

**CITY OF TONKA BAY
AGENDA
February 9, 2021
7:00pm**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. CONSENT AGENDA

All matters listed within the Consent Agenda are considered to be routine items to be enacted upon by one City Council motion. Items on the Consent Agenda are reviewed in total by the City Council and may be approved through one motion with no further discussion by the Council. Any item may be removed by any Council Member, staff member or person from the public for separate consideration.

- A. Minutes of the Regular City Council Meeting from January 26, 2021
- B. Resolution #21-05 80 Waseca Ave Variance Request

5. MATTERS FROM THE FLOOR **Maximum time of five minutes per person***
6. SPECIAL BUSINESS
7. PUBLIC HEARINGS
8. OLD BUSINESS
9. NEW BUSINESS
 - A. Wekota Beach and Park Trail

MATTERS FROM THE FLOOR **Maximum time of five minutes per person***

12. REPORTS
 - A. Administrator's Report
 - B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology
 - C. Kristin Viger – Parks and Docks, Sanitation and Recycling
 - D. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds
 - E. Tim Connelly – EFD, Commercial Marinas, LMCD
 - F. Attorney's Report
 - G. Adam Jennings –SLMPD, Administration, Public Works, Employee Advisory Board

13. ADJOURNMENT

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| <p>*For individuals who wish to address the Council on subjects which are not a part of the meeting agenda. Typically, the Council will not take action on items presented at this time but will refer them to staff for review, action and/or recommendation for future Council action.</p> |
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ITEM NO. 4A

**DRAFT MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
JANUARY 26, 2021**

1. CALL TO ORDER

The regular semi-monthly meeting of the Tonka Bay City Council was called to order at 7:00pm.

2. ROLL CALL

Members present: Mayor Jennings, Councilmembers Viger, LaBelle and Connelly. Also present were City Administrator Laur, City Treasurer Spoerner and City Attorney Biggerstaff. Absent: Anderson.

3. APPROVAL OF AGENDA

Laur requested to amend the agenda to add item 9B HKGI Manitou Park Concept Plan.

LaBelle moved to approve the agenda with changes. Viger seconded the motion. Ayes: Viger, LaBelle, Connelly, Jennings. Motion carried.

4. CONSENT AGENDA

**A. Minutes of the Regular City Council Meeting from January 12, 2021
B. Resolution #21-04 65 Northrup Ave Variance
C. Financials**

Connelly moved to approve the consent agenda. Viger seconded the motion. Ayes: Viger, LaBelle, Connelly, Anderson, Jennings. Motion carried.

Anderson joined the meeting.

5. MATTERS FROM THE FLOOR

None.

6. SPECIAL BUSINESS

None.

7. PUBLIC HEARINGS

None.

8. OLD BUSINESS

A. 80 Waseca Ave. Variance

Ramler-Olson explained that during the variance hearing for 80 Waseca on January

12, concerns were brought up by City Council regarding encroachments of a shed, fence and deck on the neighboring property to the North, 60 Waseca Avenue. Ramler-Olson explained a revised survey of proposed conditions was received that addressed the concerns and brought the site features back on to 80 Waseca's property.

Ramler-Olson explained the hardcover was now below 32 percent.

Preisler explained that the lot was still proposed to be regraded to the rear of the property to the natural vegetated area.

Anderson, LaBelle, Connelly and Jennings thanked staff and said the survey looked good.

Viger noted the neighbor to the north at 60 Waseca Avenue submitted a letter regarding the encroachments and that it was addressed with the proposal.

Todd Jackson, 365 Lakeview Ave, asked about the letter sent by a 60 Waseca Ave.

Anderson moved to direct staff to prepare a resolution of approval for a variance for an impervious cover of 31.1 where the maximum is 25 percent at 80 Waseca Avenue based on the findings of fact and conditions relayed by staff.

LaBelle and Biggerstaff discussed the approval.

Connelly seconded the motion. Ayes: Viger, LaBelle, Connelly, Anderson, Jennings. Motion carried.

9. NEW BUSINESS

A. Manitou Park Concept Plan

Viger explained the Parks Committee had been dreaming of a redesign of Manitou Park for many years. Viger noted the committee was hoping to make the park the showcase of the town.

Viger explained two concept plan proposals would be presented for Manitou Park, one from Nick at WSB and another from Paul Paige at HKGi.

Laur noted that the Parks fund had just over \$213,000.00 and that the Parks Committee was looking to choose a concept plan proposal for Manitou Park.

Proposal from WSB

Preisler presented information about WSB and explained WSB's project approach and scope of services including project management, project programming and a conceptual plan and estimate.

B. Proposal from HKGi

Paige provided background on his experience as an architect at HKGi. Paige explained the project approach and scope of service including three tasks: project startup, conceptual design alternatives and determining a preferred concept. Paige presented information on HKGi. Paige noted HKGi teams up with engineers when engineering services are needed.

Viger, Jennings, Paige, Preisler, Connelly and LaBelle discussed the proposal details and expenses.

LaBelle noted his support for the proposal.

Viger explained that the committee was very impressed with the proposal from HKGi. Viger noted there were upcoming grant deadlines and that HKGi's proposal seemed best as far as soliciting grants and donors.

Viger noted her support for the HKGi but asked that they collaborate with WSB.

Preisler, Viger, Jennings discussed the proposals.

Viger moved to approve the proposal to provide Manitou Park concept plan from HKGi for \$5,600.

Viger amended the motion to include the HKGi total of \$5,600.

Anderson seconded the amended motion. Ayes: Viger, LaBelle, Connelly, Anderson, Jennings. Motion carried.

10. MATTERS FROM THE FLOOR

None.

11. REPORTS

- A. Administrator's Report –
Laur reported that the 2021 Local Board of Appeal and Equalization meeting was scheduled for April 13th at 6:30pm.

- B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology –
No report.
- C. Kristin Viger – Parks and Docks, Sanitation and Recycling –
Viger reported that the Parks Committee met prior to the City Council and that the docks committee would be invited to the new Parks and Docks Committee with monthly meetings.
- D. Tim Connelly – EFD, Commercial Marinas, LMCD –
Connelly noted there was a Fire District board meeting the following evening.

Related to the LMCD, Connelly explained he had been in contact with Gregg Thomas and Vicki Schleunning to set up a meeting.
- E. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds –
LaBelle noted he appreciated the Thursday reports from staff.
- F. Attorney's Report –
Biggerstaff noted that there was a memo shared with Council regarding the quiet title action and that staff was waiting to get more information.

Preisler noted he spoke with the opposing Council's engineer the previous week regarding what was being requested.
- G. Adam Jennings – SLMPD, Administration, Public Works, Employee Advisory Board –
No report.

12. ADJOURNMENT

There being no further business, Anderson moved by to adjourn the meeting at 8:01pm. LaBelle seconded the motion. Ayes: Viger, LaBelle, Connelly, Anderson, Jennings. Motion carried.

Gerry De La Vega, Mayor

Attest:

Kathy Laur, City Administrator

RESOLUTION NO. 21-05

A RESOLUTION APPROVING A VARIANCE FOR AN IMPERVIOUS COVER AMOUNT OF 31.1 PERCENT AT 80 WASECA AVE - PID: 27-117-23-24-0121

WHEREAS, the City of Tonka Bay is a municipal corporation, organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City Council of the City of Tonka Bay has adopted zoning regulations in the Municipal Code to promote orderly development and utilization of land within the city; and

WHEREAS, Allen and Barb Olson (“Applicants”) submitted an application and own the property located at 80 Waseca Avenue (“Property”), which is legally described as follows:

The South 22 feet of Lot 2; Lot 3, Block 6, “Tonka Heights” and that part of the East 50 feet of Lot 7, Block 6, Tonka Heights, lying between the Westerly extensions of the North line of the South 22 feet of Lot 2 and the South line of Lot 3, said Block; and

WHEREAS, the Property is located within the R-3 zoning district within the Shoreland Overlay; and

WHEREAS, the Applicants are requesting the following:

- A variance for an impervious cover amount of 31.1 percent; and

WHEREAS, Thomas Ramler-Olson, Assistant City Planner, and Nick Preisler, City Engineer, issued a report dated January 4, 2021 on the application prepared and submitted by the Applicants, analyzing the request made in relation to city ordinance criteria and made recommendations if the request was approved by the City Council; and

WHEREAS, the City Council reviewed the request on January 12, 2021 and held a public hearing, following the required notices and publication; and

WHEREAS, the City Council, following the public hearing and deliberation on the variance request, tabled consideration of the request and directed staff to work with the Applicants to adjust the proposal to improve compliance with city ordinance criteria; and

WHEREAS, the City Council reviewed the request again on January 26, 2021; and

WHEREAS, the City Council directed staff to prepare a resolution for their consideration, and having considered the application, the staff report, and the resolution prepared by staff, makes the following findings of fact:

1. The variance is in harmony with the general purpose and intent of the ordinance.
2. The variance is consistent with the City’s Comprehensive Plan.
3. The proposed use is reasonable for the property.
4. Based upon the facts presented, the pre-existing amount of impervious cover prior to the purchase of the Property by the Applicants is a unique circumstance not created by the Applicants.
5. The variance will not alter the essential character of the locality.

6. Granting the requested variance will not impair an adequate supply of light and air to adjacent parcels.
7. Granting the variance will not unreasonably increase congestion in the public streets.
8. Granting the variance will not diminish or impair established property values in the neighborhood.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Tonka Bay hereby approve the following requests as shown on the Plans provided by the Applicants:

- A variance for an impervious cover amount of 31.1 percent

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Applicant must meet the following conditions related to approval of the requests:

1. Construction shall occur in substantial conformance with the plans presented at the January 26, 2021 City Council meeting.
2. The applicants must obtain all other permits as may be required.
3. The applicants shall comply with all applicable federal, state, and local laws, rules and ordinances.
4. The applicants must adhere to and remain in compliance with the requirements of this Resolution, applicable performance standards, and such other requirements as may apply.
5. All conditions of this variance must be complied with, shall run with the land, and shall not in any way be affected by the subsequent sale, lease or other change from current ownership of the Property.
6. This Resolution is subject to the condition that all representations, written and oral, made by the applicants and their agents and representatives to the City contained in and concerning the applicants' application for the variances must have been true, complete and accurate at the time they were made, and that they remain true and accurate for the duration of the variances.
7. By undertaking the activities approved by the request, the applicant agrees to all conditions.

PASSED AT A REGULAR MEETING of the Tonka Bay City Council this 26th day of January 26, 2021.

Motion introduced by Anderson and seconded by Connelly.

Roll call vote:

| | |
|------------------------|-----|
| Councilmember LaBelle | aye |
| Councilmember Viger | aye |
| Councilmember Anderson | aye |
| Councilmember Connelly | aye |
| Mayor Jennings | aye |

Adam Jennings, Mayor

ATTEST:

Kathy Laur, Administrator



MEMO

To Mayor and City Council
From Kathy Laur, City Administrator
Date February 9, 2021
Re Wekota Beach and Park Trail

At the January 26th meeting of the Parks and Docks Committee, three bids were presented to replace the trail at the park. Replacement of the trail had been a frequent discussion of the committee in 2020.

In fall of 2020, staff received three bids. They reflect 2021 installation. They are:

- | | |
|-----------------------------|----------|
| 1) Plehal Blacktopping | \$ 9,917 |
| 2) Jones & Son Blacktopping | \$11,130 |
| 3) Minnesota Roadways Co. | \$13,560 |

The Parks and Docks Committee chose to go with Plehal. Plehal has been used by the city of Tonka Bay in the past and comes highly recommended by our public works staff.

It is the request of the Parks and Docks Committee that the Council move to approve the bid from Plehal Blacktopping in the amount of \$9,917 to replace the trail in Wekota Beach and Park.

Attachments

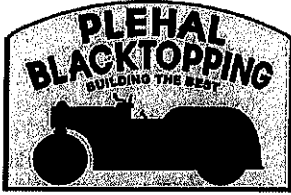
The three proposals.

Staff Recommendations

Approval of bid from Plehal Blacktopping.

Council Action Required

Motion to approve the bid from Plehal Blacktopping in the amount of \$9,917 for the replacement of the trail at Wekota Beach and Park.



Plehal Blacktopping, LLC

12414 Hwy. 41 Frontage P/ 952-445-7676
Rd.

PO Box 317 F/ 952-445-7682
Shakopee MN 55379 www.plehal.com

Submitted To:

City Of Tonka Bay
Kathy Laur
4901 Manitou Rd
Tonka Bay, MN 55331

Project: Wekota Trail

Phone:

Cell: (952) 474-7994

Email: klaur@cityoftonkabay.net

Description:

Pathway Replacement & Widen (228 Sy)

\$9,917.00

- Excavate 7" of existing asphalt, soils, and base material, haul away.
- Install 4" of class 5 crushed base material.
- Finish grade for a uniform slope, and compact using a vibratory roller.
- Install 3" (compacted depth) of MN/Dot spec hot asphalt.
- Compact using vibratory and static rollers.

Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

This proposal may be withdrawn by us if not accepted within 15 days. All depths are average and measurements are approximate. All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. See additional contract terms on reverse.

Estimator: Paul Booth
Cell: (612) 919-2203
Email: paulb@plehal.com

10/20/2020

Authorized Plehal Blacktopping Signature

Date

Payment Terms: Net due upon completion. Past due invoices will be charged 1 1/2% per month Finance Charge (18% annual percentage rate).

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. The general provisions on the back of this contract are made a part of this contract and incorporated herein by this reference. You are authorized to do the work as specified. Payment will be made as outlined.



Signature

Date



JONES & SON

BLACKTOPPING PROPOSAL/CONTRACT

P.O. BOX 105
 SHAKOPEE, MN 55379
 952-445-6211 / FAX 952-445-8748
 jonesandsonsmn@yahoo.com



| | |
|--|--|
| PROPOSAL SUBMITTED TO <i>City of Tonkabay</i> | PHONE <i>Kathy 952-474-7994</i> |
| STREET <i>Wekota Park 310 W. Pt. Rd.</i> | TOTAL SQUARE FEET <i>2 Paths total 215x8/50x8 → 2,120</i> |
| CITY, STATE AND ZIP CODE <i>Tonkabay</i> | |

We hereby submit specifications and estimate on:

- | | |
|--|---|
| 1. RESURFACING <input type="checkbox"/> | 2. COMPLETE PAVING <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Clean area with power blower | <input checked="" type="checkbox"/> Grade out area <i>Remove</i> |
| <input type="checkbox"/> Fill in all low areas | <input type="checkbox"/> Add base <i>Class # as need</i> |
| <input type="checkbox"/> Tack Coat | <input checked="" type="checkbox"/> Compact area |
| <input type="checkbox"/> Spray for weed control | <input checked="" type="checkbox"/> Machine apply <i>3 1/2</i> inches of blacktop |
| <input type="checkbox"/> Machine apply _____ inches of blacktop | <i>Compact = 3 inch</i> |
| <input type="checkbox"/> Type of blacktop _____ | <input checked="" type="checkbox"/> Type of blacktop <i>MV-4</i> |
| <input type="checkbox"/> Seal Coating _____ | |

ADDITIONAL WORK / INSTRUCTIONS *Saw all concrete bench Pads for nice Joint - Old Blacktop Path is 6 1/2 Feet wide - New Blacktop will be 8 Feet wide*
Job to be done 2021 spring/summer

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of *Eleven thousand one Hundred thirty* dollars (\$ *11,130.00*)

All material is guaranteed for 1 year. All work to be completed in a workmanlike manner according to standard prices. Any alterations or deviation from above specifications involving extra costs will be executed only upon written orders, and become an extra charge over and above the estimate. No guarantee on grass, cracks, or tire marks.

\$5.25 Total Amount \$ *11,130.00*
Per sq ft.
 We accept Deposit \$ *0*
 Balance Due \$ _____

Authorized Signature *[Signature]*



If customer would like work completed please sign and date. Send white copy to address above or call to schedule work.

[Signature] *10/29/20*
 Contractor Signature Date
[Signature] *11*
 Customer Signature Date



**MINNESOTA
ROADWAYS CO.**

4370 Valley Industrial Blvd. So.
Shakopee, MN 55379

Phone: 952-496-2651
Fax: 952-496-2522

PROPOSAL

Proposal # : 113396
Proposal Date: 10/14/2020
Page : 1

Submitted To:

City of Tonka Bay
4901 Manitou Rd
Tonka Bay MN 55331

Project: Wekota Park
4901 Manitou Rd
Tonka Bay MN 55331

Client # : 88833
Attention: Kathy Laur
Phone: (952) 474-7994
Fax:
Cell:

Project #: 90705
Project Estimator: Bradley Grams

| Description | Unit | Quantity | Price |
|---|------|----------|--------------------|
| Remove, Widen, and Repave Existing Trail | SY | 193.00 | \$11,580.00 |
| <ul style="list-style-type: none"> a. Remove existing asphalt pavement and widen trail to 8' wide. b. Finish grade for 2.5" compacted depth asphalt. c. Pave trail with 2.5" average compacted depth MN DOT specification hot asphalt wear course mix. | | | |
| Add/Alternate for Playground Spur | SY | 33.00 | \$1,980.00 |
| <ul style="list-style-type: none"> a. Remove and replace asphalt spur from main trail to playground area using the same specifications as outlined above. | | | |

CONTRACT & AUTHORIZATION TO PROCEED

Please see all attachments for information & conditions that pertain to this proposal. It is the responsibility of the Owner/Representative to be familiar with any and all terms & conditions of this agreement. By signing this proposal along with the terms & conditions page, you hereby authorize Minnesota Roadways Co. to proceed with the work identified in this agreement. NO WORK will be scheduled until Minnesota Roadways Co. receives the signed proposal along with the signed terms & conditions page.

This proposal may be withdrawn by us if not accepted within 15 days.

All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications included in this proposal involving extra cost will become an extra charge over and above the estimate.

Contractor to carry necessary insurance, including workman compensat insurance.

Authorized signature

Date

MN Roadways Authorized Signature