ITEM NO. 4A

APPROVED MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
July 23, 2019

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 and Jennings. Also present were City Administrator Tingley, Public Works Superintendent Bowman and City Attorney Biggerstaff.

Absent: Councilmember LaBelle.

3. **APPROVAL OF AGENDA**
Anderson moved to approve the agenda as submitted. Ansari seconded the motion. Ayes 4. Motion carried.

4. **CONSENT AGENDA**
Anderson moved to approve the following consent agenda items:
A. Regular Meeting Minutes of July 9, 2019
B. Financial Report
C. Resolution 19-33 A Resolution Approving a Front-Yard Setback Variance at 60 Highland Avenue
D. Resolution 19-34 A Resolution Approving a Conditional Use Permit for Hardcover at 60 Highland Avenue
E. Resolution 19-35 A Resolution Approving a Hardcover Setback Variance at 60 Highland Avenue

Ansari seconded the motion.

De La Vega noted a minor change to the minutes within Item 4A Regular Meeting Minutes of July 9, 2019.

Anderson moved to approve the consent agenda items with the correction to Item 4A. Ansari seconded the motion. Ayes 4. LaBelle absent. Motion carried.

5. MATTERS FROM THE FLOOR

None.

6. SPECIAL BUSINESS

None.

7. PUBLIC HEARINGS

None.

8. OLD BUSINESS

A. Variance Request – 365 Lakeview Avenue

Tingley explained the variance request and noted the public hearings were held at the June 25 and July 9th City Council meetings. Tingley noted the item was not on the consent agenda because the original application was for an expansion of the existing structure. After the first four variances were approved, Tingley received an email that the builder and homeowner were now looking at demolishing the home and build a new structure. Tingley detailed the floor area ratio history for new construction. Tingley detailed the process for a variance.

Tingley, Jennings, De La Vega and Ansari discussed the variance application process and floor area ratio.

Todd Jackson, 365 Lakeview, explained that demolishing the house to the foundation was more expensive but would allow for larger main floors and more modern trusses. Jackson noted that the plans submitted reflect the taller structure.

De La Vega noted there was a difference between an existing structure and demolishing and building a new structure because the existing structure is non-conforming. Generally the expectation is that a new structure would meet requirements.

Jackson and De La Vega discussed the project process and floor area.

Jennings, Jackson, Tingley and Biggerstaff discussed the project timeline, the variance process and project changes.

De La Vega noted that Council needed to decide whether to approve the project as a demolition or to bring the home closer to conformance.

Ansari explained a similar situation on Lakeview Avenue where a remodel was

proposed but the house was torn down, which created a problem with two houses too close together.

De La Vega, Jennings, Tingley and Jackson discussed the project.

De La Vega, Jennings, Ansari and Tingley discussed the project process, the foundation and precedents.

De La Vega directed staff to re-review the request in light of the changes proposed.

B. Approval of Manitou Park Ballfield Realignment Donation Agreement with Minnetonka Baseball Association

Tingley explained Staff worked on a donation agreement. The only change the Minnetonka Baseball Association had a minor change for email.

Tingley noted that if Council approved the document, Staff would get Mayor and Minnetonka Baseball Association signatures. Work on the field realignment would begin soon and a request for proposals would be ready potentially by the August 13 Council Meeting.

De La Vega, Tingley, Jennings and Biggerstaff discussed use of the ballfield and the word exclusive in the agreement.

De La Vega signaled support for the proposal with proposed changes regarding exclusive use and that if construction is halted before completion, that the field would be returned back to its original state.

De La Vega discussed trees on the northside of the parking lot and directed staff to explore the idea of expanding the parking lot to the north in addition to squaring off.

Anderson moved to approve the donation agreement between the City of Tonka Bay and Minnetonka Baseball Association with the proposed changes by Mayor De La Vega. Ansari seconded the motion. Ayes 4. LaBelle absent. Motion carried.

9. NEW BUSINESS

A. Public Tree Inventory Report

Tingley reviewed the staff report and introduced Manuel Jordan of Heritage Shade

Tree Consultants who conducted the Tree Inventory.
De La Vega, Jordan discussed the tree inventory, and phase two of the Hennepin County Tree Canopy Grant and Hennepin County GIS Tree Inventory Site.

De La Vega directed staff to explore grant opportunities through Hennepin County to complete a plan for mediating the issues identified in the tree inventory

Tingley stated the next round of grant applications ends August 15th.

B. 135 Crabapple Lane Sprinkler Request

Tingley reviewed the staff report and history of the project at the properties at 125 and 135 Crabapple Lane.

De La Vega, Anderson and Bowman discussed the bid from the contractor and the City's liability.

Biggerstaff explained the role of the League of Minnesota Cities Insurance Trust and their structure.

Council directed staff to obtain more bids for fixing the sprinkler system.

C. First Reading Ordinance 19-06 Updating Rabies Vaccination Requirements in Section 741

Tingley explained the background of this ordinance as a request from a resident. The ordinance updates rabies language to match Shorewood and Excelsior.

Council agreed with the changes.

Anderson moved to waive the second reading and order the adoption of Ordinance 19-06 amending Section 741 Licensing of Dogs. Ansari Seconded. Ayes 4. LaBelle absent. Motion carried.

Anderson moved to approve Resolution 19-xx authorizing Summary Publication of Ordinance 19-06. Jennings seconded. Ayes: Ansari, Jennings, Anderson, De La Vega. Nays: None. Absent: LaBelle. Motion carried.

D. Report on Manitou Harbor Dock Lots

Tingley discussed the staff report and the 16 small lots on the northside of Brentwood Avenue.

De La Vega expressed concern for water quality in the Manitou Harbor area.

Biggerstaff, De La Vega and Tingley discussed the non-conforming lots and uses of the lots.

Biggerstaff suggested creating a new zoning district to handle these specific parcels. Council was receptive to the idea in the future.

10. MATTERS FROM THE FLOOR

None.

11. REPORTS

A. Administrator's Report –
Tingley updated the Council on the RFP for Assessing Services. 2 bids were received. The bids will be considered on August 13th.

Tingley mentioned the replacement of the Wekota Park Basketball hoop. Council indicated they are still interested in pursuing that project.

Tingley brought up the idea of non-conforming permits as an option to bring properties up to City Code and not require a variance. Biggerstaff elaborated on the idea and would ease the burden of the variance process on legal non-conformities and would protect the city's rights.

De La Vega, Biggerstaff, Jennings and Ansari discussed legal non-conforming rights and how other cities handle non-conforming permits.

B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology –

C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling –
Ansari reminded Council that the next Parks and Landscape Committee is Monday, August 5th.
De La Vega suggested the Committee organize an event for the new playground at Wekota Park when finished.
Anderson asked what kind of feedback has been received about the dog park.
Ansari stated the dog park has been popular on social media.

D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks – The regular July Fire Board meeting is scheduled for July 24th. Thursday July 25th, a

celebration has been scheduled for David Hoo's 50th anniversary with the department.

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 – no report.

12. ADJOURNMENT

There being no further business, it was moved by Anderson to adjourn the meeting at 9:01 p.m. Jennings seconded the motion. Ayes 4. LaBelle absent. Motion carried.

Gerry De La Vega, Mayor

Attest:

John Tingley, City Administrator/City Clerk