

## ITEM NO. 5A

### APPROVED MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING November 26, 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, LaBelle, and Jennings. Also present were Deputy Clerk Maher and City Attorney Biggerstaff. Absent: Ansari.

3. **APPROVAL OF AGENDA**

Maher requested Item 8A be moved to December 10.

**Anderson moved to approve the adjusted agenda. Jennings seconded. Ayes**

**4. Motion carried.**

4. **CONSENT AGENDA**

**Anderson moved to approve the following consent agenda item:**

**A. Regular Meeting Minutes of November 12, 2019**

**Jennings seconded the motion. Ayes 4. Motion carried.**

5. **MATTERS FROM THE FLOOR**

Kathy Ottum, 30 Lilah Lane, noted her concerns about the holding pond proposed near Manitou Park. Ottum detailed Shorewood's meeting and decision to approve the feasibility study for the holding pond despite residents noting they did not support the project. Ottum requested that Tonka Bay add the issue to the agenda and work with Shorewood. Ottum noted that she contacted various organizations to let them know about the holding pond.

Megan Stadelman, 55 Lilah Lane, explained that she attended Shorewood's open house about the holding pond potential project and thanked Mayor De La Vega for attending. Stadelman noted concerns over safety of surrounding properties with the holding pond possibility. Stadelman asked for support from the Council to address the issue.

Ansari arrived at the meeting.

Sue Jensen, 25 Lilah Lane, explained that she agreed with Ottum and Stadelman. Jensen noted she foresaw the holding pond creating damages. Jensen explained she wanted to know what Shorewood would do if the pond overflowed and if Shorewood would pay for any possible damages to the park.

Rich Eng, Shorewood resident, thanked the Tonka Bay residents who attended Shorewood's meeting. Eng explained that Shorewood approved the feasibility study and that the permitting process was next. Eng encouraged Tonka Bay to be diligent in following up on the project. Eng noted he had discussed the limestone culvert by Manitou Road, also called Minnetonka Culvert 30 with Shorewood and Hennepin County. Eng discussed contacting the railroad authority and Hennepin County about permit and project plans.

Kristen Vigor, 60 Club Lane, asked about the archeological study.

Vigor and De La Vega discussed the study.

LaBelle requested a formal staff report regarding the holding pond project.

Ansari and De La Vega discussed the project.

**6. SPECIAL BUSINESS**

None.

**7. PUBLIC HEARINGS**

A. Certify Delinquent Accounts

Maher explained that it was a public hearing regarding certifying unpaid utility and permit fees, similar to previous years.

De La Vega opened the public hearing.

De La Vega closed the public hearing.

LaBelle explained that it was unpaid utility bills that get added to the property taxes.

**Anderson moved to adopt Resolution 19-60 for the collection of delinquent charges for the 2019 utility services and miscellaneous fees. Ansari seconded the motion. Ayes: Ansari, LaBelle, Jennings, Anderson and De La Vega. Motion carried.**

**8. OLD BUSINESS**

A. Teamsters Union Contract

Moved to December 10 meeting.

B. Public Works Lifting Requirements

Maher detailed the lifting requirements report, noting nearby cities had similar requirements and that it was not out of the ordinary. Maher explained that staff did not recommend further action.

De La Vega, LaBelle, Maher and Jennings discussed the lifting requirement.

C. Tonka Bay Tree Sale

Maher noted there was discussion at the previous meeting regarding the tree program. Maher provided a brief overview of the program, noting Tonka Bay would allow residents to pre-order trees at a reduced rate as part of a bulk buying program and the trees themselves would be chosen by a Minnetonka forester.

De La Vega, Ansari, Maher, Jennings and Anderson discussed the program.

**Ansari moved to participate in the tree sale. Anderson seconded the motion. Ayes 5. Motion carried.**

**9. NEW BUSINESS**

A. Resolution #19-59 Approving the signature of Kathy Laur on the Healthy Tree Canopy Grant.

Maher explained that Tonka Bay was in the middle of the grant process and was selected to move forward. The next step was granting approval for Laur to sign the contract but that it did not commit Hennepin County at this stage.

**Anderson moved to approve Resolution 19-59 Approving City Administrator Kathy Laur authority to sign Hennepin County Contract related documents as it pertains to the Healthy Tree Canopy Grant. Ansari seconded the motion. Ayes: Ansari, LaBelle, Jennings, Anderson, De La Vega. Motion carried.**

B. Caribbean Marina License with Change Application

Maher explained the Caribbean's proposal to reconfigure the current structure, reducing the number of slips from 147 to 116. There are 91 parking spaces for boat storage and 25 dedicated to the restaurant. Maher detailed the history, including one variance on the property.

Maher noted staff recommended approval.

De La Vega, Jennings, LaBelle, Maher and Biggerstaff discussed the project, dry stacking and ordinance updates.

Mr. Ohnstad, lawyer for Mr. and Mrs. Erdahl at 120 Sunrise Avenue, noted the Erdahls had concerns about the parking at the marina and had noticed parking taking place in the fire lane and grass.

De La Vega noted the Council was sensitive to the issue, requested that the owners be made aware of illegal parking and, if needed, the police called to enforce.

Shawn Wischmeier, 35 Fairhope Avenue, noted that the marina would comply with parking regulations.

De La Vega, Wischmeier, Jennings and Ansari discussed the possibility of a charter boat, transient slips, lifts and the LMCD process.

**Anderson moved to approve the 2019 Commercial Marina License with Change for the Caribbean Tonka Bay located at 135 Lakeview Avenue and 100 Sunrise Avenue along with reaffirming the LMCD approvals and granting a phased construction timeframe with consideration to work being completed mainly in the winter months. Jennings seconded the motion. Ayes 5. Motion carried.**

**10. MATTERS FROM THE FLOOR**

None.

**11. REPORTS**

A. Administrator's Report –  
Maher noted calls for services from the SLMPD were included.

Maher, De La Vega and Jennings discussed the information and whether they would like to continue including it.

Maher noted the dog park went well although the dog waste receptacle may need to be more prominent.

Kelly Wischmeier, 35 Fairhope Avenue, asked if a bench would be added.

De La Vega, Maher, Anderson and Ansari discussed the dog park.

**Ansari moved to have the dog park again in 2020. Anderson seconded.**

**Ayes 5. Motion carried.**

- B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology –  
No report.
- C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling –  
Ansari reminded Council about the Tree Lighting Ceremony on December 5<sup>th</sup>  
at 6pm.
- D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks –  
No report. De La Vega noted that he attended the EFD meeting in Jennings  
absence.
- E. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds –  
No report.
- F. Attorney's Report –  
Biggerstaff explained that there was a memo outlining the status of the Tonka  
Village project and next steps and that a more in-depth discussion was  
scheduled for the next meeting.

Jennings, Anderson, De La Vega and Biggerstaff discussed the project.

- G. Gerry De La Vega –SLMPD, Administration, Public Works –  
De La Vega noted there was an offer out to a new Public Works Employee.

Maher noted a motion was needed to approve Matt Morris' employment.

**Anderson moved to approve the conditional employment of Matthew Morris, pending the background check and physical. Ansari seconded.**

Maher noted staff was excited for the new employee to start and that he had 13 years of city experience.

**Ayes 5. Motion carried.**

**12. ADJOURNMENT**

**There being no further business, it was moved by Anderson to adjourn the meeting at 8:04p.m. Jennings seconded the motion. Ayes 5. Motion carried.**



Gerry De La Vega, Mayor

Attest:



Kathy Laur, City Administrator