

## ITEM NO. 4B

### MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING August 23, 2016

**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 Ansari, Clapp and Grothe. Commissioner Anderson was absent. Also present were City Administrator Crawford and City Attorney Biggerstaff.

**3. APPROVAL OF AGENDA**

Grothe moved to approve the agenda as submitted. Ansari seconded the motion. Ayes 4. Motion carried.

**4. CONSENT AGENDA**

Clapp moved to approve the following consent agenda items:

- A. Work Session Meeting Minutes of August 10, 2016
- B. Regular Meeting Minutes of August 10, 2016
- C. Accounts Payable
- D. Resolution 16-28, Variances – Matre, 200 Birch Bluff Road
- E. Resolution 16-32, Variance Denial – Baker, 65 Clay Cliffe Drive

Ansari seconded the motion. Ayes 4. Motion carried.

**5. MATTERS FROM THE FLOOR**

None

**6. SPECIAL BUSINESS**

None

**7. PUBLIC HEARINGS**

None

**8. OLD BUSINESS**

- A. Zoning Ordinance Amendments Sections 1002 and 1011

Crawford recommended reviewing pages 1-16 of Section 1002 and Section 1011.05, Fencing/Screening this evening.

De La Vega stated he didn't have any other changes for the remaining definitions. He discussed the definition of basement which made sense to him.

The definition for "cellar" was also discussed. De La Vega asked why the definition was removed. Perdu stated it was determined it was no longer needed as a definition. De La Vega agreed.

The definition for "conditional use" was discussed. Crawford noted nothing changed from the previous meeting other than the addition of City Comprehensive Plan.

The definition for "day care" was discussed. Grothe stated the additional language makes it clearer. Biggerstaff stated the state agency department name was changed.

The definition for "driveway" was discussed. Grothe clarified the definition and the difference between a parking area and a driveway. De La Vega stated "parking area" doesn't have a definition which makes the driveway definition confusing. He asked if parking area should be defined. Grothe stated it could be difficult and very wordy. De La Vega asked if other cities' definitions were reviewed. Perdu stated she didn't find other cities with parking area defined. Most cities use "parking lot" instead. She suggested all references to "parking area" be termed "parking lot". Crawford noted we do not define parking lot either. De La Vega suggested the driveway definition end at the end of the first sentence thereby stating what it is. Council agreed to move the remainder of the driveway definition to the parking area definition.

The definition for "fence" was discussed. Crawford stated visual screening elements were added to the definition. Councilmembers discussed this portion of the definition. Grothe believed landscaping should be considered a screening element rather than a fence. He stated he had a problem with everything being defined as a fence. He believed you cannot landscape your yard without getting a fence permit. Perdu suggested including a definition for a visual screening element. De La Vega agreed. Biggerstaff discussed enforcement issues. Councilmembers agreed the definition of fence should not include visual screening elements.

The definition of "floor area, gross" was discussed. De La Vega stated it

appeared the commercial and residential properties are combined. He believed there should be separate definitions for each. Perdu stated she hasn't seen that done, but it is the Council's preference. Grothe stated his problem is how the floor area, gross is calculated and believed the definition could be simplified similar to what is in the Minnesota State Building Code. De La Vega believed the volume and height should also be included in the definition. Grothe stated most cities include basement as part of the floor area, gross definition. Perdu discussed changes to the definition.

The definition of "floor area ratio" was also discussed.

Section 1011 was reviewed beginning with discussion of the use of "zoning administrator". De La Vega asked if it should be changed to city administrator. Crawford stated throughout the zoning ordinance, zoning administrator is identified.

Perdu stated she and Crawford discussed landscaping vs. fencing. They attempted to tighten up the language and clarify what was already there. She stated the guidelines for non-riparian lots are much simpler than riparian lots. She also stated it was pretty rare to regulate landscaping as fences. Councilmembers discussed the visual screening element. Crawford suggested it be included under a different section of the ordinance.

De La Vega asked whether we should get so specific under Item 5 or be more generic. He asked whether the prohibition of electric gates should be included in this section. Grothe stated he would like to just state automatic opening gates are not allowed. Councilmembers discussed various kinds of gates. Perdu stated you could define what you mean by a driveway entrance gate. The City Council discussed prohibiting gates all together

De La Vega identified a section of the ordinance where a green belt planting strip is discussed. Crawford noted that it referred to multiple family developments. De La Vega suggested it be used for residential as well. Crawford stated it is similar to what is planted next to the former All American Recreation building next to Manitou Park.

Ansari asked if there was a way to work with those constructing a new home. Crawford stated that it is the ultimate goal; however, not everyone comes in with a landscaping plan. Councilmembers discussed landscape plans and when landscape review should be required.

**9. NEW BUSINESS**

**A. Assessing Services Agreement**

Crawford stated the City Council chose Rolf Erickson Enterprises to provide assessing services. A contract has been provided for review.

De La Vega suggested minor changes to the contract to make it clearer.

Grothe moved to approve the agreement with Rolf Erickson Enterprises for assessing services as amended. Clapp seconded the motion. Ayes 4. Motion carried.

**10. MATTERS FROM THE FLOOR**

None

**11. REPORTS**

**A. Administrator** – Crawford stated seal coating is underway. She asked if road striping is on hold or should we move forward with it. Clapp recommended we not do it. Crawford stated staff had recommended striping Tonka Bay Road. Clapp suggested trying it unstriped. Councilmembers discussed road striping, safety, and whether to stripe the roads recommended at an earlier meeting. Clapp didn't believe Wildhurst Road needed to be striped as it was a dead-end street. **Ansari moved to approve striping of streets by Twin City Striping as recommended with the exception of Wildhurst Road. Grothe seconded the motion. Ayes 3-1. Clapp voted against the motion. Motion carried.**

**B. Anderson - Finance, Fire Lanes and Public Access, Technology** – absent

**C. Ansari – EFD, Sanitation and Recycling, Southshore Community Center** – Ansari asked for support for WeCAN who provided needed services in the Tonka Bay area.

**D. Grothe – Building Inspection, Municipal Buildings and Grounds, LMCC** – Grothe asked about the restoration of Manitou Park after the barbecue event. Crawford stated work should be proceeding in the near future. The Chamber is hiring someone to do the work. Grothe stated he was disappointed the school district event had to be canceled.

**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** – no report

**12. ADJOURNMENT**

There being no further business, it was moved by Grothe to adjourn the meeting at 8:33 p.m. Ansari seconded the motion. Ayes 4. Motion carried.

Attest:

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Clerk