

ITEM NO. 4A

DRAFT MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING May 26, 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, Jennings and Anderson. Also present were City Administrator Laur and City Attorney Biggerstaff. Absent: Councilmember LaBelle.

3. **APPROVAL OF AGENDA**

Laur noted an addition to the agenda, Item 9C related to temporary expansion of outdoor premises to restaurants and on-sale liquor establishments.

Laur also noted the ordinance under Item 8B, Old Business, was number 20-10 and not 20-14.

Jennings moved to approve the agenda with changes. Ansari seconded the motion. Ayes: Jennings, Anderson, Ansari, De La Vega. Motion carried.

4. **CONSENT AGENDA**

A. Minutes of the Regular City Council Meeting from May 12, 2020

B. Financial Reports

C. Resolution 20-17 165 Mound Ave. Variance Request

Dennis Richards requested to discuss the Financial Reports, Item 4B.

De La Vega and Richards discussed.

Richards requested the number of fire lane signs be added to the financial report.

Anderson moved to approve the consent agenda Items 4A and 4C. Ansari seconded the motion. Ayes: Jennings, Anderson, Ansari, De La Vega. Motion carried.

5. **MATTERS FROM THE FLOOR**

Denis Nelson, 135 Mound Ave, detailed his concerns about proposed front yard setbacks and potential deck encroachments for the project at 165 Mound Avenue.

De La Vega and Nelson discussed the project.

6. SPECIAL BUSINESS

A. City Audit – Stuart Bonniwell

Stuart Bonniwell presented the 2019 Financial Audit Report including financial statements and fund balances. Bonniwell noted there was a deficit due to the water main breaks but explained the City was in a good place overall.

Anderson moved to approve the 2019 Financial Audit Report. Jennings seconded the motion. Ayes: Jennings, Anderson, Ansari, De La Vega. Motion carried.

7. PUBLIC HEARINGS

A. Tonka Village Redevelopment (Doran Project) – Erin Perdu

Erin Perdu, City Planner with WSB, presented proposed the Planned Unit Development (PUD) Concept plan, Conditional Use Permit (PUD), and height variance requests for the Tonka Village Shopping Center from Tonka Village LLC and Doran Development at 5609 Manitou Road.

Perdu detailed the history of the requests, noting a PUD Concept plan was originally approved by City Council in 2019 but was redesigned due to Shorewood not agreeing to relocate an easement. Perdu explained the alternative concept and provided an overview of the approvals needed.

Perdu went through the PUD Concept plan criteria, CUP review criteria, variance review criteria, PUD General development plan criteria, preliminary and final plat standards.

De La Vega, Kuechle with Doran and Perdu discussed the sidewalk, the park dedication fees and the parcel division proposal.

Ansari read a letter from Mark and Keri Justinak 24250 Smithtown Road, Shorewood regarding concerns about noise pollution and building height.

Kuechle thanked Perdu and Preisler for their staff reports and provided detail about the proposed project including unit and parking totals along with amenities.

De La Vega, Preisler and Kuechle discussed the project and fees.

De La Vega opened the public hearing.

Jill Maki, 30 Pleasant Lane West, noted her concerns about the project's alignment with City's Comprehensive Plan and Metropolitan Council's goal to promote affordable housing. Maki requested the Council members speak on the project and what they have heard from residents about it.

Kuechle, Maki, De La Vega, Jennings, Ansari and Anderson discussed the project, traffic, affordable housing and economic viability.

Kristin Viger, 60 Pleasant Avenue, brought up concerns regarding changes to the project and the park dedication fee.

De La Vega, Viger and Kuechle discussed the park dedication fee, plats and economics.

John Eiss, owner of Country Club Lanes, noted his history with Country Club Lanes and his support for the project.

De La Vega, Kuechle and Biggerstaff discussed the project economics, potential approvals and timelines.

Dennis Richards explained that he liked the project but had concerns over the traffic numbers.

Viger and De La Vega discussed the project utility replacement and park dedication fees.

De La Vega noted he had a message via Zoom from Kristi Williams and he addressed the number of units on the plan.

Dennis Nelson, 135 Mound Avenue, asked about the utility construction timeline and cost.

Preisler, Nelson, De La Vega and Eiss discussed the utility replacement options and cost estimate and project fees.

De La Vega closed the public hearing.

De La Vega, Perdu, Anderson and Ansari discussed the approvals.

Anderson moved to direct staff to prepare a resolution of approval of a variance for building height in a PUD, based on the findings of fact items A-J

listed in the report. Ansari seconded the request. Ayes: Jennings, Anderson, Ansari, De La Vega. Motion carried.

De La Vega, Biggerstaff, Anderson and Kuechle discussed the approvals, parking, public hearings, park dedication fee and utilities.

Anderson moved to direct staff to prepare a resolution of approval of a Conditional Use Permit for a PUD and the Conceptual Development Plan based on the findings of fact items A-H listed in the report. Jennings seconded. Ayes: Jennings, Anderson, Ansari, De La Vega. Motion carried.

De La Vega and Perdu discussed the next approval.

Anderson moved to direct staff to prepare a resolution of conditional approval of the Planned Unit Development Concept and General Development Plans with conditions A-D listed in the report, editing item A to only require one free underground parking space for residents. Jennings seconded.

Biggerstaff noted it was one free parking space per unit for residents.

Ayes: Jennings, Anderson, Ansari, De La Vega. Motion carried.

Perdu, De La Vega and Biggerstaff discussed the next proposed approval.

Anderson moved to direct staff to prepare a resolution of conditional approval of the Preliminary but not Final Plat with conditions A-H listed in the report, modifying condition C to “Payment of all fees required by the City, including but not limited to a park dedication fee as determined by the City.” Jennings seconded. Ayes: Jennings, Anderson, Ansari, De La Vega. Motion carried.

De La Vega thanked Staff and Tony Kuechle.

8. OLD BUSINESS

A. Road Study – Nick Preisler

Preisler presented a proposal for a Tonka Bay infrastructure study to evaluate the streets, sanitary sewer and watermain infrastructure. Preisler detailed the proposed project’s scope and timeline.

De La Vega, Jennings discussed the proposal.

Anderson moved to authorize an expenditure of \$10,000 to initiate professional engineering services for an infrastructure study. Jennings seconded. Ayes: Jennings, Anderson, Ansari, De La Vega. Motion carried.

B. Ordinance 20-10, Non-conforming Uses – Andrew Biggerstaff

Biggerstaff presented edits to Ordinance 20-10 based on Council feedback. Biggerstaff noted the non-conforming use permits would be handled administratively per the ordinance changes.

Biggerstaff noted a public hearing could be scheduled for June 9 if the Council desired.

De La Vega, Ansari and Biggerstaff discussed.

De La Vega requested it be brought back for a public hearing.

9. NEW BUSINESS

A. Opening the Beaches

Laur explained what nearby cities were doing in regard to opening beaches.

De La Vega, Anderson, Jennings and Ansari discussed and indicated that they would like to have lifeguards.

B. Web-streaming

De La Vega, Anderson, Ansari, Laur and Jennings discussed live streaming, public participation, WNAV and Zoom meetings.

De La Vega instructed staff to look into more information regarding live streaming.

C. Resolution 20-32, Temporary Expansion of Outdoor Premises to Restaurants and On-sale Liquor Establishments

Biggerstaff explained the Governor Walz's new Emergency Executive Order 20-56 allows bars and restaurants to open for outdoor service so long as safety measures related to COVID-19 are in place. Biggerstaff noted the proposed resolution provided an administrative process for restaurants and bars to apply to expand their outdoor service.

De La Vega, Anderson, Biggerstaff, Jennings and Ansari discussed the process and restaurants.

Laur requested the Council's desire regarding web streaming meetings because her

computer had lost power.

De La Vega and Laur discussed web streaming and a potential Zoom-type meeting.

De La Vega moved the discussion back to proposed Resolution 20-32.

Anderson moved to adopt Resolution 20-32 Approving Temporary Expansion of Outdoor Premises to On-Sale Liquor Establishments in Tonka Bay, noting references to City Clerk mean City Administrator. Jennings seconded. Ayes: Jennings, Anderson, Ansari, De La Vega. Motion carried.

10. MATTERS FROM THE FLOOR

None.

11. REPORTS

A. Administrator's Report –

1. Applied for the Healthy Tree Canopy Grants for Cities through Hennepin County for 2021

Laur noted she completed the 2021 grant requesting \$20,000 and also completed and sent the 2019 final report.

2. Dog Park Banner Program \$1,300

Laur noted there was additional banner purchases since the previous meeting.

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

C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling –
Ansari noted new trees went in to Wekota Park and that she would discuss a potential walkway with De La Vega.

De La Vega, Ansari and Laur discussed the parks, dog park and docks.

D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks –
Jennings noted there was a Fire Department work session on May 27th.
Jennings also provided an update on the timeline for the Fire Department budgeting.

Jennings explained there was a meeting to discuss speed bumps and that they were expected to go in the next week with a few placement adjustments. Jennings noted the approach was still an experiment in the second year but that there was a lot of support for the speed bumps.

Ansari and Jennings discussed speed bumps.

- E. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds – Absent.
- F. Attorney's Report – No report.
- G. Gerry De La Vega –SLMPD, Administration, Public Works – De La Vega requested that Council turn in their evaluations of Laur. De La Vega noted only one Councilmember submitted.

12. ADJOURNMENT

There being no further business, Anderson moved by to adjourn the meeting at 9:59 p.m. Jennings seconded the motion. Ayes: Jennings, Anderson, Ansari, De La Vega. Motion carried.

Gerry De La Vega, Mayor

Attest:

Kathy Laur, City Administrator