

ITEM NO. 4A

APPROVED MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING February 25, 2020

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, LaBelle and Anderson. Also present were City Administrator Laur, City Attorney Biggerstaff and City Planner Tom Ramler-Olson. Absent: Jennings.

3. **APPROVAL OF AGENDA**

Anderson moved to approve the agenda with changes. Ansari seconded the motion.

Laur noted a change on the agenda to move the water plant update to A within Old Business.

Anderson amended the motion. Ansari seconded. Ayes 4. Motion carried.

4. **CONSENT AGENDA**

A. Meetings of the Regular City Council Meeting from February 11, 2020

Anderson moved to approve consent agenda item 4A. Ansari seconded the motion. Ayes 4. Motion carried.

5. **MATTERS FROM THE FLOOR**

None.

6. **SPECIAL BUSINESS**

None.

7. **PUBLIC HEARINGS**

A. Tom Ramler-Olson, CUP Request: 45 Cedar Street

Ramler-Olson presented on a Conditional Use Permit (CUP) application from 45 Cedar Street by detailing the background, general overview, existing and proposed conditions and request to install a concrete patio which would require a CUP for hardcover.

Ramier-Olson detailed Staff's analysis of the request against CUP Criteria, noting it met all criteria outside of demonstrated need. Additionally, engineering considerations were explained.

Staff recommended denial but included recommended conditions if Council approved the request.

De La Vega and Ahsunullah discussed the deck.

De La Vega opened the public hearing.

Nisar Ahsunullah, homeowner at 45 Cedar Street, explained he was there with his wife Anne. Ahsunullah noted they were taken by surprise by staff's recommendation and explained the house design with a lower patio door. Ahsunullah also detailed that in previous CUP's approved by the city, the stormwater agreements seemed to satisfy the demonstrated need condition. Ahsunullah noted that they had agreed to requests suggested by the Planning during the application process. Ahsunullah noted the contractor Hans Frees with Outdoor Escapes and his neighbor were there in support of the project.

Carson Friend, 35 Cedar Street, thanked Council for having him and noted he enjoyed Tonka Bay. Friend explained his appreciation for his neighbors and friends the Ahsunullah's and that he knew they were excited about the project. Friend provided his support for the project.

De La Vega closed the public hearing.

LaBelle noted the reasons for and process behind hardcover limits and noted his support of the project.

LaBelle, Ahsunullah and Biggerstaff discussed a possible easement to the rain garden.

Ansari thanked the applicant for gathering everyone and noted her support but asked to hear more from Frees.

Hans Frees, 2345 Daniel Street, with Outdoor Escapes, explained more about the patio and runoff.

De La Vega noted he had a business relationship with Outdoor Escapes but no financial interest in the project.

De La Vega noted that if there was a rain garden and easement then he was in favor of the project and why.

De La Vega and Biggerstaff discussed the potential approval.

Anderson moved to direct staff to prepare a resolution of approval for the requested conditional use permit for a hardcover amount of 39.3 percent at the property located at 45 Cedar Street based on the findings of fact discussed by Council along with recommended conditions 1-8.

Anderson, Biggerstaff and De la Vega discussed the approval.

LaBelle seconded the motion. Ayes: De La Vega, LaBelle, Anderson and Ansari. Nays: None. Absent: Jennings. Motion carried.

8. OLD BUSINESS

A. Water Treatment Plant Project Update, Jon Christensen, WSB

Christensen provided an update on the water plant project, noting automated controls, sandblasting and painting progress. Christensen explained the floor paint progress and noted that the paint used on one section of the floor, proposed for the rest of the floor, was wearing, possibly impacted by the use of the plant by public works employees.

Christensen provided options to Council for the floor coating.

De La Vega, Christensen, LaBelle and Laur discussed the cost and viability of the options and the current floor.

De La Vega requested more information on the warranty, information on why the floor may not have worked and middle ground pricing options.

Christensen and Ansari discussed the office floor.

B. 2020 Fee Schedule

1. Resolution 20-17 Authorizing Summary Publication of Ordinance 20-05 Amending Section 402 of the Tonka Bay City Code Related to the City's Fee Schedule

Laur explained that changes requested by Council were made on the fee schedule and detailed said changes.

Staff recommended approval of Ordinance 20-05 and Resolution 20-17.

De La Vega noted he did not have any changes.

Anderson moved to adopt Ordinance 20-04 an ordinance amending section 402 of the Tonka Bay City Code related to the City's Fee Schedule. Ansari seconded the motion.

Ayes 4. Absent: Motion carried.

Anderson moved to adopt Resolution 20-17 Authorizing Summary Publication of Ordinance 20-05 Amending Section 402 of the Tonka Bay City Code Related to the City's Fee Schedule. Ansari seconded. Ayes: LaBelle, Anderson, Ansari, De La Vega. Motion carried.

B. Tonka Village Development, Tony Kuechle Doran Companies

Tony Kuechle, 7803 Glenvalley Road, Doran Company, provided information on the revised development concept plan due to an easement held by Shorewood.

De La Vega, Kuechle, Laur, Ansari and LaBelle discussed the traffic flow in relation to Shorewood's easement, parking, green space and details about the new concept plan.

LaBelle thanked Kuechle and Kuechle agreed to return with the plans.

C. Fire Lane Hours Proposed Ordinance 20-06

Laur provided background on the proposed ordinance and noted it was determined the hours of operation all motorized vehicles would be 7:00 am to 11:00 pm. Laur explained that the ordinance could be brought back for a public hearing and that no action was required at the Council meeting.

De La Vega and Laur discussed language added in subdivision 4.

De La Vega requested the public hearing be scheduled.

D. Special Assessment Policy

Laur provided background on the Special Assessment policy and changes made based on Council recommendations. Staff recommended approval.

Anderson, Biggerstaff, De La Vega and Laur discussed a definition within the ordinance.

Anderson moved to approve the City of Tonka Bay Special Assessment Policy. Ansari seconded. Ayes 4. Motion carried.

E. Amended Personnel Policy

Laur provided background on the personnel policy and explained that changes recommended by Council were incorporated. Laur provided more detail about the hours of overtime by Carol and the factors contributing.

Staff recommended approval of the personnel policy.

De La Vega, Laur and Biggerstaff discussed the policy related to an employee leaving the city.

Anderson moved to approve the amended personnel policy. Ansari seconded. Ayes 4. Motion carried.

F. Garage Floor Drains

Laur explained the Staff researched surrounding city's policies about garage floor drains as requested by Council. Deephaven, Greenwood, Excelsior, Minnetonka, Shorewood and Wayzata were included in the research. Laur detailed that the current plumbing code did not prohibit floor drains but rather had criteria if they were constructed.

De La Vega, Ansari, LaBelle and Biggerstaff discussed garage floor drains, the environmental impact, when one might be used and which direction to go with the policy.

De La Vega requested garage floor drains be prohibited and Laur agreed to bring back an ordinance in March.

9. NEW BUSINESS

A. Nick Preisler, WSB – Water Tower Project

Christensen provided a proposal for Engineering Design, Bidding, and Construction Services Water Tower Rehabilitation Project. Christensen noted that Badger State Inspection (BSI) that identified sever structural and coating issues. The bid total was \$476,800.

De La Vega, Christensen, LaBelle, Anderson and Ansari discussed the project, the role of inspections, the budget, scheduling, noise levels of the project, the logo and paint colors.

B. Andrew Biggerstaff, Attorney – Floor Area Ratio

Biggerstaff provided background on the floor area ratio ordinance and noted it was an informal item that would require a public hearing if Council wanted to pass the ordinance.

Biggerstaff explained the genesis of the ordinance and discussed conditional use permits.

De La Vega, Biggerstaff, LaBelle and discussed the conditional use permit ordinance.

De La Vega directed staff to move forward with the ordinance.

10. MATTERS FROM THE FLOOR

None.

11. REPORTS

A. Administrator's Report –

1. Park Signs

Laur explained that staff was waiting on one additional quote for park signs and the quotes would be presented the following meeting.

2. Intern for 2021

Laur noted an intern would be great to work on cleanup such as records retention around Tonka Bay. Laur also explained that Tonka Bay had a lot to offer an intern.

LaBelle, Laur and De La Vega discussed the possibility of an intern, the compensation level, and further details.

De La Vega and LaBelle noted support for the intern.

3. Salary Study

Laur explained that a salary study was recommended to her and she thought Tonka Bay was on the lower end.

De La Vega, LaBelle and Laur discussed getting a salary study from Excelsior.

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

C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling –
Ansari noted the Tonka Bay Marina was looking to treat the flowering brush in

the area and had support from the LMCD.

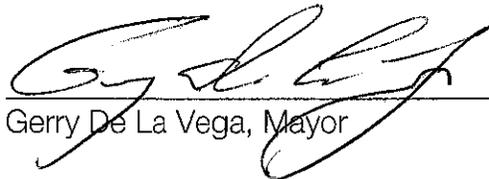
Ansari explained the LMCD would typically attend the meeting and report.

Ansari additionally noted that zebra mussels were down in St. Alban's Bay and that there were integrated efforts going on around the lake.

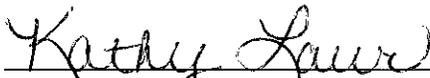
- D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks – Absent.
- E. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds – No report.
- F. Attorney's Report – No report.
- G. Gerry De La Vega –SLMPD, Administration, Public Works –
De La Vega detailed that he was approached by two members on the Board for the Minnehaha and because they were looking for a place to store their boat. The boat will not be on the lake this coming year but rather completing maintenance.

12. ADJOURNMENT

There being no further business, Anderson moved by to adjourn the meeting at p.m. LaBelle seconded the motion. Ayes 4. Motion carried.


Gerry De La Vega, Mayor

Attest:


Kathy Laur, City Administrator

