

CITY OF TONKA BAY
AGENDA
January 12, 2021
7:00pm

1. CALL TO ORDER
2. ROLL CALL
3. OATHS OF OFFICE
4. APPROVAL OF AGENDA
5. 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 December 8, 2020
 - B. 2021 City Council Meeting Calendar
 - C. 2021 Holiday Schedule
 - D. Mayoral Proclamation
 - E. Resolution #21-03 Water & Sewer Connection Charges
6. MATTERS FROM THE FLOOR **Maximum time of five minutes per person***
 7. SPECIAL BUSINESS
 - A. SLMPD Presentation for Gerry De La Vega – Chief Mike Meehan
 - B. Resolution #21-01 Annual Appointments and Designation
 8. PUBLIC HEARINGS
 - A. Ordinance #21-01 Proposed Fee Schedule 2021
 - B. 80 Waseca Ave. Variance – Tom Ramler-Olson
 9. OLD BUSINESS
 - A. Bonding Bill and its Relation to Manitou Road Infrastructure – Nick Preisler
 10. NEW BUSINESS
 - A. LMCD Request for Review 120 Gideons Point

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 Playgrounds, LMCD, Sanitation and Recycling
 - D. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds
 - E. Tim Connelly – EFD, Commercial Marinas, Municipal Docks
 - F. Attorney's Report
 - G. Adam Jennings –SLMPD, Administration, Public Works
13. ADJOURNMENT

<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>



MEMO

To: Mayor and City Council
From: Kathy Laur, City Administrator
Date: January 12, 2021
Re: Oaths of Office

Mayor Jennings, Councilmember Viger and Councilmember Connelly will receive the oath of office for their newly elected terms in office. City Administrator Laur will provide the Oath of Office to all three.

Council Action Requested

Informational only.

**CITY OF TONKA BAY
OATH OF CITY OFFICER**

**STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss.
CITY OF TONKA BAY)**

I, Adam Jennings, do solemnly swear that I support the Constitution of the United States of America, the Constitution of the State of Minnesota, and I will faithfully, justly and impartially discharge the duties of Mayor for the City of Tonka Bay, Minnesota in the County of Hennepin and State of Minnesota, to the best of my judgment and ability. So, help me God.

Adam Jennings, Mayor

Subscribed and sworn before me this 12th
day of January 2021.

Kathy Laur, City Administrator

**CITY OF TONKA BAY
OATH OF CITY OFFICER**

**STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss.
CITY OF TONKA BAY)**

I, Timothy Connelly, do solemnly swear that I support the Constitution of the United States of America, the Constitution of the State of Minnesota, and I will faithfully, justly and impartially discharge the duties of Councilmember for the City of Tonka Bay, Minnesota in the County of Hennepin and State of Minnesota, to the best of my judgment and ability. So, help me God.

Timothy Connelly, Councilmember

Subscribed and sworn before me this 12th
day of January 2021.

Kathy Laur, City Administrator

**CITY OF TONKA BAY
OATH OF CITY OFFICER**

**STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss.
CITY OF TONKA BAY)**

I, Kristin Viger, do solemnly swear that I support the Constitution of the United States of America, the Constitution of the State of Minnesota, and I will faithfully, justly and impartially discharge the duties of Councilmember for the City of Tonka Bay, Minnesota in the County of Hennepin and State of Minnesota, to the best of my judgment and ability. So, help me God.

Kristin Viger, Councilmember

Subscribed and sworn before me this 12th
day of January 2021.

Kathy Laur, City Administrator

ITEM NO. 5A

**DRAFT MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
December 8, 2020**

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 De La Vega, Councilmembers Ansari, LaBelle, Jennings and Anderson. Also present were City Administrator Laur, City Treasurer Spoerner and City Attorney Biggerstaff.

3. APPROVAL OF AGENDA

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

4. CONSENT AGENDA

- A. Minutes of the Regular City Council Meeting from November 24, 2020**
- B. Minutes of the Budget Workshop from November 24, 2020**
- C. Resolution 20-61 Approve Polling Location**
- D. Resolution 20-62 30 Arbor Court Variance**

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

5. MATTERS FROM THE FLOOR

None.

6. SPECIAL BUSINESS

None.

7. PUBLIC HEARINGS

A. 2020 Truth-in-Taxation Hearing

De La Vega opened the public hearing.

No one spoke.

De La Vega closed the public hearing.

LaBelle moved to adopt Resolution 20-63 adopting the proposed budget and

proposed 2021 tax levy. Ansari seconded the motion. Ayes: LaBelle, Jennings, Anderson, Ansari, De La Vega.

B. 65 Northrup Ave Variance Request – Tom Ramler-Olson

Ramler-Olson presented the variance requests from Tura and Brian Hallblade at 65 Northrup Avenue. Ramler-Olson provided general information on the property and the proposal to remodel the home and add a walkway while removing hardcover.

Ramler-Olson detailed existing conditions, proposed conditions and the building plans.

Ramler-Olson noted the variance requests met the city tests and statutory criteria and staff recommended approval of the variance requests.

LaBelle, Ramler-Olson discussed the existing and proposed setbacks.

De La Vega opened the public hearing.

No one spoke.

De La Vega closed the public hearing.

Jennings and Anderson noted their support of the variance requests.

Anderson moved to direct staff to prepare a resolution of approval for the requested variances for the side yard setbacks along Mound Avenue and a FAR of .315 at the property located at 65 Northrup Avenue based on the findings of fact a-h and recommended conditions 1-7. Jennings seconded the motion. Ayes: LaBelle, Jennings, Anderson, Ansari, De La Vega. Motion carried.

C. 40 Wildhurst Road Variance Request – Tom Ramler-Olson

Ramler-Olson provided general information on the property and the proposal to add a 2-story garage and a deck to connect the garage and house. Ramler-Olson explained the variance requests and the existing versus proposed conditions.

Ramler-Olson explained the engineering considerations and noted the impervious cover variance proposal met the statutory requirements, but the garage height and garage floor area requests did not meet all the requirements.

Staff recommended approval of the increased impervious cover and denial of the

increased height and floor area for the garage.

Jennings and Ramler-Olson discussed the height restrictions.

De La Vega opened the public hearing.

Matt Granger, property owner, explained the thought process of the design and noted they would like to eventually connect the house and garage.

De La Vega closed the public hearing.

Jennings, Ansari, De La Vega, Ramler-Olson, Preisler, LaBelle and Granger discussed the proposal, principal versus accessory structures and the neighbor's runoff concerns.

De La Vega recommended the applicant look into attaching the garage to the home.

De La Vega, Ansari, Jennings and Granger discussed the request.

Council directed staff to provide a waiver of extension on the variance decision.

8. OLD BUSINESS

A. LMCD Request for Review and Comments for 435 Lakeview Ave.

Laur explained that Carol Larsen, 435 Lakeview Avenue, was requesting to keep her dock in the fire lane. Laur explained the history of the dock and the measures the applicant had taken to get closer to compliance.

Carol Larsen explained the history of the dock and explained she had been working with the LMCD for the past year and a half on the dock and had reconfigured the dock twice along with moving it 8 feet.

De La Vega, Larsen, Biggerstaff, Jennings, LaBelle, Ansari and Anderson discussed the request, the permanency language of the request and safety concerns.

Anderson moved directing staff to prepare a favorable report to give to the LMCD regarding the dock at 435 Lakeview Avenue.

De La Vega noted the favorable report was for the current dock placement and fire lane.

Anderson amended the motion to direct staff to prepare a favorable report to

the LMCD based on the current placement of the dock. Ansari seconded the amended motion. Ayes: LaBelle, Anderson, Ansari, De La Vega. Nay: Jennings. Motion carried.

9. NEW BUSINESS

None.

10. MATTERS FROM THE FLOOR

Brian Hallblade asked about the inflow and infiltration ordinance and requested the information be shared.

Laur, De La Vega, LaBelle and Hallblade discussed the inflow and infiltration requirements and communications about it.

11. REPORTS

- A. Administrator's Report –
No report.
- B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology –
No report.
- C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling –
Ansari thanked Council and noted it had been a pleasure to serve alongside the other Councilmembers.
- D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks –
Jennings noted the fourth quarter fire meeting was scheduled to take place on December 16. Jennings provided background on the concrete project bids.

Jennings read a letter from Police Chief Meehan regarding the efforts of the Excelsior Fire Department in saving a resident trapped in a sinking vehicle.

Jennings thanked Ansari and De La Vega for their service.

- E. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds –
LaBelle thanked Ansari and De La Vega for their service and also the Police and Fire Departments.
- F. Attorney's Report –
No report.
- G. Gerry De La Vega –SLMPD, Administration, Public Works –

De La Vega thanked Council and Staff for their efforts and said he was looking forward to seeing what the new Council will do.

12. ADJOURNMENT

There being no further business, Anderson moved to adjourn the meeting at 8:37pm. Ansari seconded the motion. Ayes: LaBelle, Jennings, Anderson, Ansari, De La Vega. Motion carried.

Adam Jennings, Mayor

Attest:

Kathy Laur, City Administrator

**2021
CITY COUNCIL
MEETING CALENDAR
JANUARY 11, 2021**

The following City Council meeting dates have been set for 2021. These dates have been established based on previous years. They occur on the 2nd and 4th Tuesday of each month except for December. Historically, only one meeting is held in December.

January 12 and 26

February 9 and 23

March 9 and 23

April 13 and 27

May 11 and 25

June 8 and 22

July 13 and 27

August 10 and 24

September 14 and 28

October 12 and 26

November 9 and 23

December 14

2021
CITY HALL HOLIDAY SCHEDULE
JANUARY 11, 2021

The following City Hall Holiday Schedule dates have been set for 2021. These dates have been established based on governmental holidays.

January 18 – Martin Luther King Jr.

February 15 – Presidents Day

May 31 – Memorial Day

July 5 – Independence Day

September 6 – Labor Day

October 11 – Columbus Day

November 11 – Veterans Day

November 24-25 - Thanksgiving

December 22-23 – Christmas

December 31 - New Year's Eve

**Mayor Adam Jennings Statement and Determination
Regarding Conducting Meetings by Telephone or Other Electronic Means**

As the Mayor of the City of Tonka Bay, Minnesota I find as follows:

- a. The spread of COVID-19 in the United States and Minnesota has raised serious public health concerns and resulted in a great deal of uncertainty. Much remains unknown about the virus, how it spreads and the likely extent of infection.
- b. On March 11, 2020, the World Health Organization determined that the COVID-19 outbreak constitutes a pandemic. On March 13, 2020, President Trump declared a national state of emergency as a result of the pandemic.
- c. On March 13, 2020, Governor Tim Walz issued Emergency Executive Order 20-01 declaring a state of peacetime emergency to address the COVID-19 pandemic in Minnesota. That Executive Order has been followed by additional Executive Orders closing schools, bars, restaurants, and other places of public gathering.
- d. The Minnesota Department of Health has provided specific guidance encouraging postponement or cancelation of events that do not allow social distancing of at least six feet per person, which is generally not practical to achieve in the City Council chambers or in the other rooms where the City's boards and commissions may meet. The federal government is currently recommending no gatherings of more than 10 people.
- e. Minnesota Statutes, section 13D.021 authorizes cities to meet by telephone or other electronic means if the presiding officer, chief legal counsel, or chief administrative officer determines that meeting in person or by interactive television is not practical or prudent because of the existence of a declared health pandemic or emergency. I have consulted with the city administrator and city attorney in making this determination.

Based on the above findings, I determine as follows:

1. Until further notice, all meetings of City bodies governed by Minnesota Statutes, Chapter 13D, including but not limited to City Council meetings, and meetings of all boards, committees, and commissions of the City, shall be conducted by telephone or other electronic means because it is not practical or prudent to hold those meetings in person or by interactive television. All such meetings must comply with the requirements in Minnesota Statutes, Section 13D.021.
2. Attendance by members of the public and the presence of at least one council member, the city administrator or city attorney at the City Council chambers for such meetings is not feasible due to the health pandemic and the emergency declaration.

Dated: January 5, 2020.

Adam Jennings, Mayor
City of Tonka Bay, Minnesota

RESOLUTION NO. 21-03

**A RESOLUTION ADOPTING 2021
WATER AND SEWER CONNECTION CHARGES**

WHEREAS, the assessable cost for water and sewer connections are determined by the following formulas:

A. 1964 Sewer

Construction Cost Index as published by the
Engineering News Record (ENR) the year in
which the assessable cost would be applicable. X \$1,138/unit
January 1, 1976 ENR Construction Cost Index

B. 1972 Water

Construction Cost Index as published by the
Engineering News Record (ENR) the year
in which the assessable cost would be applicable X \$1,500/unit
January 1, 1980 ENR Construction Cost Index

C. 1988 Water Tower

Construction Cost Index as published by the
Engineering News Record (ENR) the year in
which the assessable cost would be applicable X \$ 640/unit
September 1, 1988 ENR Construction Cost Index

WHEREAS, the Construction Cost Index in the numerator of the above formula is to be determined in January of each year by Engineering News Record (ENR) and is to be used for the remainder of that calendar year; and

WHEREAS, staff has recommended using the 20 city December index for each annual adjustment in January so that the connection charges can be adjusted annually at the first Council meeting of the year; and

WHEREAS, the index in December of 2019 is 11,381.48, and the index in December of 2020 is 11,579.02.

WHEREAS, to derive the multiplier to calculate the 2021 connection charges, the 2020 index is divided by the 2019 index (11,579.02/11,381.48), therefore the percentage increase = 1.017; and

WHEREAS, based on that percentage the new connection charges for 2021 would calculate as follows:

<u>Sewer System</u> =	\$3,891.55 <u>X 1.017</u> \$3,957.71
<u>Water System</u> =	\$3766.26 <u>X 1.017</u> \$3,830.29
<u>Water Tower</u> =	\$1,133.21 <u>X 1.017</u> \$1,152.47

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tonka Bay, Hennepin County, Minnesota, that the new water and sewer connection charges for 2021 be established as follows:

Sewer System	\$3,957.71
Water System	\$3,830.29
Water Tower	\$1,152.47

ADOPTED at a regular meeting of the Tonka Bay City Council this 12th day of January 2021.

The motion for the adoption of the foregoing Resolution was _____ duly seconded by Councilmember _____. The following vote was taken:

Councilmember LaBelle ___
 Councilmember Viger ___
 Councilmember Anderson ___
 Councilmember Connelly ___
 Mayor Jennings ___

WHEREUPON, said Resolution was declared duly passed and adopted.

I certify that the City of Tonka Bay adopted the above Resolution on this 12th day of January 2021.

 Adam Jennings, Mayor

ATTEST:

 Kathy Laur, Clerk/ Administrator



MEMO

To Mayor and City Council
From Kathy Laur, City Administrator
Date January 12, 2021
Re Annual Appointments and Designation for 2021

With the addition of Councilmember's Viger and Connelly, council needs to have a conversation about 2021 official city appointments.

Former Mayor De La Vega covered the SLMPD Coordinating Committee, City Staff, Public Works and the Employee Advisory Board. These responsibilities transfer to Mayor Jennings.

Former councilmember Ansari covered the Parks Committee, Lake Minnetonka Conservation District, Sanitation and Recycling and was an Alternate for the Excelsior Fire District (EFD) Board.

Former councilmember Jennings covered the Excelsior Fire District, the Commercial Marinas and the Municipal Docks.

These appointments can be "mixed and matched" or remain the same for new councilmembers Viger and Connelly.

Attachments

Resolution 21-01 – A Resolution of Annual Appointments and Designations for 2021

Staff Recommendations

A discussion

Council Action Required

Motion to approve Resolution 21-01 a resolution of annual appointments and designations for 2021.

RESOLUTION NO. 21-01

**CITY OF TONKA BAY
HENNEPIN COUNTY, MINNESOTA**

A RESOLUTION OF ANNUAL APPOINTMENTS AND DESIGNATIONS FOR 2021

WHEREAS, annually, at their first meeting in January, the Tonka Bay City Council handles annual designations and appointments; and

WHEREAS, attached is the designation of the Official Newspaper and the Official dates/times/places of regular Tonka Bay Meetings; and

WHEREAS, attached are the appointments of City Councilmembers and staff to various boards and commissions.

NOW, THEREFORE, BE IT RESOLVED, that the Tonka Bay City Council does hereby make the annual appointments and designations effective immediately upon adoption.

The motion for the adoption of the foregoing Resolution was _____duly seconded by Councilmember _____ . The following vote was taken:

Councilmember LaBelle	___
Councilmember Viger	___
Councilmember Anderson	___
Councilmember Connelly	___
Mayor Jennings	___

WHEREUPON, said Resolution was declared duly passed and adopted.

I certify that the City of Tonka Bay adopted the above Resolution on this 12th day of January 2021.

Adam Jennings, Mayor

ATTEST:

Kathy Laur, Clerk/ Administrator

2021 OFFICIAL CITY APPOINTMENTS

1. Adam Jennings, Mayor
SLMPD Coordinating Committee
City Administration
Public Works
Employee Advisory Board
2. Jeff Anderson, Councilmember
Acting Mayor
Banks/Finance/Investments
Alternate – Employee Advisory Board
Fire Lanes and Public Access
Technology
3. Kristin Viger, Councilmember

Alternate – EFD Board
Parks and Playgrounds
Lake Minnetonka Conservation District
Sanitation and Recycling
4. Bill LaBelle, Councilmember
Alternate – SLMPD Coordinating Committee
Building Inspection
Municipal Buildings and Grounds
Alternate – City Administration
5. Tim Connelly, Councilmember

Excelsior Fire District
Commercial Marinas
Municipal Docks
6. Tax Assessor
Rolf Erickson, Southwest Assessing
7. Building Inspector
Metro West Inspections
8. Assistant Weed Inspector
Robin Bowman
9. City Attorney
Andrew Biggerstaff
10. Assistant City Attorney
Robert J. V. Vose

11. Prosecuting Attorney
Kenneth N. Potts
12. Emergency Preparedness Director
SLMPD Police Chief
13. Official Newspaper
Sun Sailor
14. 4M Fund – RBC Dain Rauscher – UBS – US Bank Financial Services – Official depository for checking, savings accounts, certificates, investments, and bond reserve accounts for general fund and all enterprise funds for the city.
15. City Engineer
WSB & Associates, Inc.
16. City Planner
WSB & Associates, Inc.
17. Sewer and Water Inspector
Robin Bowman
18. City Fire Marshal
Excelsior Fire District
19. Lake Minnetonka Conservation District Representative
Gregg Thomas
20. Minnetonka Community Services Advisory Board Representative
Lora Marceau
21. Data Compliance Officer
City Administrator



MEMO

To: Mayor and City Council
From: Kathy Laur, City Administrator
Date: January 12th, 2021
Re: Amend Section 402 – Fee Schedule

Attached you will find the proposed 2021 Fee Schedule for review. Proposed changes are redlined in the ordinance.

Attachments

2021 Proposed Fee Schedule Redlined
Resolution #21-02 Ordinance Summary

Council Action Request

Motion to approve Ordinance #21-01 An Ordinance Amending Section 402 Fees.

Motion to adopt Resolution #21-02 Approving Ordinance 20-01 for Summary Publication.

**CITY OF TONKA BAY
COUNTY OF HENNEPIN
STATE OF MINNESOTA**

ORDINANCE NO. 2021-01

AN ORDINANCE AMENDING SECTION 402, FEES

Section 1. THE CITY COUNCIL OF THE CITY OF TONKA BAY, MINNESOTA AMENDS SECTION 402 AS FOLLOWS:

402.01. Fee Schedule

All fees applicable to all licenses or permits from the City of Tonka Bay, Minnesota.

Type of Charge	Fee	Notes
<u>Alarm</u>		
Police	\$60.00	770.03, 770.06
Fire	\$175.00	770.11
<u>Administrative Citation Penalties</u>	Varies	270.01 – 270.11. See Appendix A.
<u>Amusement Devices</u>	\$15.00	410.04
<u>Assessment Search</u>	\$25.00	
<u>Cigarette Sales</u>	\$100.00	430.03
<u>City Hall Rental</u>		Room Reservation Application
Damage Deposit	\$300.00	
Up to Four Hours	\$50.00	
Additional Hour	\$10.00	
<u>Commercial Marinas</u>		520.11, 1023.02
Base Fee & Annual Renewal (Plus Per Slip Fee)	\$270.00	
Per Slip Fee	\$5.00	
<u>Copies Plus Tax</u>		
City Code	\$90.00	
Zoning Ordinance	\$100.00	
Zoning Map	\$20.00	
Sewer/Water Maps	\$15.00	
Audiotape Copy	\$25.00	
Comp. Land Use Map	\$20.00	

Copies of record (up to 100 B/W)	\$0.25	MN Stat. 13.03 subd. 3; copies not able to be printed at City Hall are subject to real cost and staff time
<u>De-Icing Permits</u>		De-Icing Permit Application
Permit	\$75.00	
Late Application	\$150.00	
<u>Demolition</u>		
Structure (Plus State Surcharge)	\$200.00	351.02
Escrow	\$500.00	263, 351.02
State Surcharge	\$1.00	MN Stat. 16B.70
<u>Dog Impoundment Fee</u>		741.06
<u>Two Day Minimum</u>		
First Pickup	\$55.00	
Second Pickup	\$85.00	
Third Pickup	\$125.00	
<u>Dog License</u>	\$20.00	741.03
<u>Excavation -ROW Plus Escrow</u>	\$150.00 100.00	301.11, 940.02
Escrow	\$5,000.00	263, 940.03
<u>Exterior & Fence Permit</u>	Varies \$100.00	1001.01, 1011.05
<u>Zoning Review</u>	\$400	
-	-	-
<u>Fertilizer App License</u>	\$108.00	480.03.2
<u>Fill Permit Plus Escrow</u>		Filling and Excavation Permit Application
Security Deposit (Refund Upon Final Inspection & As built)	\$500.00	
10-50 Cubic Yards (Lakeshore Only)	\$55.00	
Over 50 Cubic Yards	\$90.00	
Escrow	\$300.00	263
<u>Gambling Investigation</u>	\$100.00	470.05
<u>Home Occupation Permit</u>	\$15.00	1014.03
<u>Inflow and Infiltration Certificate Application</u>	\$75.00	827
<u>Land Use Applications</u>		
Non-Conforming Use Permit	\$125.00	1011.01
Variance, plus Escrow	\$500.00 300.00	1004.03, 1004.05, 1030.11 subd. B

CUP, plus Escrow	\$500.00 300.00	1003.01
Pre-Planning Application	\$2000.00 400.00	
Preliminary Plat, plus Escrow	\$150.00	1030.4 subd. B
Rezoning, plus Escrow	\$150.00	
Simple Subdivision, plus Escrow	\$150.00	1030.1 subd. F
Street Vacation, plus Escrow	\$150.00	930
Subdivision, plus Escrow	\$150.00	1030
Planned Unit Development, plus Escrow	\$650.00	1006.03.1, 1006.05.4
Final Plat, plus Escrow	\$150.00	1030.09 subd. A
Engineering Fee	\$350.00	
Park Dedication	Refer to Ordinance	1006.02 subd. 5-8, 1030.8
	\$1,500.00	
Escrow	3000.00	263
Legal Services Pass-Through Rate	\$235.00/hr	Per City Attorney Contract
<u>Liquor</u>		600.04
Investigation Fee	\$500.00	
Small Brewer License	\$250.00	
Brewer Taproom License	\$1,000.00	
Special Sunday Sale	\$200.00	
Consumption and Display Setup	\$300.00	
<u>On-Sale</u>		
Beer	\$500.00	
Intoxicating Liquor	\$5,544.00	
Wine	\$500.00	
<u>Off-Sale</u>		
Beer	\$240.00	
Intoxicating Liquor	\$240.00	
<u>Temporary License</u>		
On-Sale 3.2% Malt Liquor	\$250.00	
On-Sale Intoxicating Liquor	\$300.00	
Local Business	\$300.00	
On Public Property		
Non-Local Business	\$600.00	
On Public Property		
On Private Property	\$100.00	
<u>Mechanical Permit</u>		-
<u>Plus State Surcharge</u>		
Per Fixture	\$50.00	
Air Conditioner/Furnace	\$100.00	
State Surcharge	\$1.00	MN Stat. 16B.70
<u>Municipal Docks</u>		Municipal Dock Rental Policy
Bumper Material	\$5.00 Plus Tax	

Key Fob Security Deposit	\$25.00	
<u>Residents</u>		
Boat Slides	\$120.00	
Dock Spaces #2, #3	\$1,600.00	
Dock Spaces #4 through #49	\$2,000.00	
Canoe Rack	\$30.00	
<u>Non-Residents</u>		
Boat Slides	\$240.00	
Dock Spaces #2, #3	\$3,200.00	
Dock Spaces #4 through #49	\$4,000.00	
Canoe Rack	\$60.00	
<hr/>		
<u>New Construction</u>		300.03
<u>Building Permits</u>		
Permit	Based on valuation	1997 State Building Code Fee Schedule +15%
Escrow	\$5,000.00	263
SAC	\$2,485.00	Metropolitan Council
		810.03, 810.17
<u>Water Meter Fees (plus tax)</u>		
12 Gauge Tracer Wire Per Foot	\$0.30	
Blue Tracer Wire Box	\$30.00	
Ground Rod with 10 feet 14-Gauge Wire	\$60.00	
<u>Water & Sewer Connection*</u>		810.02, 810.03, 823.04, 823.05, 826.02
	\$3957.71	
Sewer	3,891.55	
	\$3830.29	
Water	3,766.26	
	\$1152.47	
Water Tower	1,133.24	
*Trunk Connection Rates per living unit for residential; and, equivalent for commercial as determined by the Metropolitan Council SAC, except as may be amended by City Council.		
<hr/>		
<u>NSF Check</u>	\$30.00	MN Stat. 604.113 subd. 2
<hr/>		
<u>Peddler Permit</u>	\$65.00	420.03.4
<hr/>		
<u>Plumbing</u>		
Commercial	Based on valuation	1997 State Building Code Fee Schedule + 15%
<u>Residential (plus State Surcharge)</u>		-
1-5 Fixtures	\$75.00	-
Each Additional Fixture	\$10.00	-
State Surcharge	\$1.00	MN Stat. 16B.70
<hr/>		
<u>Right of Way Obstruction</u>	\$100.00 <u>150.00</u>	301.11

<u>Right of Way Registration</u>	\$100.00	301.05
<u>Sewer Disconnect & Reconnect Plus State Surcharge</u>		823.04, 826.02
Residential	\$60.00 <u>65.00</u>	
Commercial	\$100.00	
State Surcharge	\$1.00	MN Stat. 16B.70
<u>Short Term Rental</u>	-	425.03 Subd. 4
License	\$100.00	
First Violation	\$250.00	
Second Violation	\$500 + Revocation	
<u>Sign Permit</u>	\$75.00	330.02.11
<u>Special Events</u>		Special Event Permit Application
Damage Deposit	\$300.00	
Manitou Park Damage Deposit	\$1,000.00	
<u>Residents/Local Businesses</u>		
Athletic Event Using Streets or City Parking Lot	\$200.00	
Events on City Property (plus tax)	\$75.00	
Parade	\$30.00	
<u>Non-Residents/Non-Local Businesses</u>		
Athletic Event Using Streets or City Parking Lot	\$400.00	
Events on City Property (plus tax)	\$150.00	
Parade	\$60.00	
<u>Field/ Court Rental</u>		
Field (Baseball or Soccer)	\$10/day	
Sport Court (Tennis or Basketball)	\$10/day	
Ice Rink	\$10/day	
<u>Maintenance</u>		
Baseball	PW Hourly Wage x 3hrs	
Soccer	PW Hourly Wage x 5hrs	
Tennis	PW Hourly Wage x 1hr	
Basketball	PW Hourly Wage x .75hr	

	Ice Rink	PW Hourly Wage x 4hrs	
	<u>Temporary Liquor License</u>		
	On Private Property	\$100.00	
	Local Business On Public Property	\$300.00	
	Non-Local Business On Public Property	\$600.00	
	<u>Sprinkler System Connection Permit</u>		
	Less than 4 inch Pipe	\$215.00	
	6 inch Pipe	\$325.00	
	8 inch Pipe	\$430.00	
	12 inch Pipe	\$650.00	
	<u>Tank Removal</u>	\$55.00	
	<u>Temporary/Seasonal Sales</u>	\$75.00	1024 subd. 44
	<u>Utilities-Quarterly Rates</u>		
	<u>Water</u>		810.06
	MN Water Testing Fee	\$2.43	
	Residential & Commercial Standard Flat Rate	\$78.09	
	0-15,999 gallons Per 1,000 gallons	\$7.54	
	16,000-30,999 Per 1,000 gallons	\$8.22	
	31,000-45,999 Per 1,000 gallons	\$8.91	
	More than 46,000 Per 1,000 gallons	\$9.59	
	<u>Sewer</u>		825.02, 825.05
	Residential & Commercial Standard Flat Rate	\$137.50	
Residential Usage	0-9,999 gallons Per 1,000 gallons	\$0.50	
	10,000-30,999 gallons Per 1,000 gallons	\$1.25	
	31,000-45,999 gallons Per 1,000 gallons	\$2.00	
	46,000+ gallons Per 1,000 gallons	\$2.75	
Commercial Usage	0-9,999 gallons Per 1,000 gallons	\$0.50	

10,000+ gallons Per 1,000 gallons	\$5.00	
<u>Garbage/ Recycling</u>		
Garbage rate if not participating in recycling	\$77.18	830.07
Garbage rate if participating in recycling	\$37.20	
Sr. citizen garbage rate if recycling	\$34.75	
Recycling rate	\$36.50	
<u>Storm Water Drainage Fee</u>		
Residential	\$3.75	840.02, 840.05
Commercial	Based on square footage	
<u>Water Disconnect & Reconnect Plus State Surcharge</u>		
Residential	\$65.00 60.00	
Commercial	\$100.00	
State Surcharge	\$1.00	MN Stat. 16B.70
<u>Water Hydrant Use Plus Water Usage Minimum 1 Month Use</u>		
	\$ 40.00 30.00	
<u>Water Meter Estimating Fee</u>		
	\$30.00	
<u>Water Meters With Radio (plus tax)</u>		
3/4 inch	\$ 175.00 160.00	810.17
3/4 inch connectors (\$ 12.40 ; need two)	\$ 24.00 20.00	
1 inch	\$ 275.00 215.00	
1 inch connectors (\$ 20.47.50 ; need two)	\$ 40.00 35.00	
Radio Reader	\$ 185.00 135.00	
Wire (per foot)	\$ 0.30 .25	

402.02 Refunds.

License fees shall not be refunded in whole or in part unless otherwise specified by this Ordinance Code or by law.

APPENDIX A

SCHEDULE OF OFFENSES AND FEES **ADMINISTRATIVE PENALTY SYSTEM**

General Rules of Administrative Fine System:

1. Each day a violation exists constitutes a separate offense.
2. Fees are due to the City within 10 days of the date of the citation.
3. A late payment charge of 10% of the fine amount, with a minimum of \$15, is required if not paid within 10 days from the date of the citation.
4. The City may collect unpaid fines by a special assessment to the property when the violation is related to a parcel of real property located within the City.
5. Failure to pay a fine or request a hearing may be punishable by criminal penalties.
6. Appeal hearings can be scheduled according to the terms provided in the City Code.
7. Where examples to any specific violation are given in this Appendix, such examples are only intended to serve as an illustration for the class of violations which will be subject to the various penalties. Nothing herein shall be interpreted as including an exhaustive list of applicable penalties, and the City may determine the appropriate level of penalty for a particular code violation with reference to the categories outlined herein.
8. The violation levels provided in this Appendix constitute guide only. The City may deviate from the prescribed levels outlined in this Appendix where the circumstances dictate. Any deviation from these levels shall be expressly outlined in the notice of violation, including the factors relied upon by the City in justifying such deviation.

Level One Violations \$50.00

- Minor or incidental inappropriate garbage/recycling/yard waste management.
- Local parking violations including, but not limited to, vehicle parked on grass, violation of permit parking restrictions, snow emergency violations, inappropriate RV storage.
- Animal issues including, but not limited to, barking dogs, unlicensed animals (under owner's control), excessive feces in the yard.
- Property condition including, but not limited to, tall grass, vegetation overflowing alley, adjacent public sidewalk not shoveled, minor exterior storage (junk in the yard or along alley).
- Loud parties, recreational fire violations.

Level Two Violations \$100.00

- Local parking violations including, but not limited to, parking in fire lanes, blocking access.
- Property maintenance violations including, but not limited to, peeling paint, eaves hanging, doors delaminated, fences collapsing.
- City code violations (not listed elsewhere) designated as a misdemeanor or petty misdemeanor, including violations of the City's zoning code. Includes erosion control, sight triangle violations, setback encroachments, excessively bright lights, being in a park after hours.
- Animals running-at-large (licensed), failure to follow restrictions for potentially dangerous animals.
- Sign regulation violations, unpermitted exterior display of merchandise.
- Missing address numbers visible from the street or alley

Level Three Violations \$150.00

- Unlicensed animal running-at-large.

Level Four Violations \$200.00

-

Level Five Violations \$400.00

The violation is a major infraction that involves unsafe conditions, constitutes a blighting influence on surrounding properties or neighborhood, involves neglect of property maintenance, or endangers life or property, supported by the enforcement officer's written justification.

- Failure to obtain a required permit or license (not listed elsewhere), includes rental without a license and creation of a 2nd dwelling unit in a structure without zoning approval;
- Failure to maintain or violation of a condition of approval for a conditional use permit;
- Home occupation violations;
- Excessive or habitual accumulations of garbage, rubbish or exterior storage of materials unrelated to a lawfully permitted construction or remodeling project;
- Unpermitted use of street right-of-way or boulevard encroachments; or
- Illegal occupancy of a basement, attic or other room with inadequate egress for sleeping purposes as required by any applicable law or rule.

Disorderly House:

- \$1,000 for conviction under Minnesota Statutes Section 609.33.

Repeat Violations:

Repeat violations occurring within 12 months are subject to double fees. Said violations are a new case involving the same violation (i.e. a second offence parking in a fire lane). Repeat violations are distinguished from continuing violations. Subsequent repeat violations occurring within 12 months are subject to a doubling of the preceding penalty.

Continuing Violations:

When situations which are subject to an administrative citation continue without resolution for more than a month despite repeat citations, an enforcement officer may issue a citation with a fee doubling the preceding penalty, not to exceed \$1000 for each offense.

Appeal Hearing Request fee:

Appeal Hearing Request Deposit fee: \$25 is due along with the appeal form. The fee is refundable as provided in the City Council's decision. In cases where a violation was found to have occurred, the City Council may apply the refund towards the citation payment as provided in the City Council's decision.

Special Assessment Charge:

A special assessment administrative charge of \$50.00 will be added for unpaid fine amounts that are specially assessed.

Section 3. EFFECTIVE DATE.

This ordinance shall take effect upon its adoption by the City Council and its publication in the City's official newspaper.

Adam Jennings, Mayor

ATTEST:

Kathy Laur, City Administrator

First Reading: January 12, 2021

Publication:

ITEM NO. 8A-3

RESOLUTION 21-02

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF AN ORDINANCE
OF THE CITY OF TONKA BAY, MINNESOTA
SECTION 402 – FEE SCHEDULE**

WHEREAS, the City Council determines that publication of the summary of Ordinance 2021-01 entitled “An Ordinance Amending Section 402 by Changing Annual Fee Schedule”, as attached, will clearly inform the public of the intent and effect of the ordinance; and

WHEREAS, state statutes allow the council to direct staff by a four-fifths vote that only the title of the ordinance and a summary be published;

WHEREAS, the City Council approves the title and summary as attached and determines that the text clearly informs the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Tonka Bay, Hennepin County, Minnesota, that the summary publication as attached shall be published for Ordinance 2021-01 entitled “An Ordinance Amending Section 402 by Changing Annual Fee Schedule”.

BE IT FURTHER RESOLVED, that only the title and summary of the ordinance be published; and

BE IT FURTHER RESOLVED, that the text of the summary is hereby approved.

PASSED at a regular meeting of the Tonka Bay City Council this 12th day of January 2021.

Motion introduced by _____ and seconded by _____.

Roll call vote:

Councilmember LaBelle	_____
Councilmember Viger	_____
Councilmember Anderson	_____
Councilmember Connelly	_____
Mayor Jennings	_____

Adam Jennings, Mayor

ATTEST:

Kathy Laur, Clerk/Administrator

ITEM NO. 8A-3

ATTACHMENT – SUMMARY PUBLICATION

**ORDINANCE NO. 2021-01
CITY OF TONKA BAY**

**AN ORDINANCE AMENDING SECTION 402
BY AMENDING ANNUAL FEE SCHEDULE**

The City Council of the City of Tonka Bay does ordain as follows:

Summary:

The ordinance amends Section 402 by amending annual fee schedule.

Effective Date:

The ordinance shall become effective upon its publication in the legal newspaper.

This published material is only a summary. The full text of the ordinance is available for review at Tonka Bay City Call, 4901 Manitou Road, Tonka Bay MN 55331.

City of Tonka Bay Memorandum

To: City Council Members
Kathy Laur, City Administrator

From: Thomas Ramler-Olson, Assistant City Planner
Nick Preisler, City Engineer

Date: January 4, 2021
City Council Regular Meeting January 12, 2021

Project: 015212-000, Phase 045

Request: Variance for an impervious cover of 32.6 percent where the maximum is 25 percent
PID: 27-117-23-24-0121

RECOMMENDATION

Based on the findings of fact, staff recommends approval of the variance for an impervious amount not to exceed 32.6 percent at the property 80 Waseca Ave.

GENERAL INFORMATION

Applicant(s)/Owner(s): Allen and Barb Olson

Subject Property: 80 Waseca Ave

Existing Land Use / Zoning: Detached, Single-Family Residential; zoned R-3, Shoreland Overlay

Surrounding Land Use / Zoning:

North:	Detached, Single-Family Residential; zoned R-3, Shoreland Overlay
West:	Detached, Single-Family Residential; zoned R-3, Shoreland Overlay
South:	Detached, Single-Family Residential; zoned R-3, Shoreland Overlay
East:	Detached, Single-Family Residential; zoned R-3, Shoreland Overlay

Comprehensive Plan: The Tonka Bay 2018-2040 Comprehensive Plan guides this lot for Single-family Residential use.

Deadline for Agency Action:	Application Date:	November 24, 2020
	60 Days:	January 23, 2021
	Extension Letter Mailed:	N/A
	120 Days:	March 24, 2021

CONSIDERATIONS RELATED TO THE REQUEST

- Overview.** The Applicants are proposing to construct a new garage and a variety of site improvements to the property at 80 Waseca Ave. The new garage will hold two vehicles and will replace a single-stall garage. Other improvements include removing impervious cover in the form of decking, pavers, and retaining wall, which will reduce impervious cover from the existing amount of 37.8 percent to 32.6 percent. There was no evidence that the property was approved to have an impervious cover amount of 37.8 percent nor anything exceeding the 25 percent maximum allowed in the City. So, a variance is required to carry out the planned work.

2. Ordinance Authority

SECTION 1011.06 OFF-STREET PARKING AND LOADING; Subdivision 3; Subparagraph d states that every detached single family dwelling unit erected after the effective date of this Ordinance shall be so

located on the lot so that at least a two (2) car garage, either attached or detached in conformance with this Ordinance, can be located on said lot.

SECTION 1070.11 IMPERVIOUS SURFACE COVERAGE; Subdivision 1; Subparagraph a states that the maximum impervious surface coverage for lots in all zoning districts within the Shoreland District is twenty-five (25) percent of the lot area.

3. Variance Review Criteria

Statutory Criteria

1. *The request is in harmony with the general purpose and intent of this Ordinance.*

The purpose of the Shoreland District Ordinance is to reduce the effects of overcrowding, to prevent pollution of waters of the community, to minimize flood damages, to maintain property values and to maintain natural characteristics of shorelands and adjacent water areas by controlling lot sizes, placement of structures on lots, and alteration of shoreland. Because the applicants are proposing to reduce the existing impervious cover amount, the request advances the purpose of the ordinance. **Criterion met.**

2. *The variance is consistent with the comprehensive plan.*

As stated in the 2040 Comprehensive Plan, promoting the ecological and recreational health of the Lake and guarding the health, safety, and general welfare of residents are priorities of the City. Because it proposes to lower the impervious cover amount, the variance is consistent with those priorities. **Criterion met.**

3. *The property in question meets the "practical difficulties" test:*

- a. *The property owner proposes to use the property in a reasonable manner.*

Residential properties are required to have off-street parking that can accommodate two vehicles, which the applicant is proposing on the property in order to replace a one-stall garage. While adding a new structure that brings it into compliance with off-street parking standards, they are proposing to also lower the impervious cover amount. **Criterion met.**

- b. *There are unique circumstances to the property not created by the landowner.*

The current owners recently purchased the property with the current impervious cover amount, a unique circumstance that they did not create but are trying to address with their proposal that intends to lower the amount. **Criterion met.**

- c. *The variance will maintain the essential character of the locality.*

The variance will maintain the essential character of the locality. **Criterion met.**

City Tests

1. *Will the variance impair an adequate supply of light and air to adjacent property?*

The variance will not impair an adequate supply of light and air to adjacent property. **Criterion met.**

2. *Will the variance unreasonably increase the congestion in the public street?*

The variance will not unreasonably increase the congestion in the public street. **Criterion met.**

3. *Will the variance increase the danger of fire or endanger the public safety?*

The variance will not increase the danger of fire or endanger the public safety. **Criterion met.**

4. *Will the variance unreasonably diminish or impair established property values within the neighborhood, or in any way be contrary to the intent of the zoning ordinance?*

As explained above, this variance request is not contrary to the intent of this ordinance. **Criterion met.**

4. Engineering Considerations:

The applicant is proposing to reduce the impervious surface coverage of the lot and is regrading a portion of the yard to drain more effectively. The subject property is not a riparian lot and is located 500 feet away from the nearest Lake Minnetonka shoreline. Furthermore, the runoff from the property does not drain to the lake. The natural drainage of the properties in this area drains to a common low-lying area in the rear yards that is isolated from Lake Minnetonka and contains abundant natural vegetation. As a result of the reduced impervious surface and improved grading the amount of runoff from the subject property will be reduced and the remaining runoff will be properly redirected to the natural area in the rear yard where it can infiltrate into the ground.

POTENTIAL ACTION

- A) DIRECT STAFF TO PREPARE A RESOLUTION APPROVING THE REQUEST based on the Applicant's submittals and findings of fact.
- B) DIRECT STAFF TO PREPARE A RESOLUTION DENYING THE REQUEST based on the Applicant's submittals and findings of fact.
- C) TABLE THE ITEM and request additional information.

The 60-day review period for this application expires on January 23, 2021. If the Council fails to preliminarily approve or disapprove the request within the review period, the application is deemed preliminarily approved.

RECOMMENDATION

Based on the findings of fact in this report, staff recommends the following:

- Approval of a variance for an impervious cover amount not to exceed 32.6 percent

"I move that we direct staff to prepare a resolution of approval for the requested variance for an impervious cover amount of 32.6 percent at the property located at 80 Waseca Ave based on the findings of fact listed in the report.

- a. The variance is in harmony with the general purpose and intent of the Ordinance.
- b. The variance is consistent with the City's Comprehensive Plan.
- c. The variance is a reasonable use of the property.
- d. Based upon the facts presented, the existing impervious cover amount was not created by the current land owners and its impact will be mitigated with the proposal.
- e. The variance will not alter the essential character of the locality.
- f. Granting the requested variance will not impair an adequate supply of light and air to adjacent parcels.
- g. Granting the variance will not unreasonably increase congestion in the public streets.
- h. Granting the variance will not diminish or impair established property values in the neighborhood."

Recommendation Conditions

1. Construction shall occur in substantial conformance with the plans presented at the January 12, 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.



Memorandum

To: Tonka Bay City Council

From: Nick Preisler, City Engineer, WSB

Date: September 16, 2020

Re: 2021 Legislative Session Bonding Bill Update
Tonka Bay Watermain Improvements Project

BACKGROUND

The watermain underneath Manitou Rd has a significant break history and needs replacement in the near future. This segment of watermain stretches the entire length of the city beginning at the Narrows Bridge and ending near the intersection of Smithtown Rd and County Road 19. There are at least 70 properties connected directly to this watermain and the rest of the properties in the City connect to a watermain segment that branches off the Manitou Rd watermain. For all intents and purposes, the Manitou Rd watermain delivers water to the entire City of Tonka Bay.

City Council has had several discussions about how to fund this project and the direction provided to Staff was to work with MN State Legislators to determine if this project could be included in a future bonding bill. On December 8th, 2020 the City Engineer, City Administrator, and then Councilmember Jennings met with Rep. Kelly Morrison, a member of the MN House of Representatives. During that meeting Kelly indicated that this project may be a worthwhile candidate for the bonding bill during the 2021 legislative session. In the time since that meeting staff has worked with the Minnesota Management & Budget (MMB) team to provide them with the information Rep. Morrison needs to introduce this item in the bonding bill discussions. That process is ongoing.

At MMB's request, WSB updated the cost estimate for the project and provided the estimated total project cost to Rep. Kelly Morrison to be included in the bonding bill request. The updated estimated project costs are attached and totals \$3.04M. This amount includes estimates for engineering design, construction, and other indirect costs. MN Statute 16A.86 requires a 50% non-state match for bonding projects for local governments. Money that was spent by the local governments before the bonding bill was enacted typically will not go towards the 50% non-state match. The City's cost share for the project is estimated to be \$1.52 M. Rep. Kelly Morrison has indicated that PFA funds likely could still be used for the City's 50% non-state match. '

If the City's request is approved, then a grant agreement must be executed between the City and the State. All financing must be in place to complete the project before the grant will be made available.

NEXT STEPS

The State needs to receive a resolution of support from the local government body. A draft copy of the resolution is attached for City Council's review and comment.

OPINION OF PROBABLE COST

WSB Project: Manitou Rd Watermain Improvement Project
 Project Location: Tonka Bay, MN
 City Project No.:

Design By: NNP
 Checked By:

Date: 12/29/2020

Item No.	MnDOT Specification No.	Description	Unit	Estimated Total Quantity	Estimated Unit Price	Estimated Total Cost
Trenchless Method: Directional Drill						
1	2021.501	MOBILIZATION	LS	1	\$ 110,000.00	\$ 110,000.00
2	2104.502	REMOVE GATE VALVE & BOX	EACH	14	\$ 350.00	\$ 4,900.00
3	2104.502	REMOVE CURB STOP & BOX	EACH	70	\$ 200.00	\$ 14,000.00
4	2104.502	REMOVE HYDRANT	EACH	15	\$ 500.00	\$ 7,500.00
5	2104.503	REMOVE WATER MAIN	L F	1160	\$ 10.00	\$ 11,600.00
6	2104.503	REMOVE WATER SERVICE PIPE	L F	2275	\$ 6.00	\$ 13,650.00
7	2101.524	CLEARING	TREE	10	\$ 500.00	\$ 5,000.00
8	2101.524	GRUBBING	TREE	10	\$ 500.00	\$ 5,000.00
9	2104.502	REMOVE SIGN	EACH	10	\$ 50.00	\$ 500.00
10	2104.502	SALVAGE SIGN	EACH	3	\$ 20.00	\$ 60.00
11	2104.503	SAWING BIT PAVEMENT (FULL DEPTH)	L F	4850	\$ 3.25	\$ 15,762.50
12	2104.504	REMOVE CONCRETE DRIVEWAY PAVEMENT	S Y	200	\$ 8.00	\$ 1,600.00
13	2104.504	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	S Y	450	\$ 5.00	\$ 2,250.00
14	2104.504	REMOVE BITUMINOUS PAVEMENT	S Y	2365	\$ 5.00	\$ 11,825.00
15	2104.603	ABANDON WATER MAIN	L F	10440	\$ 6.00	\$ 62,640.00
16	2106.507	EXCAVATION - COMMON (P)	C Y	1314	\$ 32.00	\$ 42,044.44
17	2106.507	SELECT GRANULAR EMBANKMENT (CV) (P)	C Y	526	\$ 28.00	\$ 14,715.56
18	2118.507	AGGREGATE SURFACING (LV), CLASS 2	C Y	10	\$ 26.00	\$ 260.00
19	2123.610	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	25	\$ 165.00	\$ 4,125.00
20	2123.610	UTILITY CREW	HOUR	10	\$ 1,200.00	\$ 12,000.00
21	2130.523	WATER	MGAL	15	\$ 50.00	\$ 750.00
22	2211.507	AGGREGATE BASE (CV) CLASS 5 (P)	C Y	788	\$ 30.00	\$ 23,650.00
23	2232.504	MILL BITUMINOUS SURFACE (2.0")	S Y	23000	\$ 2.35	\$ 54,050.00
24	2357.506	BITUMINOUS MATERIAL FOR TACK COAT	GAL	2300	\$ 3.00	\$ 6,900.00
25	2360.504	TYPE SP 9.5 WEARING COURSE MIX (2,B) 3.0" THICK	S Y	450	\$ 70.00	\$ 31,500.00
26	2360.509	TYPE SP 12.5 WEARING COURSE MIX (4,B)	TON	2599	\$ 78.00	\$ 202,722.00
27	2451.607	TRENCH STABILIZATION MATERIAL (CV)	C Y	30	\$ 55.00	\$ 1,650.00
28	2504.601	TEMPORARY WATER SERVICE	LS	1	\$ 35,000.00	\$ 35,000.00
29	2504.602	CONNECT TO EXISTING WATER MAIN	EACH	15	\$ 2,750.00	\$ 41,250.00
30	2504.602	CONNECT TO EXISTING WATER SERVICE	EACH	70	\$ 650.00	\$ 45,500.00
31	2504.602	HYDRANT	EACH	20	\$ 4,500.00	\$ 90,000.00
32	2504.602	1" CORPORATION STOP	EACH	70	\$ 350.00	\$ 24,500.00
33	2504.602	8" GATE VALVE & BOX	EACH	10	\$ 3,000.00	\$ 30,000.00
34	2504.602	12" GATE VALVE & BOX	EACH	16	\$ 4,500.00	\$ 72,000.00
35	2504.602	1" CURB STOP & BOX	EACH	70	\$ 650.00	\$ 45,500.00
36	2504.603	WATER SERVICE (DIRECTIONAL DRILLED)	L F	1365	\$ 50.00	\$ 68,250.00
37	2504.603	8" HDPE WATERMAIN (DIRECTINAL DRILLED)	L F	4600	\$ 75.00	\$ 345,000.00
38	2504.603	12" HDPE WATERMAIN (DIRECTINAL DRILLED)	L F	7000	\$ 100.00	\$ 700,000.00
39	2504.603	1" HDPE WATER SERVICE PIPE	L F	910	\$ 35.00	\$ 31,850.00
40	2504.608	DUCTILE IRON FITTINGS	LB	3867	\$ 20.00	\$ 77,333.33
41	2531.504	6" CONCRETE DRIVEWAY PAVEMENT	S Y	200	\$ 55.00	\$ 11,000.00
42	2540.602	TEMPORARY MAIL BOX	EACH	70	\$ 50.00	\$ 3,500.00
43	2563.601	TRAFFIC CONTROL	LS	1	\$ 15,000.00	\$ 15,000.00
44	2564.502	INSTALL SIGN	EACH	3	\$ 100.00	\$ 300.00
45	2564.518	SIGN PANELS TYPE C	S F	125	\$ 65.00	\$ 8,125.00
46	2564.518	SIGN PANELS TYPE SPECIAL	S F	40	\$ 175.00	\$ 7,000.00
47	2573.501	STABILIZED CONSTRUCTION EXIT	LS	1	\$ 1,000.00	\$ 1,000.00
48	2573.502	STORM DRAIN INLET PROTECTION	EACH	24	\$ 250.00	\$ 6,000.00
49	2573.503	SILT FENCE, TYPE MS	L F	11500	\$ 3.00	\$ 34,500.00
50	2573.503	FLOTATION SILT CURTAIN TYPE STILL WATER	L F	200	\$ 6.00	\$ 1,200.00
51	2573.503	SEDIMENT CONTROL LOG TYPE WOOD FIBER	L F	1150	\$ 6.00	\$ 6,900.00
52	2573.603	ROCK DITCH CHECK	EACH	3	\$ 175.00	\$ 525.00
53	2574.507	COMMON TOPSOIL BORROW	C Y	500	\$ 28.00	\$ 14,000.00
54	2575.504	EROSION CONTROL BLANKETS CATEGORY 4	S Y	3200	\$ 5.00	\$ 16,000.00
55	2575.505	SEEDING	ACRE	1	\$ 2,000.00	\$ 2,000.00
56	2575.508	SEED MIXTURE 25-131	LB	150	\$ 5.00	\$ 750.00
57	2575.508	HYDRAULIC MULCH MATRIX	LB	1350	\$ 2.00	\$ 2,700.00
58	2582.518	CROSSWALK PAINT GR IN (WR)	S F	150	\$ 20.00	\$ 3,000.00
CONSTRUCTION TOTAL						\$ 2,399,837.83
CONTINGENCY TOTAL (10%)						\$ 239,983.78
SUBTOTAL						\$ 2,639,821.62
INDIRECT COST TOTAL (15%)						\$ 395,973.24
TOTAL						\$ 3,035,794.86

CITY OF TONKA BAY

RESOLUTION 21-04

A RESOLUTION AFFIRMING BONDING SUPPORT FOR THE TONKA BAY WATERMAIN IMPROVEMENTS PROJECT

WHEREAS, The City of Tonka Bay City Council made a request of \$1.52M for state funding for the Tonka Bay Watermain Improvements Project;

WHEREAS, the funding is critical for replacement and necessary improvements to the City’s water distribution system which have reached the end of their useful life and are in need of replacement;

WHEREAS, the water distribution system is critical infrastructure for the City of Tonka Bay which serves the residents and businesses of the City with reliable, clean drinking water;

WHEREAS, the current pandemic has caused economic pressures across the country and capital investment in infrastructure can provide some economic stimulus and jobs for the local economy;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Tonka Bay affirms their support for a request for \$1.52M in state funding for watermain improvements.

PASSED AT A REGULAR MEETING of the Tonka Bay City Council this 12th day of January 2021.

Motion introduced by _____ and seconded by _____.

Roll call vote:

Councilmember LaBelle	_____
Councilmember Connelly	_____
Councilmember Anderson	_____
Councilmember Viger	_____
Mayor Jennings	_____

Adam Jennings, Mayor

ATTEST: _____
Kathy Laur, City Administrator



MEMO

To Mayor and City Council
From Kathy Laur, City Administrator
Date January 12, 2021
Re LMCD Request for Review 120 Gideons Point

Resident Rick Atherton of 120 Gideons Point Road has made a request of the LMCD to allow minor changes to his dock license.

These changes include a reconfiguration of the swim platform for the dock. Currently, the swim platform measures 8' X 5'. The proposed swim platform would measure 8' X 12'. The existing and proposed platforms are oriented in a manner that complies with LMCD Code requirements regarding dock dimensions.

The reason for the reconfiguration is to accommodate safe access for more swimmers.

Attachments

1. LMCD Request for Review
2. Location maps and 2020 Aerial map
3. Overall Approved Site Plan with 120 Gideons Point Road Highlighted
4. Existing and Proposed Dock Sketch

Staff Recommendations

Staff recommends approval of this request for a few of reasons.

1. It's not a permanent structure.
2. It conforms with current LMCD code.
3. The request is being made for safety reasons.

Council Action Required

Motion to approve the request from resident Rick Atherton of 120 Gideons Point Road to reconfigure his dock from 8' X 5' to 8' X 12'.



**LAKE MINNETONKA CONSERVATION DISTRICT
REQUEST FOR REVIEW AND COMMENTS**

MN DNR General Permit Application #97-6098

Date of Notice: 12/22/2020

Comments on this application are not required; this is a courtesy notice.
Return to: LMCD, 5341 Maywood Road, Suite 200, Mound, MN 55364 or via email (below).

FROM: Matthew Cook, Environmental Administrative Technician

THROUGH: Vickie Schleuning, Executive Director

PHONE: (952) 745-0789

E-MAIL: mcook@lmcd.org

TO:

- X MN DNR Area Hydrologist: Lucas Youngsma, lucas.youngsma@state.mn.us
- X DNR Area Fisheries Supervisor: Daryl Ellison, daryl.ellison@state.mn.us
- X MCWD: James Wisker, jwisker@minnehahacreek.org
Tom Dietrich, tdietrich@minnehahacreek.org
- X City of Tonka Bay: Kathy Laur, klaur@cityoftonkabay.net
- X LMCD Board Members: Gregg Thomas, gthomas@lmcd.org

PROPOSAL INFORMATION

Name of Applicant: Rick Atherton of Gideons Point HOA
Address of Project: 120 Gideons Point Road
Tonka Bay, MN 55331
PID of Project: 27-117-23-32-0020
Bay: Gideon Bay
Request Type: Minor Change to Multiple Dock License
Structure Type: Non-Permanent

The applicant has submitted an application for a minor change to an existing multiple dock license. The proposals contained in the application only apply to the dock on Lot 12 (address: 120 Gideons Point Road). This dock is not affected by any of the variances for the overall multiple dock facility of which this individual dock is a part. The proposed changes do not alter the status of either the individual dock nor the overall facility as conforming with LMCD Code.

LMCD Request for Review and Comments
Rick Atherton, Gideons Point HOA
Minor Change to MDL Application
12/22/2020

The applicant proposes to reconfigure the swim platform for the dock at 120 Gideons Point Road. The current swim platform measures 8 feet by 5 feet. The proposed swim platform measures 8 feet by 12 feet. The existing and proposed platforms are oriented in a manner that complies with LMCD Code requirements regarding dock dimensions.

The western side setback will not change. The distance between the swim platform and the eastern side site line will still be about 100'. The overall length of the dock also will not change.

The applicant seeks to reconfigure the swim platform for safe access for more swimmers – the number of grandchildren using the area to swim has increased.

As the proposed adjustments do not alter the “conforming” status of the overall facility or the individual dock in question, and the individual dock is not subject to conditions of the variances held on other properties that are also part of the overall Gideons Point HOA multiple dock license, LMCD staff anticipate administrative approval of the proposal. LMCD staff will inspect the completed dock once constructed to verify compliance with the terms of this approval.

The following documents are attached for your review:

1. LMCD Request for Review (this document)
2. Location maps and 2020 Aerial
3. Overall Approved Site Plan with 120 Gideons Pt Rd Highlighted
4. Existing and Proposed Dock Sketch

LMCD Request for Review and Comments
Rick Atherton, Gideons Point HOA
Minor Change to MDL Application
12/22/2020

COMMENTS ON PROPOSAL

Comments on Project by Reviewer (attach separate sheet if needed):

Recommendation of Reviewer:

Name of Reviewer

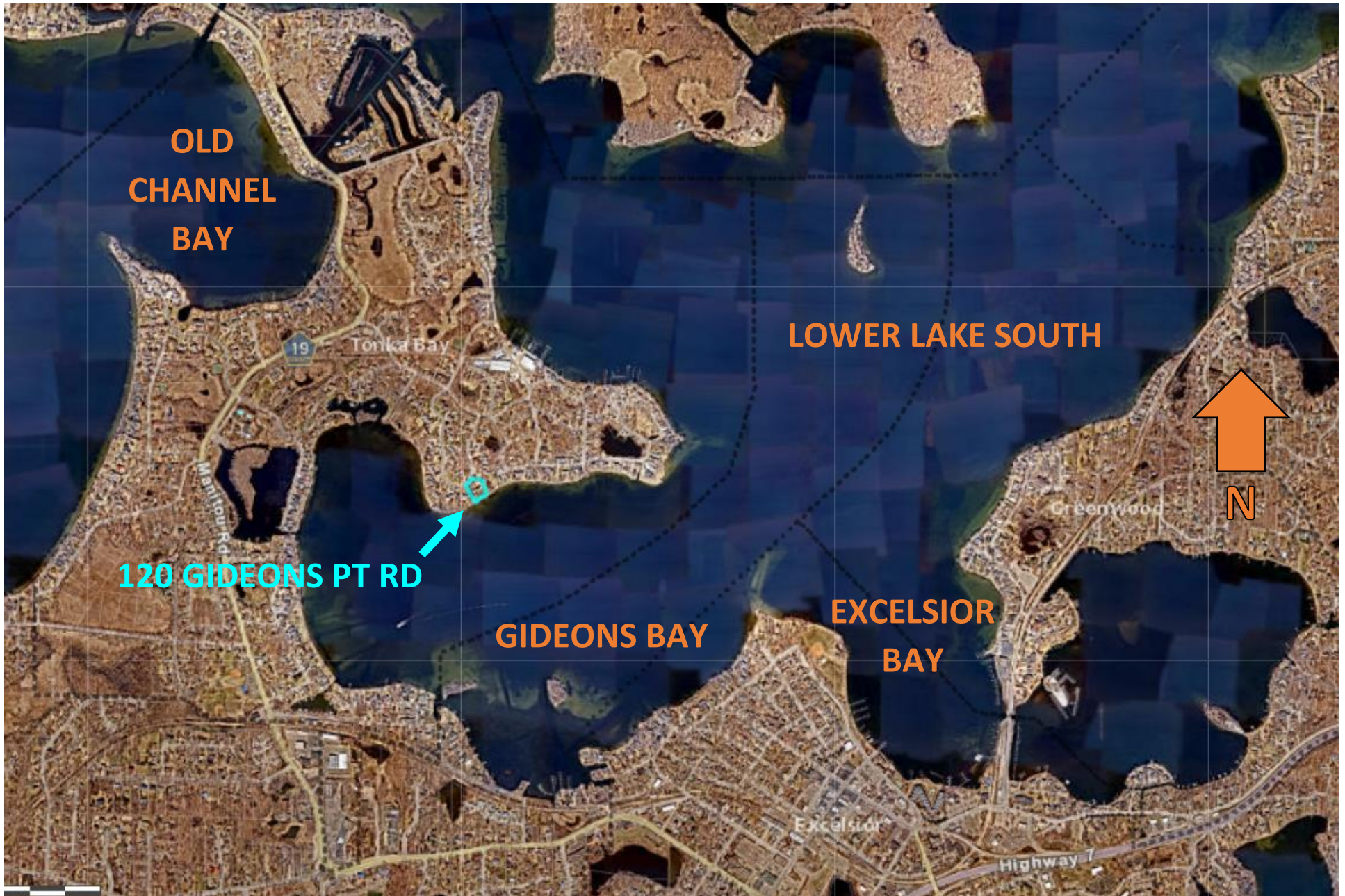
Title

Date

Gideons Point HOA Multiple Dock Request

For illustrative purposes only. Aerial imagery (2020) may not depict current conditions. No aerial with the existing dock at 120 Gideons Pt Rd. was available.

Source: Hennepin County Property Interactive Map, 11/24/2020



Gideons Point HOA Multiple Dock Request

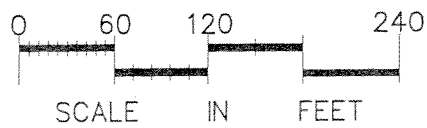
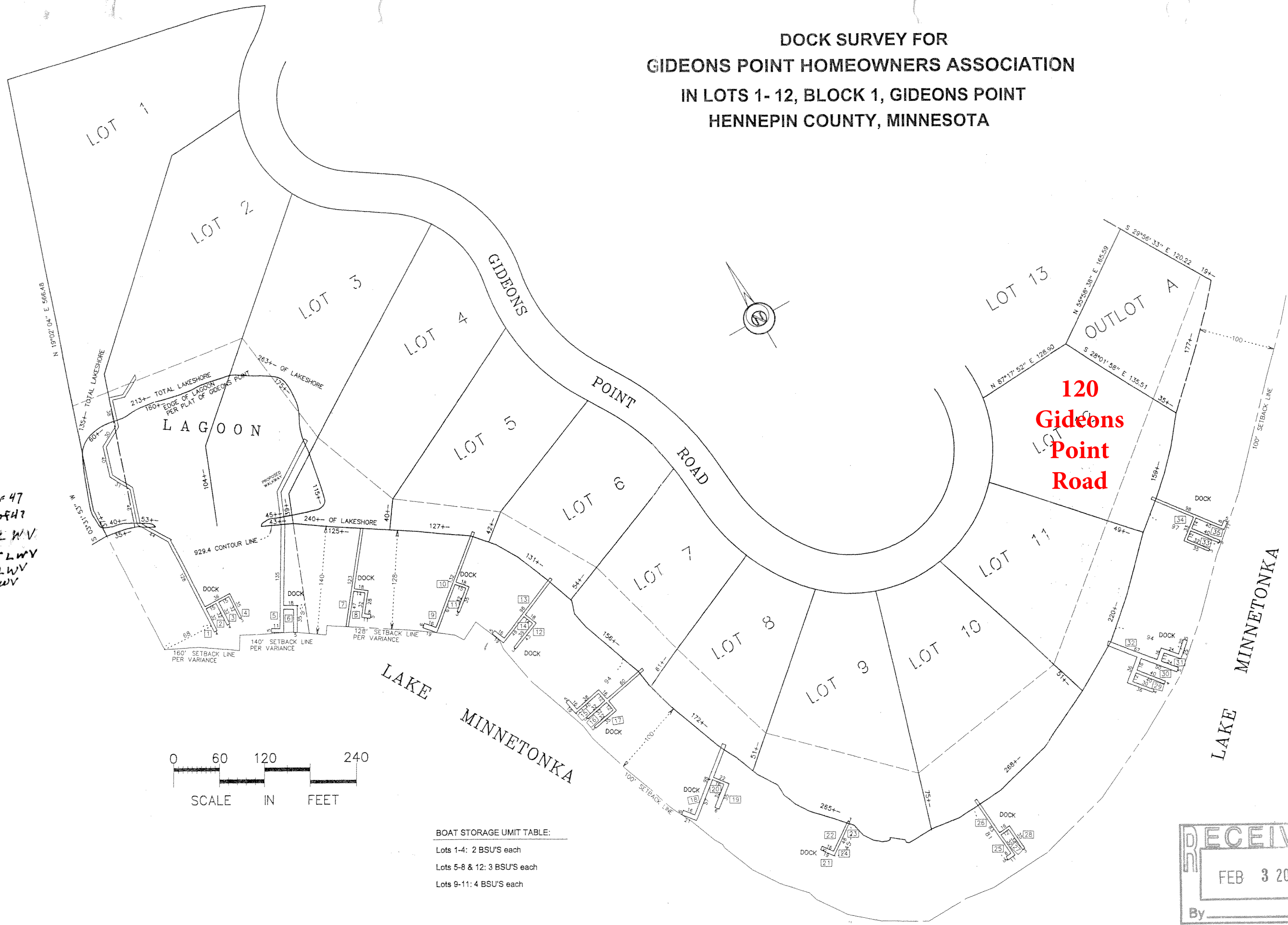
For illustrative purposes only. Aerial imagery (2020) may not depict current conditions. No aerial with the existing dock at 120 Gideons Pt Rd. was available.

Source: Hennepin County Property Interactive Map, 11/24/2020



**DOCK SURVEY FOR
GIDEONS POINT HOMEOWNERS ASSOCIATION
IN LOTS 1- 12, BLOCK 1, GIDEONS POINT
HENNEPIN COUNTY, MINNESOTA**

200-35 of 47
2011-33 of 47
2012-TLWV
2013-TLWV
2014-TLWV
2015-TLWV




BOAT STORAGE UNIT TABLE:

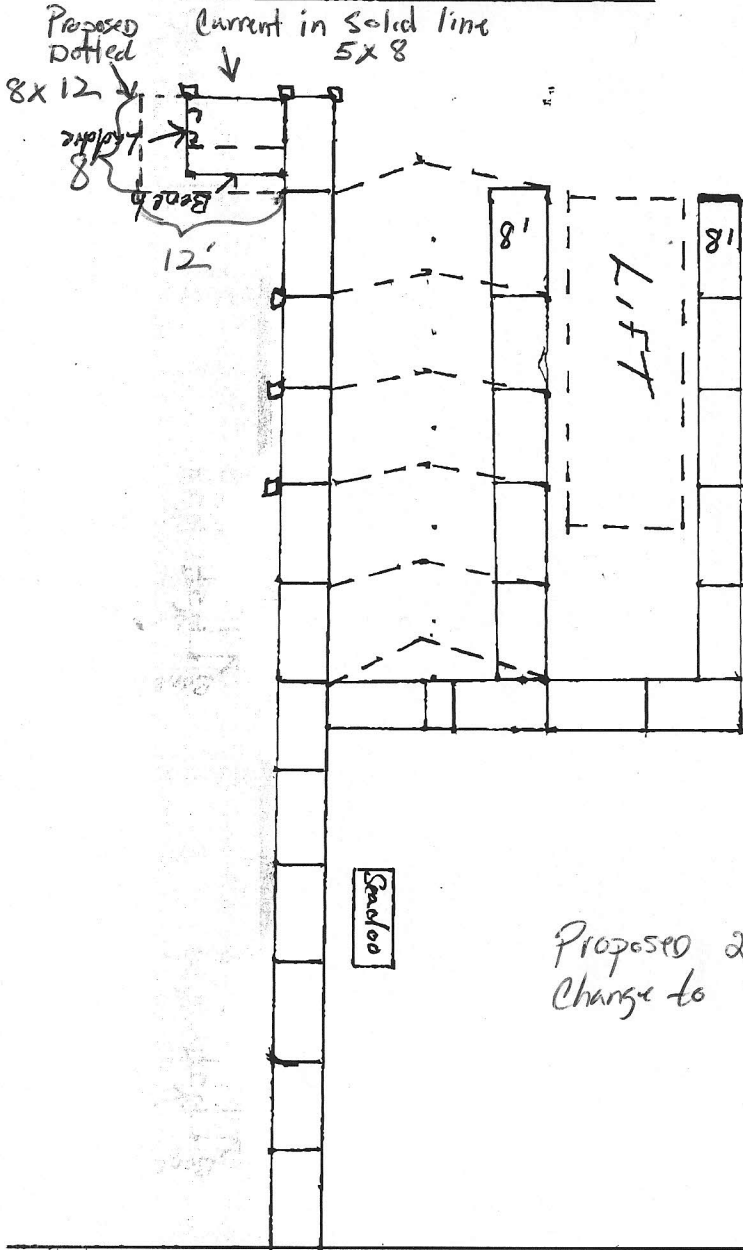
Lots 1-4:	2 BSU'S each
Lots 5-8 & 12:	3 BSU'S each
Lots 9-11:	4 BSU'S each

RECEIVED
FEB 3 2010
By _____

<p>GRONBERG & ASSOCIATES, INC. CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS 445 N. WILLOW DRIVE LONG LAKE, MN 55356 PHONE: 952-473-4141 FAX: 952-473-4435</p>	
<p>DATE 12/5/05 12/16/07 10/03/08 10-012 SHEET 1 OF 1</p>	<p>THEIRBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER AND LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.</p> <p style="text-align: right;">  DATE 1-11-10 MINN. LICENSE NUMBER 12255 </p>
DESIGNED	DRAWN
BY	PR
DATE	CHECKED
12/28/07	1/14/10
10-012	1

1/16 Scale

 Rick Atherton
120 Gideons Point Rd
Excelsior, MN 55331



Proposed 2021
Change to 8x12

- 1 18'
- 11 16'
- 2 8'
- 1 8' x 5 1/2' Swim Platform
- 1 Seadoo Lift
- 1 2' x 8' Bench
- 1 Ladder

SHORE