

**OFFICIAL MINUTES  
TONKA BAY CITY COUNCIL  
REGULAR MEETING  
March 28, 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 Ansari, Grothe, and Jennings. Councilmember Anderson was absent. Also present were City Administrator Crawford, City Attorney Biggerstaff, and Public Works Superintendent Bowman.

**3. APPROVAL OF AGENDA**

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

**4. CONSENT AGENDA**

**Jennings moved to approve the following consent agenda items:**

**A. Regular Meeting Minutes of March 14, 2017**

**B. Financial Report**

**C. Commercial Marina Renewals**

**D. Resolution 17-11 – Grothe Recognition**

**Ansari seconded the motion. Ayes 3-0-1. Grothe abstained from voting. Motion carried.**

**5. MATTERS FROM THE FLOOR**

A. Rob Jarvey, Country Joe Homes discussed his concerns about the obstacle involved with obtaining a Certificate of Occupancy for 85 Lakeview Avenue. He believed the obstacle related to the lack of a garage floor. Crawford stated that was one of the issues. She also needed final surveys. Jarvey stated many of these were unavailable due to weather conditions. He cited the ordinance relating to a CO and the possibility of obtaining a temporary CO.

Christine Loberg stated they hoped to come some sort of resolution to get a temporary CO.

De La Vega understood the floor was not complete because of road restrictions. Jarvey stated that was part of the reason. He discussed problems associated with the lot itself. He stated the floor needs to be

properly thawed and compacted to pour the garage floor.

Jarvey discussed the building process.

Loberg requested a temporary CO. De La Vega asked if the closing could take place with a temporary CO. Loberg stated it could.

Crawford asked Bowman if all Public Works items had been satisfied. Bowman identified several outstanding issues. Jarvey stated he would give access to the home for any needed inspections.

De La Vega stated we take information under Matters from the Floor and typically do not make any decisions. Jarvey stated this is a time sensitive issue.

## 6. **SPECIAL BUSINESS**

- A. Great Plains Institute – Wind Energy Systems Presentation  
Abby Finis, Great Plains Institute discussed wind energy systems in Minnesota, wind speeds, environmental benefits, and various types of wind turbines.

De La Vega asked what would be the necessary wind capacity for a turbine. Finis discussed capacity and electricity generation. She stated they aren't feasible in Tonka Bay. The smaller turbines could power 80% of the individual home.

Jennings asked how large the turbine base would be. Finis discussed the size.

Finis reviewed additional examples of smaller turbines in St. Paul, Orono, and Maple Grove which have not worked out as expected. She discussed real and perceived concerns relating to turbines and using zoning as a tool to regulate their use. She discussed turbine placement, setbacks, required speeds for effectiveness, and proximity to trees.

Finis discussed wind speeds in Tonka Bay over a one-year period. She discussed the importance of thinking about incorporating wind energy into the Comprehensive Plan update and guidelines to consider when enacting a wind energy ordinance.

De La Vega believed we are borderline capable of enacting an ordinance. He was concerned about the cost effectiveness. Finis stated solar would be

more cost effective when compared with wind energy.

Grothe asked how they would handle setback issues. Finis stated the industry standard would typically be 1-1/2 times the height of the tower. Grothe asked what would restrict that. Finis stated it would be up to the City Council to determine that.

Finis stated Xcel Energy has a Wind Source program that customers can sign up for, and it may eliminate the fuel charge on a monthly bill.

In response to a question from Jennings, Finis discussed the Green Steps program for cities.

**7. PUBLIC HEARINGS**

None

**8. OLD BUSINESS**

A. Zoning Ordinance Amendments, Section 1011

Crawford stated fencing and visually impairing elements will be reviewed tonight.

Erin Perdu, City Planner discussed the draft of the fencing section of the ordinance. She discussed changes proposed. Suggested edits were also made.

Grothe asked if shrub and hedge should be removed from the visual impairing section and in the riparian rights section. Perdu stated they could be taken out of fencing if requested.

Grothe discussed fence height requirements around swimming pools and the discrepancy with fences along the lake. Perdu stated that could be reviewed.

Jennings discussed his concerns about fence height on the street side for riparian lots. De La Vega stated we cannot begin to regulate that.

Councilmembers discussed hedge and tree height.

Jennings was concerned about restricting views of the lake for those who are walking on the street. Following discussion, Council agreed to limit the height on the rear of a riparian lot to 4-feet.

De La Vega suggested minor changes to the language. He suggested changes to reference to “allowed to grow” under riparian and non-riparian lots. Another change was to eliminate “man-made” reference.

Perdu discussed the proposed visually-impairing element language used to protect lake views.

De La Vega discussed subdivision 3 be changed to read within 5-feet of the property line and not reference the 6-foot height limitation. He also questioned natural-occurring vs. privately-planted. Perdu stated it was meant to indicate that whether or not you plant it, you maintain it.

City Council discussed naturally-occurring and privately-planted language.

**9. NEW BUSINESS**

A. Purchase New Mower

Bowman reviewed the request for the purchase of a 72” deck mower which would allow Public Works to mow faster. He recommended the low quote from Waconia Farm Supply.

De La Vega suggested the over-budgeted amount of \$438.24 be negotiated in the trade-in allowance.

**Grothe moved to negotiate with UFC Farm Supply Waconia to bring their quote under budget. Jennings seconded the motion. Ayes 4. Motion carried.**

B. Street Sweeping Services

Bowman reviewed the quotes for a 3-year contract for street sweeping. He recommended the Reliakor quote at \$77/hour be accepted.

**Grothe moved to approve the low quote from Reliakor Services in the amount of \$77/hour. Ansari seconded the motion. Ayes 4. Motion carried.**

**10. MATTERS FROM THE FLOOR**

None

**11. REPORTS**

A. Administrator’s Report – Crawford stated there is a Parks Committee meeting on Tuesday, April 4. She indicated she and Bowman met with Hennepin

- County to identify the location of the north side monument sign.
- B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology – absent
  - C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling, Southshore Community Center – no report
  - D. Jonathan Grothe – Building Inspection, Municipal Buildings and Grounds – no report
  - E. Adam Jennings – EFD, Commercial Marinas, Municipal Docks – Jennings discussed the recent EFD Board meeting. He stated he would also like to explore the possibility of automatic utility payments. De La Vega stated it could be reviewed again.
  - F. Attorney's Report – Biggerstaff suggested the Mayor and City Administrator enter into an agreement with the 85 Lakeview Avenue property owner listing a punch list of incomplete items and if the Council wishes to issue a temporary CO. Councilmembers discussed the recommendation. De La Vega supported the request but stated an additional escrow should be required. Jennings asked if a bond could be required in lieu of an escrow check. Biggerstaff suggested an irrevocable letter of credit issued by a bank. Grothe asked if there is any reason work cannot be done now. Bowman stated they would be able to complete the inspections within 1-2 hours. Ansari suggested certain dates be required. **Motion by Grothe to authorize staff to negotiate an agreement and the Mayor and City Administrator to execute said agreement for 85 Lakeview Avenue. Jennings seconded the motion. Ayes 4. Motion carried.**
  - G. Gerry De La Vega –SLMPD, Administration, Public Works – no report

12. **ADJOURNMENT**

**There being no further business, it was moved by Grothe to adjourn the meeting at 8:50 p.m. Jennings seconded the motion. Ayes 4. Motion carried.**

Attest:

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Clerk