

## ITEM NO. 4A

**DRAFT MINUTES  
TONKA BAY CITY COUNCIL  
REGULAR MEETING  
June 9, 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, Jennings and Anderson. Also present were Public Works Superintendent Bowman, Deputy Clerk Maher and City Attorney Biggerstaff.

**3. APPROVAL OF AGENDA**

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

**4. CONSENT AGENDA**

**A. Meetings of the Regular City Council Meeting from May 26, 2020**

**B. Staff Report – Election Judges**

**C. Resolution 20-34 Appointing Election Judges & Absentee Ballot Board**

**D. Resolution 20-35 Tonka Village Height Variance**

**E. Resolution 20-36 Tonka Village PUD Concept Plan and General Development Plan**

**F. Resolution 20-37 Tonka Village PUD CUP**

**G. Resolution 20-38 Tonka Village PUD Preliminary Plat**

Richards requested that item 4D Verified Accounts be moved to the next meeting as it was in the packet but not on the agenda.

De La Vega, Maher and Richards discussed.

**Anderson moved to approve consent agenda without the Verified Accounts. Jennings seconded the motion. Ayes: Jennings, Anderson, Ansari, LaBelle, De La Vega. Motion carried.**

De La Vega noted a change request to item 4F, Resolution 20-37, to further clarify that it would be one space per rental unit of underground parking.

De La Vega, LaBelle, Jennings and Erin Perdu discussed. Perdu noted she would revise Resolution 20-37.

**Anderson moved to approve the consent agenda without the Verified Accounts and with the edit to 4F, Resolution 20-37. Ansari seconded the motion. Ayes: Jennings, Anderson, Ansari, LaBelle, De La Vega. Motion carried.**

**5. MATTERS FROM THE FLOOR**

Ansari asked if there would be any discussion about the color pallet iterations related to the Doran project.

Perdu and Ansari discussed the color pallet.

**6. SPECIAL BUSINESS**

None.

**7. PUBLIC HEARINGS**

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

Biggerstaff presented the staff report for An Ordinance Related to Non-Conforming Uses, Ordinance 20-10. Biggerstaff noted the correction to the ordinance number and changes related to appeals.

De La Vega opened the public hearing.

Dennis Richards, 5100 Manitou Road, requested a change from may to must under subdivision 3, part G in the last sentence to require Council review. Richards noted his concerns about Ordinance 20-10.

Richards, De La Vega and Biggerstaff discussed the proposed ordinance and nonconforming rights.

LaBelle noted a resident asked him how the NUP would impact someone with a nonconforming building.

Biggerstaff addressed the concerns.

De La Vega, Biggerstaff and Anderson discussed nonconforming uses and State Statute.

De La Vega closed the public hearing.

Anderson, De La Vega and Jennings discussed the ordinance.

**Anderson moved to adopt Ordinance 20-10 related to Non-confirming uses. Jennings seconded. Ayes: Jennings, Anderson, Ansari, LaBelle, De La Vega. Motion carried.**

**Anderson moved to adopt Resolution 20-31 authorizing summary publication of Ordinance 20-10. Jennings seconded. Ayes: Jennings, Anderson, Ansari, LaBelle, De La Vega. Motion carried.**

**8. OLD BUSINESS**

A. Water Tower Bids – Nick Preisler, WSB

Nick Preisler detailed the bids received for the Water Tower Rehabilitation Project and explained Classic Protective Coatings, Inc. was the lowest bidder. Preisler outlined the base bid plus the engineering and construction services costs for a total project cost of \$495,638.

Staff recommended awarding a contract for the bases bid only in the amount of \$435,850 to Classic Protective Coatings, Inc.

LaBelle, Preisler, Anderson discussed the project, contractor and timeline.

**Anderson moved to adopt Resolution 20-39 awarding a bid for the 250,000 gallon Water Tower Rehabilitation Project to Classic Protective Coatings in the amount of \$435,850. Jennings seconded. Ayes: Jennings, Anderson, Ansari, LaBelle, De La Vega. Motion carried.**

B. Ordinance 20-14, Related to Inflow and Infiltration Inspections – Andrew Biggerstaff

Biggerstaff presented Ordinance 20-14 related to Inflow and Infiltration Inspections and explained added criteria related to sewer line repairs.

Jennings, LaBelle, De La Vega, Maher, Biggerstaff, Kuechle and Anderson discussed the Inflow and Infiltration certificate posting requirements, the timeline for inspections, specific ordinance language, real estate transactions and point of sale inspections.

De La Vega instructed staff to review St. Louis Park's ordinance and continue working on the Tonka Bay ordinance to review again at a future meeting.

C. Park Dedication Fees – Erin Perdu

Perdu presented on the Tonka Village Development proposed project. Perdu noted the approval of the final plat was delayed to review information on the park dedication and utility fees. Perdu detailed the existing conditions, proposed final plat, calculations

for the park dedication fee and utility fees.

Staff recommended conditional approval of the Final Plat.

LaBelle, Perdu, Biggerstaff, De La Vega, Preisler and Kuechle discussed the utility fees, utility replacements, easements and the development agreement.

Anderson moved to table the discussion. Ansari seconded.

Kuechle, De La Vega, Anderson and Perdu discussed next steps.

**LaBelle moved to approve the Final Plat, based on findings of fact A – B. Ansari seconded the motion. Ayes: Anderson, Jennings, Ansari, LaBelle, De La Vega. Motion carried.**

**9. NEW BUSINESS**

A. Intoxicating Liquors Ordinance – Andrew Biggerstaff

Biggerstaff explained that Council was requesting to review this based on a recent liquor violation. Biggerstaff asked Council to continue the discussion and provide staff with direction for potential edits.

De La Vega, Jennings, LaBelle and Biggerstaff discussed the ordinance, sunset provisions, language in the ordinance, tiered steps and State Statute.

De La Vega requested staff change the language from “shall” to “may” in Section 600.10 and State Statute.

De La Vega, on a different note, requested staff to review the ordinance related to Park Dedication fees so the calculations are more defined.

De La Vega, LaBelle, Jennings discussed park dedication fees.

B. Parking Lot Striping – Robin Bowman

Bowman presented quotes for the parking lot striping at Crescent Beach, Old Orchard Park, Wekota Park and City Hall. Bowman detailed the quotes from A-1 Stripes, Parking Marking Inc and The Line Guy.

Staff recommended Council approve the quote from A-1 Stripes.

**LaBelle moved to approve the quote from A-1 Stripes in the amount of \$9,000 to restripe Crescent Beach, Old Orchard Park, City Hall and Wekota Park.**

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

C. Road Striping – Robin Bowman

Bowman presented street striping quotes for Tonka Bay Road and explained why other roads would not need to be restriped this year. Bowman detailed quotes from AAA Striping Service Co., Century Fence, Stripe Right Inc. and Minnesota Roadways Co.

Staff recommended approval of the quote from Minnesota Roadways Co.

Bowman, De La Vega, Anderson discussed road striping.

**Anderson moved to approve the quote from Minnesota Roadways Co. in the amount of \$.25 per foot for road striping Tonka Bay Road. Ansari seconded the motion. Ayes: Anderson, Ansari, LaBelle, Jennings, De La Vega. Motion carried.**

D. High Service Pump #3 – Robin Bowman

Bowman explained the on-going maintenance program for the wells and pumps in the Water Treatment Plant. Bowman noted bids were received from Bergerson Caswell Inc, Keys Well Drilling Co and Their Well Company.

Staff recommended approving the quote from Their Well Company.

Anderson, De La Vega and Bowman discussed the quotes.

**Anderson moved to approve the quote from the Their Well Company in the amount of \$7,445 for a High Service pump #3 service and repair as needed. Ansari seconded. Ayes: Anderson, Ansari, LaBelle, Jennings, De La Vega. Motion carried.**

E. Well #2 Service and Repair – Robin Bowman

Bowman explained well #2 in the Water Treatment Plant needed servicing and explained the quotes. Bowman noted the CIP fund was short on funds as far as covering it.

De La Vega, Bowman and Anderson discussed the quotes and the pumps.

**Anderson moved to approve the quote from Their Well Company in the amount of \$34,645 to service and repair well pump #2 and authorize staff to**

**use the surplus from High Service Pump #2 to cover the deficit. LaBelle seconded. Ayes: Jennings, Anderson, LaBelle, Ansari, De La Vega. Motion carried.**

**10. MATTERS FROM THE FLOOR**

No one spoke.

**11. REPORTS**

- A. Administrator's Report –  
Maher explained Laur was out on vacation.

Maher noted that Joey Nova's paid their fine for the liquor violation.

Maher explained that so far Joey Nova's was the only restaurant or liquor licensee that had showed interest in potentially opening up on to the parking lot but had not decided yet.

- B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology –  
Anderson asked what SAC stood for and Preisler explained it was Sewer Accessibility Charges related to the Metropolitan Council providing trunk sewer service to the area.

Anderson, De La Vega and Maher discussed the curfew from the weekend and the email subscription list.

Anderson asked about the bore hole on Brentwood Avenue that had been mentioned previously.

Anderson and Bowman discussed.

Anderson noted there were fire lane signs by the Caribbean that were down.

- C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling –  
Ansari explained that they were looking to schedule a Parks Committee meeting.

De La Vega, Ansari and Maher discussed park signs.

- D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks –  
Jennings noted there would be a Fire Relief Association meeting to approve a retirement on Thursday, June 11.

Jennings noted he would be working with the Fire Chief to get the budget ready for a future fire budget work session.

De La Vega and Preisler discussed the potential dock work.

- 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, Preisler, Anderson, Maher and LaBelle discussed the Manitou Park Parking lot archeological study progress, timeline, archeological studies and new building permits.

De La Vega requested the discussion come back in a planning session.

De La Vega thanked everyone who had turned in the 6-month appraisals and requested the final one.

**12. ADJOURNMENT**

**There being no further business, Anderson moved by to adjourn the meeting at 9:06 p.m. Ansari seconded the motion. Ayes: Anderson, Ansari, LaBelle, Jennings, De La Vega. Motion carried.**

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Gerry De La Vega, Mayor

Attest:

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Oksana Maher, Deputy City Clerk