

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING September 24, 2013

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, Clapp and Grothe. Also present were City Administrator Kohlmann, City Attorney Penberthy, and Public Works Superintendent Bowman.

3. APPROVAL OF AGENDA

Ansari moved to approve the agenda as submitted. Anderson seconded the motion. Ayes 5. Motion carried.

4. CONSENT AGENDA

Clapp moved to approve the consent agenda as presented approving the regular meeting minutes of September 10, 2013 as amended: Item 7A, amend sentence to read: Grothe believed the fence is not part of the variance approval. Anderson seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

None

6. SPECIAL BUSINESS

None

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

- A. 20 Old Orchard Lane – Variance Follow-up Information** – Kohlmann stated the landscaping plan has been provided by the City Engineer as well as a resolution for approval and fence permit application. He noted the area by the lake will not be affected as shown on the plan. Grothe supported the fence as proposed.

Kohlmann noted there are two fencing requirements. The four foot requirement is more general and takes precedence over the other requirement.

Grothe discussed his concerns about the fence height. Penberthy stated a fence between the front of the house and the lake cannot be more than three feet high while the swimming pool fence requires four feet in height. He stated this creates a conflict which requires both heights be looked at and the purposes determined. He believed the fence for the swimming pool deals with safety. He stated the last one in place prevails which would mean the swimming pool fence prevails and meets statutory guidelines. He stated the applicant will apply for a fence permit and the permit can be issued for these reasons. Next time something similar comes up, this will not be treated as a precedent.

Anderson moved to adopt:

RESOLUTION NO. 13-21

**A RESOLUTION APPROVING A VARIANCE TO ALLOW FOR THE
INSTALLATION OF A SWIMMING POOL IN THE FRONT YARD
(LAKESIDE) OF THE PROPERTY
FOR CAROL AND KIM CULP AT 20 OLD ORCHARD LANE**

Clapp seconded the motion. Ayes 5. Motion carried.

9. NEW BUSINESS

- A. Dog and Cat Sign Permit** – Kohlmann stated this is an application for a sign permit for Dog and Cat at the Tonka Village Shopping Center. He stated it meets the criteria for a sign at this location.

Clapp moved to approve the sign permit at Tonka Village Shopping

Center. Ansari seconded the motion. Ayes 5. Motion carried.

10. MATTERS FROM THE FLOOR

11. REPORTS

- A. **Administrator** – Kohlmann stated he has attached an incident report for the North Waseca fire lane. He stated there were a total of three ICRs at this location.
- B. **Anderson - Finance, Fire Lanes and Public Access, Technology** – no report
- C. **Ansari – EFD, Sanitation and Recycling, Southshore Community Center** – no report
- D. **Grothe – Building Inspection, Municipal Buildings and Grounds, LMCC** – Grothe updated the Council on a special LMCC meeting held recently. He noted Orono has officially withdrawn from the LMCC. He discussed the terms of a proposal presented, future withdrawal options, and need for a whole new structure for the LMCC. He suggested this be an agenda item at the next meeting for further discussion. He stated this would allow us enough time should we decide to submit a formal letter of withdrawal by October 15.
- E. **Clapp - Parks and Playgrounds, LMCD, Commercial Marinas, Municipal Docks** – no report
- F. **Attorney's Report** – no report
- G. **De La Vega - Public Works, SLMPD, Administration** – De La Vega stated the EFD will have their open house. He also stated there have been preliminary discussions with Excelsior and Shorewood to accomplish some of the Public Works functions that have been done separately.

12. ADJOURNMENT

There being no further business, it was moved by Anderson to adjourn the meeting at 7:20 p.m. Clapp seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk