

**OFFICIAL MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
February 14, 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. APPROVAL OF AGENDA

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

4. CONSENT AGENDA

Anderson moved to approve the following consent agenda items:

- A. Regular Meeting Minutes of January 24, 2017 as amended: De La Vega stated we mentioned the cost in the minutes on page 2 of 4 and would like to include the budget amount on both the door and the furnace. The following amendments were made: Page 2, 3rd paragraph, add: "It was noted the City Council approved \$15,000 for the replacement of the front and rear doors at City Hall in the 2017 City Hall/ Public Works Facility CIP;" and Page 2, Item 9B, add to first paragraph: "The low quote was from Avid Heating & Cooling in the amount of \$4,171.00, after rebates. The City Council approved \$5,246 for a new city hall furnace in the 2017 City Hall/Public Works Facility CIP."**

Grothe seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

None

6. SPECIAL BUSINESS

- A. Hennepin County Sherriff's Water Patrol – The Narrows Bridge Electronic Message Board**

Lt. Kent Vnuk discussed the placement of an electronic message board on The Narrows Bridge, hours of operation, and the kind of safety messages which will be displayed.

Grothe asked if severe weather warnings could be broadcast on the sign. Vnuk replied it would be possible for that type of a broadcast as needed.

Grothe asked if there would be more signs in the future. Vnuk stated there could be more signs in the future should the program prove to be successful. He indicated thousands of boaters use the channels on weekends in the summer.

De La Vega asked what the frequency of the messages would be for the messages. He was concerned about distracting boaters. Vnuk stated the signs are very adaptable and programmable, and he indicated they aren't looking to broadcast many messages but would have one message per day.

In response to a question from Ansari, Vnuk stated they would only broadcast the messages during daylight hours.

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

A. Zoning Ordinance Amendments Section 1011, Wind Energy

Councilmembers discussed whether large scale wind energy units should be included in the ordinance language.

The Council discussed the ground and roof-mounted system language in the ordinance.

De La Vega stated the question of height has everything to do with whether we want to encourage this wind energy.

Council discussed setback requirements and location for units on riparian lots.

Jennings asked how screening would be defined. Addison stated it would be with vegetation. It was noted more information on screening would be reviewed as the entire ordinance review progresses.

De La Vega stated we would also need to address noise in this ordinance. He stated he would like the decibel levels defined.

Crawford asked where the wind energy units should be allowed. Council agreed they needed to define where in a yard the units would be allowed.

De La Vega asked for a definition of nameplate generating capacity. Lewis stated it would most likely refer to the wattage of the unit.

De La Vega stated he had trouble with visualizing a roof-mounted unit. He suggested we only deal with ground-mounted units and look at 100' as a maximum height. He stated that would get you above the tree line in order to capture wind.

Grothe agreed and indicated we need to find a height we would be comfortable with.

De La Vega asked if we could find an average height for residential monopole installations.

De La Vega stated building inspections would be required to inspect the poles every three years. He asked if our building inspector would be certified to do that? He also believed three years would be too long. Lewis stated a structural engineer would need to make sure the pole would be installed to meet the requirements of the permit. The application would need a statement by a structural engineer.

Jennings asked if it would be too restrictive to require the abandoned site to be restored with vegetation. Lewis stated it was saying the abandoned area would need to be restored in some fashion.

The Council directed staff to further refine the ordinance language.

9. NEW BUSINESS

A. Special Event Request – Lake Minnetonka BBQ & Beer Fest

Crawford stated a special event request was received from the Excelsior-Lake Minnetonka Chamber of Commerce. She discussed the request and noted staff and the EFD and SLMPD have signed off on the application. She indicated this would not be a Kansas City-sanctioned event, and anyone could compete. The breweries would be professional.

De La Vega discussed the damage to the park last year. He stated keeping it all in the parking lot makes sense to him. Crawford stated there would be free shuttling offered again this year to the site, and SLMPD would direct traffic.

Anderson moved to approve the Lake Minnetonka BBQ & Beer Fest event. Jennings seconded the motion. Ayes 5. Motion carried.

B. Combine Inactive Financial Funds

Crawford stated the City Council has discussed the combination of several inactive financial funds into one park fund in the past. Up for discussion would be also including the dock fund and liquor fund.

De La Vega explained the liquor fund was created when the liquor store was sold. He discussed the balance which must be maintained. He didn't think it made sense to move these funds as it has certain ordinances attached to it. He stated the Southshore fund was created to offset expenses associated with the Center, and we divested ourselves of any involvement. He explained the Manitou Seawall was created to maintain the wall in the Brentwood Avenue area. Including the park fund, the three funds could be combined into one fund which made sense to him. Once the funds are spent, they are gone as we don't have a source for funding. The thought was to add the dock fund to the combined funds as that is an annual funding source. He would still want to maintain an enterprise-like fund for the dock fund. We could still use the funds as we always have.

Jennings asked if there was any thought that the funds in the liquor store fund might be needed at some point. He asked how we are bound to invest those funds. De La Vega stated the State regulates how we invest funds.

Council agreed to combine the Manitou Seawall, Southshore, Park Fund and Dock Funds to create a new Parks and Recreation Fund.

Anderson moved to direct staff to prepare a resolution directing staff to combine the Southshore Community Center Fund (406), Manitou Seawall Fund (408), and Dock Fund (617) to a newly created Parks and Recreation Fund (407) and rescinding Resolution 09-23. Ansari seconded the motion. Ayes 5. Motion carried.

10. MATTERS FROM THE FLOOR

None

11. REPORTS

A. Administrator's Report – Crawford stated City Hall would be closed on

- Monday for Presidents' Day.
- B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology – Anderson stated he wondered why we don't use the hockey rink in Manitou Park for a dog park. He stated it wouldn't cost much to do. De La Vega suggested the Park Committee research the possibility.
 - C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling, Southshore Community Center – Ansari stated she and Crawford met with the Republic Services representative to begin negotiations for a new contract. Crawford stated it would be a 5-year contract.
 - D. Jonathan Grothe – Building Inspection, Municipal Buildings and Grounds – Grothe tendered his resignation on the City Council effective April 11 after the City Council meeting as he is moving out of town. De La Vega thanked him for his years of service.
 - E. Adam Jennings – EFD, Commercial Marinas, Municipal Docks – Jennings discussed the League of MN Cities workshop he recently attended which is held annually for newly-elected City officials.
 - F. Attorney's Report – Biggerstaff reviewed a letter from Sprint with their latest offer of a lump sum payment of \$50,000. He discussed options to accept or reject the offer. Councilmembers discussed the offer. De La Vega stated the offer was less than the previous offer, and he stated there was a whole year's worth of rent that was not collected. Biggerstaff stated one option would be to not accept the offer and request the previous offer. Council agreed to counter with the original amount.
 - G. Gerry De La Vega –SLMPD, Administration, Public Works – De La Vega stated he participated in a Mayors' Forum at the Southshore Center sponsored by the Chamber and the League of Women Voters. He discussed lighting replacement on City Hall and the Public Works building.

12. CLOSED SESSION

De La Vega requested a motion to go into closed session pursuant to Minn. Stat. 13D.03 as the discussion constitutes a matter involving personnel.

The following persons were in attendance:

- 1. Gerry De La Vega, Mayor**
- 2. Elli Ansari, Councilmember**
- 3. Jeff Anderson, Councilmember**
- 4. Jonathan Grothe, Councilmember**
- 5. Adam Jennings, Councilmember**
- 6. Lindy Crawford, City Administrator**
- 7. Andrew Biggerstaff, City Attorney**

Anderson moved to go into closed session at 8:42 p.m. The subject matter of the meeting was: Union Negotiations. Grothe seconded the motion.

Ayes 5. Motion carried.

Anderson moved to adjourn the closed session at 9:06 p.m. Grothe seconded the motion. Ayes 5. Motion carried.

13. ADJOURNMENT

There being no further business, it was moved by Anderson to adjourn the regular meeting at 9:07 p.m. Grothe seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk