ITEM NO. 4A

APPROVED MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
April 23, 2019

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, LaBelle, and Jennings. Also present were City Administrator Tingley, Public Works Superintendent Bowman 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**
A. Regular Meeting Minutes of April 9, 2019
B. Financial Reports
C. Temporary Parking Request – 60 Interlachen Lane
D. Temporary Parking Request – 90 Interlachen Lane

Jennings thanked staff for changing the format of the financial reports.

Anderson asked about the parking requests on the agenda.

De La Vega explained that parking restrictions were implemented due to safety concerns with parked vehicles next to the hatchery area but there had been discussion about allowing parking for special events at that time.

De La Vega noted there were now two requests for temporary parking requests. A request document was created by staff that would allow council to review and could be used to notify police.

De La Vega and Jennings discussed the ordinance history.

City Attorney Biggerstaff explained that a process for temporary parking permits could be added to the ordinance.

Anderson suggested updating the ordinance as City Attorney Biggerstaff

recommended.

Tingley noted the related Code was Section 910 and the resolutions were approved in 2014. Staff cannot allow temporary parking without Council approval.

LaBelle, Jennings, Anderson, De La Vega and Biggerstaff discussed the ordinance.

Anderson moved to approve Consent Agenda Items A, B, C and D. Ansari seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

None.

6. SPECIAL BUSINESS

None.

7. PUBLIC HEARINGS

A. 180 Wildhurst Road – Variance Requests

City Planner Ramler-Olson explained the proposal to maintain current location of existing home on lot and an addition to the principal structure and new deck extending off proposed addition.

De La Vega explained the process for the variance discussion.

Ramler-Olson noted that within the staff report, there was nonconforming structure language from the ordinance, but that the structure is an illegal nonconforming structure, therefore the request should not be reviewed using the ordinance language.

LaBelle, De La Vega, Ansari, Tingley, Rob Peterson and Ramler-Olson discussed the multiple iron markers on the surveys found on the property and encroachment of the principal structure.

Jennings asked why a conditional use permit would not be used in this case. Tingley explained that City Code require variances for setbacks.

De La Vega opened the public hearing.

Bill McHale, 180 Wildhurst Road and petitioner, noted that the new deck was going to be separated from the house and they were no longer asking for a variance for the new deck. McHale added that what they were asking was for variances for the house

and deck as built.

Tingley explained that prior to the permit being issued, part of the deck was removed. The new request is to restore the deck, but a variance has not been submitted.

De La Vega, Tingley and McHale discussed the variances submitted.

LaBelle asked if the variance would take the house from an illegal nonconformity to a legal nonconformity.

De La Vega answered affirmatively.

McHale, Tingley, Biggerstaff and De La Vega discussed the variance and nonconformance.

De La Vega closed the public hearing.

LaBelle noted that he supported the first variance but was not supportive of the second proposed variance related to the deck and home addition. De La Vega agreed.

Tingley detailed the motion options for Council.

LaBelle and Tingley discussed next steps for the applicant.

Anderson moved to direct staff to prepare a resolution approving the requested variance allowing a setback distance of 7.6 feet where 8 is required for the existing home at the property 180 Wildhurst Road based on the findings of fact listed in the report, items A through N.

LaBelle seconded the motion and thanked the resident for their cooperation. Ayes – Ansari, LaBelle, Jennings, Anderson and De La Vega. Motion carried.

Anderson moved to direct staff to prepare a resolution denying the requested variance allowing a setback distance of 7.6 feet where 8 is required for a proposed home addition and deck at the property 180 Wildhurst Road based on the findings of fact listed in the report, item A, B and C.

Ansari seconded the motion. Ayes – Ansari, LaBelle, Jennings, Anderson and De La Vega. Motion carried.

B. First Reading – Ordinance 2019-02 Section 600 Intoxicating Liquors
Tingley explained the ordinance cleaned up minor language based on recommendations from Biggerstaff to better conform with the State Statute. Tingley noted that it would not change the application process or policy.

De La Vega, Anderson, La Belle and Biggerstaff discussed the ordinance and any effects it may have.

LaBelle moved to waive the second reading and order the adoption of Ordinance 19-03 Amending Section 600 Related to Liquor Licensing. Jennings seconded the motion. Ayes – 5. Motion carried.

LaBelle moved to pass Resolution 19-15 authorizing summary publication of Ordinance 19-14. Jennings seconded the motion. Ayes – Ansari, LaBelle, Jennings, Anderson and De La Vega. Motion carried.

8. OLD BUSINESS

A. 125/135 Crabapple Project Bid Approval
Tingley explained the history of the Crabapple Lift Station Infrastructure Agreement. Tingley noted that Staff was looking for approval to accept the bid from Parrott Contracting. He noted that the City has $40,000.00 toward the project and the lowest city cost would be $47,582.00.

De La Vega, Jennings, Anderson and Tingley discussed the project budget.

Bowman, Tingley, De La Vega, Preisler and Anderson discussed de-watering the construction site. It was determined that de-watering will need to be included in the project, increasing project cost.

Tingley requested the project be taken back to the staff level to work out the budget.

Anderson and De La Vega discussed the project timeline.

Anderson and Bowman discussed if spare pumps were needed.

De La Vega instructed staff to bring back the proposal with the update total amount including de-watering. LaBelle noted Council was requesting specific ways to fund the project.

B. Manitou Park NE Baseball Field Improvement Discussion – Minnetonka Baseball Association

Tingley recapped the Manitou Park NE Baseball field discussions. He introduced Tim Jenser from the Minnetonka Baseball Association. Tingley noted that the Minnetonka Baseball Association was interested in making improvements on the NE Diamond.

Jenser noted that the Minnetonka Baseball Association would love to partner with the City and take care of the costs of the field improvements and moving the field.

De La Vega asked if the Minnetonka Baseball Association was offering to pay the costs associated with moving structures, so the parking lot could be squared off.

Jenser answered affirmatively and explained they are willing to pay for moving the field but not the parking lot.

De La Vega noted that they asked engineering to hold off until the discussion with the Minnetonka Baseball Association. De La Vega asked if they had an idea what it would take to square it off.

Preisler explained the proposal was to extend the corner of the parking lot and that the field movement would depend on the Minnetonka Baseball Association's preferences to be a certain distance outside the parking lot.

LaBelle, De La Vega, Anderson and Jenser discussed field dimensions and orientation.

Jenser noted that regardless of what happens with the parking lot, they would like to have the ability to cut back the edge, so they can use it.

De La Vega, Preisler, LaBelle and Anderson discussed the parking lot.

De La Vega requested numbers for the proposal and Preisler said they would provide an estimate.

C. Wekota Park Dog Park Sign

Tingley explained the sign history and asked the Council if they wanted to add anything else.

LaBelle, Anderson, Ansari, Tingley and De La Vega discussed the sign rules and parking lot timing.

De La Vega noted that the dog park is a one-year trial run.

9. NEW BUSINESS

A. Seal Coating

Tingley introduced the project.

Bowman noted that it was cheaper to have the vendor bid the whole project rather than separately bidding seal coating and the seal coat chips.

De La Vega, Anderson and Bowman discussed the project and timeline for Crabapple Lane work.

Anderson moved to approve the quote from Allied Blacktop in the amount of $48,980.00 for 30,000 square yards of CRS-2P seal coat oil & 300 tons of Chips applied, rolled and swept as needed before and after. Ansari seconded the motion. Ayes 5. Motion carried.

10. MATTERS FROM THE FLOOR

11. REPORTS

A. Administrator's Report –

Tingley noted that the Board of Appeal and Equalization meeting was held April 22nd and recessed to May 8th at 6:30pm.

Tingley explained that speed bumps on Birch Bluff Road and Pleasant Avenue will be installed once street sweeping and patching is done.

Tingley explained that a meeting was scheduled for April 25th with Mayor De La Vega, Shorewood Mayor Zerby, City Administrator Lerud, and staff from both Hennepin County and Three Rivers Park District to discuss the LRT Crossing.

Tingley noted an email came from Doren Companies to ask to extend the deadline to the June 11th Council Meeting.

Tingley informed Council that May 9 was Tingley's one-year anniversary.

B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology –
No report.

C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling –
Ansari encouraged people to attend Celebrate Wekota Park and noted that signs had arrived.

D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks –

Jennings explained first round of interviews for the fire chief were completed and that second round interviews were scheduled. Jennings said they had a budget work session on April 24 and that things were looking good.

E. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds – No report.

F. Attorney's Report – No report.

G. Gerry De La Vega –SLMPD, Administration, Public Works –
De La Vega noted that he would be attending the LRT Crossing meeting mentioned by Tingley to hopefully resuscitate the project.
De La Vega noted they were working with the Union for SLMPD on a wage study.

12. ADJOURNMENT

There being no further business, Anderson moved by to adjourn the meeting at 8:22 p.m. Ansari seconded the motion. Ayes 5. Motion carried.

Gerry De La Vega, Mayor

Attest:

John Tingley, City Administrator/City Clerk