

**OFFICIAL MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
January 10, 2017**

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, Grothe, and Jennings. Also present were City Administrator Crawford and City Attorney Biggerstaff.

3. OATHS OF OFFICE

Crawford administered the Oath of Office to Mayor-elect De La Vega, Councilmember-elect Ansari, and Councilmember-elect Jennings.

4. APPROVAL OF AGENDA

Anderson moved to approve the agenda as written. Ansari seconded the motion. Ayes 5. Motion carried.

5. CONSENT AGENDA

Anderson moved to approve the following consent agenda items:

- A. Regular Meeting Minutes of December 13, 2016**
- B. Resolution 16-46, 60 West Point Ave Variances**
- C. Resolution 16-47, 60 West Point Ave FAR CUP**
- D. Resolution 17-01, Appointments**
- E. Resolution 17-02, Water and Sewer Charges**

Ansari seconded the motion. Ayes 5. Motion carried.

6. MATTERS FROM THE FLOOR

None

7. SPECIAL BUSINESS

A. Councilmember Clapp Recognition

De La Vega thanked Clapp for his years of service and presented him with a recognition plaque and other items.

B. Hennepin County Commissioner Jan Callison

Commissioner Callison discussed County Board business and reported the Ridgedale Library was closing in April for close to a year while the County Service Center would remain open. She discussed child welfare services, legislative priorities, and partnerships with the cities. She also discussed road construction priorities in Hennepin County.

De La Vega thanked Callison for her help with 2016 projects and urged the County to look at revisiting the construction of a bridge over County Road 19 at the LRT trail crossing.

C. Accept LED Lighting Donation

De La Vega stated a donation for the purchase of LED lighting for the outside of City Hall and Public Works buildings was recently received from resident Judd Brackett.

Anderson moved to adopt Resolution 17-03 accepting a donation from resident Judd Brackett for the purchase of LED lighting for the outside of City Hall and Public Works buildings. Jennings seconded the motion. Ayes – Anderson, Ansari, Grothe, Jennings and De La Vega. Motion carried.

8. PUBLIC HEARINGS

A. Amend Chapter X, Zoning, Section 1011, General Development and Performance Standards – Solar Energy Systems

Crawford stated the City Council reviewed the solar energy language at the November 22 meeting. She indicated a public hearing was required for this proposed change.

De La Vega gave a background on the solar energy language process. He stated he would like to know if the Council would like to encourage these uses or regulate them from now on. He cited an article in the packet which referred to wind energy and the equipment involved which doesn't fit in residential areas. He asked if we were making decisions in terms of the aesthetics vs. the community/social benefits.

Grothe stated he thought there would be some homes where it wouldn't even be feasible to use solar technology because of the direction of the home and the slope of the property. Over time, panels on roofs would become a common sight.

Grothe stated he was concerned with the wind energy and safety concerns. There are so many small lots where the turbine wouldn't be able to get up high enough to even work.

Councilmembers discussed roof height and pitch regulations.

In response to a question from Ansari, Perdu stated the proposed ordinance language strikes a balance.

De La Vega opened the hearing for public comments. There were none, and the hearing was closed.

Anderson moved to approve Ordinance 2017-01 amending Section 1011 to add solar energy language. Jennings seconded the motion. Anderson moved to adopt Resolution 17-04 approving the summary publication. Jennings seconded the motion. Ayes – Anderson, Ansari, Grothe, Jennings and De La Vega. Motion carried.

9. OLD BUSINESS

A. CUP - Rolchigo, 60 West Point Avenue

Perdu updated the City Council on the Rolchigo request and noted the applicants have withdrawn some requests and amended others. She stated four approvals were granted in December for lot area, building height, finished fill buffer variance, and a CUP for floor area ratio. The side setbacks and CUP for roof height were continued. The applicant has come back with a revised roof peak height and footprint. The side setback variances have been withdrawn. With the revisions, staff would recommend approval of the CUP. She indicated a resolution was included for review.

De La Vega thanked the applicants for their hard work to amend their request.

Anderson moved to adopt Resolution 17-05 approving the CUP for 60 West Point Avenue. Jennings seconded the motion. Ayes – Anderson, Ansari, De La Vega, Grothe and Jennings. Motion carried.

B. Zoning Ordinance Amendments Section 1011, Wind Energy

Crawford requested guidance for ordinance language for wind energy systems based on ordinances provided by other cities. De La Vega noted

sample ordinance language was also provided in the informational document in the packet.

Anderson noted the information document provided was ten years old and wondered if there was anything more current.

Grothe stated he preferred the Spring Park ordinance.

Councilmembers discussed vertical vs. horizontal turbines, structure location, heat pumps, decibel ratings, abandonment requirements, site drawing requirements, and tree inventories.

Perdu noted in the Mahtomedi ordinance, wind technology was only allowed in their Public District which included a college.

Councilmembers discussed whether a fence around the structure should be required. They also discussed whether color/finish should be regulated and how the system would operate in the case of power outages.

10. NEW BUSINESS

None

11. MATTERS FROM THE FLOOR

None

12. REPORTS

- A. Administrator's Report – Crawford stated Arctic Fever is at Manitou Park on Saturday from 11 – 3 pm. A SLMPD meeting will be held tomorrow, and City Hall will be closed on Monday in honor of Martin Luther King Jr's. birthday.
- B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology – no report
- C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling, Southshore Community Center – Ansari stated a Park Committee meeting was held recently. Crawford updated the Council on the monument construction plans on the north end of the City.
- D. Jonathan Grothe – Building Inspection, Municipal Buildings and Grounds – no report. De La Vega stated an inventory of lighting will be done soon. Grothe stated we are also working on door replacement on the building. Crawford reported door and furnace quotes will be brought to the next meeting.
- E. Adam Jennings – EFD, Commercial Marinas, Municipal Docks – Jennings

- reported he will be going through City Council training on Thursday.
- F. Attorney's Report – Biggerstaff updated the Council on the Nextel antenna agreement. He asked for direction on their recent correspondence and offer. De La Vega stated the City requested \$150,000, and they countered with \$30,000. He believed the year's lease that was unpaid should be reimbursed. Biggerstaff discussed the contract's termination clause. De La Vega proposed the lease amount be added to the counter offer. He stated tear down costs should also be added. Council discussed the amount that should be requested and agreed it should be \$95,000 in a lump sum payment. Biggerstaff stated a draft letter would be prepared based on Council's direction and sent to Nextel.
- G. Gerry De La Vega –SLMPD, Administration, Public Works – De La Vega stated he will attend a SLMPD meeting on Wednesday. He also invited everyone to attend Arctic Fever.

13. ADJOURNMENT

There being no further business, it was moved by Anderson to adjourn the meeting at 8:42 p.m. Jennings seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk