested totaled \$1,683,575, while the amount of funds available is \$1,400,000. Because funds requested exceed funds available, a set of ranking factors and an objective scoring system were used to distribute the available funds.

Below are some critical points to remember:

- New construction and new developments are not eligible
- A portion of each eligible grant activity's cost must be paid by the property owner (unless participating in the low-income cost assistance option)
- Funds are for rebates or grants only; consulting and city staff time are ineligible
- Grant recipients must display the Clean Water, Land and Legacy Amendment logo and the Metropolitan Council logo on program-related web pages and paper communications
- Funds must be spent down by June 30, 2028 (municipalities and Met Council will work together to monitor spending and adjust/reallocate funds as needed)
- Grant activities on municipal properties must supplement and not supplant dedicated municipal funding sources

The Clean Water, Land and Legacy Amendment is available here: <https://www.legacy.mn.gov/download-legacy-logo>

To obtain electronic and print versions of the Metropolitan Council logo, please contact me at henry.mccarthy@metc.state.mn.us.

As you prepare your municipality's program, please be aware that the following information must be reported on a quarterly basis, on forms to be provided by the Metropolitan Council:

- Property address and property type (residential, commercial, municipal)
- Low-income assistance (Y/N) (if applicable)
- Grant activity (device replacement, audit, or municipal turfgrass conversion)
- Brand/model info of new device
- Purchase date (must be on or after effective date of grant agreement)
- Cost per device/approved grant activity
- Number of devices/activities
- Rebate or grant per device
- Estimated annual gallons of water saved per device installation/approved grant activity
- Municipality matching funds disbursed
- Number of unmet funding requests from property owners, if any

Quarterly reporting instructions will be sent to participating communities in summer 2026. Quarterly reporting periods and reporting form due dates are shown below.

Quarterly Period	Reporting Form Due Date
July 1, 2026 – September 30, 2026	October 31, 2026
October 1, 2026 – December 31, 2026	January 31, 2027
January 1, 2027 – March 31, 2027	April 30, 2027
April 1, 2027 – June 30, 2027	July 31, 2027
July 1, 2027 – September 30, 2027	October 31, 2027
October 1, 2027 – December 31, 2027	January 31, 2028
January 1, 2028 – March 31, 2028	April 30, 2028
April 1, 2028 – June 30, 2028	July 31, 2028

A Grant Legal Agreement will be sent to your city for signature in approximately two weeks. Completion instructions will be provided in that correspondence.

Congratulations on your grant award! We look forward to working with you to increase the water efficiency of our region.

Sincerely,



Henry McCarthy
Senior Environmental Scientist | Water Resources | Policy and Planning
Phone: 651-602-1946
henry.mccarthy@metc.state.mn.us

Jen Kostrzewski
Assistant Manager | Water Resources | Policy and Planning
Phone: 651-602-1078
jennifer.kostrzewski@metc.state.mn.us

Judy Sventek
Manager | Water Resources
Phone: 651-602-1156
judy.sventek@metc.state.mn.us



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

RESOLUTION 26-38

**RESOLUTION APPROVING 2024-2026 WATER EFFICIENCY REBATE GRANT PROGRAM FUNDS
FROM METROPOLITAN COUNCIL ENVIRONMENTAL SERVICES**

WHEREAS, the Metropolitan Council Environmental Services (MCES) has chosen the City as one of forty-three metro cities to receive grant funds to offer rebate(s) to property owners who are customers of the municipal water supply system that replace existing inefficient clothes washers or dishwasher with Energy Star® certified products, or toilets, irrigation system equipment, faucets and showerheads with WaterSense® certified products; and

WHEREAS, MCES will award the City of Shorewood a grant in the amount of \$6,000, with required matching funds from the city, of \$1,500; and

WHEREAS, the City is committed to the grant requirements which include the following:

1. Property owners must be customers of the municipal water supply
2. New construction and new developments are not eligible
3. Funds are for rebates or grants only; consulting and city staff time are ineligible
4. Grant recipients must display the Clean Water, Land and Legacy Amendment logo and the Metropolitan Council logo on all documents which are intended for public use

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Shorewood, Minnesota hereby accepts the 2026-2028 Water Efficiency Grant Program in the amount of \$6,000 issued by MCES. ADOPTED BY THE CITY COUNCIL OF THE CITY OF SHOREWOOD this 22nd day of June 2026.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk



City Council Item 2.F.

Title/Subject: Resolution Denying a PUD Concept Plan at 25485 State Highway 7
Meeting Date: June 22, 2026
Prepared By: Aaron Osowski, Planner

Attachments

1. Resolution 26-35 Denying a PUD Concept Plan for 25485 State Highway 7

Background

At the May 26, 2026, City Council meeting, the Council voted to deny the proposed Planned Unit Development (PUD) Concept Plan for 25485 State Highway 7. In response, staff has drafted the attached denial resolution outlining findings of fact and conclusions reached by Council on the application.

Strategic Alignment

Comprehensive Approach to Planning & Development

- Clear standards and processes for development with strong controls
- Balance the desires of both new and long-term residents

The application generally relates to the strategic priority of a comprehensive approach to planning and development. However, planning and land use applications are reviewed on their own merits relative to the Comprehensive Plan and City Code requirements.

Budget Impact

The application fees are adequate to cover the cost of processing the request. Any engineering and legal costs associated with review of the applicant's request are billed to the applicant's escrow, or directly to the applicant if the escrow funds are insufficient.

Action Requested

Motion to adopt the attached resolution 26-35 denying the PUD Concept Plan at 25485 State Highway 7. A simple majority vote is required.

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

RESOLUTION 26-35

**A RESOLUTION DENYING A PUD CONCEPT PLAN FOR THE PROPERTY
LOCATED AT 25485 STATE HIGHWAY 7**

WHEREAS, Merle Steinkraus (the “Applicant”), has submitted a request for a Planned Unit Development (PUD) Concept Plan for a development (the “Request”) for the property located at 24585 State Highway 7 with Parcel Identification Number 33-117-23-33-0016, legally described as follows:

All that part of Lot 26, Meeker’s Outlots to Excelsior described as follows; to-wit Commencing at the intersection of the North line of Highway No. 7 with the East line of First Street, the point of beginning, thence Easterly along said North line of Highway No. 7 a distance of 210 feet to an iron monument; thence Northerly on a line parallel to First Street as shown on plat a distance of 210 feet to an iron monument; thence Westerly on a line parallel to the North line of Highway No. 7 a distance of 210 feet to the East line of First Street; thence South along the East line of Rist Street 210 feet to a point of beginning.

WHEREAS, the Applicant submitted the application as a PUD Concept Plan due to the significant number of land use approvals that would be required to accommodate the Request including but not limited to a Comprehensive Plan Amendment, Rezoning and variance requests; 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, after the required notice, a public hearing was held, public testimony was taken and the Request was reviewed by the Planning Commission at a regular meeting held on May 5, 2026, the minutes of the meeting are on file at City Hall; and,

WHEREAS, the City Council considered the Request at its regular meeting on May 26, 2026, at which time the application materials and plans, City Planner’s memorandum, the public testimony provided at the public hearing, and the Planning Commission’s recommendations were reviewed, and comments were heard by the City Council from the Applicant, their representatives and City staff.

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

FINDINGS OF FACT

1. The Subject Property is located within the Low Density Residential land use classification in the 2040 Comprehensive Plan, which allows development with 1 to 2 units per acre.
2. The Subject Property is located within the R-1A zoning district, which allows single-family residential development with a minimum lot size of at least 40,000 square feet and a minimum lot width of at least 120 feet.
3. The Applicant has applied for a PUD Concept Plan which proposes 6 townhouse units, comprised of two, three-unit buildings, on an approximately 1-acre Subject Property.
4. The Request would require a Comprehensive Plan Amendment to have the Subject Property re-guided to the Medium Density Residential land use classification in the 2040 Comprehensive Plan, which allows for 6 to 8 units per acre.
5. The Request would require a Zoning District Amendment to have the Subject Property rezoned from the R-1A Single-Family Residential zoning district to the Planned Unit Development (PUD) special district.
6. The Request would additionally require Development Stage PUD, Final Stage PUD, Preliminary Plat, and Final Plat applications.
7. Chapter 2 (Policy Plan) of the City's 2040 Comprehensive Plan includes several land use goals, objectives, and policies regarding land use patterns, identified as follows:
 - a. Transitions between distinctly differing types of land uses shall be accomplished in an orderly fashion which does not create a negative impact on adjacent developments.
 - b. Community planning and development is to consider the impact to surrounding neighbors, neighborhoods and cities and mitigate the impact with transitions (landscaping, berming, etc.) where possible.
 - c. Residential neighborhoods shall be protected from adverse environmental impacts including noise, air and visual pollution.
 - d. Neighborhoods are to be maintained and where necessary, strengthened in character, while at the same time improving and reinforcing community identity.
8. City Code 1201.25, Subd. 1. j. indicates that one of the purposes of the PUD district is to allow variation from the provisions of this chapter, including setbacks, height, lot area, width and depth, yards and the like internally within the project. Provisions of the zoning regulations shall generally be maintained at the periphery of the project area.
9. City Code 1201.25, Subd. 1. e. indicates that one of the purposes of the PUD district is to provide a more desirable environment than would be possible through the strict application of the City's zoning and subdivision regulations.

10. The Applicant has requested flexibility from the City's zoning regulations relative to minimum lot size, minimum lot width, building setbacks and impervious surface coverage.
11. In December 2025, the Minnesota Department of Transportation completed the Trunk Highway 7 Corridor Study which examined the current and projected traffic conditions on Trunk Highway (TH) 7 in Hennepin and Carver counties.
12. Section 3.8.2.6 of the Trunk Highway 7 Corridor Study states as follows regarding the intersection of Highway 7 and Eureka Rd: "Eureka Road is a minor approach stop-controlled intersection in Shorewood with ten reported crashes between 2019 and 2023. The critical index is 1.23, with an observed crash rate that is over two times the average rate for similar facilities. Due to there being one fatal crash (angle crash) and one serious injury crash (left turn crash), the severity index is 2.07, which is the highest of any intersection on the corridor. Half of all crashes resulted in at least one possible injury. Most of the crashes have been angle crashes (eight of ten), likely a result of this being a full-access intersection where gap availability on TH 7 is limited during high-volume time periods".

CONCLUSIONS

A. The proposed density of the PUD Concept Plan is too high in relation to the surrounding residential area. The PUD Concept Plan proposes a density of six units per acre on the site. The Walnut Grove Villas directly to the north are detached villa homes with a density of 2.2 units per acre, while the Shorewood Pond townhomes to the west across Eureka Road represent a density of 4.17 units per acre.

B. The proposed land use of the PUD Concept Plan is inconsistent with the Shorewood 2040 Comprehensive Plan. The PUD Concept Plan proposes a density of six units per acre on the site, meaning the lot would need to be rezoned to Medium Density Residential (6 to 8 units per acre). The Comprehensive Plan guides the property for Low Density Residential (1 to 2 units per acre).

C. The proposed PUD Concept Plan would exacerbate vehicle traffic safety at the Eureka Road and Highway 7 intersection. The addition of six new homes with one egress to Eureka Road very close to Highway 7 would create additional traffic safety issues at that intersection.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF SHOREWOOD, MINNESOTA, that the Applicant's Request for a PUD Concept Plan for 25485 State Highway 7 is hereby denied, subject to the findings and conclusions contained herein.

ADOPTED BY THE CITY COUNCIL OF SHOREWOOD, Minnesota, this 22nd day of June, 2026.

Jennifer Labadie, Mayor

ATTEST:

Sandie Thone, City Clerk



City Council Item 2.G.

Title/Subject: Resolution Appointing 2026 Election Judges and Absentee Ballot Board
Meeting Date: June 22, 2026
Prepared By: Sandie Thone, City Clerk/ HR Director

Attachments

1. 26-39 Resolution Appointing 2026 Election Judges and Establishing Absentee Ballot Board

Background

Minnesota Statute 204B.21 Subd. 2 states that election judges for precincts in a municipality shall be appointed by the governing body of the municipality; and MN Statute 203B.121 requires the establishment of an Absentee Ballot Board for processing of absentee ballots.

It takes many dedicated people to run and staff a successful election. 2026 Elections include the Primary Election to be held on August 11th and the General Election to be held on November 3rd. We have been fortunate to have an outpouring of interest and dedication from our community to serve in election judge roles!

The attached resolution allows for the appointment of election judges and staff to serve in the 2026 Elections and on the Absentee Ballot Board for processing of absentee and early voting ballots. In addition, it provides the City Clerk with the authority to assign additional individuals to serve as Election Judges as needed. Early voting will be available at City Hall the 18 days prior to each election. All mailed, military, and overseas absentee ballots are processed by Hennepin County. The attached resolution provides for these appointments.

Strategic Alignment

Hiring local election judges is an example of good governance because it helps ensure elections are administered fairly, transparently, and in compliance with state law by individuals who are trained and accountable to the community.

Budget Impact

Election Judge pay is included in the 2026 elections budget. A Hennepin County grant pays for additional election judge staffing during the early voting period to better manage the addition of a new election process passed by the legislature in 2026.

Action Requested

Motion to adopt resolution 26-39 appointing 2026 Election Judges and Absentee Ballot Board. Simple majority vote is required.

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

**RESOLUTION 26-39
A RESOLUTION APPOINTING ELECTION JUDGES
AND ESTABLISHING ABSENTEE BALLOT BOARD**

WHEREAS, the City Clerk has submitted for approval a list of individuals who have agreed to serve as Election Judges for the 2026 Primary and General Elections and the City Clerk has the authority to add additional Election Judges, if needed, to conduct the 2026 Elections; and

WHEREAS, Shorewood City Hall will serve as an Absentee Ballot Center for Shorewood and pursuant to State Statute 203B.121, as amended, the City Council must establish an Absentee Ballot Board to facilitate the absentee/early voting process for the upcoming elections; and

WHEREAS, the City Council also appoints other individuals and all members appointed to the Hennepin County Absentee Ballot Board as authorized under Minn. Stat. 204B.21, Subd. 2 under the direction of the Election Manager to serve as members of the Shorewood Absentee Ballot Board.

NOW, THEREFORE BE IT RESOLVED the Shorewood City Council hereby approves the following list of election judges to officiate at the 2026 Elections:

Nancy Anderson
Dianne Aslesen
Sheila Augustine
Steve Baer
Mary Bahneman
Ralph Ballard
James C. Berdahl
James N. Berdahl
Jo Berger
Karen Boynton
Daniel Bruzzzone
Cynthia Clark
Glen Coakley
Nelia Criswell
Mark Czerwonka
James Dalby
Catherine DeMars
Elizabeth Denn
Laura Doten
Steven Dzurak
Julie Einhorn
Jessica Elegert

Bill Erickson
Steve Ferry
Jennifer Fortner
Joy Frederickson
Elizabeth Grover
Cindy Holker
Ken Huskins
Annette Kaiser
Sandra Kelly-Morris
Michael Kovalsky
Patricia Kovalsky
Kristen Kowalski
Gordon Levack
Elaine Love
Deborah Ann Luedtke
Roxanne Martin
Scott Morris
Chuck Niles
Conrad Nill
Annie Paul
Karen Petron
Guadalupe Pfaff

Kurt Pfaff
Brenda Pricco
Court Queen
Dianne Richman
Anne Rivers-Ditsch
Jane Stein
Pamela Staples
Anne Straka-Leland
David Suggs
Julie Tessier
Sandie Thone
Terri Trombley
Pamela Ulvestad
Sheila Van Sloun
Andrea Venc
Peter Strand Wattson
Eric Wilson
Patty Wolff
Brahim Zabeli
Theresa Zerby
Janice Zumsteg

BE IT FURTHER RESOLVED the Shorewood City Council hereby directs the City Clerk to appoint at least two election judges of different political parties to serve as the Absentee Ballot Board as required in State Statute Section 203B.121, as amended.

ADOPTED by the City Council of the City of Shorewood this 22nd day of June 2026.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk



City Council Item 2.H.

Title/Subject: Add 1.0 FTE Engineering Technician to the 2028 Budget
Meeting Date: June 22, 2026
Prepared By: Sandie Thone, City Clerk/ HR Director

Attachments

Background

Following City Council discussion at its June 8th work session, of the current engineering service delivery model, the history of the city's engineering structure, the comparison and analysis of other models, and the costs of each model, there was consensus of council that Model 1 emerged as the most practical and cost-conscious next step for Shorewood. Council decided that including the position in the 2028 budget would allow the City to prepare for a deliberate transition to this service model while preserving flexibility in implementation timing and organizational structure.

Staff recommends that the City Council approve a formal transition plan and propose funding for an Engineering Technician position in the 2028 budget, with the understanding that implementation may occur sooner if a vacancy, staffing transition, or other organizational opportunity allows the city to move forward earlier. This approach reflects Shorewood's continued effort to strengthen day-to-day engineering service, improve responsiveness to residents, reduce reliance on consultant time for routine work, and prepare in a deliberate and fiscally responsible manner for a long-term organizational shift.

Over the past year, the city has already taken meaningful steps to transition certain routine engineering-related duties to current staff. Public Works staff have increasingly assisted with resident communication, right-of-way coordination, field observations, records support, permit follow-up, and day-to-day issue routing that historically may have defaulted to consultant involvement. This work has helped improve resident service, strengthened internal knowledge, and demonstrated that a more intentional transition of routine functions is both feasible and beneficial. Staff will continue refining this approach in advance of the proposed 2028 implementation date so that the city is prepared to successfully onboard and utilize an Engineering Technician position when the time is right.

Under this plan, the city will continue identifying and transitioning duties that are routine, repeatable, operational, or resident-facing and do not require licensed professional engineering judgment. These duties may include responding to common resident inquiries, coordinating and tracking right-of-way questions, maintaining engineering and project records, supporting GIS and asset data updates, assisting with permit and contractor coordination, conducting field follow-up on routine matters, and providing support on smaller infrastructure and maintenance-related items. By assigning more of this work to city staff, Shorewood can reduce the amount of consultant time used for lower-complexity tasks and better reserve consulting services for capital project delivery, specialty review, licensed engineering decisions, and other

higher-level technical work.

This recommendation also reflects the council's ongoing interest in honoring resident concerns and public input. Residents value timely follow-up, clear communication, accountability, and having city staff who are accessible and familiar with local issues. The proposed transition plan supports those priorities by continuing to build internal city capacity for routine engineering-related service while preserving consultant expertise where needed. In doing so, the city recognizes that engineering service delivery is not only a technical issue, but also a customer service and governance issue that affects public trust and the resident experience.

To ensure transparency and continued council oversight, staff recommends a formal check-in with the City Council every three months beginning after adoption of this plan. Each quarterly update should summarize the duties that have been transitioned to city staff, changes in consultant utilization for routine work, observed service improvements, resident feedback trends, cost impacts or potential savings, and progress toward defining the final position structure and implementation strategy. These regular updates will allow the council to monitor whether the city is on track, make course corrections if needed, and remain prepared to move more quickly if an earlier implementation opportunity becomes available.

Implementation Timeline

2026-2027 Preparation Period: Continue transferring appropriate routine duties from consultants to current staff where practical; document the specific tasks that have shifted; track consultant hours used for routine coordination and field support; refine service expectations and success measures; and continue developing the scope, classification, and operational design of the Engineering Technician position.

2027 Budget Development: Include the Engineering Technician position in the proposed 2028 budget and complete any remaining classification, compensation, and organizational planning work needed for implementation. Staff should also identify any equipment, training, software, or workspace needs associated with the position.

2028 Implementation Target: Upon council approval of the 2028 budget, proceed with recruitment or activation of the transition plan for the Engineering Technician position. The city should prioritize assigning the position to routine engineering support, resident-facing coordination, records and GIS support, permit follow-up, and small-project or field-assistance functions that reduce consultant use for lower-complexity work.

Accelerated Opportunity Option: If a vacancy, retirement, reorganization, or other staffing opportunity occurs before January 1, 2028, the city should be prepared to move forward sooner. By completing the transition planning work in advance, the council will retain flexibility to implement the position in a shorter timeframe if doing so becomes operationally advantageous and financially feasible.

This plan is intended to be both fiscally responsible and strategically proactive. Rather than adding a position before the city is fully prepared to utilize it effectively, the plan allows Shorewood to continue building internal capacity, capturing consultant cost savings where possible, and preparing a position structure that aligns with current service demands. It also functions as a succession-minded strategy by recognizing that future staffing changes may create an earlier opportunity to advance the city's preferred engineering service model.

Strategic Alignment**Organizational Strength & Good Governance**

Hiring an in-house engineering technician is good governance because it strengthens accountability, improves responsiveness to residents, and builds internal capacity for routine engineering-related services. It also strengthens the organization by creating greater continuity, preserving institutional knowledge, and reducing reliance on higher-cost consultants for day-to-day operational work.

Budget Impact

The expected salary range for the Engineering Technician position in 2026 dollars is approximately \$86,000 to \$108,000 annually, with a fully loaded employment cost estimated at approximately \$116,000 to \$138,000. As discussed by the Council, a portion of this cost may be offset by reducing consultant expenditures for routine day-to-day engineering workload that can be transitioned to in-house staff. At the time of implementation of the proposal, staff will create a job description and order a compensation classification to bring to council for approval.

Future Implementation: If the organization has an opportunity to implement this service model before 2028, staff will notify the City Council and seek authority to bring the plan to fruition sooner. This would allow the City to move forward earlier if staffing conditions, operational needs, or transition opportunities make implementation feasible in advance of the 2028 budget year. Budget impact will be presented at that time.

Action Requested

Staff recommends that the City Council approve this transition plan and direct staff to include funding for an Engineering Technician position in the 2028 budget. Staff further recommends that the council affirm its intent to continue transitioning appropriate routine duties from consultants to city staff during the interim period, receive progress updates every three months, and authorize staff to be prepared to implement the position sooner if an earlier opportunity arises. This recommendation best balances service improvement, responsiveness to residents, cost awareness, and long-term organizational readiness.

Motion to Approve Consent Agenda. Simple Majority is required.



City Council Item 4.A.

Title/Subject: Presentation by County Commissioner Edelson

Meeting Date: June 22, 2026

Prepared By: Marc Nevinski, City Administrator

Attachments

1. Shorewood City Council Presentation

Background

Commissioner Edelson will provide a presentation to the Council about county activities.

Strategic Alignment

Organizational Strength & Good Governance

Presentations from other agencies and elected officials promote dialogue, foster relationships and promote collaboration.

Budget Impact

None

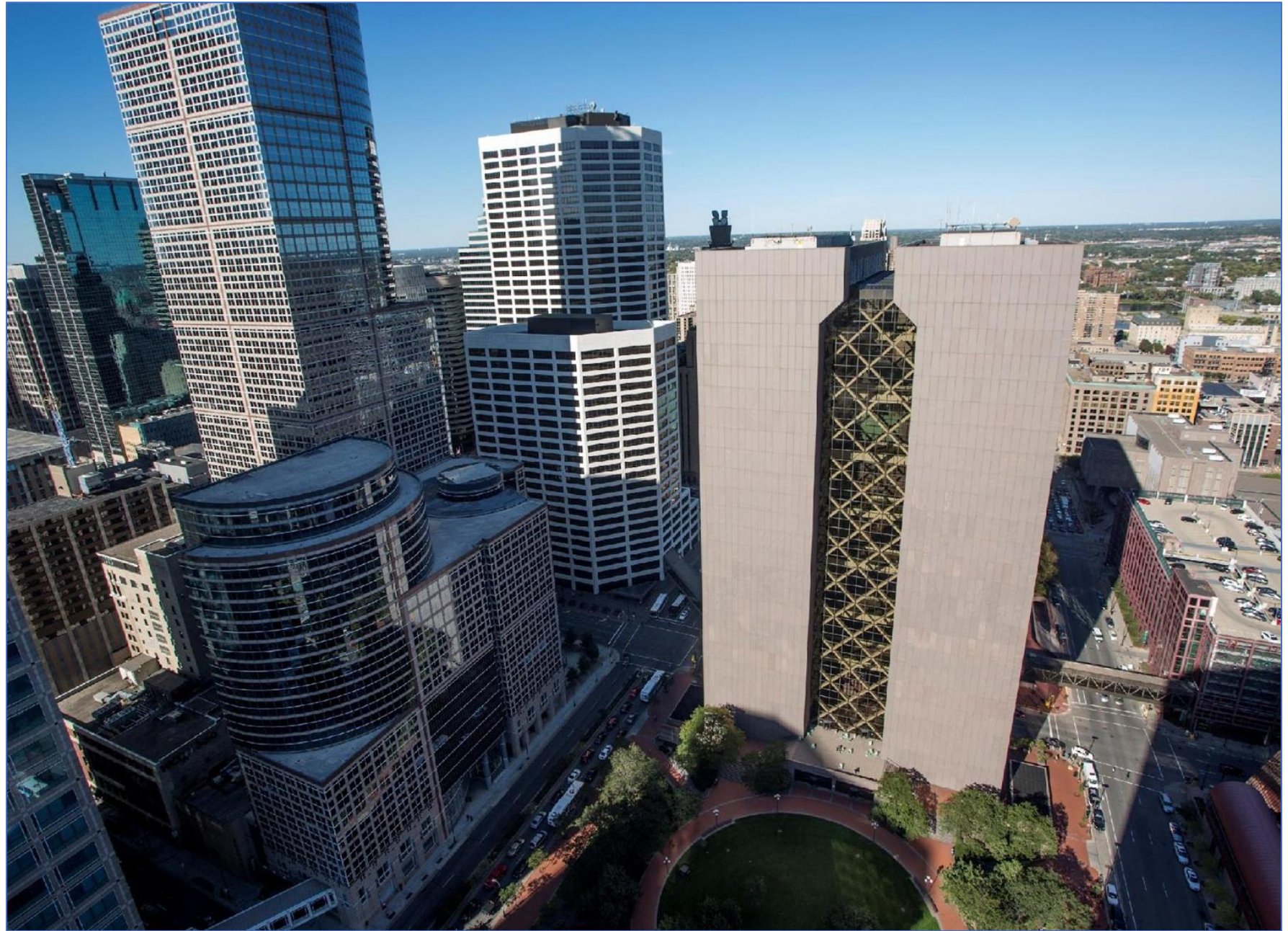
Action Requested

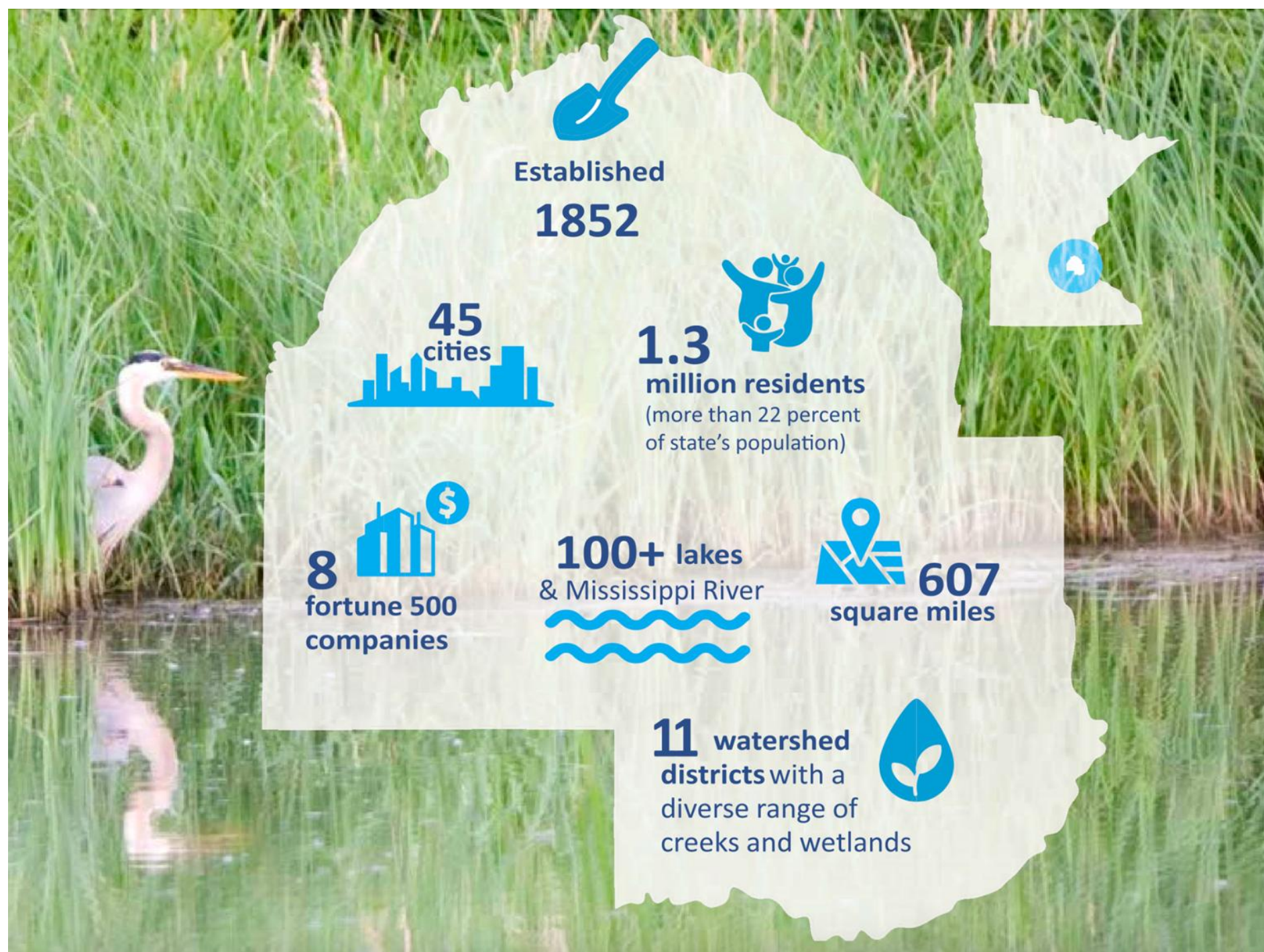
No action is requested

Hennepin County

2026 City Council Update

Commissioner
Heather Edelson







Current budget drivers



Healthcare



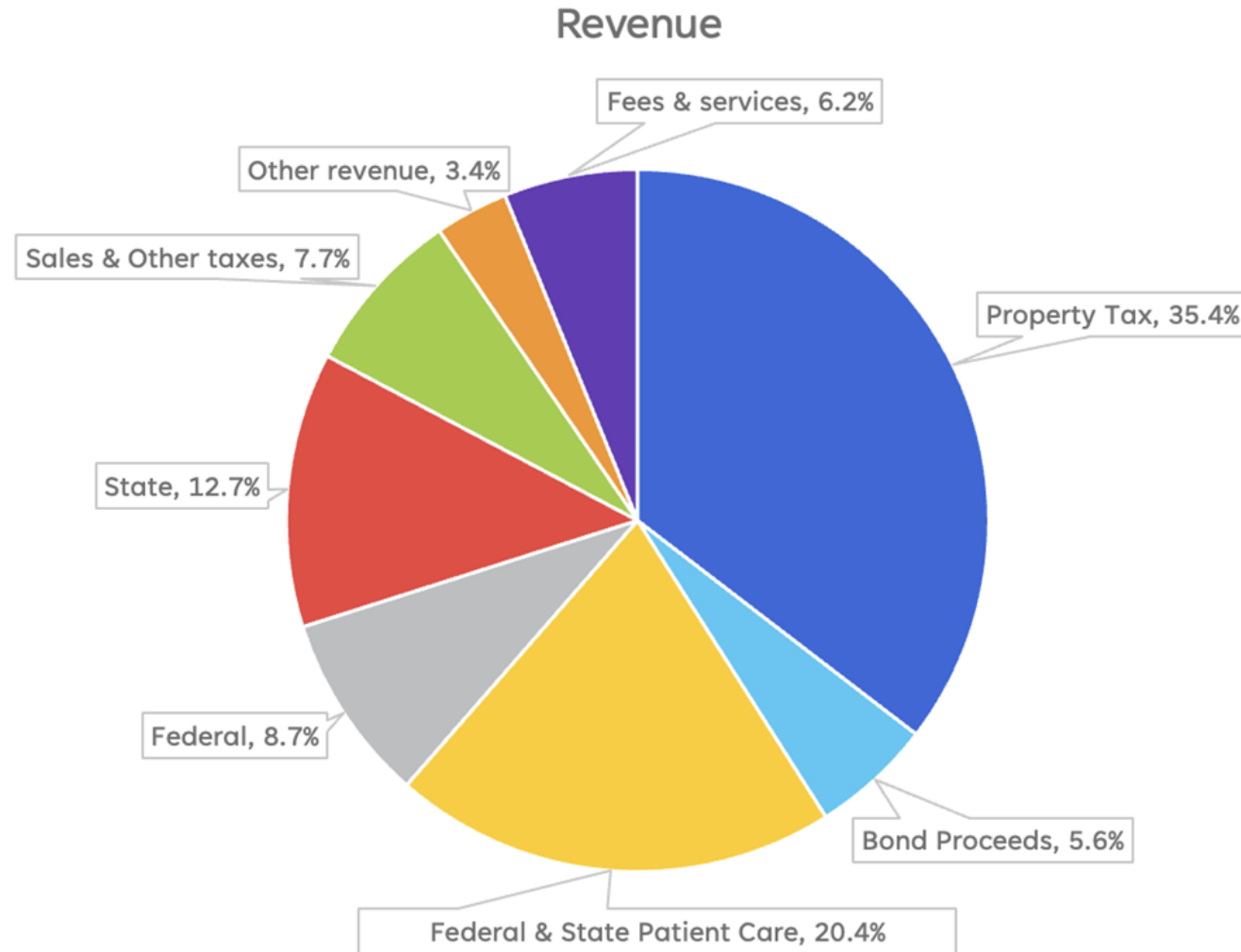
State and Federal cost shifts



County service delivery



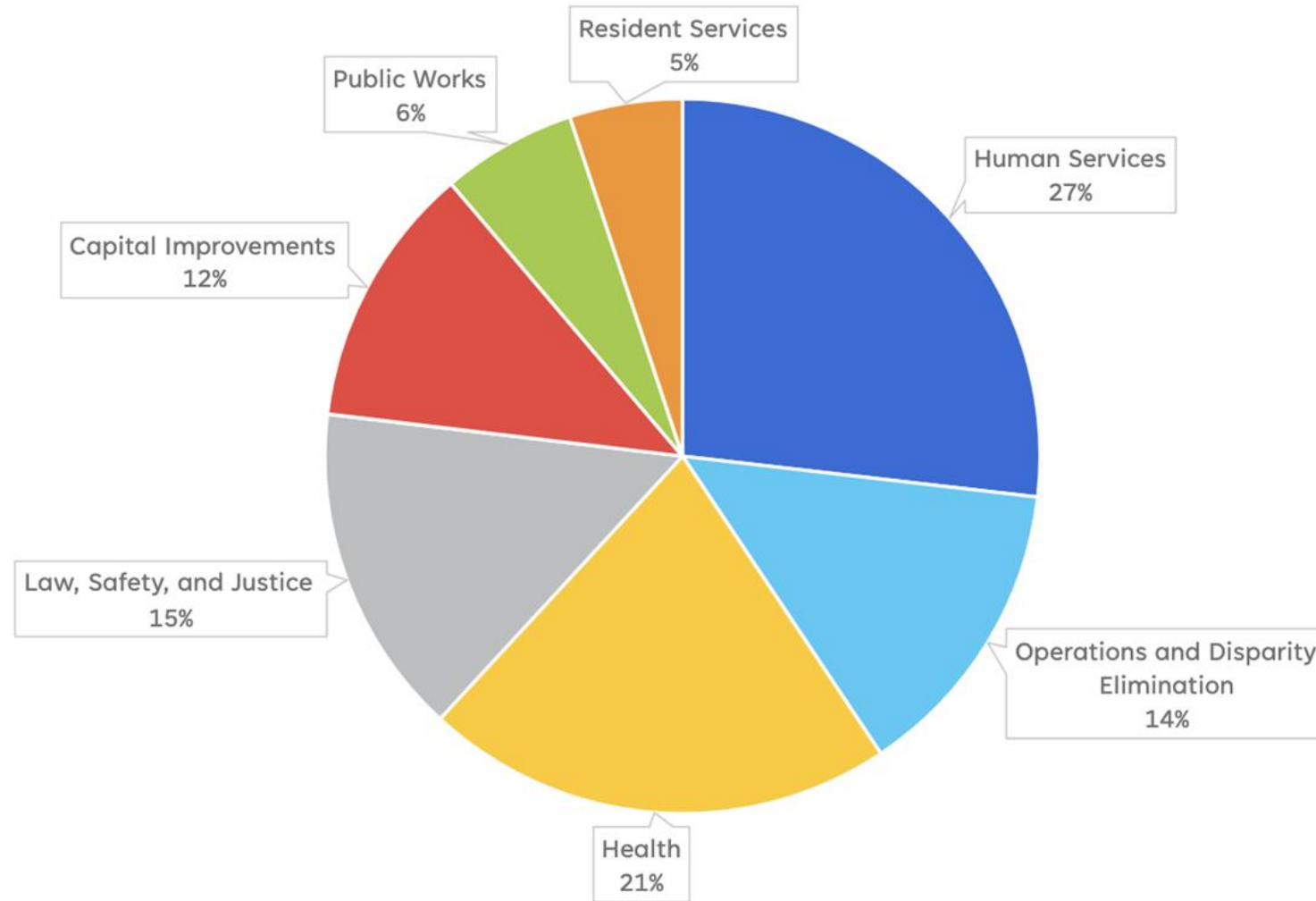
2026 adopted budget – \$3.15 billion



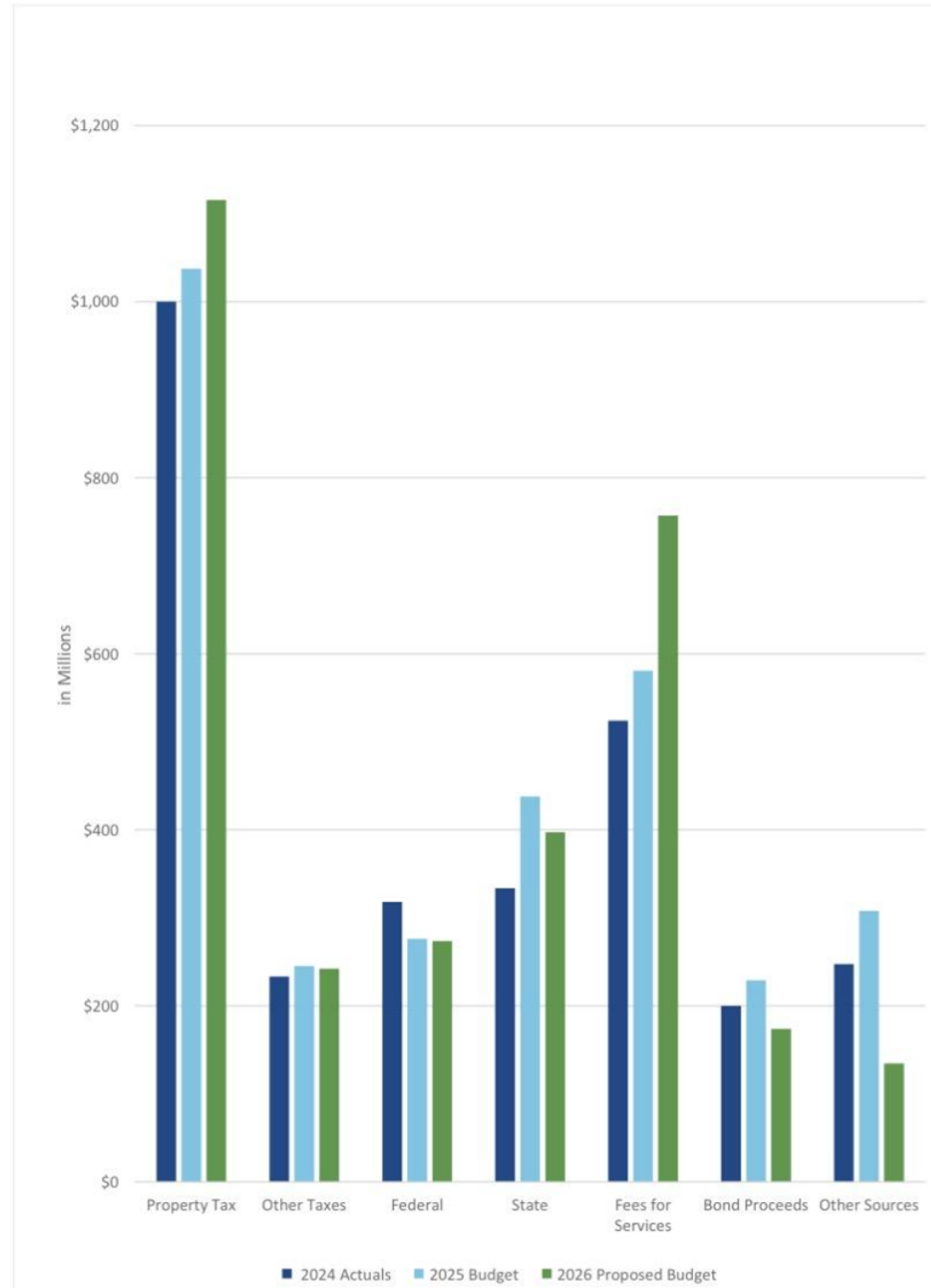


2026 adopted budget – \$3.15 billion

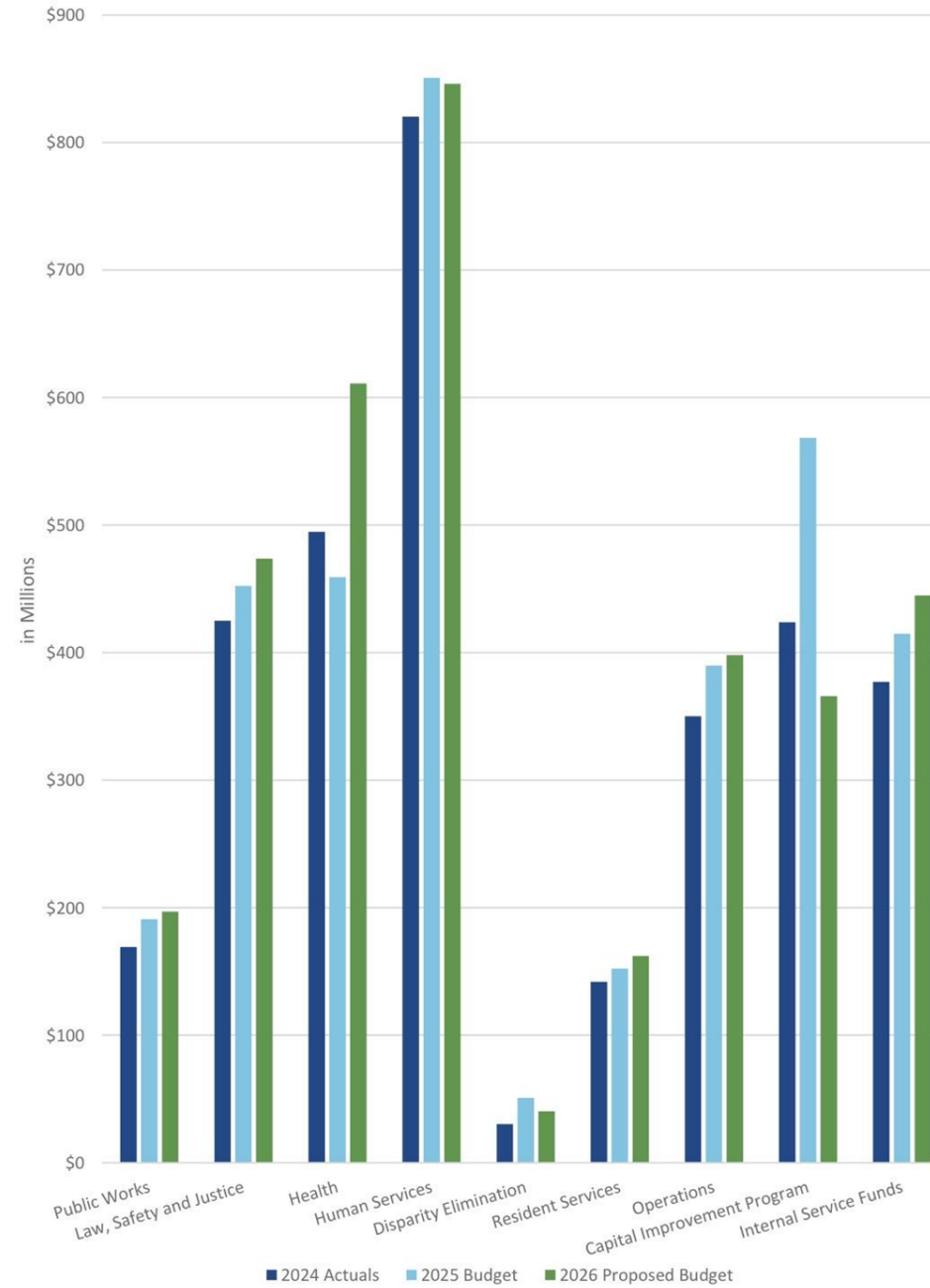
Expenditures by line of business



SOURCES OF REVENUE 2024 - 2026



EXPENDITURES BY LINE OF BUSINESS
2024 - 2026



2026 Federal Cuts:

Program area	Amount Annually
SNAP (Food security)	\$8 million
Terminated grants (FEMA)	\$2.8 million
Total	\$10.8 million



2027 County and Hospital Anticipated Cuts

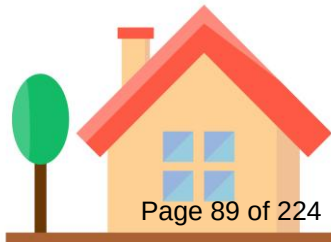
Program area	Date	Amount Annually
SNAP (Food security) Error Rate	2027	\$20 million
HUD (Housing security)	2027	\$12 million
Medicaid	2027	TBD
Total		\$32+ million

Property Tax Impacts on Shorewood

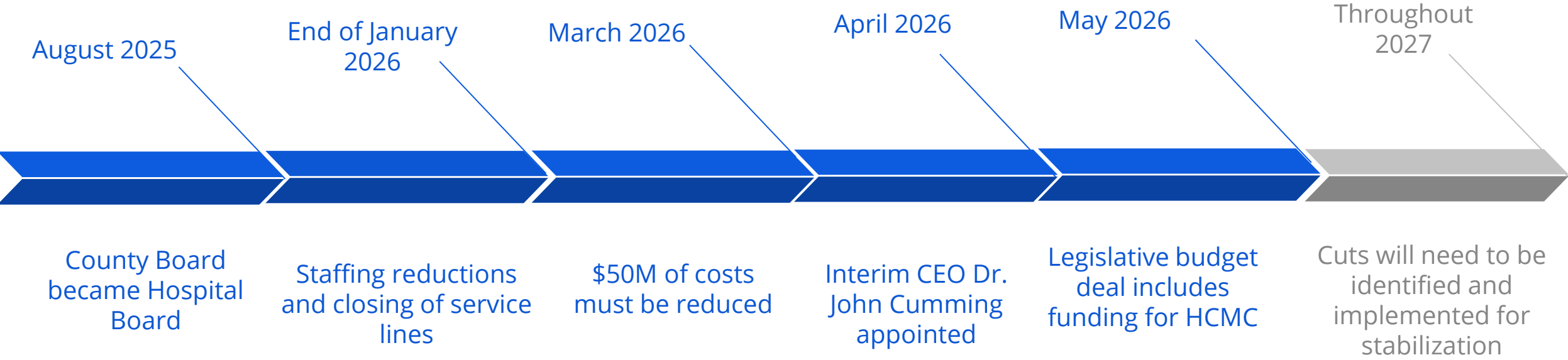
(As of September 2025)

	2025	2026	% Change
Median Estimated Market Value	\$721,950	\$740,650	2.6%
Taxable Value	\$721,950	\$740,650	2.6%
Tax Capacity	\$7,774	\$8,008	3.0%

Net Change from 2025 to 2026: \$260, or 8.6%



Hennepin County Medical Center



Support for Early Voting in Hennepin County

Minnesota voters will be able to vote early for the first time in 2026. Hennepin County is offering **\$9,000 in one-time funding** to cities for staffing the 18-day early voting period.

Funding Amount	Uses for Funding	Timeline
Up to \$9,000 (estimated cost of an additional staff person working during both the 18-day early voting periods in 2026).	May be used for staffing, equipment, supplies, or other early voting-related needs.	Cities were asked to fill out a form by April 24th. Checks will be issued by December 18, 2026.

Youth Crisis Stabilization Center



Opened December 2026

Capacity: 13 beds, along with four dedicated withdrawal management spaces

Provides 24/7 care for youth 8-17 short term stays designed for upto 30-45 days

Focus: Intensive, secured, and trauma-informed care for youth experiencing complex mental health and behavioral crisis needs



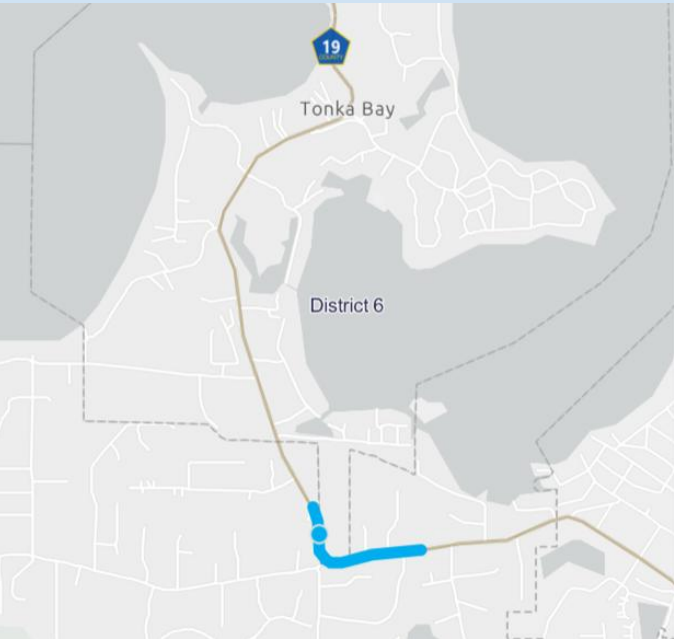
New Public Safety Headquarters in Plymouth

- Located at 1345 Shenandoah Lane N
- Cost: \$41 million, opened in May 2025
- Includes solar panels and geothermal heating/cooling
- Replaced Brooklyn Park facility, which was meant to be temporary, but was utilized for 30 years
- Stores emergency vehicles, the Water Patrol Unit, and Special Operations Unit

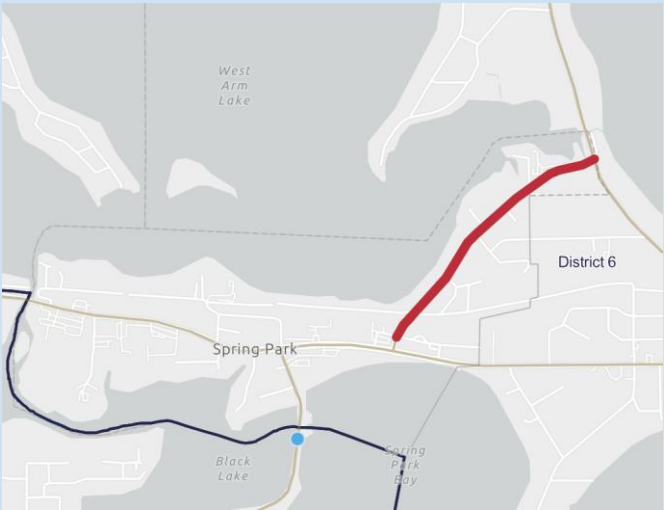


Shorewood-Area Infrastructure Projects

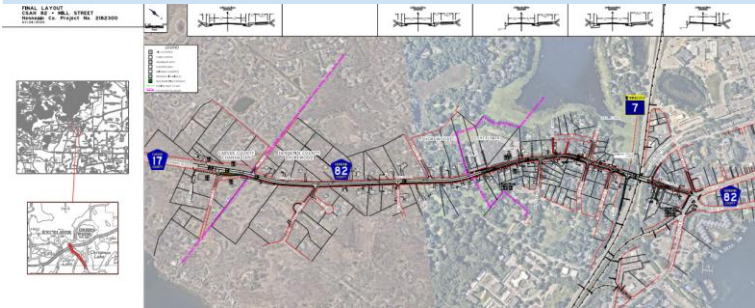
County Rd 19 Preservation
Smithtown Road/Manitou Road (County Rd 19)
Pavement Preservation.
ADA upgrades as well.



Sunset Drive Roadway Reconstruction
Includes striped medians for safer flow of traffic, sidewalks, paved shoulders, and a concrete median between Shoreline Drive and Northern Avenue.



Mill Street Pathway Project Between Excelsior and Shorewood
Shared-use path along the east side of Mill Street, a flashing light at 3rd Street, road repavement, paved shoulders, curb and gutter replacement, and more.



Questions and Discussion





City Council Item 4.B.

Title/Subject: 5850 Boulder Bridge Ln Conditional Use Permit
Meeting Date: June 22, 2026
Prepared By: Jake Griffiths, Planning Director

Attachments

1. Planning Commission Memorandum
2. Draft June 2, 2026 Planning Commission Meeting Minutes
3. Project Narrative
4. Additional Project Information
5. Existing Survey
6. Survey with Garage Addition
7. Construction Plans
8. Resolution 26-34

Background

The applicants are requesting a Conditional Use Permit (CUP) for construction of an attached garage resulting in more than 1,200 square feet of accessory buildings on the property. See the attached Planning Commission Memorandum for detailed background on this request. The Planning Commission reviewed the applicants' request at their June 2, 2026, meeting and held a public hearing.

During the public hearing, one resident asked how far the proposed garage addition would be from the adjacent Brynmawr Place neighborhood to the north and any potential tree removal associated with the project. Staff responded that the edge of the proposed garage addition is 84.7 feet from the northern property line, then there is an approximately 40 foot wide common area owned by the Boulder Bridge Farm Association, before getting to any of the adjacent properties in the Brynmawr Place neighborhood to the north. This means that the proposed garage addition would be approximately 124.7 feet south of the nearest property line in Brynmawr Place, which vastly exceeds the required 50 foot building setback required by the City Code.

Regarding tree removal, some limited tree removal is anticipated in the area of the addition as part of the project and the applicants are not proposing any tree removal in proximity to any adjacent property lines. Tree removal is reviewed as part of the building permit application for compliance with Shorewood's Tree Preservation and Replacement Policy, and a condition is included indicating as such on the attached resolution. After the public hearing was closed, the Commission recommended approval to the City Council (4-yes, 0-no, 1-absent).

Strategic Alignment

Comprehensive Approach to Planning & Development

- Clear standards and processes for development with strong controls

- Align private development with public improvements
- Leverage resources (land use controls, EDA) to achieve outcomes
- Set clear plans and diligently work to achieve them
- Balance the desires of both new and long-term residents

While review of planning and land use applications generally supports the City Council's strategic priority of a comprehensive approach to planning and development, these applications are reviewed on their own merits based on the City's Comprehensive Plan and City Code requirements.

Budget Impact

None. The application fees and escrow are sufficient to cover the City's review of the application.

Action Requested

The City Council is requested to consider the recommendation of the Planning Commission and City staff to approve the Conditional Use Permit application and make the following motion:

Motion to adopt Resolution 26-34 approving the Conditional Use Permit for 5850 Boulder Bridge LN. Simple majority vote is required.



Planning Commission Item 4.A.

Title/Subject: 5850 Boulder Bridge LN Conditional Use Permit (CUP)
Meeting Date: June 2, 2026
Prepared By: Jake Griffiths, Planning Director

Attachments

1. Project Narrative
2. Additional Project Information
3. Existing Survey
4. Survey with Garage Addition
5. Construction Plans

Background

APPLICANT: Ross & Kathleen Simpson

LOCATION: 5850 Boulder Bridge LN

REVIEW DEADLINE: August 20, 2026

COMPREHENSIVE PLAN: Minimum Density Residential (0.1-1.0 Units Per Acre)

ZONING DISTRICT: Planned Unit Development (PUD)

The applicants are requesting a Conditional Use Permit (CUP) for construction of an attached garage resulting in more than 1,200 square feet of accessory buildings on the property. The proposed garage addition would be 874.50 square feet in size, bringing the total square footage of the existing and proposed garage to 1,862.7 square feet. Notice of the application was sent by postcard to all property owners within 500 feet of the property and a sign was placed in front of the property in early May. 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 the meeting, and was published in the City's official newspaper, on the City's website and at City Hall. Notice of the public hearing was also distributed to residents who have signed up to receive public hearing notices through the City's website. As of the publication of this report, no public comments have been received regarding this request.

A single-family home was built on the subject property in 1993 as part of the Boulder Bridge 2nd Addition development. The lot area is 75,125 square feet (1.72 acres), according to Hennepin County Property Tax Records. The subject property is surrounded by existing low density single-family lots to the west and south, and by the Boulder Bridge Farm Association common area property to the north and east. The site is not located within a shoreland protection zone.

Analysis

The Boulder Bridge Planned Unit Development (PUD) allows accessory buildings to be built according to City Code requirements for the R-1A zoning district. City Code 1201.03, Subd. 2. d. (4) allows greater than 1,200 square feet of accessory buildings on single-family residential properties in the R-1A zoning district through a Conditional Use Permit (CUP) provided the

following criteria can be met:

1. The total area of accessory buildings shall not exceed the floor area of all stories above grade of the principal structure.

The total floor area of the main and upper levels of the principal structure is 3,977 square feet, while the total area of accessory buildings is 1,862.7 square feet. The proposed accessory building meets this requirement.

2. In no case shall the total area of accessory buildings exceed 10% of the minimum lot area for the district in which the property is located.

The minimum lot size required by the Boulder Bridge PUD and the R-1A zoning district is 40,000 square feet. Therefore, the maximum total area of accessory buildings for the subject property is 4,000 square feet. The proposed 1,862.7 square feet of accessory buildings meets this requirement.

3. In evaluating the conditional use permit, the City shall take into consideration the location of existing and proposed structures, site drainage and landscaping.

The location of the accessory building meets City Code required building setbacks. Site drainage has been reviewed by the City Engineer as part of this application and the proposal meets all applicable City Code requirements. Site drainage will also be reviewed as part of the building permit process prior to construction taking place. The proposal also meets all landscaping and tree preservation requirements.

4. The architectural character of the proposed accessory buildings shall be similar and consistent with other buildings on the site and in the area.

The proposed accessory building will be consistent with the existing single-family home on the property and will be compatible with other buildings in the area.

5. Properties occupied by nonconforming accessory structures are not allowed to exceed three accessory structures, or to exceed 1,000 square feet or 1,200 square feet of accessory floor area, based upon the district in which they are located.

There are no nonconforming accessory structures on the subject property. Therefore, this requirement does not apply to the applicants' request.

In addition to the specific City Code requirements for oversized accessory buildings, the following general review criteria for all Conditional Use Permits must also be considered:

1. The proposed use, and its related construction, would be consistent with the policies and provisions of the Comprehensive Plan.

The Comprehensive Plan recommends that "Accessory buildings within the community shall be of a compatible design and size to maintain a residential character. These buildings shall be limited exclusively to residential uses and relative activities". The proposed accessory building meets this recommendation.

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.

This lot is guided for Low Density Residential in the Comprehensive Plan and this application would not impact its density. This accessory building is not anticipated to have a negative impact on neighboring property values.

The accessory building will not impact traffic or public facilities.

The proposed use conforms to all regulations of the zoning district and City Code, including building setbacks and impervious surface coverage limits.

There are not expected to be any detrimental impacts on the health, safety, or general welfare of neighboring residents.

Since the applicants' request meets the guidance of the Comprehensive Plan, and is consistent the requirements of the R-1A zoning district and Boulder Bridge Planned Unit Development (PUD), City staff would recommend approval subject to the following conditions:

- When reviewing a conditional use permit, the City acts in a limited, quasi-judicial role. It must only consider whether the facts of the application satisfy the standards set forth in the City Code. If a proposed conditional use permit satisfies these standards, then generally the applicant is entitled to the conditional use permit pursuant to Minn. Stat. § 462.3595.

The Planning Commission is requested to hold a public hearing on the proposed Conditional Use Permit, take any testimony provided, and make a recommendation based on findings of fact to the City Council.

DRAFT MINUTES

CALL TO ORDER

Chair Huskins called the meeting to order at 7:01 P.M.

ROLL CALL

Present: Chair Huskins; Commissioners Holker, Magistad, and Braithwaite; Planning Director Griffiths; Planner Osowski; and, Council Liaison Maddy

Absent: Commissioner Longo

1. APPROVAL OF AGENDA

Holker moved, Magistad seconded, approving the agenda for June 2, 2026, as presented. Motion passed 4/0.

2. APPROVAL OF MINUTES

A. 05-05-26 Planning Commission Meeting Minutes

Braithwaite moved, Magistad seconded, approving the Planning Commission Meeting Minutes of May 5, 2026, as presented. Motion passed 4/0.

3. MATTERS FROM THE FLOOR

No one wished to address the Commission.

4. PUBLIC HEARINGS - NONE

A. PUBLIC HEARING – CONDITIONAL USE PERMIT

Applicant: Ross & Kathleen Simpson

Location: 5850 Boulder Bridge LN

Chair Huskins stated that this evening, the Planning Commission would consider a conditional use permit (CUP) for 5850 Boulder Bridge Lane.

Planning Director Griffiths reviewed the request for a CUP as found in the Agenda Packet.

Commissioner Magistad asked whether there were any deviations between the Planned Unit Development and the City's requirements. Planning Director Griffiths explained that there is no provision for accessory buildings. When the Boulder Bridge development occurred, there were unique requirements regarding lot sizes and dimensions. He noted that this property would have been allowed under normal zoning rules and that the Boulder Bridge Development requirements match the City Code for accessory dwelling units. He shared that the Applicant's request meets both the Boulder Bridge and City requirements.

Chair Huskins asked if the Applicant wished to address the Commission. The Applicant declined. Chair Huskins asked if the Commission had any questions for the Applicant. The Commission declined.

Chair Huskins opened the Public Testimony portion of the Public Hearing at 7:10 P.M.

Abigail Key, 27545 Brynmawr Place, stated that she is the president of the Brynmawr Association that borders Boulder Bridge. She shared that her property backs up to the property. She noted that it was difficult to tell from the map how far back the structure would come. She asked how far back the structure would be and if any of the tree coverage would be lost.

Planning Director Griffiths showed a slide showing the property and where the building would be located on it. He stated that the proposed garage would be built on the north corner of the property. The corner of the garage will be located 85 feet from the northern property line and will comply with all setbacks. He added that the Applicant will need to submit a tree preservation plan, along with the building permits, to the City. Still, based on the review, the Staff is not anticipating any significant impacts on vegetation or sightlines.

Chair Huskins asked whether the northern property line was the one Ms. Key was referring to. Planning Director Griffiths stated that the Brynmawr neighborhood is even farther north and will be even farther from that property line.

Chair Huskins closed the Public Testimony portion of the Public Hearing at 7:15 P.M.

Commissioner Holker shared that she did not see any issue with the application and supports it. Commissioner Magistad agreed. Commissioner Braithwaite stated that he did not see any issue. He appreciated going through the steps and seeing all the plans, though.

Chair Huskins stated that he had no reservations about the application.

Magistad moved, Braithwaite seconded, recommending approval of the Conditional Use Permit at 5850 Boulder Bridge Lane. Motion passed 4/0.

Chair Huskins confirmed that the matter would be brought before the City Council on June 22.

B. PUBLIC HEARING – VARIANCE
Applicant: HOLMmade, LLC
Location: 6145 Club Valley Rd

Chair Huskins stated that this evening, the Planning Commission would consider a variance for 6145 Club Valley Road.

Planner Osowski reviewed the variance request as found in the Agenda Packet. He noted that the matter would be taken up at the City Council on June 22.

Commissioner Holker asked about the setback on the north side of the property, whether that is what the variance is needed for, or if, even with the addition, the setback will fall within the required amount. Planner Osowski stated that the Applicant is requesting a variance to encroach 13 feet into the setback and that the addition would be 27 feet from the property line, rather than 40 feet.

Commissioner Magistad asked if the encroachment was 13 feet or 14 feet. Planner Osowski stated that the encroachment is 13 feet into the setback, so 27 feet from the lot line.

Chair Huskins asked whether the addition would affect the overall square footage of the accessory dwelling. Planner Osowski stated that he would have to look. Chair Huskins clarified whether the addition would exceed 1,200. Planner Osowski noted that the addition would not be anywhere close to that. Planning Director Griffiths shared that it would take a little bit to get the exact number, but the square footage is substantially under. He suggested going on to the next question if there were any.

Commissioner Magistad asked what the impervious surface calculation is. Planner Osowski explained that the impervious surface would increase by 3 percent to 18.3 percent, and that the limit is 33 percent.

Chair Huskins asked whether, in addition to building the structure, a modification to the driveway would be needed. Planner Osowski stated that it would need to be part of a separate permit, and not part of this variance application. He added that, in the survey, the Applicant notes that a gravel driveway will be added to accommodate the garage addition; there is currently a concrete driveway.

Planning Director Griffiths stated that the maximum allowed square footage is 1,200 square feet. With the addition, the Applicant would be at 900 square feet and in compliance with City Code.

Chair Huskins asked whether, if the square footage exceeded 1,200 square feet, the Applicant would need both a variance and a conditional use permit. Planner Osowski shared that the Applicant would then need both a variance and a conditional use permit for the encroachment into the setback and the increase in square footage. If that is what happened, but this application does not do that.

Commissioner Magistad explained that he is supportive of the application, but if the neighbor to the north attends the City Council meeting with concerns, that could change the Council's thoughts on the matter.

Kris Beck, 6145 Club Valley Road, shared that she spoke with the neighbors to the north when they moved in about a month ago. She asked the neighbors about doing the addition, and they were both in favor of it at the time. She added that the neighbors said to let them know if anything needs to be done. She shared that there is ample space between the two properties. The other neighbors across the street attended the meeting as well.

Chair Huskins opened the Public Testimony portion of the Public Hearing at 7:24 P.M.

Rob Wright, 6110 Club Valley Road, stated that he lives kitty-corner to the property. He shared that he was in discussions with the neighbors to the north as well, and they stated they had no problem with the addition. He added that there is a lot of room between the properties, and it is unfortunate how the property is disguised on the map. He explained that he and other neighbors have no problem with the addition. The neighbors would love for the Applicant to have another garage so they can get into their house safely and avoid getting hurt again.

Ed Sheridan, 6150 Club Valley Road, stated that he lives across the street from the Applicant. He added that he has spoken with all the neighbors, and no one is objecting to the addition. He noted that he is a former builder and has run into these situations before. This variance seems

fairly straightforward compared to some others he has seen. He explained that when the house was built, it faced the side yard. When looking at the drawing, the existing front yard, according to the original plat, was silly to have as the front yard. He added that the existing house is now a linear structure, with the house to the north, with nothing going in or out. There is no hardscape issue; nothing is being encroached on, even if a concrete driveway is put in. He noted that both residents living in the house are in good health but have mobility issues, which is the reason for the addition. He explained that there is an option for a variance to make the existing front the side. In many other communities, a similar situation has happened, and that was what was done.

Chris Capesius, 6120 Club Valley Road, stated that he had nothing to add but wanted to show his support for moving the application forward.

Chair Huskins closed the Public Testimony portion of the Public Hearing at 7:30 P.M

Commissioner Braithwaite stated that he was supportive of the project. He added that the variance is the simpler of the two routes rather than trying to change the plat. Chair Huskins agreed.

Braithwaite moved, Holker seconded, recommending approval of the variance at 6145 Club Valley Road. Motion passed 4/0.

C. PUBLIC HEARING – VARIANCE

Applicant: Tim O'Connor, Align Building & Remodeling, LLC/Jonathan Rienstra

Location: 23120 Summit Ave

Chair Huskins stated that this evening, the Planning Commission would consider a variance for 23120 Summit Avenue.

Planning Director Griffiths reviewed the variance based on the information found in the Agenda Packet.

Commissioner Holker asked where the neighbor's driveway goes through. She noted that in looking at the addition, it would be right up to the neighbor's driveway. Planner Director Griffiths shared that the addition does not do that. He showed a map of the area. He added that the City Engineer reviewed the application and had no concerns regarding drainage. When looking at the drainage patterns in the area, everything ultimately drains to Summit Avenue and then onto Murray Hill Road at the bottom of the road. He added that, with respect to the existing neighbor's driveway, the Staff had no comments or concerns.

Commissioner Holker asked what the distance would be from the addition to the neighbor's driveway. Planning Director Griffiths explained that the distance of the addition to the property line is 22 feet, and the edge of the neighbor's driveway is further than that. So, the addition would be at least over 20 feet away.

Chair Huskins asked about the impervious surface and the accessory building square footage. He assumed that since neither was commented on in the Staff report, they were a non-issue. Planning Director Griffiths stated that the total proposed hardcover is 22.8 percent, with the maximum being 33 percent. He added that the proposed garage addition would increase the area by 276 square feet, and the existing garage is about 500 square feet, so that is well under the 1,200-square-foot maximum.

Commissioner Braithwaite stated that the site plan shows a proposed addition at the back and a proposed deck. He asked if those were part of the variance. Planning Director Griffiths stated that those are not part of the application. The Applicant is proposing an addition to the back of his house. That addition meets all of the zoning setbacks for the property, so it is not part of the application. He added that the only part of the variance is the proposed garage addition. Chair Huskins asked whether that addition is the one noted as a new dining room. Planning Director Griffiths confirmed that to be true.

Chair Huskins opened the Public Testimony portion of the Public Hearing at 7:39 P.M.

Tim O'Connor of Align Building & Remodeling in Excelsior stated that the plan is deceptive. He noted that, from driving by, it looks like the building would be within the side-yard setback because of the way the driveway runs. He shared that the garage was designed to be as narrow as possible, so there is room to store things while minimizing impact on the side yard.

Commissioner Holker asked to see the driveway again. Mr. O'Connor shared that the driveway runs parallel along the right-of-way to the property, so it is a unique situation. Commissioner Holker noted that the driveway is along the City right-of-way. She asked how close the addition would be to the City right-of-way. Planning Director Griffiths noted 22.7 feet.

Chair Huskins closed the Public Testimony portion of the Public Hearing at 7:42 P.M.

Commissioner Braithwaite stated that he is generally supportive of this application. He appreciated that the neighbor's letter was attached, as that neighbor is the most affected. Commissioner Holker stated that the neighbor's driveway is 23110, but the letter came from someone else.

Jon Rienstra, 23120 Summit Avenue, shared that the letter came from the neighbor in question. Commissioner Holker confirmed 23110. Mr. Rienstra explained that he had spoken with his neighbor, who was fully supportive of the project. He showed the neighbor where the garage would go.

Holker moved, and Magistad seconded, to recommend approval of the variance at 23120 Summit Avenue. Motion passed 4/0.

Chair Huskins noted that the application would be brought to the City Council on June 22.

5. OTHER BUSINESS –

A. Planning Commission Photo

Chair Huskins noted that Commissioner Longo was not present. Planning Director Griffiths shared that he had sent an email apologizing for his unexpected absence from the meeting. He suggested taking the picture in July. Chair Huskins tabled the matter for discussion at the next meeting.

6. REPORTS

A. City Council

Council Liaison Maddy gave a brief overview of recent Council discussions and decisions.

B. Staff

Planning Director Griffiths followed up on an email that he sent about the presentation at the last meeting on the Zoning Code update. The full draft language is on the website for review. He noted that the Commission should provide feedback. He added that Chair Huskins has provided a lot of feedback, but the Staff would like to hear from everyone, including community members. He shared that the feedback would be incorporated in the Zoning Code and be brought before the Commission at the next meeting on July 7 for a public hearing. He shared that, since the last meeting, the State of Minnesota's Legislative Session concluded, and no major bills the City was worried about were passed. He noted that one bill passed significantly limits Homeowners Associations (HOAs) in Minnesota. The Staff is tracking this because there are some minor implications for the City, the most notable being that cities will not be able to require a development to have an HOA. He added that a Code amendment will likely be seen around that, likely as an annual update to the Code at the end of the year. He noted that some space was left in the work plan for the third quarter to address legislative changes, but that will not be needed. He shared that the Staff anticipates those zoning preemption proposals back next year, so space will continue to be reserved for legislative updates in work plans.

Planning Director Griffiths asked for a liaison at the June 22 meeting to cover the three agenda items. Commissioner Holker stated that she could be the liaison.

Commissioner Holker noted that the lot next to the Legion was for sale. She asked if the plan to put townhomes in the space was no longer happening. Planning Director Griffiths explained that the developer had their plat approval expire, and decided to sell the property. He added that the sale of the property was not about the property itself or its design, but rather about internal matters the developer is working through in their business. He anticipated that the Commission would likely see a very similar proposal from a different developer in the future. He added that whoever acquires the property will need to start the process over because the City Council vacated the plat approvals at a meeting in May, after they expired.

Commissioner Magistad asked if there was anything that could be publicly disclosed about the status of Watton Ponds 2nd Addition. Planning Director Griffiths shared that not at this point.

Chair Huskins stated that the draft Zoning Code update is now in the public eye, and he wants to tie it to the Comprehensive Plan update and to the City's efforts to gather as much feedback as possible. He asked the Staff what their experience is with a review of the codes. He worried that there might not be many people who take the time to go through the Code and give feedback. He asked what would worry the Staff when reviewing the draft regarding finalizing the Code that all residents would be bound to. Planning Director Griffiths stated that nothing in particular worries him about the public engagement portion. He added that this is a lengthy section of the Code, but based on the presentation from HKGi, the first Phase is very technical and does not involve substantive policy changes. He noted that he does want to receive feedback, that the public notice went out, and that public comment will have been open for about a month by the time it closes. The Code will also undergo the full public hearing process before the Commission and the City Council. He shared that, to the extent that the comments get parceled out or the scope of who is involved is, it is the Commission and Council's role to legislate and sort through feedback. Chair Huskins explained that he would be interested in the date by which public comments close to get a general sense of how many people engaged with the Code and offered comments. Planning Director Griffiths stated that this could be provided in the memo for the next

meeting. He expected more engagement once the formal notice process began, before the matter went to the Commission during the July meeting. He added that, in addition to Chair Huskins, at least seven other people have engaged with the Code. He noted that people are reviewing the Code, and he hopes they find changes that align with the main goal of cleaning it up and making it more user-friendly.

Commissioner Magistad asked whether HKGi would do anything with the comments before they go back to the Commission. Planning Director Griffiths explained that the public hearing commentary will close on June 5, and there will be a few weeks between the closing and the Commission's next meeting on July 7. The comments will be reviewed, and adjustments will be made based on feedback. He added that there may be some responses in response to the feedback. He noted that the expectation is not to bring a laundry list of comments to the Commission, but that the Staff will present the Commission with an ordinance for adoption based on the comments received. Chair Huskins noted that the public is new to the process, so some of the comments may not be germane or feasible at this point. No one should expect that the comments given will be added verbatim to the new Code. Planning Director Griffiths stated that, for this update, he is most excited to see people using the draft and to see where the public is stumbling so the Code can be improved. He wants the Code to be a strong foundation in the future, so that when the Comprehensive Plan update is complete, it will be much easier to make future changes.

Commissioner Holker asked whether there was a reaction to the initial survey for the Comprehensive Plan. Planning Director Griffiths shared that there have been a fair number of responses. Out of several community events, information has been handed out. The Shore Report has included information on the Comprehensive Plan update survey, the Staff has been utilizing social media, and one more direct mailing to the community will be included with the next utility bill. He asked the Commission to share with their circles as well.

C. Commission

Commissioner Braithwaite noted that his employment would be changing and he would no longer be working with the city of Hutchinson, but has taken a position with the city of Orono as the director of public works. He stated that during the interview process, he let them know he was on the Planning Commission and could resign if needed, but Orono did not have any problems with it. He shared that he had also informed Planning Director Griffiths to see if there were any issues with that, and the Staff let him know that Orono is far enough away and that there should not be an issue from the Staff perspective. He noted that the one issue is that the city of Orono's council meetings are on the same day and at the same time as Shorewood's Council meetings, which prevents him from attending as a liaison. He shared that if there is ever an item that would be an issue, he would let both parties know.

Chair Huskins mentioned that the Commission had lessened the reporting requirements in the bylaws. Planning Director Griffiths stated that the Commission is still reporting, but it has just been done elsewhere. The liaison still attends the meeting at the Council and now provides the report in context. He added that this was communicated to the Staff, and that Commissioner Braithwaite used to work for the city of Hutchinson; now it is Orono, so in the Staff's eyes, there is really no difference.

The Commission was okay with Commissioner Braithwaite staying on the Commission.

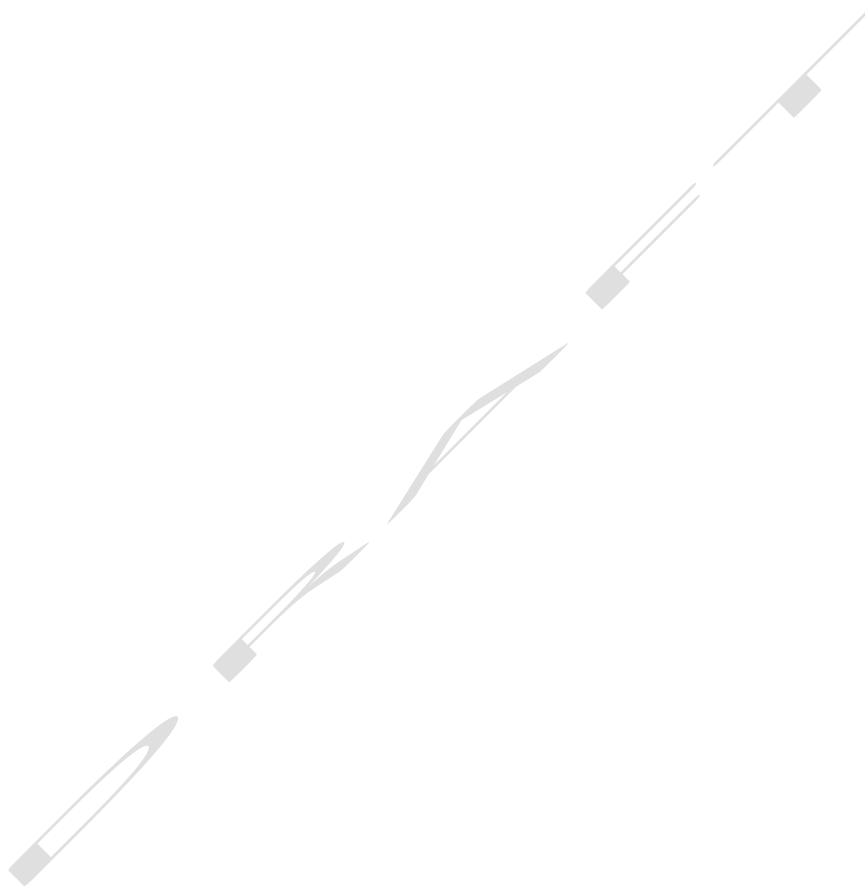
Chair Huskins suggested the Commission engage with the draft code.

Planning Director Griffiths shared that he will not be at the July 7 meeting, but Planner Osowski and HKGi will be there. Council Liaison Maddy noted that he would be switching with Councilmember Gorham.

Commissioner Magistad asked if anything else would be on the July 7 agenda besides the Code update. Planning Director Griffiths stated that the Commission photo.

7. **ADJOURNMENT**

Holker moved, Magistad seconded, adjourning the Planning Commission Meeting of June 2, 2026, at 8:09 P.M. Motion passed 4/0.



April 20, 2026

To City of Shorewood Planning

RE: Garage Addition, 5850 Boulder Bridge LN

This request is for approval of a Conditional Use Permit to construct an attached garage addition to the existing single-family residence. The plans have been prepared by Boyer Building Corporation and are designed to fully match and complement the architectural style, materials, and character of the existing home. The proposed garage size is within the allowable limits for the property and zoning district. The structure is located well within all required setbacks, and the site grading plan provides appropriate drainage without adverse impacts to neighboring properties or public infrastructure.

In accordance with Section 1201.04 of the Shorewood Zoning Regulations, the following information is provided to demonstrate compliance with the Conditional Use Permit standards:

1. Consistency with the Comprehensive Plan

The proposed attached garage addition is consistent with the goals and policies of the Shorewood Comprehensive Plan, which supports reinvestment in existing housing stock, maintenance of high-quality residential neighborhoods, and improvements that enhance property functionality while preserving community character. The design maintains the scale, appearance, and residential use envisioned for this area.

2. Compatibility with Present and Future Land Uses

The proposed use is compatible with surrounding residential land uses and will not depreciate or negatively affect the character of the neighborhood. The garage addition is architecturally integrated with the existing home, uses high-quality materials, and maintains appropriate separation from adjacent properties. The project does not alter traffic patterns, noise levels, or other conditions that could impact neighboring homes. There are several homes in the subdivision with 4 or more car garages.

3. No Overburdening of City Services

The proposed garage addition will not overburden city services. The project does not require additional public utilities beyond those already serving the property. Existing public streets, drainage systems, and municipal services can fully accommodate the improvement without modification or increased demand.

4. Promotion of Public Welfare and Protection of Health and Safety

The establishment and operation of the proposed garage addition will not be detrimental to public health, safety, or welfare. The structure meets all applicable building, fire, and safety codes. Proper drainage and grading ensure no negative environmental or stormwater impacts. The project improves on-site vehicle storage and reduces outdoor parking, which enhances neighborhood safety and aesthetics.

5. Conformance with Applicable Regulations

The proposed garage addition conforms to all applicable zoning regulations for the district, including setbacks, height, lot coverage, and accessory structure standards. The design complies with all relevant provisions of the Shorewood City Code and has been prepared to meet or exceed required performance standards.

Please feel free to contact with any questions.



Ross and Kathy Simpson

5850 Boulder Bridge LN
Shorewood, MN 55331

Conditional Use Permit Additional Information

5850 Boulder Bridge LN

5850 Boulder Bridge LN, Shorewood, MN

April 22, 2026

Supplemental Information for Oversized Accessory Building Standards

This document provides the additional information requested by the City of Shorewood to complete the Conditional Use Permit application for the attached garage at 5850 Boulder Bridge LN.

1. Principal Structure Floor Area

- **Main level:** 2,231 sq ft
- **Second floor:** 1,746 sq ft
- **Total above-grade floor area:** 3,977 sq ft

2. Accessory Structure Floor Area

- **Existing garage:** 988.2 sq ft
- **Proposed attached garage addition:** 874.5 sq ft
- **Total accessory area:** 1,862.7 sq ft

3. Performance Standard Compliance

- The total accessory area (1,862.7 sq ft) is **less than** the total above-grade floor area of the principal structure (3,977 sq ft), meeting the standard for oversized accessory buildings.
- The accessory area is also **below** the 10% minimum lot-area allowance of **4,000 sq ft**.

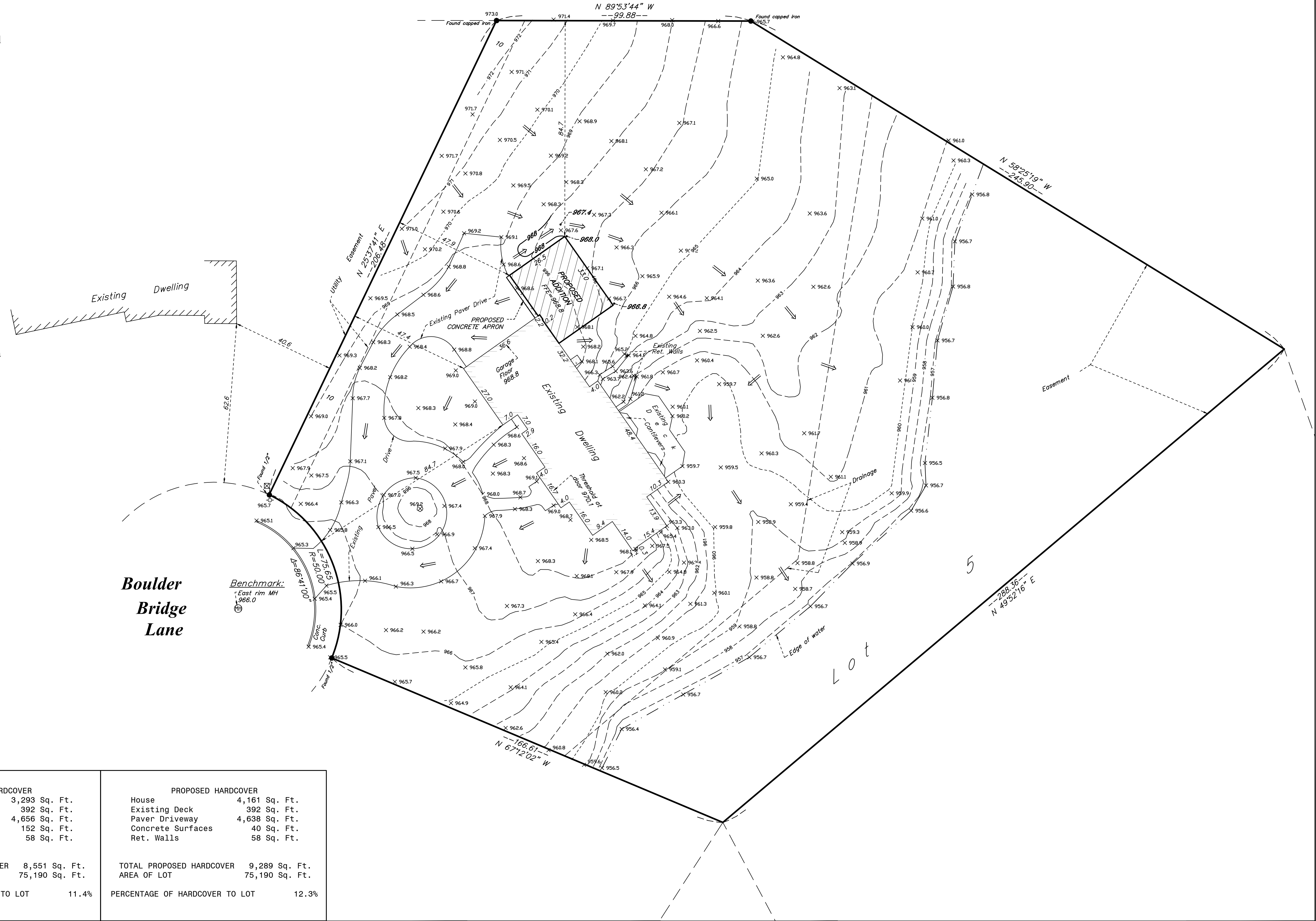
LEGAL DESCRIPTION:
Lot 5, Block 1, BOULDER BRIDGE 2ND ADDITION, Hennepin County, Minnesota.

SCOPE OF WORK & LIMITATIONS:

- Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
- Showing the location of observed existing improvements we deem necessary for the survey.
- Setting survey markers or verifying existing survey markers to establish the corners of the property.
- This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.
- Note that all building dimensions and building tie dimensions to the property lines, are taken from the siding and or stucco of the building.
- Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with a proposed design of the site or with construction. If there are cantilevers shown on the survey, they are counted as hardcover under the house calculations.
- Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
- While we show a proposed location for this home or addition, we are not as familiar with your proposed plans as you, your architect, or the builder are. Review our proposed location of the improvements and proposed yard grades carefully to verify that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building and zoning officials in this community are. Be sure to show this survey to said officials, or any other officials that may have jurisdiction over the proposed improvements and obtain their approvals before beginning construction or planning improvements to the property.

STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes iron survey marker, set, unless otherwise noted.



LEGEND	
	= CATCH BASIN
	= GAS METER
	= FIRE HYDRANT
	= POWER POLE
	= MANHOLE
	= TELEPHONE PED.
	= ELEC. TRANSFORMER
	= WELL
	= GATE VALVE
	= LIGHT POLE
	= TREE
	= FENCE LINE
	= SANITARY SEWER LINE
	= WATER LINE
	= GAS LINE
	= STORM DRAIN LINE
	= OVERHEAD UTILITY LINE
	=BITUMINOUS SURFACE
	= CONCRETE SURFACE

EXISTING HARDCOVER		PROPOSED HARDCOVER	
House	3,293 Sq. Ft.	House	4,161 Sq. Ft.
Existing Deck	392 Sq. Ft.	Existing Deck	392 Sq. Ft.
Paver Driveway	4,656 Sq. Ft.	Paver Driveway	4,638 Sq. Ft.
Concrete Surfaces	152 Sq. Ft.	Concrete Surfaces	40 Sq. Ft.
Ret. Walls	58 Sq. Ft.	Ret. Walls	58 Sq. Ft.
TOTAL EXISTING HARDCOVER		TOTAL PROPOSED HARDCOVER	
AREA OF LOT		AREA OF LOT	
8,551 Sq. Ft.		9,289 Sq. Ft.	
75,190 Sq. Ft.		75,190 Sq. Ft.	
PERCENTAGE OF HARDCOVER TO LOT		PERCENTAGE OF HARDCOVER TO LOT	
11.4%		12.3%	

DATE	REVISION	DESCRIPTION	DRAWING ORIENTATION & SCALE	CLIENT NAME / JOB ADDRESS	Advances Surveying & Engineering, Co.	I HEREBY CERTIFY THAT THIS PLAN, SURVEY OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. Thomas M. Bloom # 42379 LICENSE NO. APRIL 3, 2026 DATE	DATE SURVEYED: MARCH 26, 2026	SHEET TITLE PROPOSED SURVEY	SHEET SIZE 22 X 34
				ROSS SIMPSON 5850 BOULDER BRIDGE LANE SHOREWOOD, MN	18202 Minnetonka Boulevard, Suite 401 Deephaven, Minnesota 55391 Phone (952) 474-7964 Web: www.advsur.com		DATE DRAFTED: APRIL 3, 2026	DRAWING NUMBER 260453 JR	SHEET NO. S1

Simpson, Ross - Garage Addition

5850 Boulder Bridge Lane
Shorewood MN

Layout Page Table			
Label	Title	Description	Comments
P-1	Project Overview	Title Sheet, Index, Project Scope, Site Location Map	
1	Proposed Addition Floor Plan		
2	Elevations and Details		
3	Electrical Plan		
4	Framing Plan and Sections		

Revision Table			
Number	Date	Revised By	Description

Project Overview

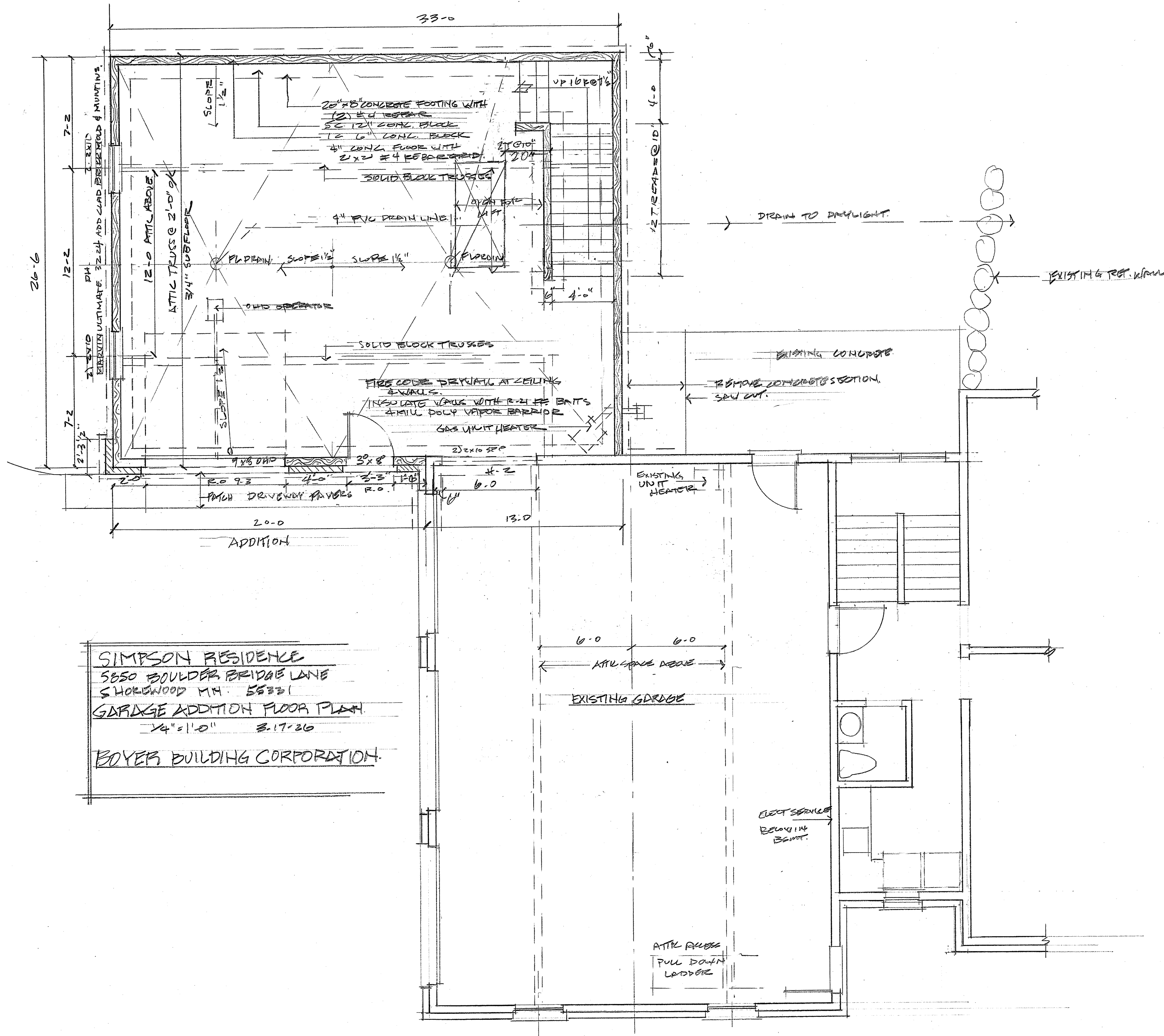
Simpson, Ross

CLIENT ADDRESS
5850 Boulder Bridge Lane
Shorewood MN

DATE:
03/19/2026
DRAWN BY:
JB

SCALE:
as noted on plan

SHEET:
1

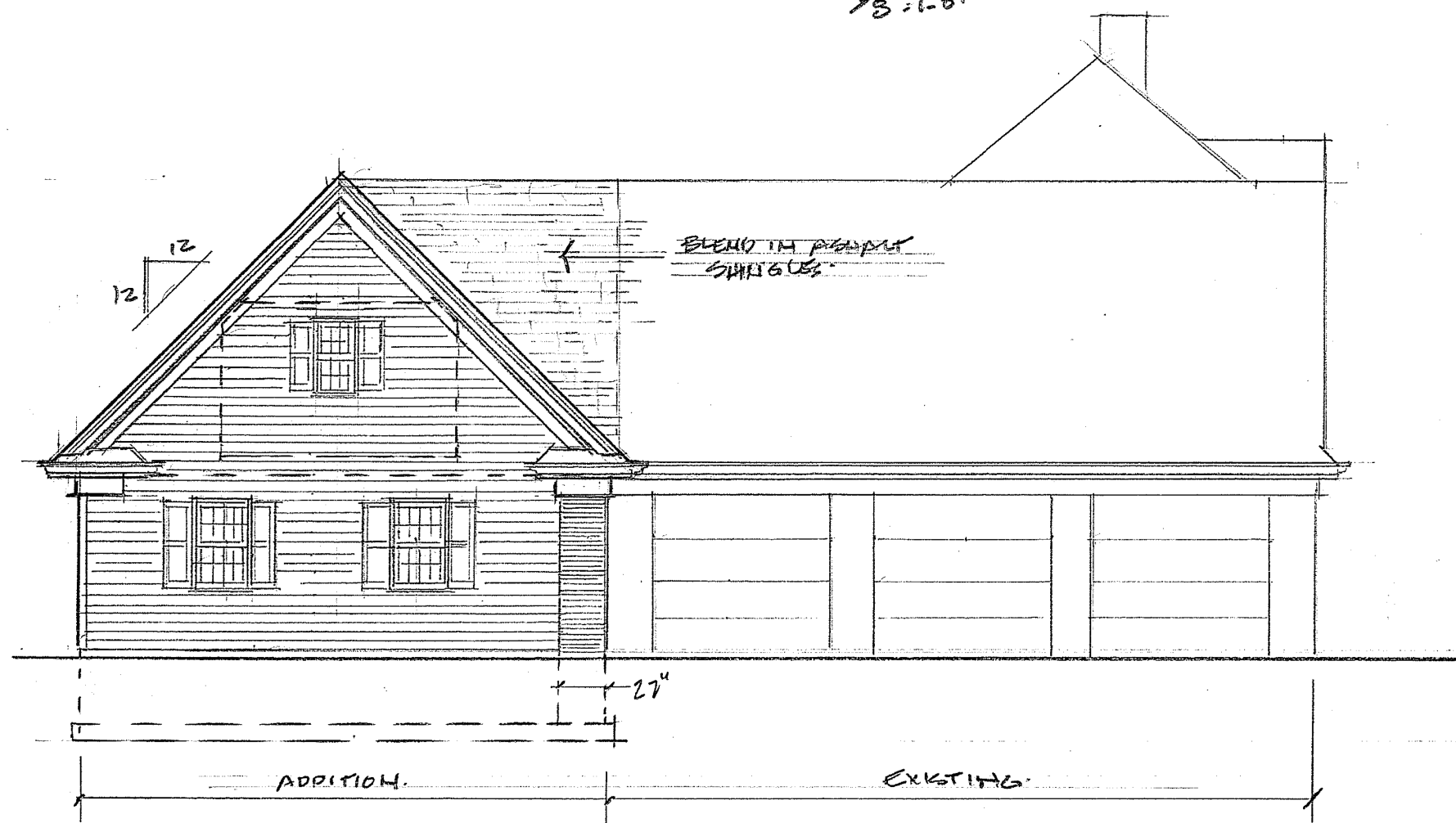


SIMPSON RESIDENCE
5850 BOULDER BRIDGE LANE
SHOREWOOD MN 55331
GARAGE ADDITION FLOOR PLAN
1/4" = 1'-0" 3.17.20
BOYER BUILDING CORPORATION

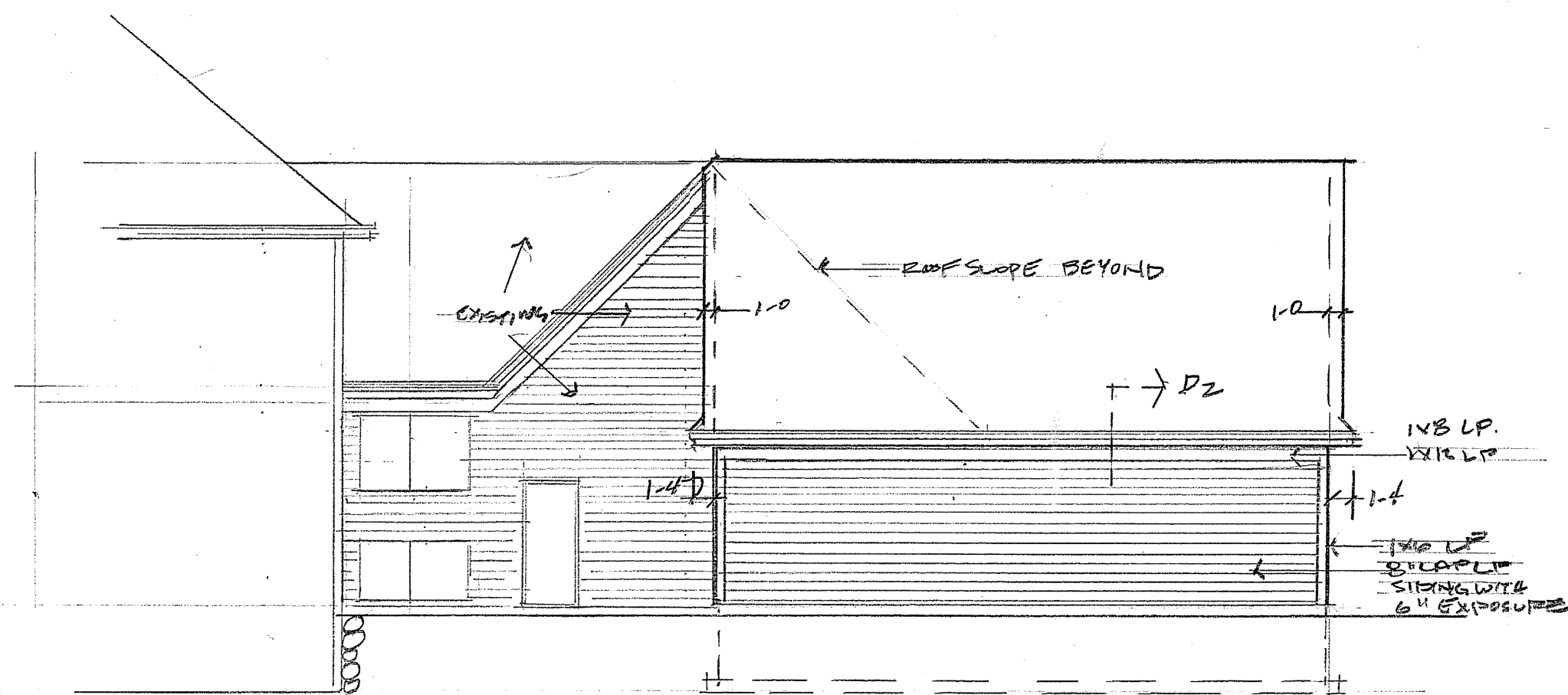
Simpson, Ross	DATE: 03/19/2026	SCALE: as noted on plan	SHEET: 2
	CLIENT ADDRESS: 5850 Boulder Bridge Lane, Shorewood MN		
Boyer Building Corporation		3435 County Rd 101, Minnetonka 55345, 952.475.2097	
Page 115 of 224			



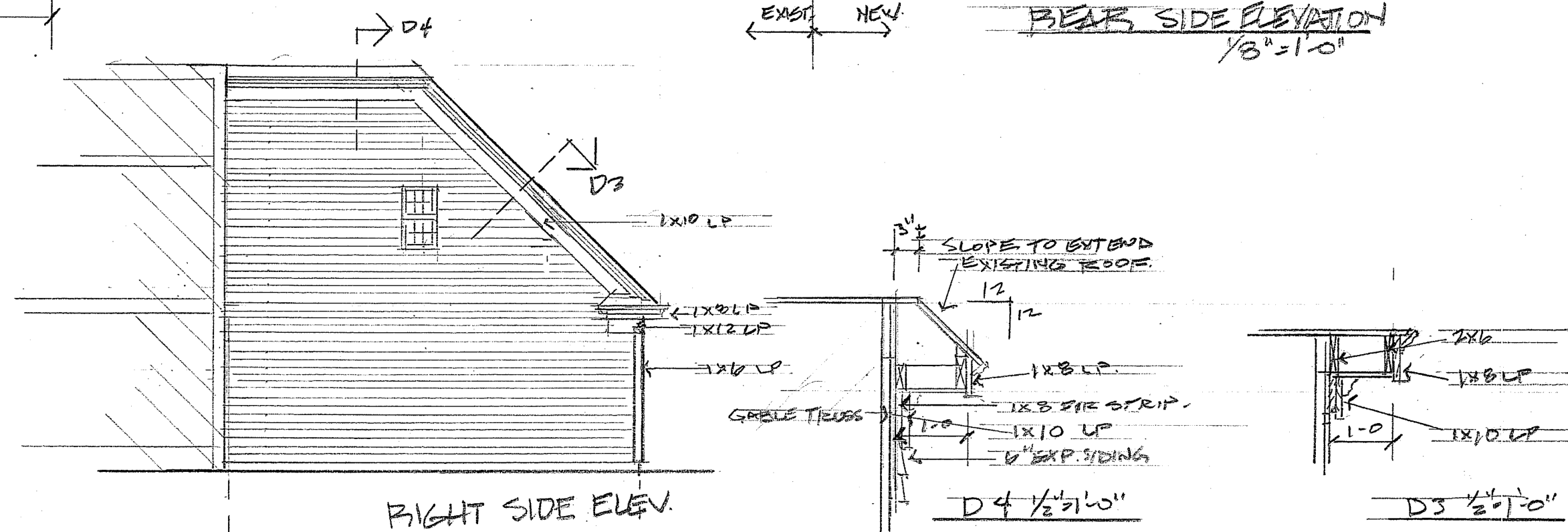
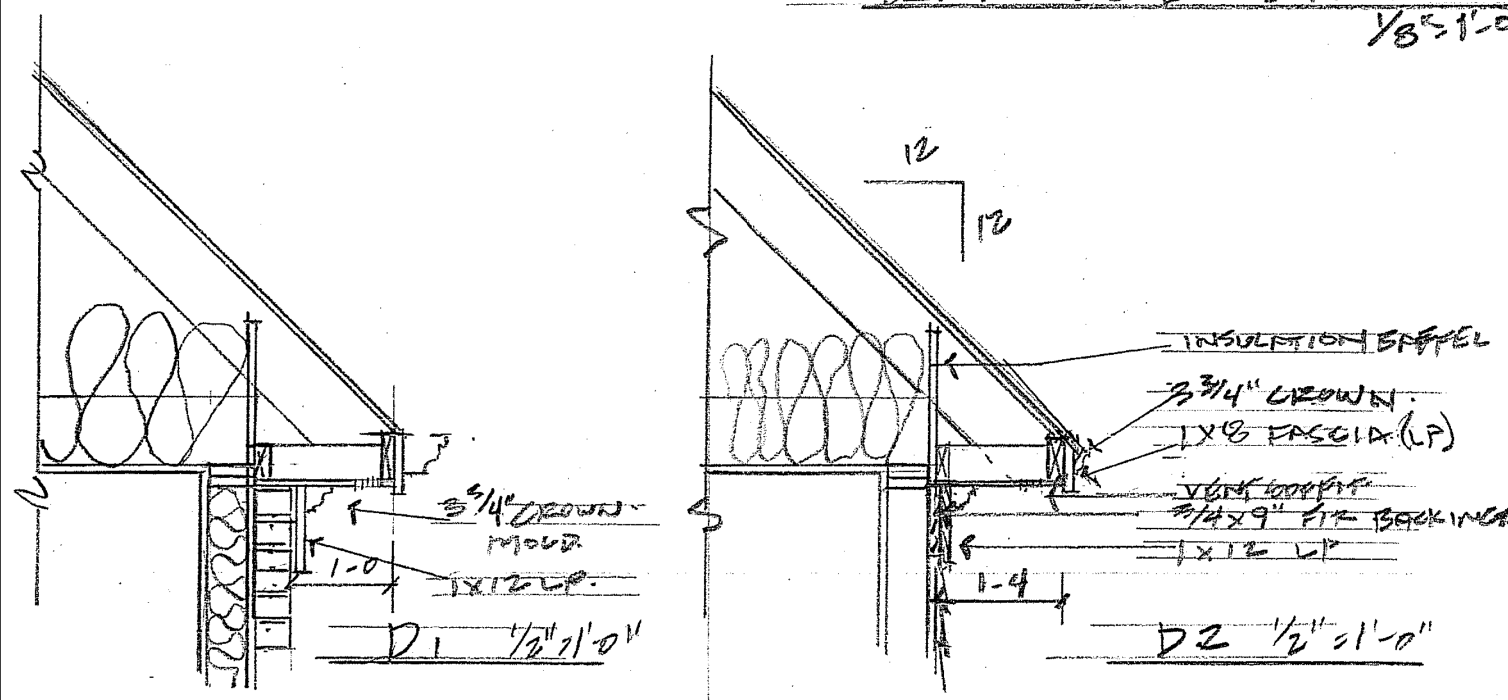
FRONT ELEVATION
1/8" = 1'-0"



LEFT SIDE ELEVATION
1/8" = 1'-0"



REAR SIDE ELEVATION
1/8" = 1'-0"



RIGHT SIDE ELEV.
1/8" = 1'-0"

Elevations and Details

SHEET:

3

SCALE:

as noted on plan

DATE:

03/19/2026

DRAWN BY:

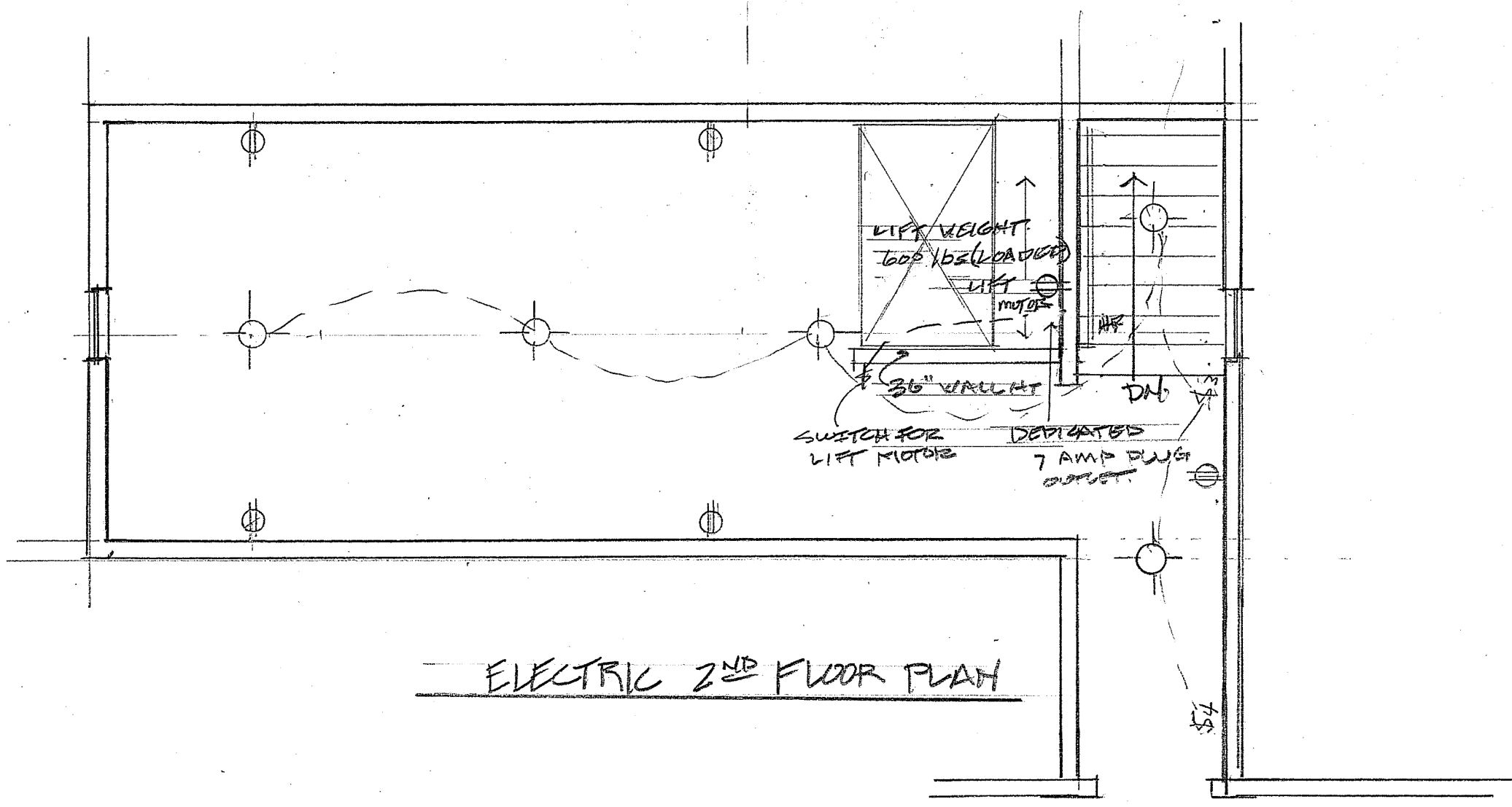
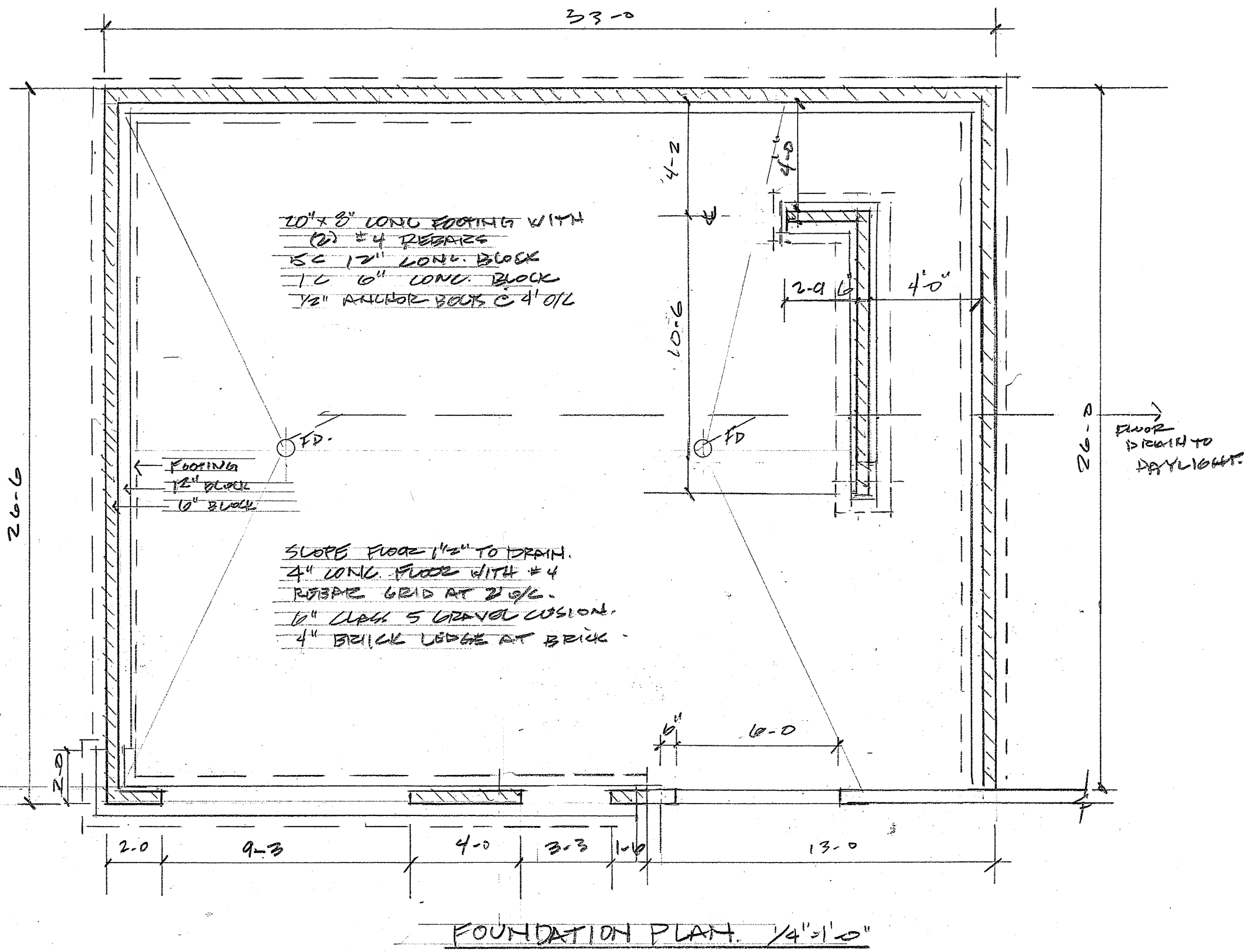
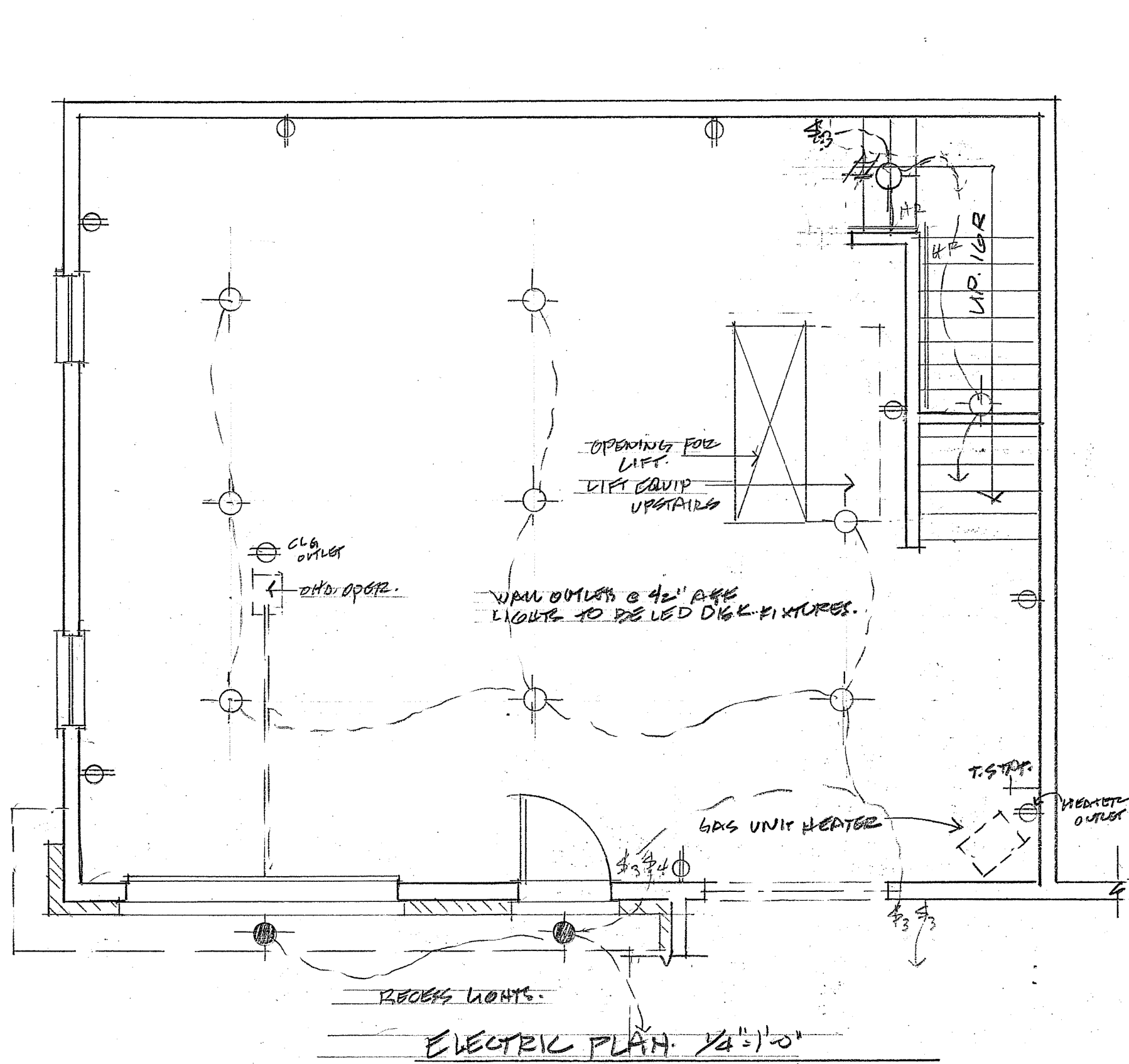
JB

Simpson, Ross

CLIENT ADDRESS 5850 Boulder Bridge Lane
Shorewood MN

Boyer
Building Corporation

3435 County Rd 101
Minnetonka 55345
952.475.2097



CLIENT ADDRESS Simpson, Ross 5850 Boulder Bridge Lane Shorewood MN	DATE: 03/19/2026	SCALE: as noted on plan	SHEET: 4
	DRAWN BY: JB	Electrical Plan	
Boyer Building Corporation 3435 County Rd 101 Minnetonka 55345 952.475.2097			

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

RESOLUTION 26-34

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR AN ATTACHED GARAGE THAT
WOULD RESULT IN GREATER THAN 1,200 SQUARE FEET OF ACCESSORY BUILDINGS, LOCATED
AT 5850 BOULDER BRIDGE LANE**

WHEREAS, Ross & Kathleen Simpson (the “Applicants”), have submitted a request for a Conditional Use Permit (the “Request”) for the construction of an attached garage that would result in greater than 1,200 square feet of accessory buildings for the property legally described as:

Lot 5, Block 1, BOULDER BRIDGE 2ND ADDITION, Hennepin County, Minnesota

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

WHEREAS, after required notice a public hearing was held and the application reviewed by the Planning Commission at a regular meeting held on June 2, 2026, the minutes of the meeting 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 which time the staff memorandum, Planning Commission recommendation and the public comments received were reviewed and comments heard by the City Council from the Applicant, City staff, and Commission Liaison; and,

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 April 22, 2026, (the “Plans”) subject to the conditions listed below.
2. Applicants shall meet all applicable City Code requirements and obtain necessary permits from all required jurisdictions having an interest in the project, including but not limited to a building permit from the City of Shorewood, which meets the City’s Tree Preservation and Replacement Policy.
3. Pursuant to City Code 1201.04, the approval of the applicant’s requests shall expire 1 year from the date of approval if substantial progress has not been made on construction of the garage.

ADOPTED BY THE CITY COUNCIL OF SHOREWOOD Minnesota, this 22nd day of June, 2026.

Jennifer Labadie, Mayor

ATTEST:

Sandie Thone, City Clerk



City Council Item 4.C.

Title/Subject: 6145 Club Valley Rd Variance
Meeting Date: June 22, 2026
Prepared By: Aaron Osowski, Planner

Attachments

1. June 2, 2026, Planning Commission Memorandum
2. Draft June 2, 2026, Planning Commission Meeting Minutes
3. Narrative
4. Homeowner Letter
5. Existing Survey
6. Existing Floor Plan
7. Proposed Survey
8. Proposed Floor Plan
9. Elevation East and West
10. Engineering Dept. Comments
11. Resolution 26-37

Background

See the attached staff memorandum from the June 2, 2026, Planning Commission meeting for detailed background on this request. The applicant is seeking approval for a variance to construct an addition to the garage at 6145 Club Valley Road that would encroach 13 feet into the rear yard setback. The garage would be located 27 feet from the rear lot line where 40 feet is required.

At the June 2 meeting, the Planning Commission held a public hearing and recommended unanimous approval (4 yes, 0 no, 1 absent) of the variance with no added conditions. Several members of the public spoke at the public hearing, all of whom were neighbors of the owners of the property. All speakers were in favor of approving the requested variance.

Strategic Alignment

Comprehensive Approach to Planning & Development

- Clear standards and processes for development with strong controls
- Balance the desires of both new and long-term residents

The application generally relates to the strategic priority of a comprehensive approach to planning and development; however, planning and land use applications are reviewed on their own merits relative to the Comprehensive Plan and City Code requirements.

Budget Impact

The application fees are adequate to cover the cost of processing the request. Any engineering and legal costs associated with review of the applicant's request are billed to the applicant's

escrow, or directly to the applicant if the escrow funds are insufficient.

Action Requested

The City Council is requested to consider the recommendation of the Planning Commission and City staff to approve the variance application and make the following motion:

Motion to adopt Resolution 26-37 approving the variance for 6145 Club Valley Road. A simple majority vote is required.



Planning Commission Item 4.B.

Title/Subject: 6145 Club Valley Rd Variance
Meeting Date: June 2, 2026
Prepared By: Aaron Osowski, Planner

Attachments

1. Narrative
2. Homeowner Letter
3. Existing Survey
4. Existing Floor Plan
5. Proposed Survey
6. Proposed Floor Plan
7. Elevations (East and West)

Background

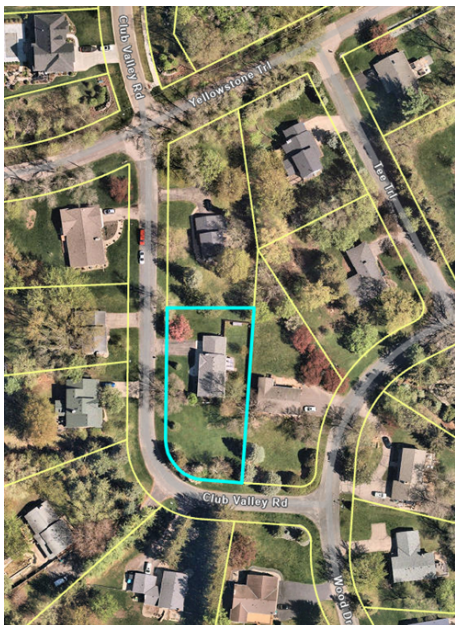
APPLICANT: HOLMmade, LLC

LOCATION: 6145 Club Valley Rd

REVIEW DEADLINE: August 20, 2026

COMPREHENSIVE PLAN: Low Density Residential (1-2 Units Per Acre)

CURRENT ZONING: R-1C – Single-Family Residential



REQUEST

The applicant requests a variance to expand their existing home's attached garage. The existing home and attached garage currently conform to all setbacks. Under the plan, the applicant proposes adding additional width to their garage on the side to accommodate the installation of stairs and a vertical lift in their existing garage.

The applicant proposes the following variance to accommodate their garage addition:

- A 27-foot setback from the rear property line where 40 feet is required.

PUBLIC NOTICE

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 hearing was sent by US mail to all property owners within 500 feet of the property at least 10 days prior to the meeting and was published in the City's official newspaper, at City Hall, and distributed through the City's website and public notification email list.

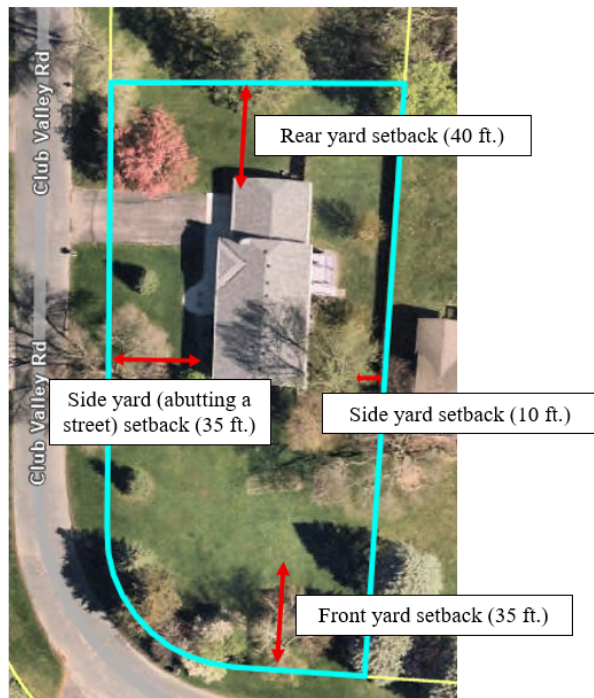
BACKGROUND

The home was originally constructed in 1978 and is part of the Club Terrace addition that was platted in 1957. The property lies within the R-1C zoning district, featuring the following setbacks:

- Front yard: 35 feet
- Rear yard: 40 feet
- Side yard: 10 feet on each side, or 35 feet on a side yard abutting a street

Because this is a corner lot, the front lot line is the southern property line, per City Code 1201.02, which states:

LOT LINE - FRONT. The front of a lot shall be, for purposes of complying with this chapter, that boundary having the least width abutting a public right-of-way or private street.



This would make the northern property line the rear property line (40 foot setback), with the eastern property line serving as the side property line (10 foot setback) and the western property line the side property line abutting a street (35 foot setback).

APPLICANT'S PROPOSAL

The applicants propose expanding their current garage to allow for the installation of stairs and a vertical lift to accommodate one of the owners, who has a disability. The addition would be 14 feet wide by 23.6 feet deep. The total area of the garage addition would be 330.4 square feet.

ANALYSIS

Section 1201.05 subd.3.a. of the zoning regulations sets forth criteria for the consideration of variance requests. These criteria are open to interpretation. The applicant has provided a narrative explaining how the request meets the variance review criteria. Staff reviewed the request according to the criteria as follows:

Intent of Comprehensive Plan and Zoning Ordinance: The applicants propose to use the property for residential purposes, which is consistent with the Comprehensive Plan and the intent of the Zoning Ordinance.

Practical difficulties: Practical difficulties include three factors, all three of which must be met.

a. *Reasonable:* The applicants have proposed reasonable residential uses on the property.

b. *Unique Situation vs. Self-Created:* The practical difficulty is unique to this property as the home does not sit parallel to the side property lines. It should be noted that, for corner lots in this neighborhood, the rear setback is applied consistently. The adjacent lot to the north (6115 Club Valley Rd), also a corner lot, has its home 60 feet from the rear property line. The adjacent lot to the east (24400 Wood Dr), another corner lot, has its home over 90 feet from the rear property line. The applicant's stated reason for needing a garage addition is to accommodate the installation of a wheelchair lift and stairs in the existing garage. The homeowners state in

their letter that one of them fell down the stairs and broke their leg in January, requiring the installation of this lift.

c. *Essential Character*: The addition of one extra garage stall would not significantly alter the essential character of the neighborhood.

Economic Considerations: The applicant has not proposed the variance solely based on economic considerations, but to improve accessibility to the home.

Impact on Area/Public Welfare, Other Lands or Improvements: The applicant is not proposing anything that would impair an adequate supply of light and air to an adjacent property or increase the risk of fire. The grading on the lot is relatively flat, and the addition of one garage stall would not have a noticeable impact on water runoff.

Minimum to Alleviate Practical Difficulty: The addition of one garage stall is the minimum necessary to maintain two garage stalls on the property, although the homeowners would still be able to park in their driveway without a third stall.

FINDINGS/RECOMMENDATION

Staff recommends approval of the request for a variance subject to the following conditions:

- The applicant must acquire all necessary permits prior to beginning the project.
- The proposed addition shall be architecturally consistent with the existing home and surrounding neighborhood.

Staff acknowledges that the variance criteria are open to interpretation and the Planning Commission could reasonably find otherwise.

Action Requested

The Planning Commission is requested to hold a public hearing on the proposed variance, take any testimony provided, and make a recommendation to the City Council based on findings of fact.

DRAFT MINUTES

CALL TO ORDER

Chair Huskins called the meeting to order at 7:01 P.M.

ROLL CALL

Present: Chair Huskins; Commissioners Holker, Magistad, and Braithwaite; Planning Director Griffiths; Planner Osowski; and, Council Liaison Maddy

Absent: Commissioner Longo

1. APPROVAL OF AGENDA

Holker moved, Magistad seconded, approving the agenda for June 2, 2026, as presented. Motion passed 4/0.

2. APPROVAL OF MINUTES

A. 05-05-26 Planning Commission Meeting Minutes

Braithwaite moved, Magistad seconded, approving the Planning Commission Meeting Minutes of May 5, 2026, as presented. Motion passed 4/0.

3. MATTERS FROM THE FLOOR

No one wished to address the Commission.

4. PUBLIC HEARINGS - NONE

A. PUBLIC HEARING – CONDITIONAL USE PERMIT

Applicant: Ross & Kathleen Simpson

Location: 5850 Boulder Bridge LN

Chair Huskins stated that this evening, the Planning Commission would consider a conditional use permit (CUP) for 5850 Boulder Bridge Lane.

Planning Director Griffiths reviewed the request for a CUP as found in the Agenda Packet.

Commissioner Magistad asked whether there were any deviations between the Planned Unit Development and the City's requirements. Planning Director Griffiths explained that there is no provision for accessory buildings. When the Boulder Bridge development occurred, there were unique requirements regarding lot sizes and dimensions. He noted that this property would have been allowed under normal zoning rules and that the Boulder Bridge Development requirements match the City Code for accessory dwelling units. He shared that the Applicant's request meets both the Boulder Bridge and City requirements.

Chair Huskins asked if the Applicant wished to address the Commission. The Applicant declined. Chair Huskins asked if the Commission had any questions for the Applicant. The Commission declined.

Chair Huskins opened the Public Testimony portion of the Public Hearing at 7:10 P.M.

Abigail Key, 27545 Brynmawr Place, stated that she is the president of the Brynmawr Association that borders Boulder Bridge. She shared that her property backs up to the property. She noted that it was difficult to tell from the map how far back the structure would come. She asked how far back the structure would be and if any of the tree coverage would be lost.

Planning Director Griffiths showed a slide showing the property and where the building would be located on it. He stated that the proposed garage would be built on the north corner of the property. The corner of the garage will be located 85 feet from the northern property line and will comply with all setbacks. He added that the Applicant will need to submit a tree preservation plan, along with the building permits, to the City. Still, based on the review, the Staff is not anticipating any significant impacts on vegetation or sightlines.

Chair Huskins asked whether the northern property line was the one Ms. Key was referring to. Planning Director Griffiths stated that the Brynmawr neighborhood is even farther north and will be even farther from that property line.

Chair Huskins closed the Public Testimony portion of the Public Hearing at 7:15 P.M.

Commissioner Holker shared that she did not see any issue with the application and supports it. Commissioner Magistad agreed. Commissioner Braithwaite stated that he did not see any issue. He appreciated going through the steps and seeing all the plans, though.

Chair Huskins stated that he had no reservations about the application.

Magistad moved, Braithwaite seconded, recommending approval of the Conditional Use Permit at 5850 Boulder Bridge Lane. Motion passed 4/0.

Chair Huskins confirmed that the matter would be brought before the City Council on June 22.

B. PUBLIC HEARING – VARIANCE
Applicant: HOLMmade, LLC
Location: 6145 Club Valley Rd

Chair Huskins stated that this evening, the Planning Commission would consider a variance for 6145 Club Valley Road.

Planner Osowski reviewed the variance request as found in the Agenda Packet. He noted that the matter would be taken up at the City Council on June 22.

Commissioner Holker asked about the setback on the north side of the property, whether that is what the variance is needed for, or if, even with the addition, the setback will fall within the required amount. Planner Osowski stated that the Applicant is requesting a variance to encroach 13 feet into the setback and that the addition would be 27 feet from the property line, rather than 40 feet.

Commissioner Magistad asked if the encroachment was 13 feet or 14 feet. Planner Osowski stated that the encroachment is 13 feet into the setback, so 27 feet from the lot line.

Chair Huskins asked whether the addition would affect the overall square footage of the accessory dwelling. Planner Osowski stated that he would have to look. Chair Huskins clarified whether the addition would exceed 1,200. Planner Osowski noted that the addition would not be anywhere close to that. Planning Director Griffiths shared that it would take a little bit to get the exact number, but the square footage is substantially under. He suggested going on to the next question if there were any.

Commissioner Magistad asked what the impervious surface calculation is. Planner Osowski explained that the impervious surface would increase by 3 percent to 18.3 percent, and that the limit is 33 percent.

Chair Huskins asked whether, in addition to building the structure, a modification to the driveway would be needed. Planner Osowski stated that it would need to be part of a separate permit, and not part of this variance application. He added that, in the survey, the Applicant notes that a gravel driveway will be added to accommodate the garage addition; there is currently a concrete driveway.

Planning Director Griffiths stated that the maximum allowed square footage is 1,200 square feet. With the addition, the Applicant would be at 900 square feet and in compliance with City Code.

Chair Huskins asked whether, if the square footage exceeded 1,200 square feet, the Applicant would need both a variance and a conditional use permit. Planner Osowski shared that the Applicant would then need both a variance and a conditional use permit for the encroachment into the setback and the increase in square footage. If that is what happened, but this application does not do that.

Commissioner Magistad explained that he is supportive of the application, but if the neighbor to the north attends the City Council meeting with concerns, that could change the Council's thoughts on the matter.

Kris Beck, 6145 Club Valley Road, shared that she spoke with the neighbors to the north when they moved in about a month ago. She asked the neighbors about doing the addition, and they were both in favor of it at the time. She added that the neighbors said to let them know if anything needs to be done. She shared that there is ample space between the two properties. The other neighbors across the street attended the meeting as well.

Chair Huskins opened the Public Testimony portion of the Public Hearing at 7:24 P.M.

Rob Wright, 6110 Club Valley Road, stated that he lives kitty-corner to the property. He shared that he was in discussions with the neighbors to the north as well, and they stated they had no problem with the addition. He added that there is a lot of room between the properties, and it is unfortunate how the property is disguised on the map. He explained that he and other neighbors have no problem with the addition. The neighbors would love for the Applicant to have another garage so they can get into their house safely and avoid getting hurt again.

Ed Sheridan, 6150 Club Valley Road, stated that he lives across the street from the Applicant. He added that he has spoken with all the neighbors, and no one is objecting to the addition. He noted that he is a former builder and has run into these situations before. This variance seems

fairly straightforward compared to some others he has seen. He explained that when the house was built, it faced the side yard. When looking at the drawing, the existing front yard, according to the original plat, was silly to have as the front yard. He added that the existing house is now a linear structure, with the house to the north, with nothing going in or out. There is no hardscape issue; nothing is being encroached on, even if a concrete driveway is put in. He noted that both residents living in the house are in good health but have mobility issues, which is the reason for the addition. He explained that there is an option for a variance to make the existing front the side. In many other communities, a similar situation has happened, and that was what was done.

Chris Capesius, 6120 Club Valley Road, stated that he had nothing to add but wanted to show his support for moving the application forward.

Chair Huskins closed the Public Testimony portion of the Public Hearing at 7:30 P.M

Commissioner Braithwaite stated that he was supportive of the project. He added that the variance is the simpler of the two routes rather than trying to change the plat. Chair Huskins agreed.

Braithwaite moved, Holker seconded, recommending approval of the variance at 6145 Club Valley Road. Motion passed 4/0.

C. PUBLIC HEARING – VARIANCE

Applicant: Tim O'Connor, Align Building & Remodeling, LLC/Jonathan Rienstra

Location: 23120 Summit Ave

Chair Huskins stated that this evening, the Planning Commission would consider a variance for 23120 Summit Avenue.

Planning Director Griffiths reviewed the variance based on the information found in the Agenda Packet.

Commissioner Holker asked where the neighbor's driveway goes through. She noted that in looking at the addition, it would be right up to the neighbor's driveway. Planner Director Griffiths shared that the addition does not do that. He showed a map of the area. He added that the City Engineer reviewed the application and had no concerns regarding drainage. When looking at the drainage patterns in the area, everything ultimately drains to Summit Avenue and then onto Murray Hill Road at the bottom of the road. He added that, with respect to the existing neighbor's driveway, the Staff had no comments or concerns.

Commissioner Holker asked what the distance would be from the addition to the neighbor's driveway. Planning Director Griffiths explained that the distance of the addition to the property line is 22 feet, and the edge of the neighbor's driveway is further than that. So, the addition would be at least over 20 feet away.

Chair Huskins asked about the impervious surface and the accessory building square footage. He assumed that since neither was commented on in the Staff report, they were a non-issue. Planning Director Griffiths stated that the total proposed hardcover is 22.8 percent, with the maximum being 33 percent. He added that the proposed garage addition would increase the area by 276 square feet, and the existing garage is about 500 square feet, so that is well under the 1,200-square-foot maximum.

Commissioner Braithwaite stated that the site plan shows a proposed addition at the back and a proposed deck. He asked if those were part of the variance. Planning Director Griffiths stated that those are not part of the application. The Applicant is proposing an addition to the back of his house. That addition meets all of the zoning setbacks for the property, so it is not part of the application. He added that the only part of the variance is the proposed garage addition. Chair Huskins asked whether that addition is the one noted as a new dining room. Planning Director Griffiths confirmed that to be true.

Chair Huskins opened the Public Testimony portion of the Public Hearing at 7:39 P.M.

Tim O'Connor of Align Building & Remodeling in Excelsior stated that the plan is deceptive. He noted that, from driving by, it looks like the building would be within the side-yard setback because of the way the driveway runs. He shared that the garage was designed to be as narrow as possible, so there is room to store things while minimizing impact on the side yard.

Commissioner Holker asked to see the driveway again. Mr. O'Connor shared that the driveway runs parallel along the right-of-way to the property, so it is a unique situation. Commissioner Holker noted that the driveway is along the City right-of-way. She asked how close the addition would be to the City right-of-way. Planning Director Griffiths noted 22.7 feet.

Chair Huskins closed the Public Testimony portion of the Public Hearing at 7:42 P.M.

Commissioner Braithwaite stated that he is generally supportive of this application. He appreciated that the neighbor's letter was attached, as that neighbor is the most affected. Commissioner Holker stated that the neighbor's driveway is 23110, but the letter came from someone else.

Jon Rienstra, 23120 Summit Avenue, shared that the letter came from the neighbor in question. Commissioner Holker confirmed 23110. Mr. Rienstra explained that he had spoken with his neighbor, who was fully supportive of the project. He showed the neighbor where the garage would go.

Holker moved, and Magistad seconded, to recommend approval of the variance at 23120 Summit Avenue. Motion passed 4/0.

Chair Huskins noted that the application would be brought to the City Council on June 22.

5. OTHER BUSINESS –

A. Planning Commission Photo

Chair Huskins noted that Commissioner Longo was not present. Planning Director Griffiths shared that he had sent an email apologizing for his unexpected absence from the meeting. He suggested taking the picture in July. Chair Huskins tabled the matter for discussion at the next meeting.

6. REPORTS

A. City Council

Council Liaison Maddy gave a brief overview of recent Council discussions and decisions.

B. Staff

Planning Director Griffiths followed up on an email that he sent about the presentation at the last meeting on the Zoning Code update. The full draft language is on the website for review. He noted that the Commission should provide feedback. He added that Chair Huskins has provided a lot of feedback, but the Staff would like to hear from everyone, including community members. He shared that the feedback would be incorporated in the Zoning Code and be brought before the Commission at the next meeting on July 7 for a public hearing. He shared that, since the last meeting, the State of Minnesota's Legislative Session concluded, and no major bills the City was worried about were passed. He noted that one bill passed significantly limits Homeowners Associations (HOAs) in Minnesota. The Staff is tracking this because there are some minor implications for the City, the most notable being that cities will not be able to require a development to have an HOA. He added that a Code amendment will likely be seen around that, likely as an annual update to the Code at the end of the year. He noted that some space was left in the work plan for the third quarter to address legislative changes, but that will not be needed. He shared that the Staff anticipates those zoning preemption proposals back next year, so space will continue to be reserved for legislative updates in work plans.

Planning Director Griffiths asked for a liaison at the June 22 meeting to cover the three agenda items. Commissioner Holker stated that she could be the liaison.

Commissioner Holker noted that the lot next to the Legion was for sale. She asked if the plan to put townhomes in the space was no longer happening. Planning Director Griffiths explained that the developer had their plat approval expire, and decided to sell the property. He added that the sale of the property was not about the property itself or its design, but rather about internal matters the developer is working through in their business. He anticipated that the Commission would likely see a very similar proposal from a different developer in the future. He added that whoever acquires the property will need to start the process over because the City Council vacated the plat approvals at a meeting in May, after they expired.

Commissioner Magistad asked if there was anything that could be publicly disclosed about the status of Watton Ponds 2nd Addition. Planning Director Griffiths shared that not at this point.

Chair Huskins stated that the draft Zoning Code update is now in the public eye, and he wants to tie it to the Comprehensive Plan update and to the City's efforts to gather as much feedback as possible. He asked the Staff what their experience is with a review of the codes. He worried that there might not be many people who take the time to go through the Code and give feedback. He asked what would worry the Staff when reviewing the draft regarding finalizing the Code that all residents would be bound to. Planning Director Griffiths stated that nothing in particular worries him about the public engagement portion. He added that this is a lengthy section of the Code, but based on the presentation from HKGi, the first Phase is very technical and does not involve substantive policy changes. He noted that he does want to receive feedback, that the public notice went out, and that public comment will have been open for about a month by the time it closes. The Code will also undergo the full public hearing process before the Commission and the City Council. He shared that, to the extent that the comments get parceled out or the scope of who is involved is, it is the Commission and Council's role to legislate and sort through feedback. Chair Huskins explained that he would be interested in the date by which public comments close to get a general sense of how many people engaged with the Code and offered comments. Planning Director Griffiths stated that this could be provided in the memo for the next

meeting. He expected more engagement once the formal notice process began, before the matter went to the Commission during the July meeting. He added that, in addition to Chair Huskins, at least seven other people have engaged with the Code. He noted that people are reviewing the Code, and he hopes they find changes that align with the main goal of cleaning it up and making it more user-friendly.

Commissioner Magistad asked whether HKGi would do anything with the comments before they go back to the Commission. Planning Director Griffiths explained that the public hearing commentary will close on June 5, and there will be a few weeks between the closing and the Commission's next meeting on July 7. The comments will be reviewed, and adjustments will be made based on feedback. He added that there may be some responses in response to the feedback. He noted that the expectation is not to bring a laundry list of comments to the Commission, but that the Staff will present the Commission with an ordinance for adoption based on the comments received. Chair Huskins noted that the public is new to the process, so some of the comments may not be germane or feasible at this point. No one should expect that the comments given will be added verbatim to the new Code. Planning Director Griffiths stated that, for this update, he is most excited to see people using the draft and to see where the public is stumbling so the Code can be improved. He wants the Code to be a strong foundation in the future, so that when the Comprehensive Plan update is complete, it will be much easier to make future changes.

Commissioner Holker asked whether there was a reaction to the initial survey for the Comprehensive Plan. Planning Director Griffiths shared that there have been a fair number of responses. Out of several community events, information has been handed out. The Shore Report has included information on the Comprehensive Plan update survey, the Staff has been utilizing social media, and one more direct mailing to the community will be included with the next utility bill. He asked the Commission to share with their circles as well.

C. Commission

Commissioner Braithwaite noted that his employment would be changing and he would no longer be working with the city of Hutchinson, but has taken a position with the city of Orono as the director of public works. He stated that during the interview process, he let them know he was on the Planning Commission and could resign if needed, but Orono did not have any problems with it. He shared that he had also informed Planning Director Griffiths to see if there were any issues with that, and the Staff let him know that Orono is far enough away and that there should not be an issue from the Staff perspective. He noted that the one issue is that the city of Orono's council meetings are on the same day and at the same time as Shorewood's Council meetings, which prevents him from attending as a liaison. He shared that if there is ever an item that would be an issue, he would let both parties know.

Chair Huskins mentioned that the Commission had lessened the reporting requirements in the bylaws. Planning Director Griffiths stated that the Commission is still reporting, but it has just been done elsewhere. The liaison still attends the meeting at the Council and now provides the report in context. He added that this was communicated to the Staff, and that Commissioner Braithwaite used to work for the city of Hutchinson; now it is Orono, so in the Staff's eyes, there is really no difference.

The Commission was okay with Commissioner Braithwaite staying on the Commission.

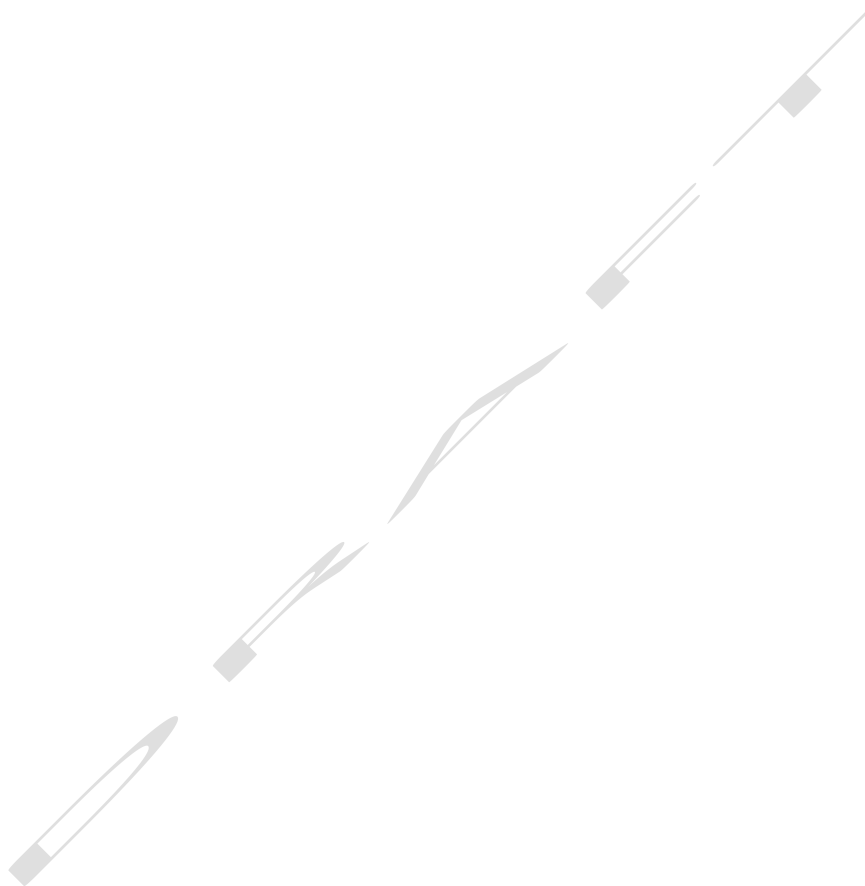
Chair Huskins suggested the Commission engage with the draft code.

Planning Director Griffiths shared that he will not be at the July 7 meeting, but Planner Osowski and HKGi will be there. Council Liaison Maddy noted that he would be switching with Councilmember Gorham.

Commissioner Magistad asked if anything else would be on the July 7 agenda besides the Code update. Planning Director Griffiths stated that the Commission photo.

7. ADJOURNMENT

Holker moved, Magistad seconded, adjourning the Planning Commission Meeting of June 2, 2026, at 8:09 P.M. Motion passed 4/0.



Variance Application Description

6145 Club Valley Rd

This application seeks a variance regarding the setback requirements for this property.

The homeowners intend to add a third stall to the existing garage. The current split-level front entrance has limited space, posing accessibility challenges as the owners age in place. Additionally, the new entrance would address safety concerns related to ice accumulation at the front of the house during winter and accessing that entrance to get to main level.

The proposed interior entrance requires approximately 10 feet of stairs and sufficient space to accommodate a wheelchair lift for guests that visit frequently. These features will occupy a significant portion of the current garage's square footage, necessitating the third-stall addition to maintain adequate indoor parking.

The property's unconventional orientation relative to the street leads to a distinctive lot configuration. Since the lot isn't situated on a typical corner or non-corner lot, the house has an unusual orientation that deviates from the set-back regulations. According to Shorewood setback standards, the front of the house is positioned on the side of the lot. The east side is considered the back of the house but is also classified as a side with set-back standards. On the other hand, the north side is regarded as the rear yard, but when viewed from the house's perspective, it is the side of the house.

We are requesting a variance to establish a setback of 27 feet on the north side of the house, enabling the construction of a third stall on the side of the existing garage. This proposed addition would reduce the distance to the neighboring structure to the north to 86 feet. The addition will not significantly affect neighbors' views or air flow. The grading is relatively flat, and the addition will not involve substantial elevation changes. The impervious surface area will only increase by 3% for a total hardcover of 18.3% of the lot, and no trees will need to be removed to accommodate the proposed addition.

The proposed plan and its construction and use is consistent with the milieu of the neighborhood and congruent with the heart of Shoreview's comprehensive plan. What these homeowners need for their wellness cannot be supported within the parameters of the existing zoning regulations due to the property's orientation as defined by the city. In harmony with the intent of the zoning regulations, this variance would create and support the wellbeing of the geriatric population of this residence, a vibrant and necessary part of this community.

The homeowners love living here and desire to continue to be able to do so. The variance and its construction and use provide them a reasonable solution to an accessibility problem that is not permitted by the current zoning parameters. The homeowners are pursuing this variance enlarging the garage to a reasonable extent that

supports their mobility and transportation requirements while matching the atmosphere of the existing home.

The variance does not impair an adequate supply of light to adjacent property. It does not increase traffic flow. It does not increase the danger of fire or endanger public safety. The variance would not be detrimental to public welfare or injurious to the surrounding lands or existing improvements in the neighborhood. This variance is the minimum variance needed to address and alleviate the practical difficulties.

Thank you for your time and consideration.

HOLMmade LLC
Lic # BC754846

Po Box 1336
Minnetonka, MN 55345

Kyle Holm

April 21, 2026

This letter is in reference to the written request for a

Variance at 6145 Club Valley Road, Shorewood

Presented to the Shorewood Office by Kyle Holm our contractor on April 20,2026.
.....**PLEASE ADD THIS LETTER TO THE VARIANCE REQUEST**.....

Marsha Eding and Kristine Beck owners of the property are requesting that they have permission to add another stall to their existing garage. This is to make room for a vertical lift or elevator as a safer entry to their home.. It would allow entry from the garage to their main floor dining room. The front door entrance steps are steep and narrow making this an unsafe way to enter the home. In January one of the owners fell down the steps and broke her leg which required surgery.

Both owners have lifelong residence in the area and would like to remain in their home. They have continued to update their home to be able to age in place.

Our Contractor is ready to make our home more accessible and safer. We would appreciate your approval of our Variance Request.

Thank You for your consideration and understanding of our need for this Variance.

Sincerely,

Marsha & Kris

Marsha Eding
Kristine Beck



DESCRIPTION OF PROPERTY SURVEYED
Lot 4, Block 3, Club Terrace
Terrace, Certificate of Title No. 1446797

STANDARD NOTES

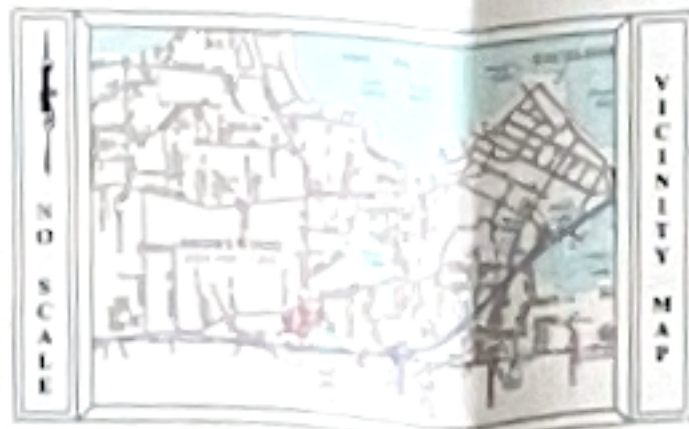
- 1) Site Address: 1141 Club Valley Road, Shorewood, Minnesota 55331
- 2) A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown unless otherwise noted.
- 3) Flood Zone Information: X (area determined to be outside of the 0.2% annual chance floodplain) and Zone AE (Area subject to inundation by the 1 percent annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.) per Flood Insurance Rate Map, Community Panel No. 27033C014F effective date of 11/04/2018
- 4) Parcel Area Information: Gross Area: 22,794 s.f. - (0.5) acres
*We do not affirmatively warrant the quality of surveys on file in the jurisdiction.
- 5) Benchmark: Elevations are based on MNSDOT Geodetic Station Number: GLENZ which has an elevation of: 985.46 feet (NAVD83). Contours were derived from field observations.
- 6) Zoning Information: The current zoning for the subject property is R-1C (Residential) per the City of Shorewood's zoning map dated November 2023. The setback, height, and floor space area restrictions for said zoning designation were obtained from City of Shorewood based on their website on the date of 03-08-2024 and are as follows:
Minimum Setback: 25 feet (Club Valley Road)
Note: Not less than 10 feet on each side and less than 15 feet on a side yard abutting a street.
Height: 40 feet
Height: no structure shall exceed two and one-half stories, or 33 feet, whichever is less.

*Please note that the zoning information shown herein may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and landscape data for planning and design must be verified by all parties involved in the design and planning process prior to any planning or construction.

We have not conducted the current zoning classification and building setback requirements from the owner.

- 7) Utilities: We have shown the location of utilities on the surveyed property by observed evidence only. There may be unobserved utilities existing on the subject property we are unaware. Please note that we have not placed a Greater than One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Also, please note that unobserved utilities may inhibit our ability to verify observed utilities located on the subject property. Before digging, you are required by law to notify Greater than One Call at least 48 hours in advance at 431.434.0002.

- 8) Features on the site were located to the best of our ability. Due to seasonal conditions at the time of this certification additional features may not have been visible and therefore not shown herein.

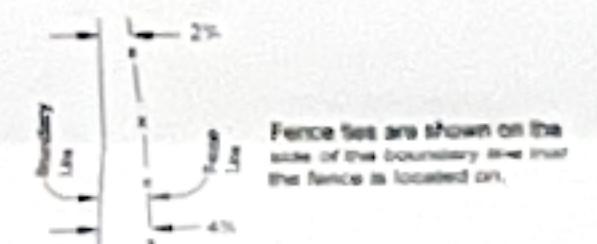


Hardware	
Lot Area	= 22,794 S.F.
House Area	= 2,044 S.F.
Driveway Area	= 731 S.F.
Concrete Pad Area	= 441 S.F.
Front Area	= 23 S.F.
Back Area	= 133 S.F.
Yard Area	= 3,444 S.F.
Coverage	= 15.1%

Existing Elevations	
Garage Floor Elevation	= 982.2
Front Floor Elevation	= 983.7
Looking Opening Elevation	= 983.1



Measurements are based on the Minnesota County Coordinate System (NAD 83 1988 WGS 84)



SURVEY LEGEND

● CAST IRON MONUMENT	● POWER POLE	● WIDE WALKOUT ELEVATION
● IRON PIPE MONUMENT SET	● GUY WIRE	● FFE FIRST FLOOR ELEVATION
● DRILL HOLE FOUND	● ROOF DRAIN	● GARAGE FLOOR ELEVATION
● CHISELED "X" MONUMENT SET	● LIFT STATION	● TOP OF FOUNDATION ELEV.
● REBAR MONUMENT FOUND	● SANITARY MANHOLE	● LOWEST OPENING ELEV.
● IRON MONUMENT SET	● SANITARY CLEANOUT	● CONCRETE
● P/NAIL MONUMENT FOUND	● STORM MANHOLE	● BUILDING SETBACK LINE
● P/NAIL W/ ALUMINUM DISC	● CATCH BASIN	● CABLE TV
● SURVEY CONTROL POINT	● FLARED END SECTION	● CONCRETE CURB
● A/C UNIT	● TREE CONIFEROUS	● CONTOUR EXISTING
● CABLE TV PEDESTAL	● TREE DECIDUOUS	● CONTOUR PROPOSED
● ELECTRIC TRANSFORMER	● TREE CONIFEROUS REMOVED	● GUARD RAIL
● ELECTRIC MANHOLE	● TREE DECIDUOUS REMOVED	● DRAIN TILE
● ELECTRIC METER	● TELEPHONE MANHOLE	● ELECTRIC UNDERGROUND
● ELECTRIC OUTLET	● TELEPHONE PEDESTAL	● FENCE
● YARD LIGHT	● UTILITY MANHOLE	● FIBER OPTIC UNDERGROUND
● LIGHT POLE	● UTILITY PEDESTAL	● GAS UNDERGROUND
● FIBER OPTIC MANHOLE	● UTILITY VAULT	● OVERHEAD UTILITY
● FIRE DEPT. HOOD UP	● WATERMAN MANHOLE	● TREE LINE
● FLAG POLE	● WATERMETER	● SANITARY SEWER
● FUEL PUMP	● WATER SPOOT	● STORM SEWER
● PROPANE TANK	● WELL	● TELEPHONE UNDERGROUND
● GAS METER	● MONITORING WELL	● RETAINING WALL
● GAS VALVE	● CURB STOP	● UTILITY UNDERGROUND
● GAS MANHOLE	● GATE VALVE	● WATERMAIN
● GENERATOR	● HYDRANT	● RAILROAD SIGNAL
● GUARD POST	● POST INDICATOR VALVE	● RAILROAD SWITCH
● HAND HOLE	● SIGN	● SATELLITE DISH
● MAIL BOX	● SOIL BORING	● WETLAND BUFFER SIGN

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 29th day of March, 2024.

Colyn M. Tveit
Colyn M. Tveit, PLS
Minnesota License No. 62246
ctveit@tveit.com

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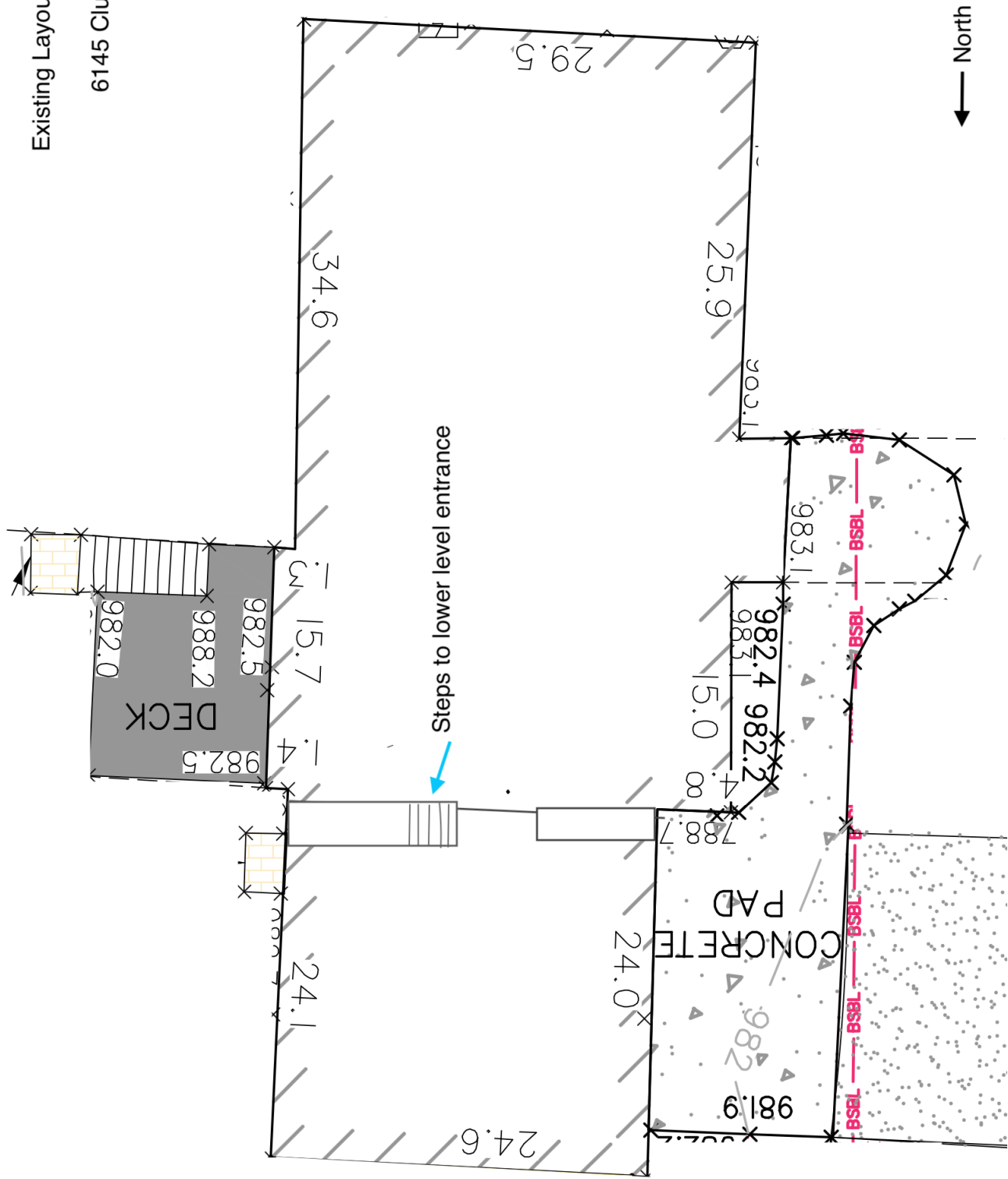
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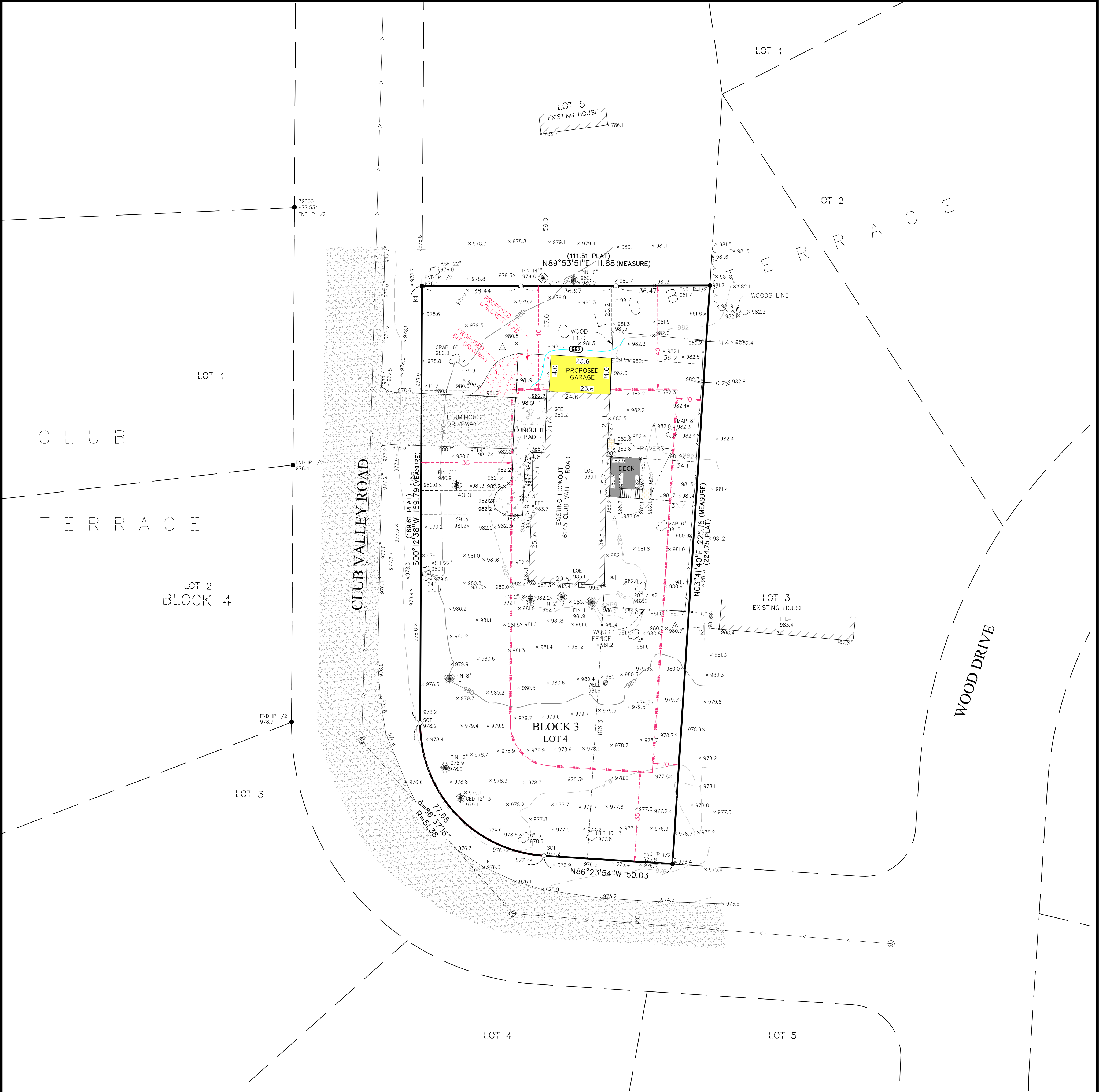
SATHRE BERGQUIST INC.
4800 28TH AVENUE NORTH
SUITE 120
PLYMOUTH MN 55447
(763) 478-6000 WWW.SATHRE.COM

TWP. 117-RGE. 23-SEC. 33
Hennepin County
Shorewood, MINNESOTA

CERTIFICATE OF SURVEY
PREPARED FOR:
KRISTINE BECK

FILE NO.
10124-001
1
1





DESCRIPTION OF PROPERTY SURVEYED
Lot 4, Block 3, Club Terrace,
Torrens, Certificate of Title No. 1466757

STANDARD NOTES

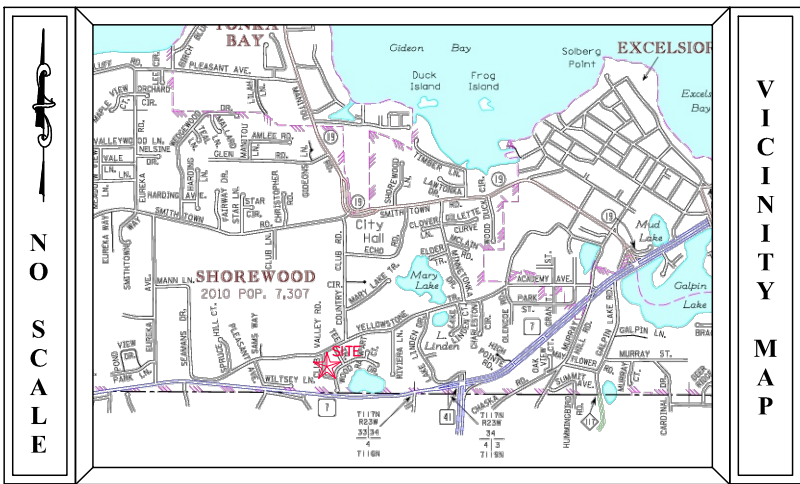
- Site Address:** 6145 Club Valley Road, Shorewood, Minnesota 55331
PID: 3311723430008
- A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown unless otherwise denoted hereon.
- Flood Zone Information:** X (area determined to be outside of the 0.2% annual chance floodplain) and Zone AE (Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply-) per Flood Insurance Rate Map, Community Panel No. 27053C034F effective date of 11/04/2016
- Parcel Area Information:** Gross Area: 22,794 s.f. ~ 0.52 acres
*We do not affirmatively insure the quantity of acreage set forth in the description
- Benchmark:** Elevations are based on MN/DOT Geodetic Station Name: GENZ which has an elevation of: 989.40 feet (NAVD88). Contours were derived from field observations.
- Zoning Information:** The current Zoning for the subject property is R-1C (Residential) per the City of Shorewood's zoning map dated November 2025. The setback, height, and floor space area restrictions for said zoning designation were obtained from City of Shorewood found on their web site on the date of 03/06/26 and are as follows:

Principal Structure Setbacks - Street(s): 35 feet (Club Valley Road)
Side: Not less than 10 feet on each side nor less than 35 feet on a side yard abutting a street
Rear: 40 feet
Height: no structure shall exceed two and one-half stories, or 35 feet, whichever is least.

*Please note that the zoning information shown hereon may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by all parties involved in the design and planning process prior to any planning or construction.

We have not received the current zoning classification and building setback requirements from the insurer.

- Utilities:** We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651/454-0002.
- Features on the site were located to the best of our ability. Due to seasonal conditions at the time of this certification additional features may not have been visible and therefore not shown hereon.



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 20th day of March, 2026.

Colyn M. Tyete
Colyn M. Tyete, PLS
cvtete@sathre.com
Minnesota License No. 62269

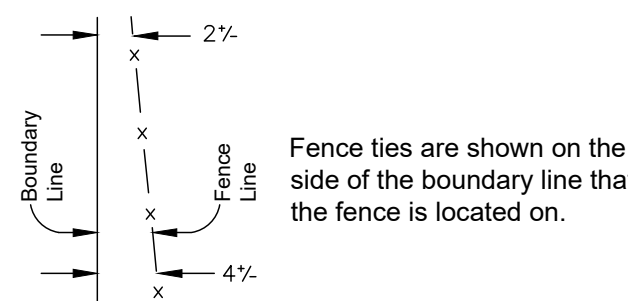
Hardcover	
Lot Area	= 22,794 S.F.
House Area	= 2,094 S.F.
Driveway Area	= 731 S.F.
Concrete Pad Area	= 443 S.F.
Pavers Area	= 23 S.F.
Deck Area	= 153 S.F.
Total Area	= 3,444 S.F.
Coverage	= 15.1%

Proposed Hardcover	
Lot Area	= 22,794 S.F.
House Area	= 2,094 S.F.
Proposed Garage	= 330 S.F.
Driveway Area	= 916 S.F.
Concrete Pad Area	= 660 S.F.
Pavers Area	= 23 S.F.
Deck Area	= 153 S.F.
Proposed Total Area	= 4,176 S.F.
Proposed Coverage	= 18.3%

Existing Elevations	
Garage Floor Elevation	= 982.2
First Floor Elevation	= 983.7
Lookout Opening Elevation	= 983.1

Proposed Elevations	
Proposed Garage Floor Elevation	= 982.2

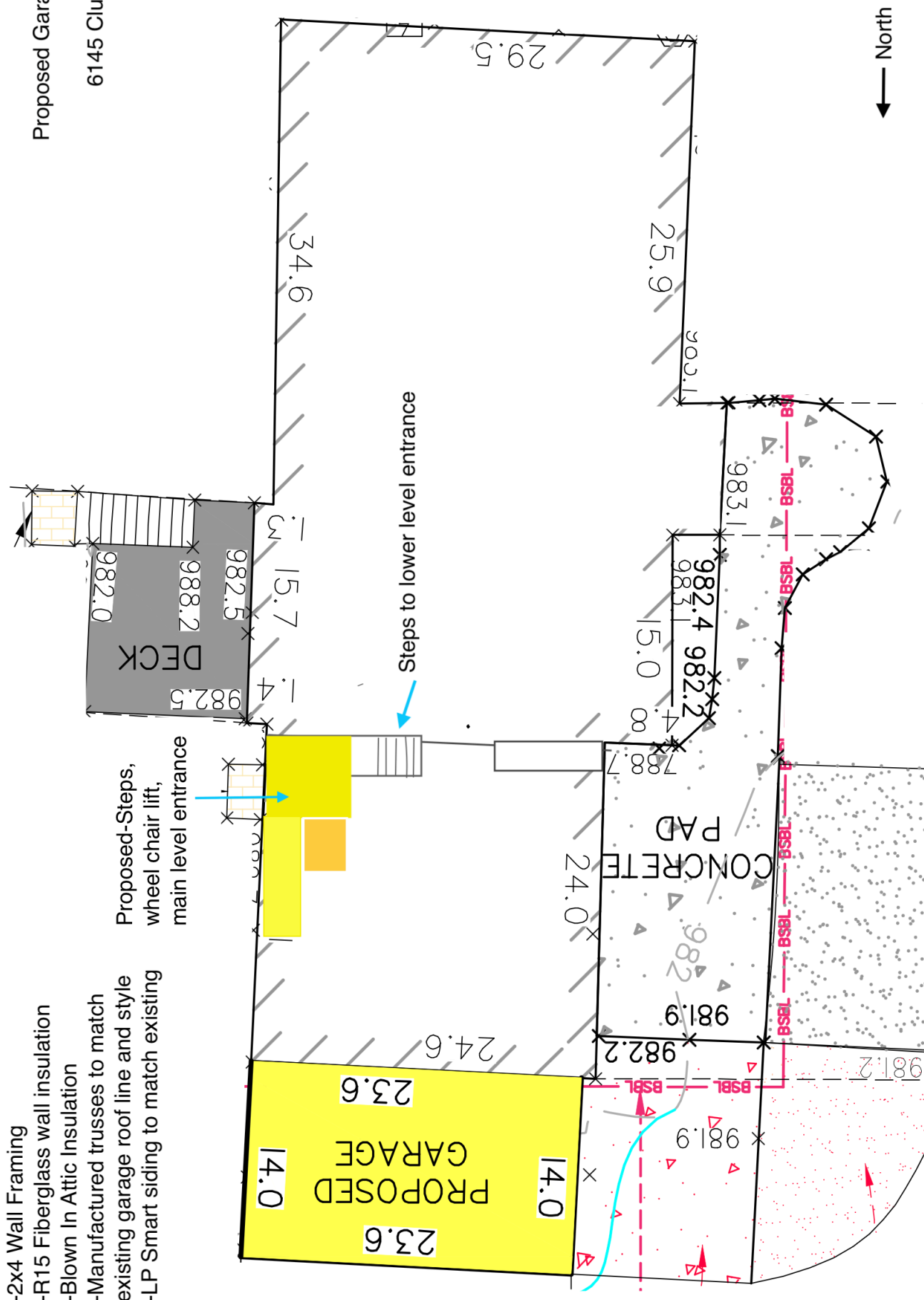
Bearings are based on the Hennepin County
Coordinate System (NAD 83 - 1986 adj.)

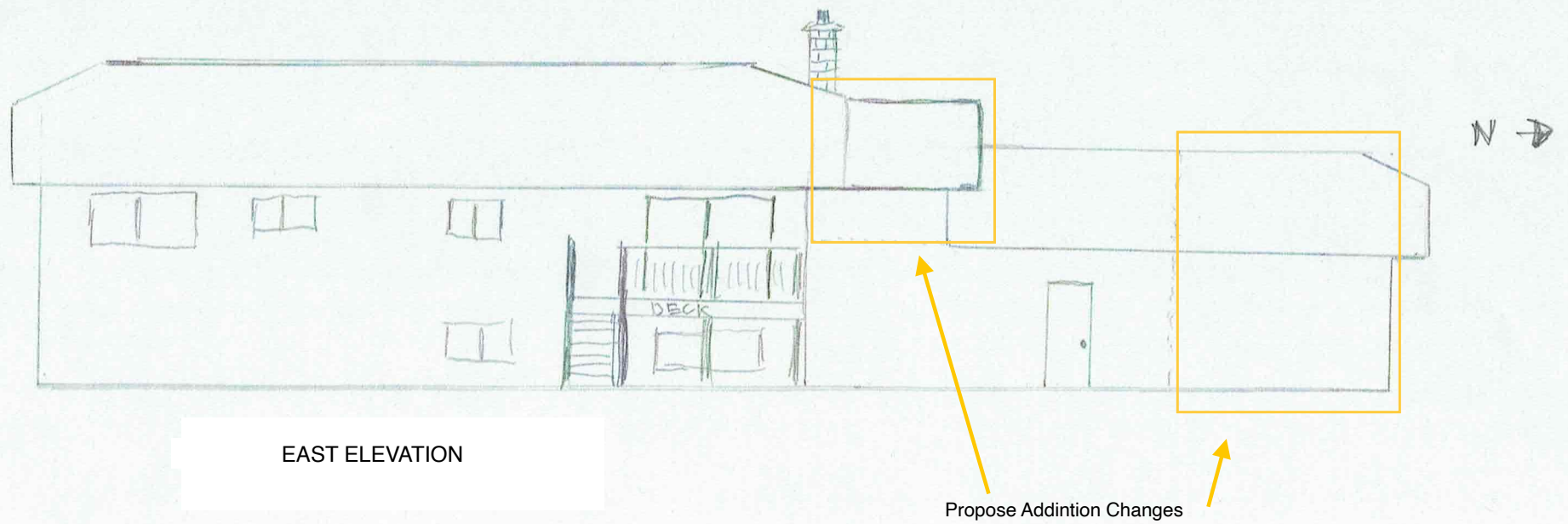
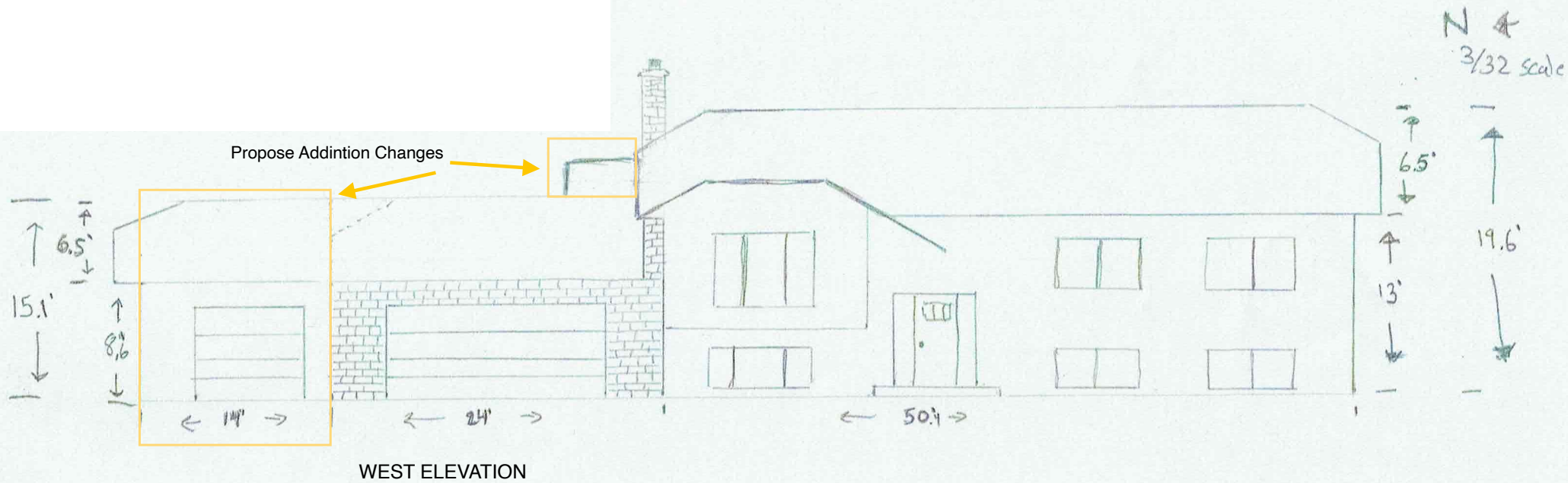


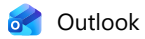
SURVEY LEGEND

●	CAST IRON MONUMENT	⊙	PIEZOMETER	WOE	WALKOUT ELEVATION
●	IRON PIPE MONUMENT SET	⊙	POWER POLE	FFE	FIRST FLOOR ELEVATION
●	IRON PIPE MONUMENT FOUND	⊙	GUY WIRE	GFE	GARAGE FLOOR ELEVATION
○	DRILL HOLE FOUND	⊙	ROOF DRAIN	TOF	TOP OF FOUNDATION ELEV.
⊙	CHISELED "X" MONUMENT SET	⊙	LIFT STATION	LOE	LOWEST OPENING ELEV.
⊙	CHISELED "X" MONUMENT FOUND	⊙	SANITARY MANHOLE		CONCRETE
⊙	REBAR MONUMENT FOUND	⊙	SANITARY CLEANOUT		BITUMINOUS
⊙	PK NAIL MONUMENT SET	⊙	STORM MANHOLE		BUILDING SETBACK LINE
⊙	PK NAIL MONUMENT FOUND	⊙	STORM DRAIN	CTV	CABLE TV
⊙	PK NAIL W/ ALUMINUM DISC	⊙	CATCH BASIN		CONCRETE CURB
⊙	SURVEY CONTROL POINT	⊙	FLARED END SECTION		CONTOUR EXISTING
A/C	UNIT	⊙	TREE CONIFEROUS		CONTOUR PROPOSED
CABLE	TV PEDESTAL	⊙	TREE DECIDUOUS		GUARD RAIL
ELECTRIC	TRANSFORMER	⊙	TREE CONIFEROUS REMOVED	BT	DRAIN TILE
ELECTRIC	MANHOLE	⊙	TREE DECIDUOUS REMOVED	ELC	ELECTRIC UNDERGROUND
ELECTRIC	METER	⊙	TELEPHONE MANHOLE	X—X—X	FENCE
ELECTRIC	OUTLET	⊙	TELEPHONE PEDESTAL	FO	FIBER OPTIC UNDERGROUND
YARD	LIGHT	⊙	UTILITY MANHOLE	GAS	GAS UNDERGROUND
LIGHT	POLE	⊙	UTILITY PEDESTAL	OHU	OVERHEAD UTILITY
FIBER	OPTIC MANHOLE	⊙	UTILITY VAULT		TREE LINE
FIRE	DEPT. HOOK UP	⊙	WATERMAIN MANHOLE		SANITARY SEWER
FLAG	POLE	⊙	WATER METER	-->	STORM SEWER
FUEL	PUMP	⊙	WATER SPIGOT	TEL	TELEPHONE UNDERGROUND
FUEL	TANK	⊙	WELL		RETAINING WALL
PROPANE	TANK	⊙	MONITORING WELL	UTL	UTILITY UNDERGROUND
GAS	METER	⊙	CURB STOP	I	WATERMAIN
GAS	VALVE	⊙	GATE VALVE		TRAFFIC SIGNAL
GAS	MANHOLE	⊙	HYDRANT		RAILROAD TRACKS
GENERATOR		⊙	IRRIGATION VALVE		RAILROAD SIGNAL
GUARD	POST	⊙	POST INDICATOR VALVE		RAILROAD SWITCH
HAND	HOLE	⊙	SIGN		SATELLITE DISH
MAIL	BOX	⊙	SOIL BORING		WETLAND BUFFER SIGN

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DM/ISO/PH	1	CMT	3/25/2026	ADDED PROPOSED CONDITIONS						
DRAWN										
CHECKED										
CMT										
DATE										
03/6/26										







RE: New Variance Application - Garage Addition at 6145 Club Valley Rd

From Andrew Budde <Andrew.Budde@bolton-menk.com>

Date Wed 4/29/2026 5:36 PM

To Aaron Osowski <aosowski@ci.shorewood.mn.us>; Jake Griffiths <jgriffiths@ci.shorewood.mn.us>; Matthew Morreim <mmorreim@ci.shorewood.mn.us>; Building <building@ci.shorewood.mn.us>

Aaron,

From an engineering perspective I don't have much for comments:

1. The applicant is proposing to add 733 SQ FT of new impervious surface. This is below the threshold of 1000 SQ FT therefore a Surface Water Management Plan will not be required.
2. Stormwater from the proposed addition will generally drain to the northwest and cross over the corner of the lot 6115 Club Valley Road. If this was of significant concern, the applicate could grade the yard to direct water to the street.

Thanks,
Andrew



Andrew Budde, PE (MN)
Municipal Project Manager | Principal
Bolton & Menk, Inc.
[\(612\) 756-2486](tel:(612)756-2486)

From: Aaron Osowski <aosowski@ci.shorewood.mn.us>

Sent: Wednesday, April 22, 2026 2:22 PM

To: Jake Griffiths <jgriffiths@ci.shorewood.mn.us>; Marc Nevinski <mnevinski@ci.shorewood.mn.us>; Jeanne Schmuck <jschmuck@ci.shorewood.mn.us>; Matthew Morreim <mmorreim@ci.shorewood.mn.us>; Andrew Budde <Andrew.Budde@bolton-menk.com>; Building <building@ci.shorewood.mn.us>

Cc: 'Kellie Murphy Ringate' <kmurphyringate@excelsiorfire.org>; Permitting <permitting@minnehahacreek.org> <permitting@minnehahacreek.org>

Subject: New Variance Application - Garage Addition at 6145 Club Valley Rd

***** WARNING: This email is from outside the company. Proceed with Caution*****

Hello,

The City of Shorewood has received an application for a variance for a garage addition at 6145 Club Valley Road. Please review and provide any comments by Friday, May 8th, or sooner. There is an escrow for legal and engineering review. Thank you!



5755 Country Club Road
Shorewood, MN 55331
Available Monday – Friday
8:30am – 4:30pm

AARON OSOWSKI
Planner

City Hall: 952.960.7900

Direct: 952.960.7912

aosowski@shorewoodmn.gov

www.shorewoodmn.gov



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

RESOLUTION 26-37

**A RESOLUTION APPROVING VARIANCE TO REDUCE THE REQUIRED REAR YARD SETBACK
FROM 40 FEET TO 27 FEET ON PROPERTY LOCATED AT 6145 CLUB VALLEY ROAD TO
ACCOMMODATE CONSTRUCTION OF A GARAGE ADDITION**

WHEREAS, HOLMmade, LLC, (the “Applicant”) proposed to construct an attached garage 27 feet from the rear property line where 40 feet is required; and,

WHEREAS, the property is located at 6145 Club Valley Road and is legally described as:

Lot 4, Block 3, CLUB TERRACE, Hennepin County, Minnesota

WHEREAS, the Applicants’ request was reviewed by the planning staff, whose recommendation is included in a memorandum for the June 2, 2026, Planning Commission meeting, a copy of which is on file at City Hall; and,

WHEREAS, the Planning Commission held a public meeting on June 2, 2026, to review the application, the minutes of the meetings are on file at City Hall; and,

WHEREAS, the City Council considered the application at its regular meeting on June 22, 2026, 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, the Planning Commission Liaison, and City 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-1C Single-Family Residential zoning district, which requires a 40-foot setback from the rear lot line.
2. The subject property has an unconventional orientation on the lot, with the front of the house facing a side lot line and the north side of the house facing the rear lot line.
3. The Applicant proposes to construct an addition to the garage on the north side of the existing house, 27 feet from the rear lot line, requiring a variance of 13 feet.
4. Section 1201.05 of the zoning regulations provides that the purpose of a variance is to allow a process to deviate from the strict provision of the zoning regulations when there are practical difficulties, and the action is the minimum to alleviate the practical difficulties.
5. Section 1201.05 of the zoning regulations includes criteria for making the above determination.

6. The Applicant's proposal is identified on the application materials and plans submitted on April 22, 2026 (the "Plans").

CONCLUSIONS

- A. Based upon the foregoing, and the records referenced herein, the City Council hereby approves the Applicant's request to construct an addition to the garage on the subject property with a 27-foot rear yard setback, as shown on the Plans.
- B. The City Council finds the variance request is consistent with the intent of the Comprehensive Plan and in harmony with the general purposes and intent of the zoning regulations.
- C. The City Council finds that the request specifically demonstrates practical difficulties based on the unconventional orientation of the home on the lot. The garage addition is a reasonable residential use, the difficulties were not created by the Applicant, and the garage addition would not alter the essential character of the neighborhood.
- D. The City Council finds that the request is not solely based on economic considerations.
- E. The City Council finds that the reduced rear yard setback would not impair an adequate supply of light and air to an adjacent property, increase the risk of fire, or increase the impact on adjacent streets.
- F. The City Council finds that the garage addition would not be detrimental to the public welfare nor would it be injurious to other lands or improvements in the neighborhood subject to the conditions listed below.
- G. The variance is the minimum variance necessary to address or alleviate the practical difficulties caused by the original construction.
- H. Approval of the variance request is subject to the following conditions:
- a. The Applicant must acquire all necessary permits, including a building permit from the City of Shorewood, and any other jurisdiction having an interest in the site.
 - b. The proposed addition shall be architecturally consistent with the existing home and surrounding neighborhood.
 - c. The variance 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 22nd day of June, 2026.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk



City Council Item 4.D.

Title/Subject: 23120 Summit Ave Variance
Meeting Date: June 22, 2026
Prepared By: Jake Griffiths, Planning Director

Attachments

1. Planning Commission Memorandum
2. Draft June 2, 2026 Planning Commission Meeting Minutes
3. Project Narrative
4. Survey
5. Concept Floor Plan & Architectural Elevations
6. Aerial Photos with Notes
7. Written Comment #1
8. Resolution 26-36

Background

The applicants are requesting a variance from the required front yard setback to accommodate construction of an attached garage. The variance, if approved, would reduce the front yard setback from 35 feet to 22.7 feet. See the attached Planning Commission Memorandum for detailed background on this request. The Planning Commission reviewed the applicants' request at their June 2, 2026, meeting and held a public hearing. One written comment in support of the variance request was received prior to the Planning Commission meeting, which is attached for reference, and no residents spoke during the public hearing. After closing the public hearing, the Planning Commission recommended approval of the variance request to the City Council (4-yes, 0-no, 1-absent).

Strategic Alignment

Comprehensive Approach to Planning & Development

- Clear standards and processes for development with strong controls
- Align private development with public improvements
- Leverage resources (land use controls, EDA) to achieve outcomes
- Set clear plans and diligently work to achieve them
- Balance the desires of both new and long-term residents

While review of planning and land use applications generally supports the City Council's strategic priority of a comprehensive approach to planning and development, these applications are reviewed on their own merits based on the City's Comprehensive Plan and City Code requirements.

Budget Impact

None. The application fees and escrow are sufficient to cover the City's review of the

application.

Action Requested

The City Council is requested to consider the recommendation of the Planning Commission and City staff to approve the Variance application and make the following motion:

Motion to adopt Resolution 26-36 approving the Variance for 23120 Summit Ave. Simple majority vote is required.



Planning Commission Item 4.C.

Title/Subject: 23120 Summit Ave Variance
Meeting Date: June 2, 2026
Prepared By: Jake Griffiths, Planning Director

Attachments

1. Project Narrative
2. Survey
3. Concept Floor Plan & Architectural Elevations
4. Aerial Photos with Notes
5. Written Comment #1

Background

APPLICANT: Tim O'Connor, Align Building & Remodeling, LLC / Jonathan Rienstra

LOCATION: 23120 Summit Ave

REVIEW DEADLINE: August 27, 2026

COMPREHENSIVE PLAN: Low Density Residential (1-2 Units Per Acre)

ZONING DISTRICT: R-1C Single-Family Residential

The applicants are requesting a variance from the required front yard setback to accommodate construction of an attached garage. The variance, if approved, would reduce the front yard setback from 35 feet to 22.7 feet. Notice of the application was sent by postcard to all property owners within 500 feet of the property and a sign was placed in front of the property in early May. 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 the meeting, and was published in the City's official newspaper, on the City's website and at City Hall. Notice of the public hearing was also distributed to residents who have signed up to receive public hearing notices through the City's website. As of the publication of this report, one written public comment has been received which is attached for reference.

The existing home was built in 1987 as part of Newberg Addition. The property is 28,505 square feet (0.65 acres) in size according to Hennepin County Property Tax records, which meets the minimum lot size requirement of 20,000 square feet for the R-1C zoning district in which it is located. The property is not located in a shoreland protection zone and there are no known wetlands or floodplain on the site. While not a bluff, the subject property is situated on a significant slope which rises from west to east across the property. Contour lines are shown on the attached survey which depicts the slope for reference.

Analysis

City Code 1201.05, Subd. 3. a. establishes review criteria for the consideration of variance requests. These criteria are open to interpretation, and the applicants have provided a narrative outlining their request as it relates to the review criteria. Staff reviewed the request according to the criteria as follows:

Intent of the Comprehensive Plan and Zoning Ordinance: The applicants propose to use the property for single-family residential purposes, which is consistent with the Comprehensive Plan and Zoning Ordinance.

Practical Difficulties: Practical difficulties include three factors, all three of which must be met.

a. *Reasonable:* The applicants' request to construct a third stall on their attached garage on a residential property is reasonable, and is a common improvement for similar residential lots in Shorewood. With the exception of the variance to the front yard setback, the proposed garage addition would meet all other applicable City Code requirements.

b. *Unique Situation v. Self-Created:* The property appears to be unique in shape with a narrow, almost pointed, corner lot front yard and a steep grade which significantly limits the buildable area on the site.

c. *Essential Character:* The proposed addition does not appear to alter the essential character of the area, as there are other properties in the vicinity with reduced front yard setbacks.

Additionally, the proposed garage addition would be on the street side of the home and would not substantially reduce the distance between the existing home and neighboring homes to the north or east.

Economic Considerations: The applicants have not proposed the variance solely on economic considerations.

Impact on Area/Public Welfare, Other Lands or Improvements: The applicants are not proposing anything that would impair an adequate supply of light and air to an adjacent property or increase the risk of fire. Potential drainage impacts have been reviewed by the City Engineer and the applicants' request meets all applicable City Code requirements. Drainage will also be reviewed again with the building permit application.

Minimum to Alleviate Practical Difficulty: Staff finds that the proposed variance is the minimum request necessary to alleviate the practical difficulty.

Findings/Recommendation

Staff recommends approval of the variance request subject to the following conditions:

1. The applicant must acquire all necessary permits, including a building permit from the City of Shorewood, and any other jurisdiction having an interest in the site.
2. The proposed addition shall be architecturally consistent with the existing home and surrounding neighborhood.

Staff acknowledges that the variance criteria are open to interpretation. Consequently, the Planning Commission could reasonably find otherwise.

Action Requested

The Planning Commission is requested to hold a public hearing on the proposed variance, take any testimony provided, and make a recommendation to the City Council based on findings of fact.

DRAFT MINUTES

CALL TO ORDER

Chair Huskins called the meeting to order at 7:01 P.M.

ROLL CALL

Present: Chair Huskins; Commissioners Holker, Magistad, and Braithwaite; Planning Director Griffiths; Planner Osowski; and, Council Liaison Maddy

Absent: Commissioner Longo

1. APPROVAL OF AGENDA

Holker moved, Magistad seconded, approving the agenda for June 2, 2026, as presented. Motion passed 4/0.

2. APPROVAL OF MINUTES

A. 05-05-26 Planning Commission Meeting Minutes

Braithwaite moved, Magistad seconded, approving the Planning Commission Meeting Minutes of May 5, 2026, as presented. Motion passed 4/0.

3. MATTERS FROM THE FLOOR

No one wished to address the Commission.

4. PUBLIC HEARINGS - NONE

A. PUBLIC HEARING – CONDITIONAL USE PERMIT

Applicant: Ross & Kathleen Simpson

Location: 5850 Boulder Bridge LN

Chair Huskins stated that this evening, the Planning Commission would consider a conditional use permit (CUP) for 5850 Boulder Bridge Lane.

Planning Director Griffiths reviewed the request for a CUP as found in the Agenda Packet.

Commissioner Magistad asked whether there were any deviations between the Planned Unit Development and the City's requirements. Planning Director Griffiths explained that there is no provision for accessory buildings. When the Boulder Bridge development occurred, there were unique requirements regarding lot sizes and dimensions. He noted that this property would have been allowed under normal zoning rules and that the Boulder Bridge Development requirements match the City Code for accessory dwelling units. He shared that the Applicant's request meets both the Boulder Bridge and City requirements.

Chair Huskins asked if the Applicant wished to address the Commission. The Applicant declined. Chair Huskins asked if the Commission had any questions for the Applicant. The Commission declined.

Chair Huskins opened the Public Testimony portion of the Public Hearing at 7:10 P.M.

Abigail Key, 27545 Brynmawr Place, stated that she is the president of the Brynmawr Association that borders Boulder Bridge. She shared that her property backs up to the property. She noted that it was difficult to tell from the map how far back the structure would come. She asked how far back the structure would be and if any of the tree coverage would be lost.

Planning Director Griffiths showed a slide showing the property and where the building would be located on it. He stated that the proposed garage would be built on the north corner of the property. The corner of the garage will be located 85 feet from the northern property line and will comply with all setbacks. He added that the Applicant will need to submit a tree preservation plan, along with the building permits, to the City. Still, based on the review, the Staff is not anticipating any significant impacts on vegetation or sightlines.

Chair Huskins asked whether the northern property line was the one Ms. Key was referring to. Planning Director Griffiths stated that the Brynmawr neighborhood is even farther north and will be even farther from that property line.

Chair Huskins closed the Public Testimony portion of the Public Hearing at 7:15 P.M.

Commissioner Holker shared that she did not see any issue with the application and supports it. Commissioner Magistad agreed. Commissioner Braithwaite stated that he did not see any issue. He appreciated going through the steps and seeing all the plans, though.

Chair Huskins stated that he had no reservations about the application.

Magistad moved, Braithwaite seconded, recommending approval of the Conditional Use Permit at 5850 Boulder Bridge Lane. Motion passed 4/0.

Chair Huskins confirmed that the matter would be brought before the City Council on June 22.

B. PUBLIC HEARING – VARIANCE
Applicant: HOLMmade, LLC
Location: 6145 Club Valley Rd

Chair Huskins stated that this evening, the Planning Commission would consider a variance for 6145 Club Valley Road.

Planner Osowski reviewed the variance request as found in the Agenda Packet. He noted that the matter would be taken up at the City Council on June 22.

Commissioner Holker asked about the setback on the north side of the property, whether that is what the variance is needed for, or if, even with the addition, the setback will fall within the required amount. Planner Osowski stated that the Applicant is requesting a variance to encroach 13 feet into the setback and that the addition would be 27 feet from the property line, rather than 40 feet.

Commissioner Magistad asked if the encroachment was 13 feet or 14 feet. Planner Osowski stated that the encroachment is 13 feet into the setback, so 27 feet from the lot line.

Chair Huskins asked whether the addition would affect the overall square footage of the accessory dwelling. Planner Osowski stated that he would have to look. Chair Huskins clarified whether the addition would exceed 1,200. Planner Osowski noted that the addition would not be anywhere close to that. Planning Director Griffiths shared that it would take a little bit to get the exact number, but the square footage is substantially under. He suggested going on to the next question if there were any.

Commissioner Magistad asked what the impervious surface calculation is. Planner Osowski explained that the impervious surface would increase by 3 percent to 18.3 percent, and that the limit is 33 percent.

Chair Huskins asked whether, in addition to building the structure, a modification to the driveway would be needed. Planner Osowski stated that it would need to be part of a separate permit, and not part of this variance application. He added that, in the survey, the Applicant notes that a gravel driveway will be added to accommodate the garage addition; there is currently a concrete driveway.

Planning Director Griffiths stated that the maximum allowed square footage is 1,200 square feet. With the addition, the Applicant would be at 900 square feet and in compliance with City Code.

Chair Huskins asked whether, if the square footage exceeded 1,200 square feet, the Applicant would need both a variance and a conditional use permit. Planner Osowski shared that the Applicant would then need both a variance and a conditional use permit for the encroachment into the setback and the increase in square footage. If that is what happened, but this application does not do that.

Commissioner Magistad explained that he is supportive of the application, but if the neighbor to the north attends the City Council meeting with concerns, that could change the Council's thoughts on the matter.

Kris Beck, 6145 Club Valley Road, shared that she spoke with the neighbors to the north when they moved in about a month ago. She asked the neighbors about doing the addition, and they were both in favor of it at the time. She added that the neighbors said to let them know if anything needs to be done. She shared that there is ample space between the two properties. The other neighbors across the street attended the meeting as well.

Chair Huskins opened the Public Testimony portion of the Public Hearing at 7:24 P.M.

Rob Wright, 6110 Club Valley Road, stated that he lives kitty-corner to the property. He shared that he was in discussions with the neighbors to the north as well, and they stated they had no problem with the addition. He added that there is a lot of room between the properties, and it is unfortunate how the property is disguised on the map. He explained that he and other neighbors have no problem with the addition. The neighbors would love for the Applicant to have another garage so they can get into their house safely and avoid getting hurt again.

Ed Sheridan, 6150 Club Valley Road, stated that he lives across the street from the Applicant. He added that he has spoken with all the neighbors, and no one is objecting to the addition. He noted that he is a former builder and has run into these situations before. This variance seems

fairly straightforward compared to some others he has seen. He explained that when the house was built, it faced the side yard. When looking at the drawing, the existing front yard, according to the original plat, was silly to have as the front yard. He added that the existing house is now a linear structure, with the house to the north, with nothing going in or out. There is no hardscape issue; nothing is being encroached on, even if a concrete driveway is put in. He noted that both residents living in the house are in good health but have mobility issues, which is the reason for the addition. He explained that there is an option for a variance to make the existing front the side. In many other communities, a similar situation has happened, and that was what was done.

Chris Capesius, 6120 Club Valley Road, stated that he had nothing to add but wanted to show his support for moving the application forward.

Chair Huskins closed the Public Testimony portion of the Public Hearing at 7:30 P.M

Commissioner Braithwaite stated that he was supportive of the project. He added that the variance is the simpler of the two routes rather than trying to change the plat. Chair Huskins agreed.

Braithwaite moved, Holker seconded, recommending approval of the variance at 6145 Club Valley Road. Motion passed 4/0.

C. PUBLIC HEARING – VARIANCE

Applicant: Tim O'Connor, Align Building & Remodeling, LLC/Jonathan Rienstra

Location: 23120 Summit Ave

Chair Huskins stated that this evening, the Planning Commission would consider a variance for 23120 Summit Avenue.

Planning Director Griffiths reviewed the variance based on the information found in the Agenda Packet.

Commissioner Holker asked where the neighbor's driveway goes through. She noted that in looking at the addition, it would be right up to the neighbor's driveway. Planner Director Griffiths shared that the addition does not do that. He showed a map of the area. He added that the City Engineer reviewed the application and had no concerns regarding drainage. When looking at the drainage patterns in the area, everything ultimately drains to Summit Avenue and then onto Murray Hill Road at the bottom of the road. He added that, with respect to the existing neighbor's driveway, the Staff had no comments or concerns.

Commissioner Holker asked what the distance would be from the addition to the neighbor's driveway. Planning Director Griffiths explained that the distance of the addition to the property line is 22 feet, and the edge of the neighbor's driveway is further than that. So, the addition would be at least over 20 feet away.

Chair Huskins asked about the impervious surface and the accessory building square footage. He assumed that since neither was commented on in the Staff report, they were a non-issue. Planning Director Griffiths stated that the total proposed hardcover is 22.8 percent, with the maximum being 33 percent. He added that the proposed garage addition would increase the area by 276 square feet, and the existing garage is about 500 square feet, so that is well under the 1,200-square-foot maximum.

Commissioner Braithwaite stated that the site plan shows a proposed addition at the back and a proposed deck. He asked if those were part of the variance. Planning Director Griffiths stated that those are not part of the application. The Applicant is proposing an addition to the back of his house. That addition meets all of the zoning setbacks for the property, so it is not part of the application. He added that the only part of the variance is the proposed garage addition. Chair Huskins asked whether that addition is the one noted as a new dining room. Planning Director Griffiths confirmed that to be true.

Chair Huskins opened the Public Testimony portion of the Public Hearing at 7:39 P.M.

Tim O'Connor of Align Building & Remodeling in Excelsior stated that the plan is deceptive. He noted that, from driving by, it looks like the building would be within the side-yard setback because of the way the driveway runs. He shared that the garage was designed to be as narrow as possible, so there is room to store things while minimizing impact on the side yard.

Commissioner Holker asked to see the driveway again. Mr. O'Connor shared that the driveway runs parallel along the right-of-way to the property, so it is a unique situation. Commissioner Holker noted that the driveway is along the City right-of-way. She asked how close the addition would be to the City right-of-way. Planning Director Griffiths noted 22.7 feet.

Chair Huskins closed the Public Testimony portion of the Public Hearing at 7:42 P.M.

Commissioner Braithwaite stated that he is generally supportive of this application. He appreciated that the neighbor's letter was attached, as that neighbor is the most affected. Commissioner Holker stated that the neighbor's driveway is 23110, but the letter came from someone else.

Jon Rienstra, 23120 Summit Avenue, shared that the letter came from the neighbor in question. Commissioner Holker confirmed 23110. Mr. Rienstra explained that he had spoken with his neighbor, who was fully supportive of the project. He showed the neighbor where the garage would go.

Holker moved, and Magistad seconded, to recommend approval of the variance at 23120 Summit Avenue. Motion passed 4/0.

Chair Huskins noted that the application would be brought to the City Council on June 22.

5. OTHER BUSINESS –

A. Planning Commission Photo

Chair Huskins noted that Commissioner Longo was not present. Planning Director Griffiths shared that he had sent an email apologizing for his unexpected absence from the meeting. He suggested taking the picture in July. Chair Huskins tabled the matter for discussion at the next meeting.

6. REPORTS

A. City Council

Council Liaison Maddy gave a brief overview of recent Council discussions and decisions.

B. Staff

Planning Director Griffiths followed up on an email that he sent about the presentation at the last meeting on the Zoning Code update. The full draft language is on the website for review. He noted that the Commission should provide feedback. He added that Chair Huskins has provided a lot of feedback, but the Staff would like to hear from everyone, including community members. He shared that the feedback would be incorporated in the Zoning Code and be brought before the Commission at the next meeting on July 7 for a public hearing. He shared that, since the last meeting, the State of Minnesota's Legislative Session concluded, and no major bills the City was worried about were passed. He noted that one bill passed significantly limits Homeowners Associations (HOAs) in Minnesota. The Staff is tracking this because there are some minor implications for the City, the most notable being that cities will not be able to require a development to have an HOA. He added that a Code amendment will likely be seen around that, likely as an annual update to the Code at the end of the year. He noted that some space was left in the work plan for the third quarter to address legislative changes, but that will not be needed. He shared that the Staff anticipates those zoning preemption proposals back next year, so space will continue to be reserved for legislative updates in work plans.

Planning Director Griffiths asked for a liaison at the June 22 meeting to cover the three agenda items. Commissioner Holker stated that she could be the liaison.

Commissioner Holker noted that the lot next to the Legion was for sale. She asked if the plan to put townhomes in the space was no longer happening. Planning Director Griffiths explained that the developer had their plat approval expire, and decided to sell the property. He added that the sale of the property was not about the property itself or its design, but rather about internal matters the developer is working through in their business. He anticipated that the Commission would likely see a very similar proposal from a different developer in the future. He added that whoever acquires the property will need to start the process over because the City Council vacated the plat approvals at a meeting in May, after they expired.

Commissioner Magistad asked if there was anything that could be publicly disclosed about the status of Watton Ponds 2nd Addition. Planning Director Griffiths shared that not at this point.

Chair Huskins stated that the draft Zoning Code update is now in the public eye, and he wants to tie it to the Comprehensive Plan update and to the City's efforts to gather as much feedback as possible. He asked the Staff what their experience is with a review of the codes. He worried that there might not be many people who take the time to go through the Code and give feedback. He asked what would worry the Staff when reviewing the draft regarding finalizing the Code that all residents would be bound to. Planning Director Griffiths stated that nothing in particular worries him about the public engagement portion. He added that this is a lengthy section of the Code, but based on the presentation from HKGi, the first Phase is very technical and does not involve substantive policy changes. He noted that he does want to receive feedback, that the public notice went out, and that public comment will have been open for about a month by the time it closes. The Code will also undergo the full public hearing process before the Commission and the City Council. He shared that, to the extent that the comments get parceled out or the scope of who is involved is, it is the Commission and Council's role to legislate and sort through feedback. Chair Huskins explained that he would be interested in the date by which public comments close to get a general sense of how many people engaged with the Code and offered comments. Planning Director Griffiths stated that this could be provided in the memo for the next

meeting. He expected more engagement once the formal notice process began, before the matter went to the Commission during the July meeting. He added that, in addition to Chair Huskins, at least seven other people have engaged with the Code. He noted that people are reviewing the Code, and he hopes they find changes that align with the main goal of cleaning it up and making it more user-friendly.

Commissioner Magistad asked whether HKGi would do anything with the comments before they go back to the Commission. Planning Director Griffiths explained that the public hearing commentary will close on June 5, and there will be a few weeks between the closing and the Commission's next meeting on July 7. The comments will be reviewed, and adjustments will be made based on feedback. He added that there may be some responses in response to the feedback. He noted that the expectation is not to bring a laundry list of comments to the Commission, but that the Staff will present the Commission with an ordinance for adoption based on the comments received. Chair Huskins noted that the public is new to the process, so some of the comments may not be germane or feasible at this point. No one should expect that the comments given will be added verbatim to the new Code. Planning Director Griffiths stated that, for this update, he is most excited to see people using the draft and to see where the public is stumbling so the Code can be improved. He wants the Code to be a strong foundation in the future, so that when the Comprehensive Plan update is complete, it will be much easier to make future changes.

Commissioner Holker asked whether there was a reaction to the initial survey for the Comprehensive Plan. Planning Director Griffiths shared that there have been a fair number of responses. Out of several community events, information has been handed out. The Shore Report has included information on the Comprehensive Plan update survey, the Staff has been utilizing social media, and one more direct mailing to the community will be included with the next utility bill. He asked the Commission to share with their circles as well.

C. Commission

Commissioner Braithwaite noted that his employment would be changing and he would no longer be working with the city of Hutchinson, but has taken a position with the city of Orono as the director of public works. He stated that during the interview process, he let them know he was on the Planning Commission and could resign if needed, but Orono did not have any problems with it. He shared that he had also informed Planning Director Griffiths to see if there were any issues with that, and the Staff let him know that Orono is far enough away and that there should not be an issue from the Staff perspective. He noted that the one issue is that the city of Orono's council meetings are on the same day and at the same time as Shorewood's Council meetings, which prevents him from attending as a liaison. He shared that if there is ever an item that would be an issue, he would let both parties know.

Chair Huskins mentioned that the Commission had lessened the reporting requirements in the bylaws. Planning Director Griffiths stated that the Commission is still reporting, but it has just been done elsewhere. The liaison still attends the meeting at the Council and now provides the report in context. He added that this was communicated to the Staff, and that Commissioner Braithwaite used to work for the city of Hutchinson; now it is Orono, so in the Staff's eyes, there is really no difference.

The Commission was okay with Commissioner Braithwaite staying on the Commission.

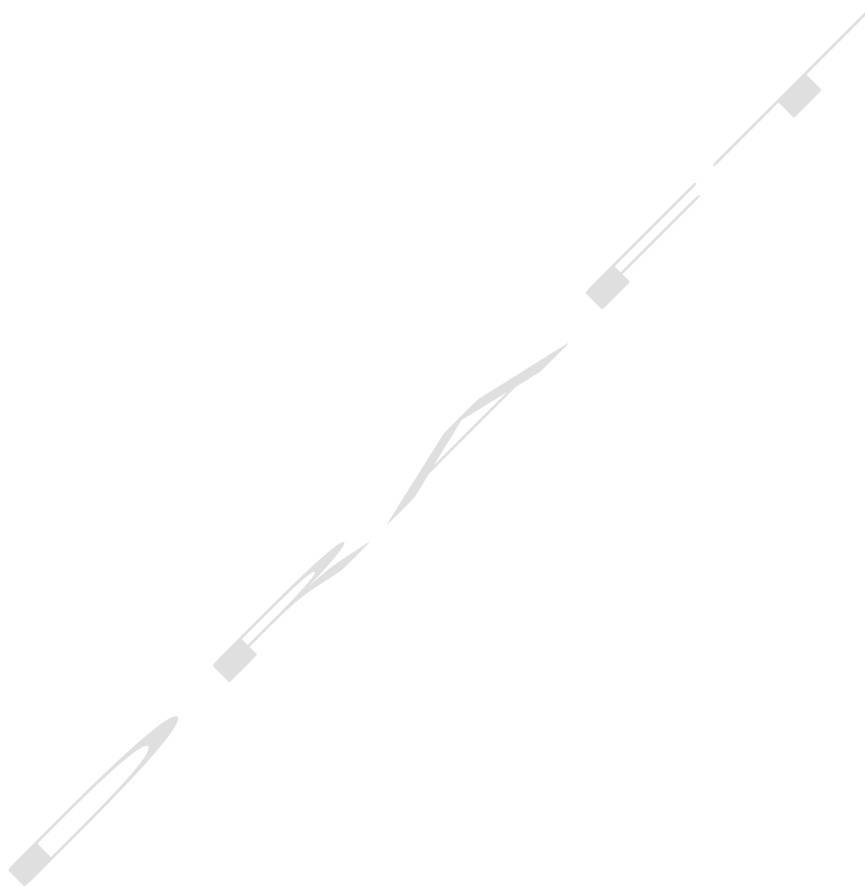
Chair Huskins suggested the Commission engage with the draft code.

Planning Director Griffiths shared that he will not be at the July 7 meeting, but Planner Osowski and HKGi will be there. Council Liaison Maddy noted that he would be switching with Councilmember Gorham.

Commissioner Magistad asked if anything else would be on the July 7 agenda besides the Code update. Planning Director Griffiths stated that the Commission photo.

7. ADJOURNMENT

Holker moved, Magistad seconded, adjourning the Planning Commission Meeting of June 2, 2026, at 8:09 P.M. Motion passed 4/0.

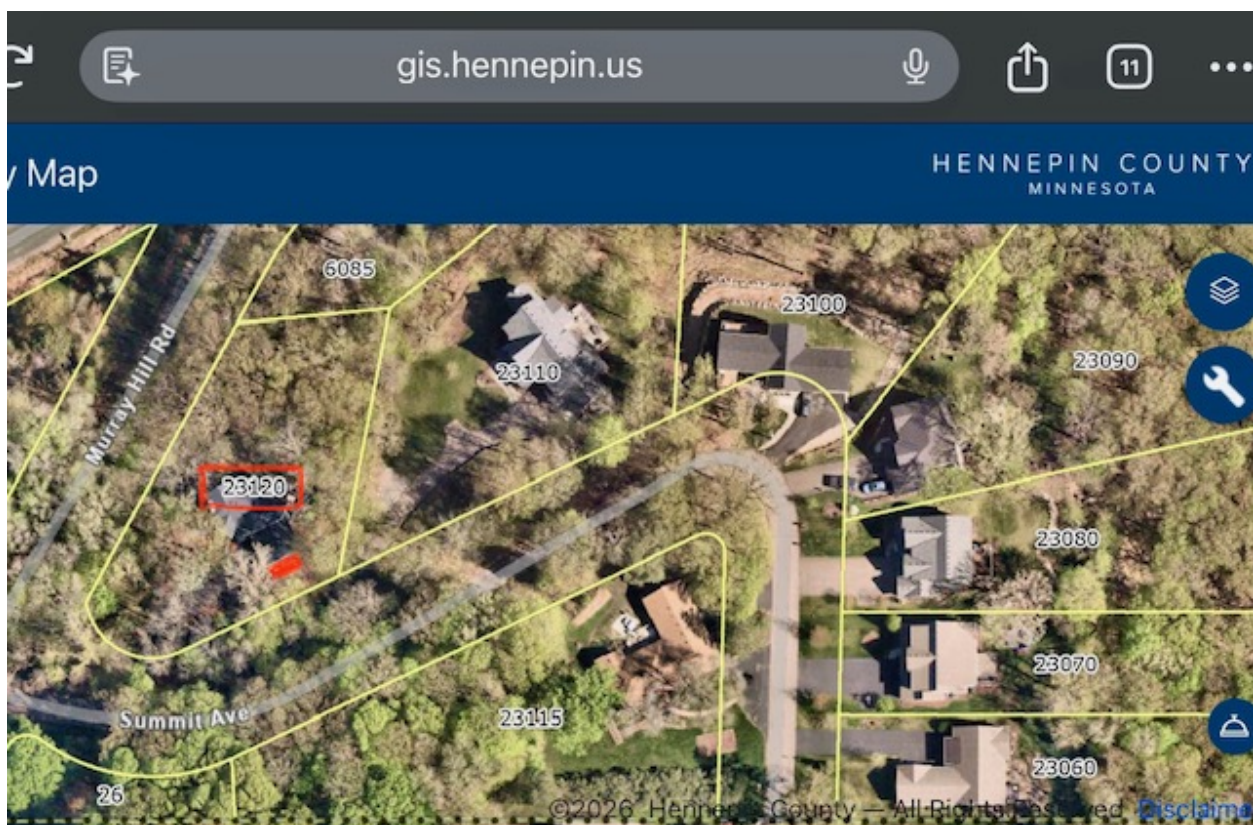


Variance Request
23120 Summit Ave, Shorewood, MN

1. Difficulty Based on Lot Constraints

This property is a corner lot subject to dual front yard setback requirements along a curved street. These conditions significantly reduce the buildable area compared to a typical interior lot.

In addition, the steep grade across much of the lot limits possible building locations. These combined conditions create difficulty in finding a functional garage layout without minor setback relief. Based on Hennepin County records it appears that two homes up the street on Summit Ave. also needed variances due to the grade and sharp curves of the street.



2. Reasonable Use of the Property

The proposed addition of a third garage stall represents a reasonable residential use and is intended to improve the functionality of the existing home.

The addition may also reduce future on-street parking and improve overall driveway usage for additional drivers, especially during snow removal season.

3. Not Self-Created

The parking difficulty is not created by the current property owner. The lot configuration, including the corner orientation, dual front yard setbacks, and existing home placement, was established prior to current ownership.

4. No Reasonable Alternative Location

Alternate locations for the garage addition were evaluated to comply with setback requirements. However, due to the steep grade, existing driveway configuration, and the limited buildable area caused by the dual front setbacks, no other practical location exists.

The proposed location represents the only practical option.

5. Minimum Variance Necessary

The proposed garage addition has been designed to be the minimum size necessary to accommodate a single additional stall. The structure is limited to approximately 276 square feet and has been positioned to minimize encroachment while maintaining usability.

6. No Impact to Neighborhood Character

The proposed addition will not alter the character of the neighborhood. The scale and design are consistent with surrounding residential properties.

Due to the positioning of the addition and the distance from neighboring homes, the project will not negatively impact neighbors. Please refer to photos:





7. No Detrimental Impact to Public Use

The addition will not increase density or place additional demand on public infrastructure. It will not increase traffic congestion and may reduce on-street parking, improving safety.

The project remains well below the allowable impervious surface limits for the property by more than 10%.

8. Consistency with Zoning Intent

The request is consistent with the intent of the zoning ordinance. It allows reasonable use of a uniquely constrained property while maintaining compliance with all other zoning requirements.

Surveyors Certificate
Site Plan Survey For:

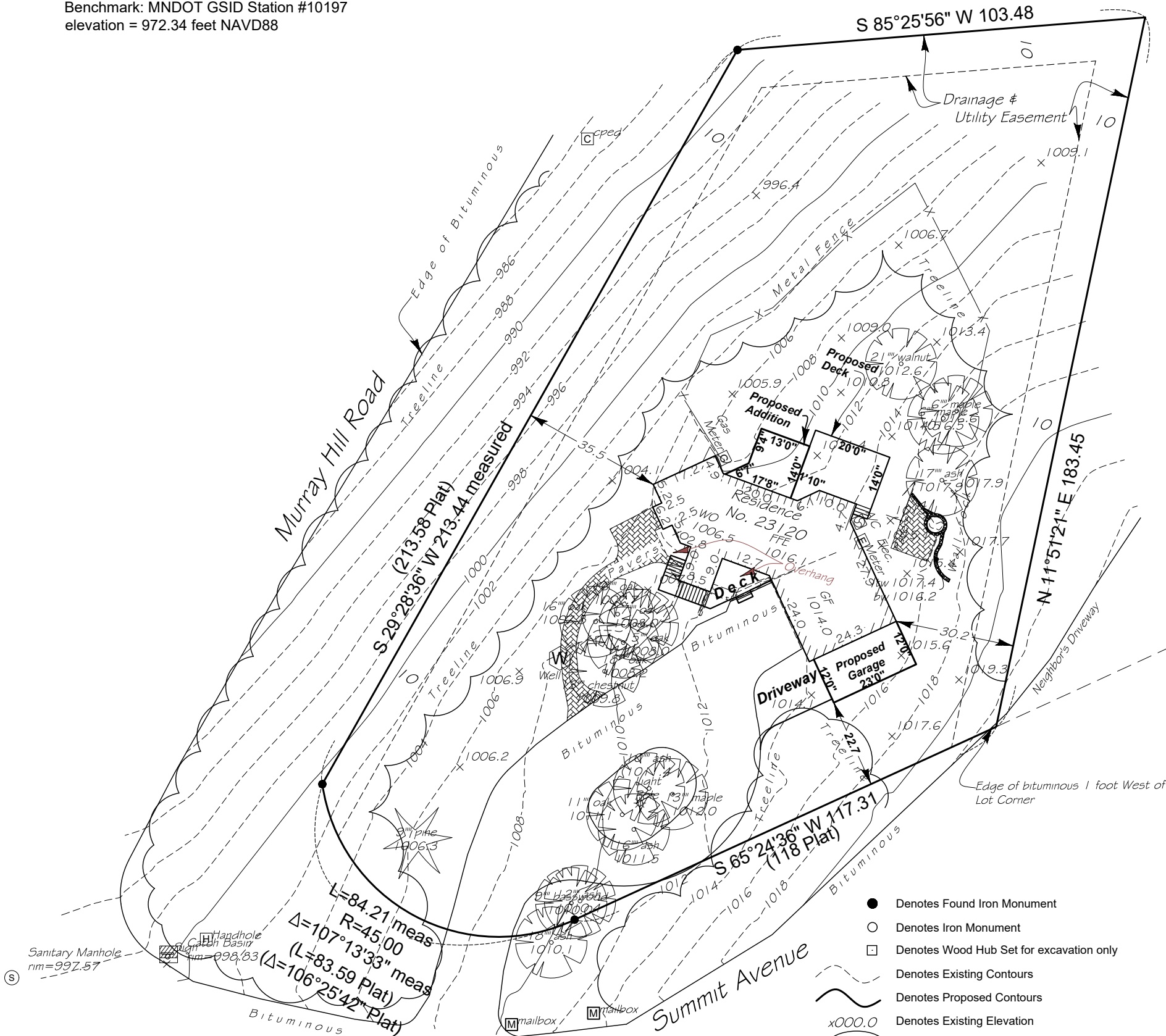
ALIGN BUILDING & REMODELING

Property located in Section
34, Township 117, Range 23,
Hennepin County, Minnesota



Basis for
bearings is
assumed

Benchmark: MNDOT GSID Station #10197
elevation = 972.34 feet NAVD88



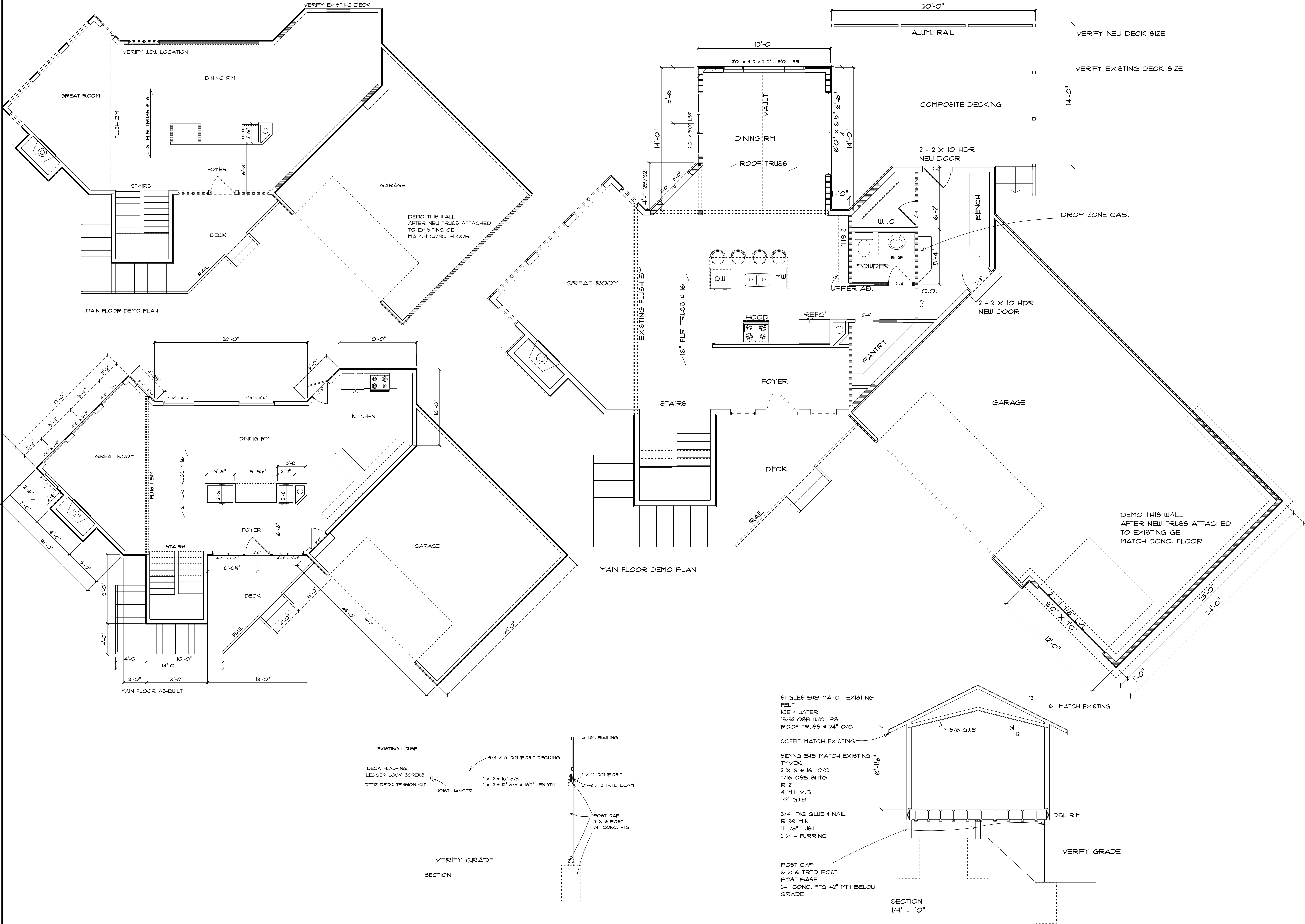
- Denotes Found Iron Monument
- Denotes Iron Monument
- Denotes Wood Hub Set for excavation only
- Denotes Existing Contours
- - - Denotes Proposed Contours
- x000.0 Denotes Existing Elevation
- 000.0 Denotes Proposed Elevation
- Denotes Surface Drainage

Existing Hardcover		Proposed Hardcover	
Lot Area	28,496 sq ft	Lot Area	28,496 sq ft
Building	1,551 sq ft	Building	1,551 sq ft
Deck	68 sq ft	Pavers	391 sq ft
Wall-block	12 sq ft	Driveway	3,253 sq ft
Steps	18 sq ft	Pavers	102 sq ft
Deck	32 sq ft	Prop-Addition	193 sq ft
Pavers	391 sq ft	Prop-Deck	475 sq ft
Driveway	3,253 sq ft	Prop-Garage	276 sq ft
Deck	613 sq ft	Prop-Driveway	250 sq ft
Pavers	102 sq ft	Total	6,491 sq ft
Total	6,040 sq ft	Percentage	22.78%
Percentage	21.20%		

Property Zoned As: R-1C Single-Family Residential District
Setbacks:
Front: 35'
Corner Side: 35'
Interior Side: 10'
Rear: 40'

NOTE: The only easements shown are from plats of record or information provided by client.

Legal Description Lot 2, Block 1, NEWBERG ADDITION Hennepin County, Minnesota		Project No. 91343A F.B.No. - Address: 23120 Summit Ave Shorewood, MN 55331	Scale: 1" = 30' Drawn By <i>RJR</i>	I certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota Surveyed this 8th day of April 2026. Signed <i>Gregory R. Frasch</i> Gregory R. Frasch, Minn. Reg. No. 24992
DEMARC LAND SURVEYING & ENGINEERING 7601 73rd Avenue North (763) 560-3093 Minneapolis, Minnesota 55428 DemarcInc.com		rev 04/20/2026 Garage Addition <i>RJR</i>		
		04/28/2026 Driveway Addition <i>RJR</i>		



LOT	
BLOCK	
ADDITION	
RIENSTRA RES. 23120 SUMMIT AVE SHOREWOOD	
Built For: ALIGN BUILDING AND REMODELING LLC 684 EXCELSIOR BLVD STE 220 EXCELSIOR, MN 55331 612-325-8859	
MAIN FLOOR SECTIONS	
DATE	12.15.2025
REVISED	01.21.2026
	01.22.2026
	02.18.2026
	03.03.2026
SCALE	
DRWG #	
MAIN FLOOR	
SECOND FLR	
LOWER LEVEL	
FRONT PORCH	
GARAGE	
SHEET	3 OF 3



addition
Location



Proposed
addition

Neighbors

To Whom It May Concern,

I am writing in support of the proposed garage addition and variance request for the property located at 23120 Summit Ave.

My name is Brett Johnson, and I reside immediately adjacent to the property at 23130 Summit Ave. Jon and Leslie Rienstra have discussed the proposed project with me, and I have reviewed the general nature of the planned addition.

I do not have any objections to the proposed garage addition or the requested variance. I support the City approving the request and do not believe the project will negatively impact the neighborhood or surrounding properties.

Please feel free to contact me if any additional information is needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett Johnson", written over a horizontal line.

Brett Johnson
23130 Summit Ave
Excelsior, MN 55331

Date: 5-15-2026

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

RESOLUTION 26-36

**A RESOLUTION APPROVING VARIANCE TO REDUCE THE REQUIRED FRONT YARD SETBACK
FROM 35 FEET TO 22.7 FEET ON PROPERTY LOCATED AT 23120 SUMMIT AVENUE TO
ACCOMMODATE CONSTRUCTION OF AN ATTACHED GARAGE**

WHEREAS, Tim O'Connor and Jonathan Rienstra (the "Applicants") proposed to construct an attached garage 22.7 feet from the front property line where 35 feet is required; and,

WHEREAS, the property is located at 23120 Summit Avenue and is legally described as:

Lot 2, Block 1, NEWBERG ADDITION, Hennepin County, Minnesota

WHEREAS, the Applicants' request was reviewed by the planning staff, whose recommendation is included in a memorandum for the June 2, 2026 Planning Commission meeting, a copy of which is on file at City Hall; and,

WHEREAS, the Planning Commission held a public meeting on June 2, 2026 to review the application, the minutes of the meetings are on file at City Hall; and,

WHEREAS, the City Council considered the application at its regular meeting on June 22, 2026, 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, the Planning Commission Liaison and City 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-1C Single-Family Residential zoning district, which requires a 35-foot setback from the front lot line.
2. The Applicants propose to construct a new attached garage on the south side of the existing house, 22.7 feet from the front lot line, requiring a variance of 12.3 feet.
3. With the exception of the variance to the front yard setback, the proposed attached garage addition would meet all other applicable City Code requirements.
4. Section 1201.05 of the zoning regulations provides that the purpose of a variance is to allow a process to deviate from the strict provision of the zoning regulations when there are practical difficulties, and the action is the minimum to alleviate the practical difficulties.
5. Section 1201.05 of the zoning regulations includes criteria for making the above determination.

6. The Applicant's proposal is identified on the application materials and plans submitted on April 29, 2026 (the "Plans").

CONCLUSIONS

- A. Based upon the foregoing, and the records referenced herein, the City Council hereby approves the Applicant's request to construct an attached garage on the subject property with a 22.7-foot front yard setback, as shown on the Plans.
- B. The City Council finds the variance request is consistent with the intent of the comprehensive plan and in harmony with the general purposes and intent of the zoning regulations.
- C. The City Council finds that the request specifically demonstrates practical difficulties based on the applicants' request to construct a third still on their attached garage on a residential property being reasonable, and a common improvement for similar residential lots in Shorewood. The property appears to be unique in shape with a narrow, almost pointed, corner lot front yard and a steep grade which significantly limits the buildable area on the site. The proposed addition does not appear to alter the essential character of the area, as there are other properties in the vicinity with reduced front yard setbacks. Additionally, the proposed garage addition would be on the street side of the home and would not substantially reduce the distance between the existing home and neighboring homes to the north or east.
- D. The City Council finds that the request is not solely based on economic considerations.
- E. The City Council finds that the reduced front yard setback would not impair an adequate supply of light and air to an adjacent property, increase the risk of fire or increase the impact on adjacent streets.
- F. The City Council finds that the proposed attached garage would not be detrimental to the public welfare nor would it be injurious to other lands or improvements in the neighborhood subject to the conditions listed below.
- G. The variance is the minimum variance necessary to address or alleviate the practical difficulties caused by the original construction.
- H. Approval of the variance request is subject to the following conditions:
- a. The applicant must acquire all necessary permits, including a building permit from the City of Shorewood, and any other jurisdiction having an interest in the site.
 - b. The proposed addition shall be architecturally consistent with the existing home and surrounding neighborhood.
 - c. The variance 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 22nd day of June, 2026.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk



City Council Item 4.E.

Title/Subject: Curbside Organics Recycling
Meeting Date: June 22, 2026
Prepared By: Eric Wilson, Communications/Recycling Coordinator

Attachments

1. Curbside Organics Transition Timeline Draft
2. Organics Recycling Rates-RFP 2025

Background

In 2018, Hennepin County updated Ordinance 13, an ordinance outlining recycling requirements, to ensure residents have access to organics recycling via curbside service, hauler-provided service, or drop-off options.

This update required that as of January 2022, cities of 10,000+ provide curbside collection of organic material to residential households. Cities of 5,000+ were required to at least provide a drop-off option. Shorewood was one of these cities and opted to provide 2 drop-off sites (Freeman Park and South Shore Community Park). The city continues to maintain these sites. This service is free for residents. As of June 2026, there are 176 households that have signed up to participate.

The requirement to provide a curbside organics collection service will extend to cities of 5,000+, making the provision of these services required to all eligible households in Shorewood by 2030.

To satisfy the Hennepin County Recycling Requirements (Ordinance 13), the city has two options; either organize city-wide organics collection (through a single contracted hauler) or require licensed trash haulers to provide the service individually.

Option 1. Organized City Collection (City-Contracted)

In this system, the city acts as the organizer. They negotiate a contract with a single waste hauler to service the entire city. Shorewood, for example, is the organizer for recycling, and contracts with WM. All residents pay a uniform rate for the service, billed directly on their quarterly city utility bill.

- Pros: Consolidates collection under one provider, limits truck traffic on residential streets, greater city control over pricing, service standards and participation
- Cons: Less resident choice, higher city involvement
- Local Examples: Minnetonka, Hopkins, Bloomington

Option 2. Open Hauler System (Licensed Haulers)

In this system, residents select and contract directly with individual, city-licensed waste haulers from a list of approved providers. Individual garbage haulers manage the organics pickup and

bill the customers directly. Under state law, licensed haulers in these cities are legally required to offer organic service to all residents. Shorewood would require that all garbage haulers must provide curbside organics service to be licensed in the city. Additionally, it should be noted that, per the MPCA and Minnesota Statute §115A.93, subd. 3(c), residents who participate in organics recycling cannot be charged more than residents who do not participate.

Subsequently, haulers need to include an organics fee on all customer bills, regardless of participation. Eden Prairie requires haulers to attest to their compliance with this requirement and submit a sample bill. Hennepin County staff have shared that right now Eden Prairie and Rogers are the only cities that require haulers to provide organics service. Several cities have changed from a hauler requirement to a citywide contract because it provides service at a lower cost and makes education easier.

- Pros: Gives residents and property owners the flexibility to choose their preferred provider based on price, routes are already established, minimal city administration, can be implemented quickly
- Cons: Multiple trucks, customer service varies by hauler, more difficult to track participation, more complicated messaging, updated code and licensing requirement, potential enforcement
- Local Examples: Eden Prairie, Rogers

Both options will require transition planning of varying levels. Organized collection (city-contracted) is a higher transition effort requiring more involved procurement, changes to service and billing, and significant resident communications. Open hauler transition efforts would be lesser as procurement would only require licensing updates and resident communication would shift to a different focus. If the city proceeds with organized organics collection, a more long-term phased approach would be recommended. An example of this transition plan can be found in one of the attachments.

Strategic Alignment

Environmental Stewardship

- Clear and strategic environmental policies and practices

Fiscal Responsibility

- Align City policies and practices with strategic direction
- Implement best practices to support sound financial management
- Maintain stable and predictable finances over the long-term

Budget Impact

Under Minnesota Statute 115A.93, households that recycle are not allowed to be charged more than those that do not. Consequently, cities that mandate organics services must charge all residents for the service, regardless of whether they utilize the bins.

Option 1. Organized City Collection (City-Contracted)

All residents pay a uniform rate for the service, billed directly on their quarterly city utility bill. The city would negotiate this rate with a single provider. As part of the recycling RFP process in 2025, the City explored pricing options for organics services. These are priced on a sliding scale

by participation rate. See attachment for quoted rates received.

The city could consider using reserve funds to lower rates for residents. These funds, for example, could be used to incentivize participation by offering a sliding fee of some sort (*Example: Sign up in 2026 80% of rate, sign up in 2027 pay 85% of rate, sign up in 2028 pay 90% of rate, sign up in 2029 pay 95% of rate, sign up 2030 pay 100% of rate-through 2035 then all pay 100% of rate*).

Option 2. Open Hauler System (Licensed Haulers)

Licensed haulers in Shorewood would be legally required to offer and charge for organics services to all their customers. Haulers would determine rates.

Action Requested

Staff would request council to consider and direct staff on the following:

- Preferred Service Model (Open Hauler system or Organized Collection system?)
- Level of City Control (How much control should the City have over pricing, service standards, and organics participation?)
- Resident Impact (What level of change is acceptable for residents-maintaining choice vs. transitioning to a single provider?)
- Cost Structure
- Organics Participation Goals (How important is achieving high participation rates quickly versus allowing voluntary or market-driven adoption?)
- Implementation Complexity & Timeline (Is the City willing to undertake a more complex, multi-year transition (organized system) or pursue a faster, lower-impact approach (open system updates))?
- Community Feedback (What level of engagement and what does successful engagement look like?)

Based on Council's direction, a preliminary implementation timeline will be brought to Council for review along with other deliverables as requested.

Majority vote is required.

Curbside Organics Transition Timeline (Organized City Collection)

The below outlines a possible phased approach for the implementation of a curbside organics collection program in Shorewood. This approach is intended to guide future planning, align with county requirements, and support the City's long-term waste reduction goals. Dates are illustrative and would be adjusted based on City Council's direction, contract timing, and funding availability. Please see phases section for more details about each phase.

2026

- Q3-Q4 2026
 - Initiate Phase 1 (Feasibility & Community Input)
 - Conduct resident survey and stakeholder engagement
 - Evaluate costs, service options, and operational impacts
- Q4 2026
 - Present findings and program options to City Council
 - Seek Council direction on preferred program model

2027

- Q1-Q2 2027
 - Complete Phase 2 (Program Design & Policy Direction)
 - Refine service model, costs, and funding strategy
 - Prepare contract amendments or future RFP approach
- Q3-Q4 2027
 - Launch Phase 3 (Pilot Program)
 - Distribute carts and materials to pilot households
 - Begin targeted education and outreach campaign

2028

- Q1-Q2 2028
 - Complete pilot program evaluation
 - Present results and recommendations to Council
- Q3-Q4 2028
 - Initiate Phase 4 (Infrastructure & Contract Implementation)
 - Finalize hauler agreements
 - Procure carts and prepare operational systems

2029

- Q1-Q4 2029
 - Begin Phase 5 (Phased Citywide Rollout)
 - Expand service to additional neighborhoods or residents
 - Continue education and participation campaigns

2030 (Target Readiness Year)

- Full Program Availability
- Achieve citywide curbside organics collection capability
- Ensure compliance with anticipated regional requirements
- Transition from rollout to ongoing program optimization

Phases

Phase 1: Feasibility & Community Input

Timeline: Near-term (0–6 months)

Key Actions

- Evaluate current waste stream data and organics diversion potential
- Assess operational considerations (hauling, processing capacity, costs)
- Conduct community engagement (survey, outreach, feedback collection) of current drop-off program participants and potential households
- Identify funding opportunities (e.g., SCORE funding and grants supporting organics programs)

Outcome: Staff recommendation on whether and how to proceed

Phase 2: Program Design & Policy Direction

Timeline: Following Phase 1

Key Actions:

- Define program structure (participation rate percentage)
- Establish service levels (collection frequency, cart sizes)
- Refine cost estimates and funding strategy
- Incorporate organics services into future contract amendments or RFPs, as needed

Outcome: Council direction on program design and funding approach

Phase 3: Pilot Program (Optional)

Timeline: 6–12 months (following design approval)

Key Actions:

- Implement a pilot in a defined area or subset of households (however, because all residents would be charged, anyone could opt in, *see budget impact section below*)
- Provide carts, kitchen pails, and starter materials, such as compostable bags
- Conduct targeted education and outreach
- Track participation, contamination, and operational costs

Outcome: Evaluation report with recommended adjustments

Phase 4: Infrastructure & Contract Implementation

Timeline: Parallel to or following pilot (phase 3)

Key Actions:

- Finalize agreements with hauler(s)
- Procure carts and necessary equipment
- Establish service routes and schedules
- Develop customer service and program tracking systems

Outcome: Operational readiness for expansion

Phase 5: Citywide Rollout

Timeline: Multi-year, phased expansion

Key Actions:

- Expand service geographically or by participation tiers
- Distribute carts and educational materials citywide
- Provide clear instructions and support for residents
- Monitor participation and contamination trends

Outcome: Full curbside organics collection service available to residents

Phase 6: Ongoing Program Optimization

Timeline: Ongoing

Key Actions:

- Monitor program performance (participation, diversion, contamination)
- Adjust service model, education efforts, or policies as needed
- Evaluate expansion to additional sectors (e.g., multifamily housing)
- Consider future policy tools or requirements

Outcome: Sustained program performance and alignment with regional goals



City Council Item 4.F.

Title/Subject: Mill Street Watermain Project
Meeting Date: June 22, 2026
Prepared By: Andrew Budde, City Engineer
Matt Morreim, Public Works Director
Marc Nevinski, City Administrator

Attachments

1. Amended JPA Chanhassen FINAL
2. 26-40 Mill Street Trail Watermain

Background

The City awarded a bid in April to install watermain along a portion of Mill Street as part of the Hennepin County-led Mill Street Trail project. The area is already served with municipal water by Chanhassen and Shorewood buys water in bulk and bills residents. Following the bid award Chanhassen raised the topic of additional connection fees being paid to Chanhassen for the additional properties which would have access to municipal water. This was new information and had not been previously discussed with Chanhassen in the planning stages of the project. A metered interconnection between Chanhassen and Shorewood had previously been installed in 2006 due to a failing Shorewood well and a connection fee of \$230,000 was paid at the time. Information from Chanhassen identifies a service area along Apple Road to Mill Street. Six additional properties in the area were connected between 2007 and 2025, and it appears no additional fees were paid. Several parcels that receive water from Excelsior are also included in the service area.

Shorewood council discussed the item at the June 8 Council Meeting and directed staff to continue discussions with Chanhassen and for the mayor's to talk. Council's desired outcome was to have no additional connection fees and asked staff to communicate with impacted residents and obtain feedback. Since the council meeting, staff from the two cities have met to discuss the connection fee and Chanhassen is not agreeable to zero connection fees. However, they were agreeable to a reduced rate and engaged in discussions about the rationale for the reduced connection fee. The reduced connection fee takes into account the overall infrastructure costs required to operate a water system, including water treatment plants, wells, water storage, and the pipes used for conveyance. Staff prorated the various items' costs based on:

- The land area they serve.
- That 99% of the service area of Chanhassen's West Water Treatment Plant and five wells are located in Chanhassen and 1% in Shorewood.
- Chanhassen's High Pressure Zone service area for the water tower and pipe conveyance are located 95% in Chanhassen and 5% in Shorewood.
- Shorewood is 100% responsible for the pipes within its municipal boundaries.

This resulted in a prorated Water Hook-Up Charge of \$5,494.09, which is 56% of Chanhassen's 2026 Water Hook-Up Charge of \$9,843.00 for areas outside the 2006 Watermain Interconnect Service Area. The overall Mill Street Watermain project includes 25 new service connections. 16 of the new connections are outside the 2006 Watermain Interconnection Service Area. Staff have also agreed to rectify two Shorewood parcels that have connected to the system that are outside the 2006 Watermain Interconnection Service Area and Chanhassen agreed to provide credits for three homes within the 2006 Watermain Interconnection Service Area that have connected to Excelsior's water system. This agreement equates to a net total of 15 additional services supplied by Chanhassen water, and a total Chanhassen hook up fee of \$82,411.35. ($16 + 2 - 3 = 15$; then $15 \times \$5,494.09 = \$82,411.35$ 2026 dollars).

Staff from both cities have also agreed that Water Hook-Up Charges do not need to be paid until a parcel connects to the system. This process then allows the Water Hook-Up Charges to be deferred until needed and could also allow the residents to have both Shorewood and Chanhassen's connection charges assessed over a 10-year period as is currently allowed and being promoted in the Water Service Connection Program.

When the 2006 interconnection agreement was approved, it does not appear, based on the research performed by staff, that the connection fees charged as part of the agreement were redistributed to the residents served within the 2006 Watermain Interconnection Services area, but likely paid directly from the water fund. Like Amesberry and Bould Bridge, the original water supply in this area was installed by developers and the cost included in the lot sale. Watermain north of Bracketts Road did not exist, so not all parcels within the service area had access to water. The new proposed watermain north of Bracketts Road and along Mill Street as part of the Mill Street water project adds a total of 25 new water service connections. Shorewood staff recommend the following:

- Designate a *Mill Street Watermain Service Area* that incorporates the 25 properties that are a part of the Mill Street project.
- Since Chanhassen may periodically increase its Water Hook-Up charge, the connection fee in this service area should include a percentage of Chanhassen's current Water Hook-Up charge, as detailed in the Joint Powers Agreement, as well as Shorewood's Connection fee.
- Distribute the Chanhassen Water Hook-Up charge associated with the 15 net parcels outside the original *2006 Water Interconnection Service Area* across the 25 properties in the proposed *Mill Street Watermain Service Area*.
- The properties in the proposed *Mill Street Water Service Area* would pay three-fifths or (15/25) of the reduced Chanhassen Water Hook-Up Charge as detailed in the Joint Powers Agreement. This results in a fee that is 33.6% of the current Chanhassen 2026 Water Hook-Up Charge or \$3,307.25. (Calculation: $56\% \times (15 \text{ properties} / 25 \text{ properties}) = 33.6\%$)
- Properties located outside the 25 parcels in the proposed *Mill Street Watermain Service Area* or any future lot splits should pay 56% of Chanhassen's Water Hook-Up Fee as detailed in the Joint Powers Agreement.

As requested by Council, Staff have attempted to connect with the 25 parcels impacted by the proposed Mill Street watermain to inform them of the matter and obtain feedback. Staff prepared a simple online survey, emailed out the survey to residents for whom we had contact information, and hung door hangers on all residents' doors on Friday, June 12. Attached are the results of the survey.

Staff recommends proceeding with the watermain construction as there are no additional costs incurred directly by the city in proceeding with the project. The Chanhassen Water Hook-Up Fee is reasonable as compared to Shorewood providing its own treatment, wells, water towers, and conveyance to serve this area of Shorewood. If the Mill Street watermain portion of the project continues to move forward, staff recommends approving the attached amended joint powers agreement with the City of Chanhassen.

Strategic Alignment

Functionally & Financially Sound Infrastructure

- Plans to finance infrastructure improvements, maintenance, and replacement — The Mill Street Trail project provides a cost-effective opportunity to extend water to properties along Mill Street and set the stage for additional extension in the future. However, this opportunity must be balanced with the costs of the project.

Budget Impact

Design and Consulting costs to date:

- a. November 2022 – June 1, 2025, Trail & Watermain Scoping: \$25,569.
- b. June 12, 2025 – November 24, 2025, Final Design: \$69,481.
- c. November 25, 2025 thru current, Construction Administration: \$4,776.
- d. Total to Date: \$99,826

Action Requested

Motion to approve the amended joint powers agreement with the City of Chanhassen. A majority vote is required.

AMENDED AND RESTATED JOINT POWERS AGREEMENT BETWEEN THE CITY OF CHANHASSEN AND THE THE CITY OF SHOREWOOD

THIS AMENDED AND RESTATED JOINT POWERS AGREEMENT (“Agreement”) is entered into this ____ day of _____, 2026, by and between the **CITY OF CHANHASSEN**, a Minnesota municipal corporation (hereinafter referred to as "Chanhassen") and the **CITY OF SHOREWOOD**, a Minnesota municipal corporation (hereinafter referred to as "Shorewood").

WHEREAS, Chanhassen and Shorewood entered into a Joint Powers Agreement (JPA) for the water supply, construction, maintenance, ownership and operation of a water improvement project to serve property in Shorewood executed by the parties in August 2006 (“Original JPA”); and

WHEREAS, the Original JPA was intended for Chanhassen to supply water to Shorewood’s Watermain Interconnect Service Area as depicted on Exhibit A attached hereto (“Service Area”); and

WHEREAS, the Original JPA expires upon execution of the amended JPA; and

WHEREAS, Shorewood currently has watermain within Stratford Place, Bracketts Road, and Apple Road from the Chanhassen boundary to Bracketts Road which serves a portion of the overall Service Area; and

WHEREAS, the following parcels have connected to the watermain and were located outside of the Service Area as depicted on Exhibit B:

- Two parcels that abut Bracketts Road and Apple Road;
- Three parcels that have connected to Excelsior’s watermain; and

WHEREAS, Shorewood is planning to extend watermain along Apple Road and portions of Mill Street and this expansion will provide water service to single family residential homes within and beyond the Service Area; and

WHEREAS, the parties desire to amend and restate the Original JPA to document and provide water service to additional properties in Shorewood, including a net total of 15 single family residential properties on Mill Street beyond the original Service Area within Shorewood, as depicted on Exhibit B attached hereto (“Additional Property”).

NOW, THEREFORE, in consideration of their mutual covenants, the parties agree as follows:

1. **PURPOSE.** This Agreement shall establish the responsibilities of the Cities for the construction, maintenance, ownership and operation of water systems serving properties in Shorewood.

2. **IMPROVEMENT AND PROJECT COSTS.** Shorewood shall prepare plans and specifications for water improvement projects extending watermain within and beyond the Service Area in order to serve additional properties. The current water meter configuration shall measure the water provided

to the Service Area and additional properties. Shorewood is solely responsible for all costs related to extending the watermain to serve additional properties.

3. **OWNERSHIP AND MAINTENANCE.** Upon completion of improvement projects, each party shall own and maintain the portion of the project located within its corporate boundary.

4. **CONNECTION CHARGES.** Shorewood shall pay a per unit fee to Chanhassen for the connections of the Additional Property and any future additional properties outside of the Service Area. The fee shall be paid to Chanhassen at the time an individual connection is made. The fee shall be 56% of the current Chanhassen Water Hook-Up Charge as listed in the most current version of Chanhassen's Master Fee Schedule at the time of connection. The reduced fee is due to Shorewood owning and maintaining its own conveyance within its municipal boundary.

5. **FUTURE CONNECTIONS.** Any future connections to the water system beyond those covered in the service area in this JPA shall be subject to the following provisions:

- A. Shorewood shall request from Chanhassen in writing their intent to add any additional service connections at least Sixty (60) days ahead of Shorewood's approval for new service(s).
- B. Chanhassen shall have sole approval of additional connections based on the ability of Chanhassen's water supply to provide reasonable water supply quantity and quality without negatively impacting Chanhassen's overall system. Chanhassen's approval shall not be unreasonably withheld.
- C. Shorewood shall pay Chanhassen a fee as detailed in paragraph 4.

6. **FUTURE DISCONNECTION.** At some time in the future, Shorewood may desire to supply water from their own system to the Service Area and additional properties, at which time billing by Chanhassen to Shorewood for metered use will cease. If mutually agreed, the physical water service connection may be left in place, but normally closed off by valving, for use as an emergency supply interconnection.

7. **WATER USAGE.** Chanhassen shall bill Shorewood for the water used by the subjected properties. Usage of the water in Shorewood shall be subject to the same usage rules imposed upon Chanhassen residents including sprinkler regulations. Billing shall be on a monthly or quarterly basis in accordance with Chanhassen policies. The water usage rate charged Shorewood will be the multi-family property rate charged Chanhassen residents based on the water meter configuration in place at the interconnect. Upon receipt of a bill, Shorewood shall remit payment to Chanhassen within thirty (30) days.

EFFECT OF AGREEMENT. This Agreement amends, restates, and supersedes in its entirety, the Original JPA, which shall be of no further force and effect, and shall become null and void, upon the full execution of this Agreement.*[Remainder of page intentionally left blank]*
[Signature pages to follow]

IN WITNESS THEREOF, the parties have caused this Amendment to be executed by their duly authorized officials.

CITY OF CHANHASSEN

BY: _____
Elise Ryan, Mayor

AND _____
Laurie Hokkanen, City Manager

CITY OF SHOREWOOD

BY: _____
Jennifer Labadie, Mayor

AND _____
Sandie Thone, City Clerk

EXHIBIT A

Service Area

Watermain Interconnect Service Area - Exhibit A

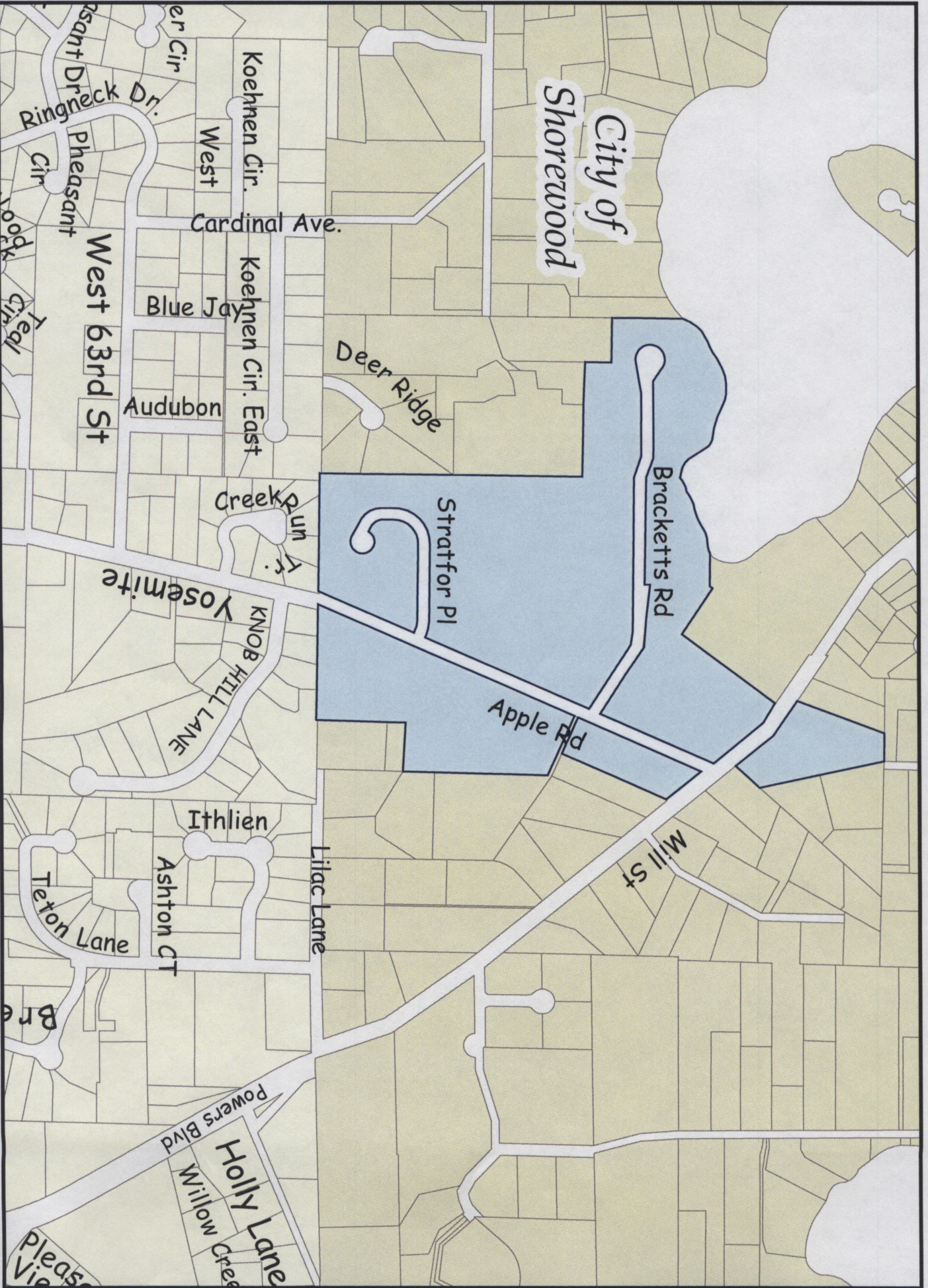
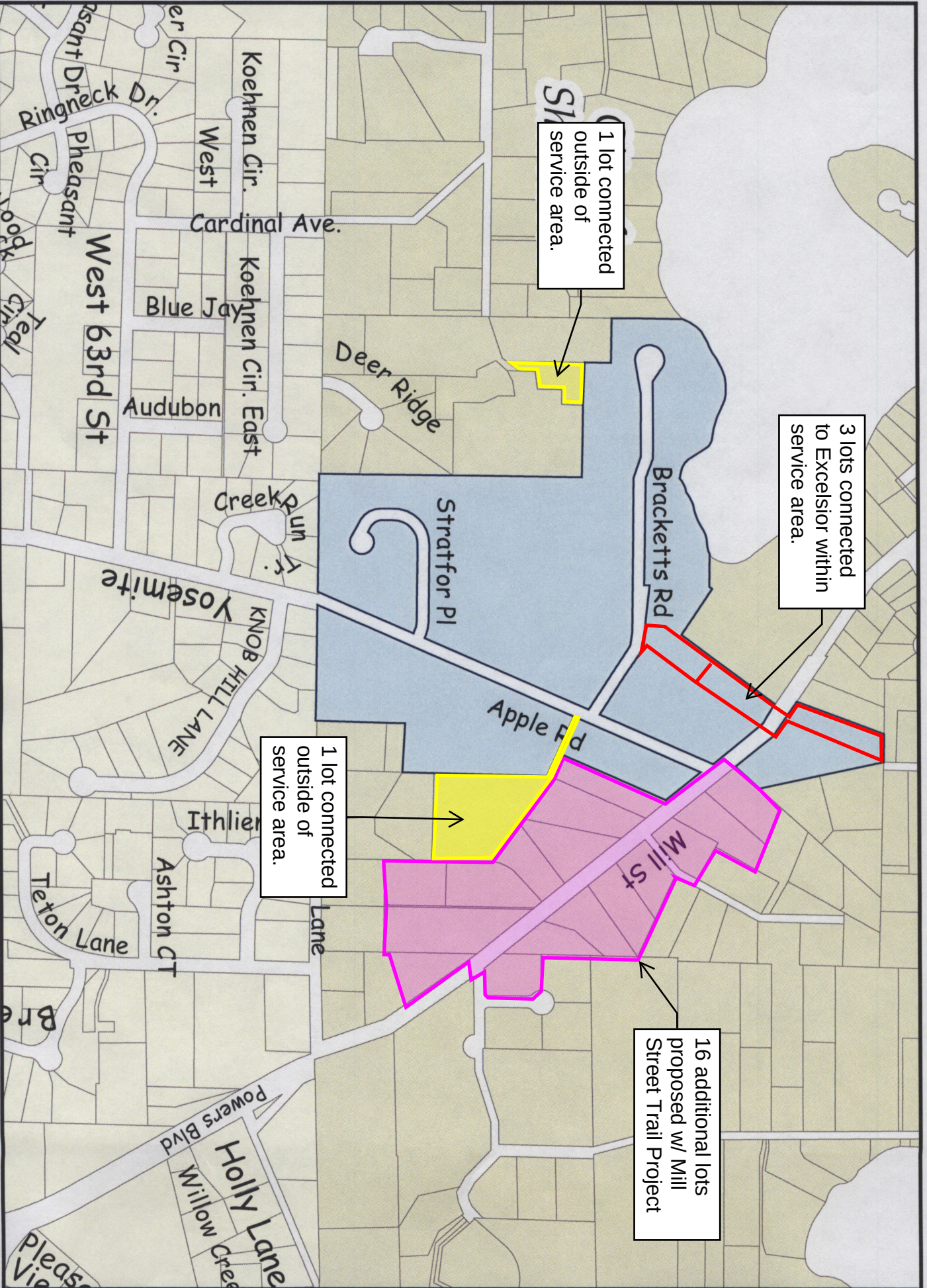


EXHIBIT B
ADDITIONAL PROPERTY

Watermain Interconnect Service Area - Exhibit B



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

RESOLUTION 26-40

**A RESOLUTION TO APPROVE AMENDED AND RESTATED JPA BETWEEN CHANHASSEN AND
SHOREWOOD FOR WATER INTERCONNECTION SERVICE AREA AT APPLE ROAD
CITY PROJECT 24-07**

WHEREAS, Chanhassen and Shorewood entered into a Joint Powers Agreement (JPA) for the water supply, construction, maintenance, ownership and operation of a water improvement project to serve property in Shorewood executed by the parties in August 2006 for watermain on Apple Road; and

WHEREAS, the Original JPA was intended for Chanhassen to supply water to Shorewood's Watermain Interconnect Service Area as depicted on Exhibit A of the JPA; and

WHEREAS, Shorewood is planning to extend watermain along Apple Road and portions of Mill Street and this expansion will provide water service to single family residential homes within and beyond the Service Area; and

WHEREAS, the parties desire to amend and restate the Original JPA to document and provide water service to additional properties in Shorewood, including a net total of 15 single family residential properties on Mill Street beyond the original Service Area within Shorewood, as depicted on Exhibit B.

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

1. **IMPROVEMENT AND PROJECT COSTS.** Shorewood shall prepare plans and specifications for water improvement projects extending watermain within and beyond the Service Area in order to serve additional properties. The current water meter configuration shall measure the water provided to the Service Area and additional properties. Shorewood is solely responsible for all costs related to extending the watermain to serve additional properties.
2. **CONNECTION CHARGES.** Shorewood shall pay a per unit fee to Chanhassen for the connections of the Additional Property and any future additional properties outside of the Service Area. The fee shall be paid to Chanhassen at the time an individual connection is made. The fee shall be 56% of the current Chanhassen Water Hook-Up Charge as listed in the most current version of Chanhassen's Master Fee Schedule at the time of connection. The reduced fee is due to Shorewood owning and maintaining its own conveyance within its municipal boundary.

3. Hereby directs staff to coordinate with Chanhassen for the execution of the Amended and Restated JPA for Water Interconnection Service Area at Apple Road, City Project 24-07.

Adopted by the City Council of Shorewood, Minnesota this 22nd day of June 2026.

Jennifer Labadie, Mayor

Attest:

Sandie Thone, City Clerk



City Council Item 4.G.

Title/Subject: Discussion of Proposed Changes to the Excelsior Fire District JPA
Meeting Date: June 22, 2026
Prepared By: Marc Nevinski, City Administrator

Attachments

1. Deephaven Proposed JPA Amendments
2. Table of JPA Changes
3. Excelsior Fire District Joint Powers Agreement

Background

At the May 27th Excelsior Fire District (EFD) Board meeting, the representative from Deephaven presented the City's proposed amendments to the Joint Powers Agreement (JPA). Per the City of Deephaven's request, the Board agreed to bring the draft amendments to their respective City Councils for discussion. The Council should review the proposed changes and provide feedback for Council member Maddy to share with the Board.

The packet includes the following documents:

- A memo from the City of Deephaven with a proposed Amendment to the Excelsior Fire District Joint Powers Agreement.
- A table that includes a summary of Deephaven's proposed changes and staff's recommendations on how to respond to the proposed revisions.
- The most recent version of the Excelsior Fire District JPA.

Strategic Alignment

Organizational Strength & Good Governance

- Culture of continuous improvement — Discussion of the joint powers agreement is an opportunity for the Council to review the JPA contents and consider the City's needs and expectations for fire protection services.

Budget Impact

None

Action Requested

The Council should review the proposed changes and provide feedback for Council member Maddy to share with the EFD Board.

EXCELSIOR FIRE DISTRICT BOARD MEETING
6:00 P.M. WEDNESDAY, MAY 27, 2026
JOINT POWERS AGREEMENT AMENDMENT MEMORANDUM

Friday, May 22, 2026

Members of the Excelsior Fire District Board:

The events over the past year have highlighted the need to review and revise the Excelsior Fire District Joint Powers Agreement (hereinafter “JPA”), last updated as amended in 2011. I believe our cities are aligned that the current JPA needs modernization, and the attached is the City of Deephaven’s earnest effort to provide leadership and direction in that process. These amendments are presented for discussion and review by the Fire Board. It is not our intent to call for action on this item at our meeting on Wednesday; more so, it is our intention to provide these changes for presentation, consideration and review, to be discussed and available for formal action at a future meeting. Ideally, board members will bring the draft Amendment to their City Councils for discussion and provide feedback at the next board meeting.

We have learned a lot about the operation and leadership at the Fire Department over the past several months and have gained valuable insight into support that is needed from the Board for the successful operation of the Fire District. We have heard from our leadership team, as well as our rank-and-file firefighters, that additional support and resources are necessary to continue the levels of service they provide to our communities. Additionally, we have seen through our own operations and actions as a Board that we are deficient in some areas of guidance and support that contributed to the challenges we have navigated this past year. As a result, the City of Deephaven is presenting amendments to the JPA that address these stated and observed areas for improvement by providing a review process for the Fire Chief, providing an onboarding process for the education of new Fire Board Members, establishing an Ethics and Conflict of Interest Policy applicable to Board Members, formally establishing the provision of Human Resources support, equitably amending the allocation of Fire Board votes, placing limitations on the voting ability of Alternate Board Members, formally establishing the provision of a Fiscal Agent for financial and audit support, and amending the process for withdraw, including the notice period, continuing obligations during the notice period and equitably amending the winddown process.

Thank you for your time in review of our recommended amendments to the JPA. I look forward to presenting this matter next Wednesday evening and appreciate the timely process of discussion and review. It is important that we work diligently on this matter to actively support our Firefighters, Fire Department Leadership and the residents of our respective communities.

Sincerely,

Tony Jewett

Tony Jewett
Deephaven City Council
Vice Chair, Excelsior Fire District Board

AMENDMENT TO THE EXCELSIOR FIRE DISTRICT JOINT POWERS AGREEMENT

THIS AMENDMENT TO THE EXCELSIOR FIRE DISTRICT JOINT POWERS AGREEMENT is entered into on _____, by and between the Cities of Deephaven, Excelsior, Greenwood, Shorewood, and Tonka Bay, all of which are municipal corporations of the State of Minnesota (collectively, the “Member Cities”).

WHEREAS, the Member Cities executed the Excelsior Fire District Joint Powers Agreement (the “Agreement”) on November 16, 2011;

WHEREAS, the Member Cities desire to change and amend the terms of the Agreement;

WHEREAS, the original joint powers agreement stated all amendments shall be in writing;

NOW, THEREFORE, IT IS HEREBY AND HEREIN MUTUALLY AGREED, in consideration of each party’s promises and considerations herein set forth, as follows:

1. Section 2.2(a) of the Agreement is hereby deleted in its entirety and replaced with the following:

“a) Voting Members: Voting Members shall include one (1) elected official of the city council of each Member City, with votes cast by the Voting Members from Deephaven and Shorewood counting as two (2) votes. All votes cast by the Voting Members from Excelsior, Greenwood and Tonka Bay shall count as one (1) vote. No employee of the District or any police department serving any of the Member Cities may serve on the Board as a Voting Member.

If any Member City/Cities are hereafter consolidated into a new municipal corporation, the corporation will have one (1) Voting Member representative.”

2. Section 2.2(c) of the Agreement is hereby deleted in its entirety and replaced with the following:

“c) Alternate Members: The city council of each Member City shall name one (1) elected official of its city council to serve as an Alternate Member in case of absence of the Voting or Ex-Officio Member. The Alternate Member shall have the authority to vote in place of (but not in addition to) the Voting Member at one (1) meeting in any calendar year. The Alternate Member shall not participate as a Board Member except in the absence of the council member or the Ex-Officio Member.”

3. Section 2.7 of the Agreement is hereby deleted in its entirety and replaced with the following:

“2.7 Operating Committee. The Ex-Officio Members shall comprise the Operating Committee. The Operating Committee shall meet with the Fire Chief/District Administrator on a monthly basis and report to the Board at each regular meeting.

The Operating Committee shall perform an annual review of the Fire Chief and shall have the authority to approve expenses consistent with the yearly operating budget for District services and a capital improvement program/finance plan adopted by the Board pursuant to Section 3.1(i) budgeted expenditures during monthly meetings. Non-budgeted expenditures must be approved by the Board. A list of bills shall be provided to each member of the Operating Committee on a monthly basis.”

4. Section 2.9 of the Agreement is hereby deleted in its entirety and replaced with the following:

“2.9 Fiscal Agent. “Fiscal Agent” shall mean the entity designated by the Board to receive, hold, disburse, account for, and otherwise manage the District’s funds and financial transactions. The City of Excelsior shall act as the initial Fiscal Agent for the District. The Fiscal Agent shall be compensated by the District at a rate mutually agreed upon by the Fiscal Agent and the Board. The Board may change the Fiscal Agent as it deems necessary from time to time, but must at all times have a fiscal designated agent. The District shall indemnify and hold the Fiscal Agent harmless from any claims, causes of action, or liability arising out of actions it takes in performing duties under this section except for claims, causes of action or liability arising out of the negligent or intentional acts of the fiscal agent in performing its duties under this paragraph.”

5. Section 3.1(i) of the Agreement is hereby deleted in its entirety and replaced with the following:

- “i) To establish a yearly operating budget for District services and a capital improvement program/finance plan (including an equipment replacement schedule) of not less than ten years' duration, which shall require approval consistent with the terms of this Agreement.

To act as agent for receipt, custody, and disbursement of funds, gifts, or other funds paid or given by the Member Cities on behalf of or for the use of the District, and shall take into account the respective usage levels of district services by the respective Member Cities.”

6. The following shall be added as Section 3.1(p) to the Agreement:

- “p) To ensure all employees and Board Members are bound by and act in accordance with the ethics and conflicts of interest policy established by the Board pursuant to Section 5.8.”

7. The following shall be added as Section 3.1(q) to the Agreement:

- “q) To ensure that the mandatory process is in place for effective training and onboarding of new Board members.”
8. The first paragraph of Section 5.1 of the Agreement is hereby deleted in its entirety and replaced with the following:
- “5.1 **Fire Chief/District Administrator.** The Fire Chief/District Administrator shall be responsible to the Board for the efficient and economical operation of the District; the hiring, termination, supervision, discipline and the direction of the District personnel; the establishment of rules of conduct for those personnel consistent with the ethics and conflicts of interest policy established by the Board pursuant to Section 5.8; and carrying out the policies and procedures adopted by the Board. The Fire Chief/District Administrator is appointed by the Board and serves at the pleasure of the Board. The Fire Chief/District Administrator is a full time employee of the District and may enter into an employment contract with the Board.”
9. Section 5.2 of the Agreement is hereby deleted in its entirety and replaced with the following:
- “5.2 **Fire Marshal.** The District ~~shall~~ may have a position of Fire Marshal, who shall be appointed by the Fire Chief/District Administrator solely on the basis of training, experience, and administrative, and other qualifications. The Fire Marshal's responsibilities will be to enforce the Minnesota State Fire Code and perform other duties that may be assigned by the Fire Chief/District Administrator. The Fire Marshal need not be a "member" of the Excelsior Fire District. Fire Marshal responsibilities may be performed by a contractor who is not an employee of the District; however, the Fire Marshal under the employ of the City of Excelsior on December 31, 2000 shall automatically be appointed as the District's first Fire Marshal with continuation of his/her status as a regular employee including continuation of salary, benefits, accrued leave, and other customary issues of employment. The first Fire Marshal and all subsequent persons filling that position shall serve at the pleasure of the Fire Chief/District Administrator.”
10. Section 5.3 of the Agreement is hereby deleted in its entirety and replaced with the following:
- “5.3 **District Positions and Independent Contractors.** The Board may, from time to time, establish, eliminate or reconstitute other employee positions as it deems to be appropriate. The Board must at all times provide for a Human Resources function through employment or through contracting with an independent contractor.”
11. Section 5.8 of the Agreement is hereby deleted in its entirety and replaced with the following:
- “5.8 **Continuation of Prior Policies, Plans, and Procedures.** All Excelsior Fire Department policies, ~~plans~~planes, procedure, and by-laws not superseded by this Agreement, in place on January 1, 2002, shall remain in effect until changed by the Board.

The terms and provisions of this Agreement shall supersede any conflicting Excelsior Fire Department policies, plans, procedures, and by-laws in place at the time of the effective date of this Agreement. The Board must establish and implement an ethics and conflicts of interest policy.”

12. Section 8.1 of the Agreement is hereby deleted in its entirety and replaced with the following:

“8.1 **Approval of Capital Improvement Program/Finance Plan.** After approval of the District's annual Operating Budget covering the calendar year 2001, the Member City councils shall approve a Capital Improvement Program/Finance Plan by an affirmative vote of ~~the a two-thirds~~ majority of the Member City councils. Any proposed amendment to the Capital Improvement Program/Finance Plan shall be approved by an affirmative vote of ~~the two-thirds~~ majority of the Member City councils no later than September 15. The vote on the Capital Improvement Program/Financial Plan or any amendment thereto shall be binding upon all Member Cities.”

13. Section 10.1 of the Agreement is hereby deleted in its entirety and replaced with the following:

“10.1 **Notice.** Notice of intent to withdraw from participation in the District may be given ~~in any year only in March of odd-numbered years,~~ with a minimum of 24 ~~33~~ months’ notice of intent to withdraw, and the final month of the term must end in December.”

14. Section 10.2 of the Agreement is hereby deleted in its entirety and replaced with the following:

“10.2 **Continuing Obligations After Notice Withdrawal.** The withdrawing Member City shall continue to pay its share of the operating budget and capital expense budget until it withdraws from the District. There shall be no further obligations after withdrawal, an amount equal to 500% of the amount allocated to it during the year of its notice of intent to withdraw. The withdrawing Member City may make this payment during the five years succeeding its leaving the District, but in no year shall the amount paid be less than one-fifth of the 500% amount.”

15. Section 10.3 of the Agreement is hereby deleted in its entirety and replaced with the following:

“10.3 **Vesting.** Any party withdrawing from the Agreement shall have no vested rights or ownership in any of the property or assets of the District; provided, however, that upon withdrawal by a Member City under this Section, the District will reimburse the withdrawing Member City for the value of that Member City’s share of the District’s capital assets. This amount will be determined by an appraisal of the capital assets at the time of the withdrawal multiplied by the percentage of the withdrawing Member City’s allocated share of the total operating budget (as determined in Section 7.1). The resulting amount due to the withdrawing Member City may be paid by the District over the three

years succeeding the Member City's withdrawal, but in no year shall the amount paid be less than one-third of the total amount due."

16. All other provisions of the Agreement remain unchanged and in full effect and are incorporated herein as necessary.

[Remainder of page left intentionally blank]

IN WITNESS WHEREOF, the undersigned governmental units have caused this Amendment to be duly executed on the day and year first above written.

CITY OF DEEPHAVEN

By: _____
Name: _____
Its: _____

ATTEST:

Its: _____

CITY OF EXCELSIOR

By: _____
Name: _____
Its: _____

ATTEST:

Its: _____

CITY OF GREENWOOD

By: _____
Name: _____
Its: _____

ATTEST:

Its: _____

CITY OF SHOREWOOD

By: _____
Name: _____
Its: _____

ATTEST:

Its: _____

CITY OF TONKA BAY

By: _____
Name: _____
Its: _____

ATTEST:

Its: _____

Summary of Deephaven's Proposed Changes to the Excelsior Fire District Joint Powers Agreement
June 22, 2026

Section	Comments
Section 2.2(a) – new language under governance is underlined below: Voting Members shall include one (1) elected official of the city council of each Member City, <u>with votes cast by the Voting Members from Deephaven and Shorewood counting as two (2) votes. All votes cast by the Voting Members from Excelsior, Greenwood and Tonka Bay shall count as one (1) vote.</u>	This was controversial in the discussion and opposed by the cities suggested to have one vote. Per the funding formula, Shorewood comprises 35.37% of the EFD 2027 budget; Deephaven 29.47%; Tonka Bay 13.55%; Excelsior 13.18%; Greenwood 8.42%
Section 2.2(c) – new language under governance is underlined below: The city council of each Member City shall name one (1) elected official of its city council to serve as an Alternate Member in case of absence of the Voting or Ex-Officio Member. The Alternate Member shall have the authority to vote in place of (but not in addition to) the Voting Member <u>at one (1) meeting in any calendar year.</u> The Alternate Member shall not participate as a Board Member except in the absence of the council member or the Ex-Officio Member.	Shorewood has a strong attendance record over the past several years at EFD board meetings. However, limiting representation is not in Shorewood's best interest.
Section 2.7 Operating Committee – new language is underlined below: The Operating Committee <u>shall perform an annual review of the Fire Chief and shall have the authority to approve expenses consistent with the yearly operating budget for District services and a capital improvement program/finance plan adopted by the Board pursuant to Section 3.1(i) budgeted expenditures during monthly meetings.</u>	The Operating Committee has no supervisory authority over the Fire Chief. The Board should perform the annual review of the Fire Chief since the Fire Chief is appointed by the Board and serves at the pleasure of the Board.
Section 2.9 Fiscal Agent – new language is underlined below: <u>"Fiscal Agent" shall mean the entity designated by the Board to receive, hold, disburse, account for, and otherwise manage the District's funds and financial transactions. The City of Excelsior shall act as the initial Fiscal Agent for the District. The Fiscal Agent shall be compensated by the District at a rate mutually agreed upon by the Fiscal Agent and the Board. The Board may change the Fiscal Agent as it deems necessary from time to time, but must at all times have a fiscal designated agent.</u>	The language is outdated and should be modified, if the Council is interested in updating the JPA (recommended language is below). Staff recommends not mandating the use of a fiscal designated agent to maintain maximum flexibility with District operations. <u>"Fiscal Agent" shall mean the entity designated by the Board to receive, hold, disburse, account for, and otherwise manage the District's funds and financial transactions. The City of Excelsior shall act as the initial Fiscal Agent for the District. The Fiscal Agent shall be compensated by the District at a rate mutually agreed upon by the Fiscal Agent and the Board. The Board may change the Fiscal Agent as it deems necessary</u>

	from time to time, <u>but must at all times have a fiscal designated agent.</u>
Section 3.1(i) (technically Section 3.1(j)) – the proposed changes are in Section 3.1(j), not 3.1(i) as stated in the Deephaven memo. The new language under the general powers of the Board is underlined below: To act as agent for receipt, custody, and disbursement of funds, gifts, or other funds paid or given by the Member Cities on behalf of or for the use of the District, <u>and shall take into account the respective usage levels of district services by the respective Member Cities.</u>	The intention of the proposed language is unclear and it does not provide any guidance for its application. Currently the EFD is funded based on tax capacity. Other arrangements for shared public safety services also consider community attributes such as population, events, along with tax capacity.
Section 3.1(p) – this is new language under the general powers of the Board: To ensure all employees and Board Members are bound by and act in accordance with the ethics and conflicts of interest policy established by the Board pursuant to Section 5.8.	If the Council wants to accept this language, staff recommends not including a reference to Section 5.8.
Section 3.1(q) – this is new language under the general powers of the Board: To ensure that the mandatory process is in place for effective training and onboarding of new Board members.	This language is more appropriate in Board bylaws and not the JPA.
Section 5.1 Fire Chief/District Administrator – new language is underlined below: The Fire Chief/District Administrator shall be responsible to the Board for the efficient and economical operation of the District; the hiring, termination, supervision, discipline and the direction of the District personnel; the establishment of rules of conduct for those personnel <u>consistent with the ethics and conflicts of interest policy established by the Board pursuant to Section 5.8;</u> and carrying out the policies and procedures adopted by the Board. The Fire Chief/District Administrator is appointed by the Board and serves at the pleasure of the Board. The Fire Chief/District Administrator is a full time employee of the District and may enter into an employment contract with the Board.	If the Council wants to accept this language, staff recommends not including a reference to Section 5.8.
Section 5.2 Fire Marshal – new language is underlined below: The District <u>shall</u> may have a position of Fire Marshal, who shall be appointed by the Fire Chief/District Administrator solely on the basis of training, experience, and administrative, and other qualifications.	The JPA should only reference the Fire Chief position to maintain flexibility with future staffing options.
Section 5.3 District Positions – new language is underlined below:	The JPA should only reference the Fire Chief position to maintain flexibility with future staffing options.
The Board may, from time to time, establish, eliminate or reconstitute other employee positions as it deems to be appropriate. <u>The Board must at all times provide for a</u>	

Section 5.8 Continuation of Prior Policies, Plans, and Procedures – new language is underlined below: All Excelsior Fire Department policies, <u>plans</u> planes, procedure, and by-laws not superseded by this Agreement, in place on January 1, 2002, shall remain in effect until changed by the Board. The terms and provisions of this Agreement shall supersede any conflicting Excelsior Fire Department policies, plans, procedures, and by-laws in place at the time of the effective date of this Agreement. <u>The Board must establish and implement an ethics and conflicts of interest policy.</u>	The language is outdated and should be modified, if the Council is interested in updating the JPA (recommended language is below). While perhaps it is appropriate to have an ethics and conflict of interest policy, a requirement in the JPA to establish and implement such a policy is unnecessary. All Excelsior Fire Department policies, plans planes, procedure, and by-laws not superseded by this Agreement, in place on January 1, 2002, shall remain in effect until changed by the Board. The terms and provisions of this Agreement shall supersede any conflicting Excelsior Fire Department policies, plans, procedures, and by-laws in place at the time of the effective date of this Agreement. <u>The Board must establish and implement an ethics and conflicts of interest policy.</u>
Section 8.1 Approval of Capital Improvement Program/Finance Plan – new language is underlined below: After approval of the District's annual Operating Budget covering the calendar year 2001, the Member City councils shall approve a Capital Improvement Program/Finance Plan by an affirmative vote of <u>the a two-thirds</u> majority of the Member City councils. Any proposed amendment to the Capital Improvement Program/Finance Plan shall be approved by an affirmative vote of <u>the two-thirds</u> majority of the Member City councils no later than September 15. The vote on the Capital Improvement Program/Financial Plan or any amendment thereto shall be binding upon all Member Cities.	A majority vote for a CIP is consistent with how cities function and aligns with approval of the operating budget. There are limited circumstances where statute requires a super-majority vote.
Section 10.1 Notice – new language is underlined below: Notice of intent to withdraw from participation in the District may be given <u>in any year only in March of odd-numbered years</u>, with a minimum of <u>24 33</u> months' notice of intent to withdraw, <u>and the final month of the term must end in December.</u>	If the Council wants to modify Sections 10.1, 10.2, and 10.3, staff recommends considering the language in the withdrawal clause of the SLMPD JPA, which is listed below.
Section 10.2 Continuing Obligations After Notice Withdrawal – new language is underlined below: The withdrawing Member City shall <u>continue to pay its share of the operating budget and capital expense budget until it withdraws from the District. There shall be no further obligations after withdrawal. an amount equal to 500% of the amount allocated to it during the year of its notice of intent to withdraw. The withdrawing Member City may make this payment during the five years succeeding its leaving the District, but in no</u>	<u>Subdivision 1.</u> Any Party may withdraw from this Agreement subject to the provisions below: A. Written notice of withdrawal must be made by filing notice with the Committee by October 1 for withdrawal. Such withdrawal would be effective December 31 of the year following notice. B. All capital equipment remains the property of the

Section 10.3 Vesting – new language is underlined below:

Any party withdrawing from the Agreement shall have no vested rights or ownership in any of the property or assets of the District; provided, however, that upon withdrawal by a Member City under this Section, the District will reimburse the withdrawing Member City for the value of that Member City's share of the District's capital assets. This amount will be determined by an appraisal of the capital assets at the time of the withdrawal multiplied by the percentage of the withdrawing Member City's allocated share of the total operating budget (as determined in Section 7.1). The resulting amount due to the withdrawing Member City may be paid by the District over the three years succeeding the Member City's withdrawal, but in no year shall the amount paid be less than one-third of the total amount due.

SLMPD.

- C. A withdrawing Party shall not participate in budget approval for the calendar year in which its withdrawal commences.
- D. A withdrawing Party shall continue to have an ownership interest in the building. The ownership interest shall not include a right of use or occupation but shall entitle the Party to its Pro Rata share of any revenue generated through the lease, sale, or other conveyance of the building. The Pro Rata share shall be commensurate with the percentage based on the most current Adjusted Net Tax Capacity for each of the Parties posted on the Hennepin County website.

CITY OF SHOREWOOD

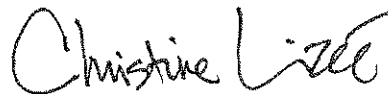
RESOLUTION NO. 11-057

**A RESOLUTION APPROVING THE THIRD AMENDMENT
TO THE EXCELSIOR FIRE DISTRICT JOINT POWERS AGREEMENT**

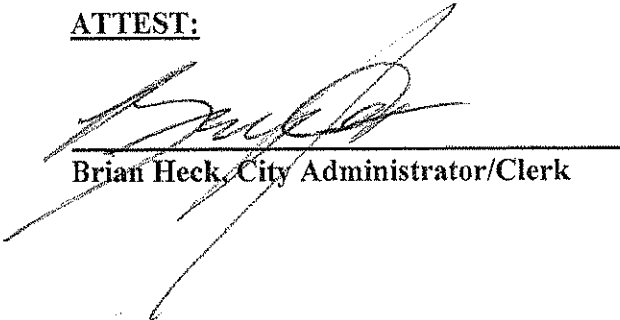
- Whereas,** the City of Shorewood is a Member of the Excelsior Fire District (EFD), which was established by a joint powers agreement (JPA) signed on August 29, 2000; and
- Whereas,** the current JPA has a budget timeline for the EFD Board to submit a proposed budget to member cities by June 15, and this date does not allow adequate time for the EFD to include the Relief Association's mandatory contribution which is determined by July 31; and
- Whereas,** to obtain a more accurate budget, the Board of the Excelsior Fire District has recommended approval of the Third Amendment to the Joint Powers Agreement, relating to Section 8 which will provide for the EFD Board to submit its proposed budget to member cities by August 10, and provides Member City councils to vote on the proposed budget by September 15; and
- Whereas,** the Amendment to the Agreement will take effect only if approved by the councils of each of the five Member cities of the EFD; and
- Whereas,** the Council of the City of Shorewood is committed to viability and success of the Excelsior Fire District,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Shorewood, that it hereby approves the Third Amendment to the Excelsior Fire District Joint Powers Agreement, and authorizes the Mayor and City Administrator to execute the Joint Powers Agreement Including 1st, 2nd, 3rd Amendments.

Adopted this 10th day of October, 2011.


Christine Lizée, Mayor

ATTEST:


Brian Heck, City Administrator/Clerk



Excelsior Fire District
Serving the Communities of:
Deephaven – Excelsior – Greenwood – Shorewood – Tonka Bay
24100 Smithtown Road
Shorewood, MN. 55331
952-401-8801 Phone
952-960-1690 Fax

Date: October 5, 2011

To: City of Deephaven
City of Excelsior
City of Greenwood
City of Shorewood
City of Tonka Bay

From: Scott Gerber, Fire Chief

Re: Proposed Amendments to the EFD Joint Powers Agreement

At the Excelsior Fire District Board meeting on Wednesday, September 28, 2011 the Fire District Board recommend changes to the existing Joint Powers Agreement (JPA) for the Excelsior Fire District. As you are aware, any change to the existing JPA required unanimous approval of all cities involved in the Excelsior Fire District JPA.

The purpose of this letter is to ask you to bring these items up for discussion and vote with your City Councils. I have included further detail below:

Background

The EFD Board and Operating Committee utilized a new timeline for the 2012 Capital and Operating Budget discussions. The purpose of amending the EFD Joint Powers Agreement is to make the current timeline used and the JPA reflect the same process. The proposed changes are noted in Section 8 of the JPA agreement as noted below.

Capital Improvement Program and Operating Budget

Section 8 Budget

8.1 **Approval of Capital Improvement Program/Finance Plan.** After approval of the District's annual Operating Budget covering the calendar year 2001, the Member City councils shall approve a Capital Improvement Program/Finance Plan by an affirmative vote of a two-thirds majority of the Member City councils. Any proposed amendment to the Capital Improvement Program/Finance Plan shall be approved by an affirmative vote of two-thirds majority of the Member City councils no later than ~~July 15~~ **September 15**. The vote on the Capital Improvement Program/Financial Plan or any amendment thereto shall be binding upon all Member Cities.

8.2 **Approval of District Operating Budget.** The annual District Operating Budget, which shall include any outlay necessitated by the Capital Improvement Program/Financial Plan, must be approved by an affirmative vote of the majority of Member City councils. The vote on the annual District Operating Budget shall be binding upon all Member Cities.

8.3 **Budget Process and Schedule.** The annual District Operating Budget shall consist of the entire cost of operation of the District including the costs incurred by the District in financing the special fund of the Firefighters' Relief Association, which shall be determined pursuant to the provisions of Minnesota Statute Section 69.774. Except for the annual District Operating Budget for the calendar year 2001, the District shall submit a proposed budget to the Member Cities through their Operating Committee members by ~~June 15~~ **August 10**. The Member City councils shall vote on the proposed budget by ~~September 1~~ **September 15**. For the annual District Operating Budget for the calendar year 2001, the District shall submit a proposed budget to the Member Cities through their Operating Committee members by August 1, 2000. The Member City councils shall vote on the calendar year 2001 proposed budget by September 1, 2000.

Once you have acted on the proposed JPA changes, please provide me, in writing, the summary of your city council actions. Once all cities actions are complete, I will send out a follow-up letter.

Please contact me with any questions or concerns.

**EXCELSIOR FIRE DISTRICT
JOINT POWERS AGREEMENT
*Including 1st, 2nd, 3rd Amendments
Up to date as of November 16, 2011***

THIS AGREEMENT, made and entered into this 16th day of November, 2011, by and between the Cities of Deephaven, Excelsior, Greenwood, Shorewood, and Tonka Bay, all of which are municipal corporations of the State of Minnesota (collectively, the “Member Cities”).

WHEREAS, the parties hereto are authorized by law to provide fire protection and medical response services to their residents; and

WHEREAS, the parties hereto have determined that such power may be best exercised jointly by creation of the Excelsior Fire District to carry out such purposes; and

WHEREAS, the parties hereto desire to enter into a joint powers agreement for the purpose of creating and implementing said District including its operation, ownership of equipment and facilities, and funding; and

WHEREAS, Minnesota Statutes Section 471.59 authorizes governmental units by agreement of their governing bodies jointly and/or cooperatively to exercise any power common to the contracting parties and to provide for a joint board representing the parties to the agreement; and

WHEREAS, all previous agreements, amendments or parts thereof in force at the time of execution of the Excelsior Fire District Joint Powers Agreement will be repealed and replaced; and

WHEREAS, each signatory to this Agreement hereby agrees to repeal any ordinance in effect in its city that is in conflict with this Agreement, and to amend any existing ordinance or adopt a new ordinance in order to create the Excelsior Fire District;

NOW THEREFORE, the parties to this Agreement mutually agree as follows:

Section 1 General Purpose and Intent

1.1 **General Purpose.** It is the general purpose of this Agreement:

- a) To provide fire protection services including, but not limited to, fire prevention, fire fighting, and rescue and medical response to one community comprised of the Member Cities; and
- b) To establish a joint powers governance structure to deliver the services described above consistent with the provisions of this Agreement and Minn. Stat. 471.59.

1.2 **General Intent.** It is the general intent of the parties to this Agreement to declare the cities commitment to establish, through special legislation or other means, a special unit of government to provide fire protection and medical response services to the Excelsior Fire District and to provide the basis for a smooth transition to that special unit of government.

Section 2 Organization

2.1 **Establishment.** There is hereby established by the execution of this Agreement the “Excelsior Fire District” (hereinafter referred to as the “District”) to be managed and operated pursuant to the terms of this Agreement.

2.2 **Governance.** The governing body of the District shall be the “Excelsior Fire District Board” (hereinafter referred to as the “Board”). The Board shall consist of the following members:

- a) **Voting Members:** Voting Members shall include one (1) elected official of the city council of each Member City. No employee of the District or any police department serving any of the Member Cities may serve on the Board as a Voting Member.

If any Member City/Cities are hereafter consolidated into a new municipal corporation, the corporation will have one (1) Voting Member representative.

- b) **Ex-Officio (non-voting) Members:** The chief administrative officer (city manager, administrator, or clerk) of each Member City shall serve on the Board as a non-voting Ex-Officio Member.
- c) **Alternate Members:** The city council of each Member City shall name one (1) elected official of its city council to serve as an Alternate Member in case of absence of the Voting or Ex-Officio Member. The Alternate Member shall have the authority to vote in place of (but not in addition to) the Voting Member. The Alternate Member shall not participate as a Board Member except in the absence of the council member or the Ex-Officio Member.
- d) **Board Procedures:** The Board shall elect from among its Voting Members, a Chair and a Vice-Chair. The Chair shall act as the presiding officer at Board meetings and the Vice-Chair shall act as the presiding officer at any meetings not attended by the Chair. The Board shall have authority to adopt by-laws establishing its own procedures.

2.3 **Compensation.** Board members shall serve without compensation from the District, but nothing herein shall be construed to prevent a Member City from compensating its members for service on the Board to the extent such compensation is otherwise authorized by law.

2.4 **Board Quorum.** Four of the Voting Members present shall constitute a quorum for the purposes of all Board meetings, with the exception of Special Quorum Meetings, at which three Voting Members shall constitute a quorum.

2.5 **Meetings.** The Board shall hold regular meetings at least once each calendar quarter. The Board may also, from time to time, hold special meetings and emergency meetings.

At any Board meeting attended by only three Voting Members, the three Voting Members in attendance may, by unanimous vote of all three Voting Members in attendance, call for a Special Quorum Meeting. A Special Quorum Meeting shall be achieved by the attendance of three Voting Members.

All meetings of the Board are governed by the Minnesota Open Meeting Law, Minnesota Statutes Section 471.705. Notice of a Special Quorum Meeting shall be provided in compliance with the special meeting requirements of the Open Meeting Law and provided to each of the Member Cities.

2.6 **Voting.** Each Voting Member shall have an equal vote. Unless otherwise specified herein, the Board may take action on any issue by majority vote of all Voting Members. Voting by proxy is not allowed.

2.7 **Operating Committee.** The Ex-Officio Members shall comprise the Operating Committee. The Operating Committee shall meet with the Fire Chief/District Administrator on a monthly basis and report to the Board at each regular meeting.

The Operating Committee shall have the authority to approve budgeted expenditures during monthly meetings. Non-budgeted expenditures must be approved by the Board. A list of bills shall be provided to each member of the Operating Committee on a monthly basis.

2.8 **District Office.** The address of the District shall be 24100 Smithtown Road, Shorewood, Minnesota 55331. (This address may be changed by the Board.)

2.9 **Fiscal Agent.** The City of Excelsior shall act as the initial fiscal agent for the District. The fiscal agent shall be compensated by the District at a rate mutually agreed upon by the fiscal agent and the Board. The Board may change the fiscal agent as it deems necessary from time to time. The District shall indemnify and hold the fiscal agent harmless from any claims, causes of action, or liability arising out of actions it takes in performing duties under this section except for claims, causes of action or liability arising out of the negligent or intentional acts of the fiscal agent in performing its duties under this paragraph.

2.10 **Default.** No Board member shall be eligible to vote on behalf of the Member City he or she represents during such time as that Member City is in Default of the terms or provisions of this Agreement. During the time that a Member City is in Default, that Member City's seat on the Board shall not be counted for purposes of calculating a quorum or a prevailing vote. For the

purposes of this Agreement, "Default" shall mean any breach of the terms of this Agreement or failure to comply with any of the provisions herein. A Member City shall not be considered in Default until it has been notified in writing by the District and has had twenty (20) business days from the date it received the notice to cure its Default. A Member City shall thereafter remain in Default until it has cured the Default.

Section 3 General Powers of the Board

3.1 **Powers.** The Board shall have and is hereby given all powers, duties and functions enumerated in this Agreement and provided by law, and all such further powers necessary to carry out the intent and purpose of the District with respect to acquisition of property and operation of the District heretofore set forth, including but not limited to the following:

- a) To employ and determine the terms of employment of fire protection, administrative, and other personnel, accountants, engineers, legal counsel, and other qualified personnel, except as provided in this Agreement.
- b) To cause reports, plans, studies, and recommendations to be prepared.
- c) To purchase capital equipment and land, and to cause the construction of buildings to implement the purposes of the District.
- d) To lease or purchase equipment (including capital equipment) and supplies necessary for the proper operation, care, maintenance, and preservation of District facilities and equipment.
- e) To adopt District bylaws, rules and regulations for the operation, maintenance and use of District fire protection services, equipment, and facilities.
- f) To enter into mutual aid agreements with other organizations with similar purposes.
- g) To dispose of capital equipment and land consistent with the terms of this Agreement.
- h) To sell or lease any of its equipment (including capital equipment) as may be deemed expedient.
- i) To establish a yearly operating budget for District services and a capital improvement program/finance plan (including an equipment replacement schedule) of not less than ten years' duration, which shall require approval consistent with the terms of this Agreement.
- j) To act as agent for receipt, custody, and disbursement of funds, gifts, or other funds paid or given by the Member Cities on behalf of or for the use of the District.

- k) As may be authorized by State law, to act as paying agent for any bonds, contract of indebtedness, and loans made in the names of the Member Cities for the benefit of the District, and act as a custodian of sinking funds created for or required by such indebtedness.
- l) To cause an annual independent audit to be made of all its accounts, books, vouchers, and funds.
- m) To promulgate, establish, and adopt suitable bylaws governing operations of the Board.
- n) To continue a Firefighters' Relief Association for the benefit of members of the District and to make such contribution to the fund of the Firefighters' Relief Association as the Board deems appropriate.
- o) To contract to provide fire protection and medical response services.

3.2 **Disbursements.** Except as otherwise provided, all unanticipated disbursements of the District shall be approved by the Board and co-signed by two officials designated by the Board.

Section 4 Fire Equipment, Land, Buildings, and Funds

4.1 **Disposition of Equipment to the Excelsior Fire District.** Effective January 1, 2001, all equipment and personal property of the City of Excelsior Fire Department used to provide fire protection services included on the attached Schedule A (the "Leased Equipment") shall be leased to the District pursuant to the terms of an Equipment Lease agreement (the "Equipment Lease Agreement"), for One Dollar (\$1.00), for a term ending upon the dissolution of the District (which would include the creation of a Fire Services Taxing District) or the expiration of a term of five (5) years. In the event that the District is dissolved before the expiration of the five-year lease term, the Equipment Lease Agreement shall be voided, and the Leased Equipment returned to the City of Excelsior. In the event that the District is not dissolved during the five-year lease term, title to the Leased Equipment shall be transferred to the District. All expenses relating to the maintenance and repair of the Leased Equipment and incurred during the lease term and thereafter shall be an operating expense of the District.

The District shall have the right to sell the Leased Equipment pursuant to the terms of the Equipment Lease Agreement. The District shall fully document each such sale and retain all records relating to such sale.

4.2 **Reimbursement to City of Excelsior Upon Dissolution.** In the event of the dissolution of the District at any time during the first five years of District operation (which five-year period shall begin on January 1, 2001), the City of Excelsior shall receive from the District:

- One hundred percent (100%) of the value listed on Schedule A for any Leased Equipment sold during calendar year 2001;
- Eighty percent (80%) of the value listed on Schedule A for any Leased Equipment sold during calendar year 2002;
- Sixty percent (60%) of the value listed on Schedule A for any Leased Equipment sold during calendar year 2003;
- Forty percent (40%) of the value listed on Schedule A for any Leased Equipment sold during calendar year 2004; and
- Twenty percent (20%) of the value listed on Schedule A for any Leased Equipment sold during calendar year 2005.

Any sum distributed to the City of Excelsior pursuant to this Section shall be in addition to any distribution owed to the City of Excelsior pursuant to Section 12 of this Agreement.

Section 4.2 shall not apply in the event that the District is dissolved for the sole purpose of the establishment by the Member Cities of a Fire Services Taxing District.

4.3 **Existing Land and Building.** The Fire Station used by the Excelsior Fire Department prior to this Agreement shall, beginning on January 1, 2001, become the initial Fire Station for the District. Ownership of the existing building and land for the Fire Station will remain with the City of Excelsior. The District shall pay the City of Excelsior a fair market rent for the space used for the Fire Station pursuant to a lease through at least June 30, 2003 unless the District is dissolved prior to that time in which case any obligations to pay rent or provide space shall cease. This rent shall be included in the budget of the District, and all Member Cities will contribute to it in their funding allocations. Any and all leasehold improvements to the existing building and land for the Fire Station shall remain the property of the City of Excelsior, and no compensation shall be paid to the District for such leasehold improvements when and if the District vacates the existing Fire Station.

In the event that District and the City of Excelsior cannot agree on the fair market rent for the space used for the Fire Station, either the City or the District may initiate an appraisal process by submitting written notice to the other party. Within thirty (30) days after the notice of the appraisal process has been issued, the City and the District shall appoint appraisers who shall, in turn, select a third appraiser to determine the fair market rent for the space used for the Fire Station. The appraisers selected by the City and the District shall produce reports with whatever supporting documentation they each see fit to provide and submit said appraisal reports to the third appraiser within sixty (60) days after the notice of the appraisal process has been issued. The third appraiser shall review the reports provided by the appraisers for the City and the

District and, if he or she determines it to be necessary, additional information relevant to determining the fair market rent for the space to be used for the Fire Station. The third appraiser shall issue his or her decision within thirty (30) days after receiving the reports of the City's and District's appraisers. The third appraiser's decision shall be final and binding on both the District and the City. The District and the City shall be responsible for the cost of the appraisers they appoint and shall equally divide the cost of the third appraiser.

4.4 **Transfer of Excelsior Fire Department Funds.** The funds remaining in the City of Excelsior Fire Department Funds (specifically, fund numbers 230-31, 233-35, and 240) on December 31, 2000 shall be transferred to the District on January 1 2001.

4.5 **New Land and Building(s).** For any expansion that may occur at the existing fire station site, the land shall be under the ownership of the City of Excelsior. All new buildings and lands may be owned and, to the extent permitted by law, financed by the District. The District may lease buildings and lands, including those that may be owned by any of the Member Cities.

4.6 **Purchase of Equipment.** Purchase of equipment by the District must be done in accordance with a capital equipment plan, which must include all physical items whose costs are anticipated to exceed \$10,000, approved by the Board. To the extent allowed by law, the District may use debt instruments to make such purchases.

4.7 **Use of Equipment Outside District Boundaries.** All equipment controlled by the District shall be used when needed within the boundaries of the District for the benefit of Member Cities. It should not be used outside the District, except as follows:

- a) In areas outside the District, where fire emergencies may endanger life or property within the District.
- b) When use is covered by contracts duly entered into by the District for fire protection or other services outside the District.
- c) When necessary to fulfill mutual aid agreements duly entered into by the Board.
- d) In case of major emergency or disaster, when authorized by the Fire Chief/District Administrator, or in his/her absence, the officer in charge. Such use shall be reported as soon as possible to the Fire Chief/District Administrator.
- e) When specifically authorized by the Board.

Section 5 Personnel and Administration

5.1 **Fire Chief/District Administrator.** The Fire Chief/District Administrator shall be responsible to the Board for the efficient and economical operation of the District; the hiring, termination, supervision, discipline and the direction of the District personnel; the establishment of rules of conduct for those personnel; and carrying out the policies and procedures adopted by the Board. The Fire Chief/District Administrator is appointed by the Board and serves at the pleasure of the Board. The Fire Chief/District Administrator is a full time employee of the District and may enter into an employment contract with the Board.

The Fire Chief/District Administrator shall be chosen by the Board solely on the basis of training, experience, administrative, and other qualification. The Fire Chief/District Administrator shall be appointed for an indefinite period of time and may be removed by the Board at any time. The Fire Chief/District Administrator need not be a “member” of the Excelsior Fire District. Should the Board determine that there should exist separate Fire Chief and District Administrator positions, only the District Administrator shall be the full-time paid position.

If the District has not selected a Fire Chief/District Administrator, the individual serving as Fire Chief of the Excelsior Fire Department on December 31, 2000 shall serve as the District’s Interim Fire Chief until such time as the Board selects a Fire Chief/District Administrator.

5.2 **Fire Marshal.** The District may have a position of Fire Marshal, who shall be appointed by the Fire Chief/District Administrator solely on the basis of training, experience, and administrative, and other qualifications. The Fire Marshal’s responsibilities will be to enforce the *Minnesota State Fire Code* and perform other duties that may be assigned by the Fire Chief/District Administrator. The Fire Marshal need not be a “member” of the Excelsior Fire District. Fire Marshal responsibilities may be performed by a contractor who is not an employee of the District; however, the Fire Marshal under the employ of the City of Excelsior on December 31, 2000 shall automatically be appointed as the District’s first Fire Marshal with continuation of his/her status as a regular employee including continuation of salary, benefits, accrued leave, and other customary issues of employment. The first Fire Marshal and all subsequent persons filling that position shall serve at the pleasure of the Fire Chief/District Administrator.

5.3 **District Positions.** The Board may, from time to time, establish, eliminate or reconstitute other employee positions as it deems to be appropriate.

5.4 **Training.** The District shall at all times be in compliance with such equipment, personnel and training standards as may be required by the laws of the State of Minnesota and the Federal Government.

5.5 **Employees.** On January 1, 2001, the personnel of the Excelsior Fire Department become employees of the District. If it has not done so prior to January 1, 2001, the District must promptly thereafter adopt rules and regulations governing the operation, management, departmental structure, personnel administration and other similar matters related to the District

and its personnel and operation. Until such rules and regulations have been adopted, the rules, regulations and ordinances of Member City where the personnel were previously employed apply to the personnel of the District.

The District shall hold Member Cities harmless and shall defend and indemnify the Member Cities for any claims, suits, demands or causes of action for any damages or injuries asserted against Member Cities based on allegations of wrongful, tortious or illegal conduct on the part of the personnel of the Excelsior Fire Department or the District.

5.6 **Compensation of Employees.** The compensation of the employees of the District shall be set by the Board.

5.7 **Membership in Firefighters' Relief Association.** Paid on-call employees of the District shall be eligible for membership in the Excelsior Firefighters' Relief Association. Other employees are members of the appropriate public employees' retirement fund, if eligible.

5.7.1 **Continuation of Prior Policies, Plans, and Procedures.** All Excelsior Fire Department policies, plans, procedure, and by-laws not superseded by this Agreement, in place on January 1, 2002, shall remain in effect until changed by the Board. The terms and provisions of this Agreement shall supersede any conflicting Excelsior Fire Department policies, plans, procedures, and by-laws in place at the time of the effective date of this Agreement.

Section 6 Uniform Fire Codes

6.1 **Adoption of Minnesota State Fire Code.** All Member Cities agree to adopt the most current *Minnesota State Fire Code* including *Minnesota State Building Code, Chapter 1306* and authorize the District to enforce said *Minnesota State Fire Code* in their cities within ninety (90) days of execution of this Agreement. Any city not so adopting shall be considered in default of this Agreement as defined in Section 2.10 unless said City agrees to indemnify and hold all other cities and the District harmless with regard to any possible circumstance or consequence. All Member Cities further agree that they will approve amendments to their City Codes of Ordinances adopting any updates or revisions to the *Minnesota State Fire Code* within sixty (60) days of receiving notice from the District that the *Minnesota State Fire Code* has been amended.

Section 7 Funding

7.1 **Member Contributions.** Each city shall contribute an allocated share ("Member Contribution") of the total operating budget (capital and operating expenses) to the District as established by the Board. The share allocated to each Member City shall be based upon that Member City's percentage of the:

1. total tax capacity for the District as of June 30 of the prior year;
2. assessor's estimated market value for property within the District as of June 30 the prior year;

3. population of the District based upon the most recent Metropolitan Council estimates of population within each Member City as of June 30 of the prior year;
4. total number of tax parcels within the District as of June 30 of the prior year; and
5. total number of calls made by the District over the previous three (3) calendar years prior to the immediately preceding year except that the calls made to 225 Mill Street in Excelsior do not count for purposed of this formula.

Initially, the allocations shall be made by adding each of the percentage identified above and dividing by five. Over time, the allocations will transition to a purely tax capacity based formula on the following schedule:

	<u>Tax Capacity</u> <u>Weight in Formula</u>	<u>Other 4 Factors*</u> <u>Weight in Formula</u>
2001	20%	80%
2002	20%	80%
2003	30%	70%
2004	40%	60%
2005	50%	50%
2006	60%	40%
2007	70%	30%
2008	80%	20%
2009	90%	10%
2010	100%	0%

*Each of the four factors would be equally weighted within their collective percentage of the formula.

An illustration of the manner in which the formula will be applied is attached as Schedule B.

7.2 Quarterly Payment. The District shall bill each of the Member Cities on a quarterly basis at least thirty (30) days before payments are due. Beginning January 1, 2008, Member Cities shall forward their contributions to the District on a quarterly basis, with such contributions being due and payable no later than:

First Quarter:	<i>January 15</i>
Second Quarter:	<i>April 15</i>
Third Quarter:	<i>July 15</i>
Fourth Quarter:	<i>October 15</i>

In the event that a Member City fails to pay any contribution required hereunder on the date due, such Member City agrees to pay a late charge of one-half percent (0.5%) of the delinquent amount to defray the costs of the District incident to collecting such late payment. Member Cities further agree to pay additional penalties of one-half percent (0.5%) per day after Default until payment is made. This provision shall not be deemed to excuse a late payment or be deemed a waiver of any other rights the District may have.

Section 8 Budget

8.1 **Approval of Capital Improvement Program/Finance Plan.** After approval of the District's annual Operating Budget covering the calendar year 2001, the Member City councils shall approve a Capital Improvement Program/Finance Plan by an affirmative vote of a two-thirds majority of the Member City councils. Any proposed amendment to the Capital Improvement Program/Finance Plan shall be approved by an affirmative vote of two-thirds majority of the Member City councils no later than ~~July 15~~ **September 15**. The vote on the Capital Improvement Program/Financial Plan or any amendment thereto shall be binding upon all Member Cities.

8.2 **Approval of District Operating Budget.** The annual District Operating Budget, which shall include any outlay necessitated by the Capital Improvement Program/Financial Plan, must be approved by an affirmative vote of the majority of Member City councils. The vote on the annual District Operating Budget shall be binding upon all Member Cities.

8.3 **Budget Process and Schedule.** The annual District Operating Budget shall consist of the entire cost of operation of the District including the costs incurred by the District in financing the special fund of the Firefighters' Relief Association, which shall be determined pursuant to the provisions of Minnesota Statute Section 69.774. Except for the annual District Operating Budget for the calendar year 2001, the District shall submit a proposed budget to the Member Cities through their Operating Committee members by ~~June 15~~ **August 10**. The Member City councils shall vote on the proposed budget by ~~September 1~~ **September 15**. For the annual District Operating Budget for the calendar year 2001, the District shall submit a proposed budget to the Member Cities through their Operating Committee members by August 1, 2000. The Member City councils shall vote on the calendar year 2001 proposed budget by September 1, 2000.

8.4 **Base Budget.** If the Member Cities are unable to agree on the proposed budget, the amount of the previous year's budget will be increased by the lesser of the following:

- a.) The increase in the July Minneapolis/St. Paul Consumer Price Index for All Urban Consumers (CPI-U) over the previous twelve month period; or
- b.) The percentage increase in the most restrictive statutory levy limit applicable to the budget year placed on any of the Member Cities over the levy limit for that Member City for the prior year.
- c.) In the event that (a) or (b) decreases, the operating budget shall remain the same.

If the Member Cities are unable to agree on the proposed budget for the calendar year 2001, the Excelsior Fire Department budget for calendar year 2000 shall be increased by the lesser of the items a.) – c.), above.

8.5 **Budget Reports.** Beginning January 1, 2001, the District agrees to submit to each of the Member Cities through its Operating Committee member a quarterly budget report. Furthermore, the District agrees to submit to each of the Member Cities through their Operating Committee members a copy of the District's annual financial report no later than June 15 of each year.

Section 9 Dispute Resolution

9.1 **Dispute Resolution Process.** Except as provided in section 4.3, when any Member City believes that there is a misrepresentation or a violation of the specific terms and conditions of this Agreement, that Member City may initiate the dispute resolution process by submitting to the District and each Member City a written statement outlining the dispute or disagreement. This written statement of dispute shall be forwarded by the complaining Member City to the Board at the Board's next scheduled meeting. The Board will then have a three (3) month period to resolve the dispute as to interpretation of application of the terms of this Agreement. If the dispute is not resolved within the three (3) month period, the dispute shall be forwarded by the Board to an appropriate mediation service.

The Board may independently call for dispute resolution of any issue, by majority vote of its Voting Members.

9.2 **Judicial Relief.** If the aggrieved Member City and the Board cannot mutually agree to a resolution through the mediation process as described in Section 9.1 within ninety (90) days after the initiation of the mediation process, either the aggrieved Member City or the Board may submit the issue to arbitration pursuant to the Uniform Arbitration Act.

Section 10 Withdrawal

10.1 **Notice.** Notice of intent to withdraw from participation in the District may be given only in March of odd-numbered years, with a minimum of 33 months' notice of intent to withdraw.

10.2 **Continuing Obligations After Withdrawal.** The withdrawing Member City shall pay an amount equal to 500% of the amount allocated to it during the year of its notice of intent to withdraw. The withdrawing Member City may make this payment during the five years succeeding its leaving the District, but in no year shall the amount paid be less than one-fifth of the 500% amount.

10.3 **Vesting.** Any party withdrawing from the Agreement shall have no vested rights or ownership in any of the property or assets of the District.

10.4 **Not Applicable if Dissolved.** This Section shall not apply if the District has been dissolved pursuant to Section 11 of this Agreement.

Section 11 Duration and Dissolution of District

11.1 **Duration.** Unless dissolved pursuant to this Agreement, the duration of the District shall be perpetual.

11.2 **Dissolution.** The District shall be dissolved upon the affirmative vote of a two-thirds majority of the Member City councils. Dissolution shall occur at the end of the second full calendar year after the date of the agreement to dissolve, unless this joint powers entity is reestablished as a special unit of government.

Dissolution shall also occur if:

- (1) the District does not adopt and the Member City councils do not approve a Capital Improvement Program/Finance Plan by July 1, 2003, that includes funding for construction of a new station(s) and/or the renovation of the existing fire station; the location(s) of a new fire station(s) for which shall be determined based upon among other things, improving the existing fire response times to Member Cities; and the plan and budget for the station(s) has been determined by the Board and recommended to the Member City councils as what is necessary to provide the best service for the District based upon a disinterested, professional feasibility study; or
- (2) said renovation or construction does not begin by June 30, 2004.

Dissolution under the terms in (1) above shall occur on December 31, 2003. Dissolution under the terms in (2) above shall occur on December 31, 2004.

Section 12 Distribution of Assets Upon Dissolution

12.1 Upon dissolution, the assets of the District shall be liquidated according to State Law. All cash from the liquidation of assets shall be distributed to the vested Member Cities based upon their share in the funding allocation in effect on the date of the agreement to dissolve except as provided in Section 4 of this Agreement.

Section 13 Counterparts

13.1 This Agreement may be executed in several counterparts and all so executed shall constitute one and the same agreement and instrument, binding on all of the parties hereto.

Section 14 Additional Members

14.1 **Process.** A municipality shall be added to the District only upon receiving the approval of each existing Member City.

14.2 **Equipment.** Municipalities added to this agreement shall not be compensated for equipment donated to the District.

14.3 **Budget.** The budget as established in Section 8 of this Agreement may be adjusted to reflect the addition of member(s) to the District should such member(s) be added.

14.4 **Vesting.** A new member must be party to this Agreement ten (10) years in order to have a vested interest in the assets of the District for the purposes of Section 12.1.

14.5 **Adjustment of Membership.** If any Member City/Cities consolidate with another Member City/Cities (i.e. merge to form a single new municipal corporation) the consolidated municipal corporation shall automatically become a single Member City party to this Agreement.

Section 15 Amendment of Agreement

15.1 **Required Approval.** This Agreement may be amended by identical resolutions adopted by the city council of every Member City. Such resolutions must be filed together with the Board.

15.2 **Submittal/Consideration/Action Process.** The Board or any Member City may propose amendments to this Agreement. Such amendments shall be in the form of a Board or city council resolution, and shall clearly identify the proposed amendment and the reason(s) for the amendment.

Any such proposed amendment shall be presented to the Board. The Board shall review the proposed amendment and issue a report on it to the Member Cities within ninety (90) days of proposal of the amendment. Member Cities shall have ninety (90) days after the Board issues its report in which to adopt city council resolutions as identified in Section 15.1.

Section 16 Allocation of Resources

The parties to this Agreement recognize the possibility that occasions will arise on which demand for the services outlined in the Agreement will exceed the resources available for provision of such services. In such circumstances, District officials use their best judgement to prioritize the delivery of services. The parties hereby agree that District shall have complete and definitive discretion in prioritizing the delivery of services pursuant to this Agreement.

Section 17 Effective Date

Except as otherwise provided herein, this Agreement is effective on September 1, 2000 provided that executed copies of this Agreement, accompanied by a resolution of the city council

of each Member City authorizing approval of this Agreement, are filed with the city clerk of the City of Excelsior.

Section 18 Notices

Any notice to the District required or permitted to be given under this Agreement shall be given in writing, and shall be sent by certified mail to the registered address of the District. Notice to each Member City shall be given in writing via U.S. Mail or fax to the address of the Voting Member and the City Clerk for that City.

Section 19 Choice of Law

The provisions of this Agreement shall be construed in accordance with the laws of the State of Minnesota.

Section 20 Headings and Captions

The headings and captions of this paragraphs and Sections of this Agreement are included for convenience or reference only and shall not constitute a part thereof.

Section 21 Entire Agreement

This Agreement contains the entire understanding between the Member Cities and the District concerning the subject matter hereof, and the provisions applicable thereto cannot be amended, altered, enlarged, supplemented, abridged, modified, extended, or waived except if done in accordance with the provisions of Section 15 of this Agreement.

Section 22 Limitation of Liability – District

22.1 Each Member City shall hold the District harmless and will defend and indemnify the District for any claims, suits, demands or causes of action for any damages or injuries based on allegations or negligence or omissions by employees, officers, or agents of that Member City. This provision does not apply to actions taken by employees, agents, or officers of Member Cities to the extent that they are acting as Board Members (Voting, Alternate, or ex officio) of the District.

22.2 The District shall hold its Board Members (Voting, Alternate, or officio), the Member Cities, their City Council Members, employees, and other agents harmless and will defend and indemnify the Board Members (Voting, Alternate, or officio), Member Cities, their City Council Members, employees, and agents for any claims, suits, demands or causes of action for any damages or injuries based on allegations of negligence or omissions by employees, officers, or

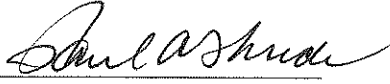
agents of the District. The District's duty to indemnify will be limited to its applicable insurance coverage.

Section 23 Limitation of Liability – Member Cities

The District shall hold the Member Cities harmless, individually and collectively, and will defend and indemnify the Member Cities for any claims, suits, demands or causes of action for any damages or injuries, arising prior to the establishment of the District, based on allegations or negligence or omissions by employees, officers, or agents of any of the Member Cities arising out of the provision of fire protection services (or the failure to provide such services) including, but not limited to, fire prevention, fire fighting, and rescue and medical response services.

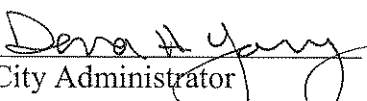
IN WITNESS WHEREOF, the undersigned governmental units have caused this Agreement to be executed by their duly authorized officers.

CITY OF DEEPHAVEN

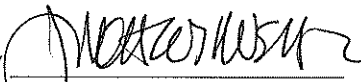
By 
Its Mayor

Date: Jan 11, 2012

ATTEST:

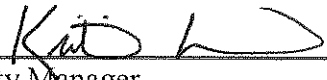

City Administrator

CITY OF EXCELSIOR

By 
Its Mayor

Date: Dec. 12, 2011

ATTEST:

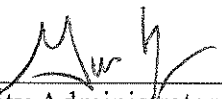

City Manager

CITY OF GREENWOOD

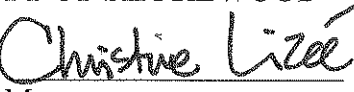
By 
Its Mayor

Date: 1/10, 2012

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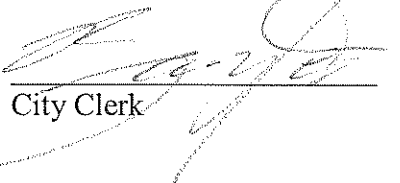

City Administrator

CITY OF SHOREWOOD

By 
Its Mayor

Date: 12/19, 2011

ATTEST:


City Clerk

CITY OF TONKA BAY

By 
Its Mayor

Date: 12/13/11, 2011

ATTEST:


City Clerk

CITY OF SHOREWOOD REGULAR COUNCIL MEETING MINUTES

October 10, 2011

Page 4 of 12

Councilmember Woodruff suggested the resolution be amended to change “from the LRT on County Road 19, Tonka Bay/Shorewood border to Smithtown Road” to reflect that it should connect to the existing trail in Tonka Bay.

Councilmember Zerby stated this is another great idea. This connection is the missing link. It will provide a connection from the LRT Trail to Badger Park, the Shopping Center, the Southshore Community Center and City Hall.

Zerby moved, Siakel seconded, Adopting RESOLUTION NO. 11-056, “A Resolution Supporting the Grant Application Made to the Minnesota Department of Natural Resources for the Local Trail Connections Program” subject to changing “from the LRT on County Road 19, Tonka Bay/Shorewood border to Smithtown Road” to “from the LRT on the east side of County Road 19 in Shorewood, connecting to the existing trail in front of the Tonka Village Shopping Center in Tonka Bay” and changing “percent math” to “percent match”. Motion passed 5/0.

C. Amendment to the Excelsior Fire District Joint Powers Agreement

Administrator Heck explained the Excelsior Fire District (EFD) five member cities are being asked to adopt a resolution approving the third amendment to the EFD Joint Powers Agreement (JPA). The amendment changes the timeline for approval of the EFD Capital Improvement Program (CIP) and the EFD Operating Budget. The amendment would change the date the cities have to vote on the CIP by to September 15th from July 15th. It will change the date the EFD has to submit its Operating Budget to the cities to August 10th from June 15th and the date the cities have to vote on the budget by to September 15th from September 1st. The current budget timeline has been problematic due to the required contribution to the Excelsior Firefighters Relief Association (EFRA) fund for pensions. The EFRA files its final paper work for determining the amount of the required contribution with the Office of the State Auditor (OSA) on July 31st. The OSA determines what the contribution is. The proposed dates are what were used for the 2012 budget process.

Heck noted the member cities' City Administrators/City Manager and the EFD Governing Board recommend the timeline changes be approved.

Director DeJong explained Council usually adopts its final preliminary budget and maximum tax levy during its last regular meeting in August. That will now be moved to its first meeting in September.

Siakel moved Zerby seconded, Adopting RESOLUTION NO. 11-057, “A Resolution Approving the Third Amendment to the Excelsior Fire District Joint Powers Agreement” regarding the timeline for annual approval of the Capital Improvement Program and the Operating Budget. Motion passed 5/0.

D. Amending Chapter 308 of the Shorewood City Code as it Pertains to Transient Merchants, Solicitors, Peddlers, Canvassers and Garage Sales

Administrator Heck stated the meeting packet contains a copy of a draft amendment to the City Code Chapter 308 titled *Transient Merchants, Solicitors, Peddlers, Canvassers and Garage Sales*. He highlighted some the changes proposed. In the purpose section hawkers were deleted; solicitors and canvassers were added. In the definition of garage sales and in exclusions for garage, rummage and craft sales the words “community center, school” were added to premises and locations. The City currently charges a \$50 fee to cover the cost of a background check and other administrative costs. If an application