OFFICIAL MINUTES

MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
June 10, 2014

1. **CALL TO ORDER**
The regular semi-monthly meeting of the Tonka Bay City Council was called to order at 7:00 p.m.

2. **ROLL CALL**
Members present: Mayor De La Vega, Councilmembers Anderson, Ansari, Clapp and Grothe. Also present were City Administrator Kohlmann, City Attorney Penberthy, and Public Works Superintendent Bowman.

3. **APPROVAL OF AGENDA**
Anderson moved to approve the agenda as submitted. Ansari seconded the motion. Ayes 5. Motion carried.

4. **CONSENT AGENDA**
Ansari moved to approve the consent agenda as presented approving:

   A. **Regular Meeting Minutes of May 27, 2014 – Item 7, Public Hearing, 2nd paragraph – add comma after comments.**
   B. **Special Meeting Minutes of May 22, 2014**

Ansari seconded the motion. Ayes 5. Motion carried.

5. **MATTERS FROM THE FLOOR**
None

6. **SPECIAL BUSINESS**
   A. **Lake Minnetonka Association**
   Kohlmann stated representatives from the Lake Minnetonka Association are present to discuss milfoil treatment in Gideons Bay.

   Judd Brackett, 125 Woodpecker Ridge Road asked for comments on the flyer in the packet.

   Ansari asked for further comments on the 35% participation from residents – what plans are being made to get more participation, for example. Brackett stated he didn't have any specific comments. He did, however, note that there are donations ranging from $50 to $4,000. He stated the hope was for the flyer to encourage people to give more. Brackett stated the herbicide used is milfoil specific. They are EPA and DNR-approved

chemicals.

Ansari asked if the percentage of participation has always been about the same. Brackett stated it has always been about the same.

Ansari asked if this is a five-year program. Brackett stated the protocol has changed now, and it will be an on-going management issue. He stated there is a cheaper chemical now that is DNR-approved that would have been an option, but he believed the more expensive chemical is a better choice.

In response to a question from Clapp, Brackett discussed areas that are treated. He noted every year is a different set of circumstances.

De La Vega asked if the LMCD is contributing funds. Brackett noted the LMCD contributed toward the first three bays in the treatment program in the first three years. We started our program in the fourth year. We have received grants from the DNR.

De La Vega noted the City has contributed $5,000 every year. He explained why he would recommend the participation be increased to $10,000 this year. Ansari stated she would like to see participation from the residents increase.

Brackett discussed the Legislature's approved Lakeshore Improvement District whereby lakeshore owners can be taxed for certain projects. He stated they are looking at this to spread around the treatment at some point.

Grothe stated he supported an increase but was unsure whether it should be $10,000. He suggested $7500.

Clapp moved to approve a $10,000 contribution to the Lake Minnetonka Association. Anderson seconded the motion. Ayes 5. Motion carried.

7. PUBLIC HEARINGS

A. Variance/CUP Request – Griffin, 4240 Circle Road

Kohlmann stated the applicant has requested an additional continuance.

De La Vega opened the public hearing.

Anderson moved to continue the public hearing to the June 24, 2014 meeting. Clapp seconded the motion. Ayes 5. Motion carried.

8. OLD BUSINESS

None

9. NEW BUSINESS

A. Retro reflectivity Policy

Kohlmann stated the retro reflectivity policy is mandated by state and federal guidelines, and a policy must be adopted.

Anderson moved to approve the retro reflectivity policy. Clapp seconded the motion. Ayes 5. Motion carried.

B. Birch Bluff Road

Kohlmann stated staff has received speeding complaints from residents on Birch Bluff Road. Additional information from SLMPD and a petition from residents are attached for review and discussion.

Philip Roe, 85 Birch Bluff Road stated he has surveyed residents of Birch Bluff Road. He gave them the options of speed bumps or closing the road. He discussed the results of the survey. He stated he would like to see concrete action taken. He preferred the road be closed.

Anderson asked when the option was given to close the road, was it to close it at Crescent Beach. Roe indicated that was the option.

Roe stated both the deputy police chief and fire chief were supportive of closing the road.

Eric Lindquist, 120 Birch Bluff Road stated another option is for the City to purchase the Anderson property to turn it into a park to further enhance Crescent Beach.

Tom Sims, 72 Birch Bluff Road stated he was not included in the survey. He refused to believe that five residents were not against closing Birch Bluff Road. He stated residents on Pleasant Avenue should be given a say on this closure. He stated the biggest problem is the intersection at Pleasant Avenue and Manitou Road. He stated we need to do something about the speeding which is the main issue. He stated there are many issues involved with closing the road.

Dave Soltau, 60 Birch Bluff Road discussed his concerns about speeding on Birch Bluff Road. He believed closing the road would give the street a neighborhood feel and eliminate the majority of late night traffic. He stated he preferred the dead end option to lower the volume of traffic. He stated something needs to be done, because someone will get hurt.

John Becker, 160 Birch Bluff Road discussed his concerns about speeders on Birch Bluff Road. He stated he often walks his dog and stays off the street for safety concerns. He also discussed his concerns about how the road will be closed and options to penalize those who drive around any barrier constructed.

Jim Price, 190 Birch Bluff Road supported closing the road. He stated there are a number of blind corners on the road. Walking on Birch Bluff Road has always been an issue. He stated speed bumps will not slow down speeding vehicles.

Brad Bloss, 210 Birch Bluff Road discussed his concerns about speeders. He stated it is a speed issue that needs to be resolved. He supported closing the road.

David Stovall, 55 Birch Bluff Road stated he supported speed bumps but did not oppose closing the road. He believed the real traffic is coming from Victoria. He stated several speed humps would be needed in order to slow down traffic. He didn't think residents of Tonka Bay and Shorewood would be opposed to the speed humps.

Chris Hogle, 4231 Circle Road stated he would be opposed to closing Birch Bluff Road.

Marge Johnson, 245 Birch Bluff Road stated she did not sign the petition because there are too many unanswered questions and too many concerns not met. She questioned if there might be other options, has a traffic engineer been contacted, what will happen to the existing road, and the impact of a cul-de-sac on her property. She stated she is also concerned about Pleasant Avenue. She asked what the city's response will be when residents on Pleasant Avenue come with their concerns about the increased traffic. She stated most people are going to the beach come from the other end of Birch Bluff Road or Pleasant Avenue. She also had strong concerns about accessibility for emergency vehicles. She stated if

her property is going to be purchased, she should be informed of that fact. De La Vega stated this is the first time we have heard about that issue.

Lindquist asked if there is a temporary solution that can be done at this point. He believed traffic will go to Smithtown Road rather than Pleasant Avenue if Birch Bluff Road be closed. He stated several dogs have been hit and killed on Birch Bluff Road. He stated the police and fire voiced concerns about notifying other cities that this road has been closed.

Becker recalled when the intersection was reconstructed where the shopping center is located. When it was being constructed, there was a remarkable increase in traffic on Birch Bluff Road. Once the construction was completed, it did not abate.

Sims asked that the residents be kept better informed of what is going on.

De La Vega stated meetings are filmed and available to all. He didn't recall an active effort over the last eight years on this subject. He appreciated all the efforts taken to move forward with a decision. He stated it should be taken to account there are things that happen that create unintended consequences. Traffic will go somewhere else, and Pleasant Avenue is not the preferred access.

Grothe asked if the road is closed, what will happen to the beach access, and where would the parking go. He felt if it is closed, people would use Pleasant for a while and then switch to Eureka to get to Smithtown. He believed most of the traffic is coming from outside Tonka Bay. He stated it is time to look at options and get the City Engineer involved.

Clapp stated he is a resident of Birch Bluff Road. He stated he would be in favor of a dead end as he believed speed bumps would reduce speed but not volume. He stated either option will be expensive. He stated speed humps work but are not plow friendly.

A member of the audience discussed drainage concerns when humps or bumps are installed.

De La Vega proposed a concept study be prepared for Birch Bluff Road and Pleasant Avenue. He suggested a temporary blockage be placed on Birch Bluff Road in order to review the results. It would be something that could be moved easily, but pedestrians could get around the barrier. He

suggested it be blocked after Crescent Beach. He stated there are issues with Shorewood, and details have to be ironed out. He suggested gathering information to see that the problem is resolved. He believed a temporary blockade would achieve the needed result. A sign indicating "local traffic only" should also be installed. He stated he would like to study more closely until a permanent decision is made. This is a first step. He stated the residents' input is very valuable as we move forward. He invited residents to attend any and all meetings.

C. **No Parking Signs on Interlachen**

Kohlmann stated it was suggested this be brought back to this meeting. There are people in attendance tonight to discuss this topic.

David Rice, 10 Interlachen Lane stated the signs should be removed and put up from April through June only.

Sandy Thoele, 40 Interlachen Lane stated she needs parking availability as she has company every weekend. Her driveway only holds four cars. She requested there be some sort of temporary permit.

Ed Bauman, 65 Interlachen Drive stated he was present to rescind the "No Parking" on Interlachen. He stated it looked like it was an attempt to stop fishing altogether. He stated there wasn't anything communicated to those who were fishing. He was concerned about his rights as a citizen.

Chris Hogle, 4231 Circle Road stated there haven't been any problems with parking on Circle Road. He suggested Circle Road also be dead ended.

De La Vega stated the need for the no parking signs has been abated. He didn't feel the same about West Point Road. He stated there needs to be a group of people put together to discuss what to do for next year. Longer term action is needed. He asked for someone on the City Council to head up that effort. Short term, we dealt with the situation, but now the fish are gone and party season is starting.

Grothe believed a lot of those fishing have moved to the fishing pier. He was concerned that the roads along Interlachen are soft and the south side should be signed for "No Parking" to protect the area.

Clapp stated he would like to see the no parking signs removed. He

supported they be removed from both areas, not just Interlachen.

Clapp moved to rescind Resolution 14-13 to remove signs along Interlachen. Anderson seconded the motion. Ayes 5. Motion carried.

D. **2014 Lawn Mower**

Bowman reviewed the request for the purchase of a new lawn mower. He stated Public Works crew members tested all the proposed mowers. He discussed funding for the purchase.

Anderson moved to approve the purchase of a 2014 lawn mower from Waconia Farm Supply in the amount of $3,382.80 ($7,800.00 trade-in). Clapp seconded the motion. Ayes 5. Motion carried.

E. **2014 Street Striping**

Bowman reviewed striping proposals for several streets in Tonka Bay. Streets which will be striped are Birch Bluff Road, Wildhurst Road, and Pleasant Avenue. He reviewed the low quote from Twin City Striping in the amount of $1,734.

Anderson moved to approve the low quote from Twin City Striping in the amount of $1,734 with funding from the 2014 General Fund Road Repair Budget. Clapp seconded the motion. Ayes 5. Motion carried.

F. **Old Orchard Parking Lot Striping**

Bowman reviewed the proposal to stripe the Old Orchard parking lot striping. He stated the low quote was from A-1 Stripes in the amount of $250.

De La Vega stated a resident suggested there be no parking in front of the satellite so access is not restricted.

Councilmembers discussed the parking lot striping.

Clapp suggested having the parking lot contractor review the plan to see how the proposed flow works. De La Vega provided his own drawing of the parking.

Anderson moved to approve the low quote was from A-1 Stripes in the amount of $250 plus $50 to cover the additional striping. Clapp seconded the motion. Ayes 5. Motion carried.

G. **Well No. 2 Inspection and Repair**

Bowman reviewed quotes for the inspection and possible repair of Well No. 2. He stated there are many unknowns with wells given it is unknown what needs repair.

Grothe asked if there is a preference of the two lowest bidders. Bowman stated he did not have a preference and has worked with both contractors.

Anderson moved to approve the low quote from Bergerson Caswell based on the high and low average quote amount of $17,845 but not to exceed high quote of $22,500. Kohlmann is authorized to approve up to $25,290 if needed. Grothe seconded the motion. Ayes 5. Motion carried.

H. **Change Meeting Date in August**

Kohlmann stated the Primary Election date is August 12 and is recommended the meeting be changed to August 13. Clapp stated he would not be able to attend. Councilmembers concurred the meeting would be moved to Thursday, August 14.

Anderson moved to change the August 12 meeting date to August 14. Clapp seconded the motion. Ayes 5. Motion carried.

I. **Adopt Resolution Appointing Election Judges**

Kohlmann stated the election judges must be appointed.

Anderson moved to adopt:

RESOLUTION NO. 14-18
A RESOLUTION APPOINTING ELECTION JUDGES FOR THE PRIMARY ELECTION ON AUGUST 12, 2014
AND GENERAL ELECTION ON NOVEMBER 4, 2014

Clapp seconded the motion. Ayes – De La Vega, Ansari, Anderson, Clapp and Grothe. Motion carried.

J. **Southshore Center**

Kohlmann stated a letter has been received from the City of Shorewood requesting Tonka Bay take action.

De La Vega stated his take is they do not wish to continue with The Cove concept. Councilmembers discussed the letter received from Shorewood and the future of the Southshore Center.

De La Vega stated he was not in favor of giving up our ownership rights. Ansari believed that ownership needs to be cleaned up before Shorewood moves forward.

Council discussed what would happen if they have a capital expense. De La Vega stated it could be taken from any future payoff should the building ever be sold.

10. MATTERS FROM THE FLOOR

None

11. REPORTS

A. **Administrator** – Kohlmann stated there were some late developments relating to the bog in the lagoon. A piece has broken off and dock renters have asked the City to move it. He did get a quote just in case. He stated the City does not move bogs.

B. **Anderson - Finance, Fire Lanes and Public Access, Technology** – no report

C. **Ansari – EFD, Sanitation and Recycling, Southshore Community Center** – Ansari thanked staff and Jeff Anderson for all their work on the grant proposal for recycling containers. She indicated the American Legion has partnered with the City at this project. She also discussed recent EFD activity.

D. **Grothe – Building Inspection, Municipal Buildings and Grounds, LMCC** – no report

E. **Clapp - Parks and Playgrounds, LMCD, Commercial Marinas, Municipal Docks** – no report

F. **Attorney's Report** – no report

G. **De La Vega - Public Works, SLMPD, Administration** – De La Vega asked if a dock security survey is in process. Clapp stated he has not talked to staff yet. De La Vega asked if signage at the docks has been removed. Staff will review and return to a future meeting.

12. ADJOURNMENT

There being no further business, it was moved by Anderson to adjourn the meeting at 9:28 p.m. Clapp seconded the motion. Ayes 5. Motion carried.

Attest:

_____
Clerk