

CITY OF TONKA BAY
AGENDA
October 26, 2021
7:00pm

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. 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 October 12, 2021
- B. Resolution 21-25 Adopting a General Records Retention Schedule for Minnesota Cities
- C. 2021-2022 De-icing Permits

5. MATTERS FROM THE FLOOR **Maximum time of five minutes per person***

6. SPECIAL BUSINESS

7. PUBLIC HEARINGS

8. OLD BUSINESS

- A. Change in Permit Application Review – Kristin Viger

9. NEW BUSINESS

- A. Ordinance 21-09 Amending Section 820 of the Tonka Bay City Code Related to Sewer Lifts – Robin Bowman and Andrew Biggerstaff
- B. Utility Bill for 25 Arbor Court – Adam Jennings
- C. Resolution 21-26 Accepting Resignation of Kathy Laur, City Administrator – Kathy Laur

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

13. ADJOURNMENT

***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.**

ITEM NO. 4A

DRAFT MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING SEPTEMBER 28, 2021

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 Jennings, Councilmembers Viger, LaBelle, Connelly and Anderson. Also present were City Administrator Laur, City Planner Ramler-Olson, City Engineer Preisler, City Attorney Biggerstaff and Public Works Superintendent Bowman.

3. **APPROVAL OF AGENDA**

Anderson moved to approve the agenda. Viger seconded the motion. Ayes: Anderson, Connelly, LaBelle, Viger, Jennings. Motion carried.

4. **CONSENT AGENDA**

A. Minutes of the Regular City Council Meeting from September 14, 2021

B. Minutes of the Budget Workshop Meeting from September 28, 2021

Anderson moved to approve the consent agenda. Connelly seconded the motion. Ayes: Anderson, Connelly, LaBelle, Viger, Jennings. Motion carried.

5. **MATTERS FROM THE FLOOR**

None.

6. **SPECIAL BUSINESS**

None.

7. **PUBLIC HEARINGS**

None.

8. **OLD BUSINESS**

A. Resolution 21-24 150 Wildhurst – Tom Ramler-Olson

Ramler-Olson gave a review of the recent variance requests that were approved at the last council meeting on September 28, 2021 and the resolution that was drafted for the approvals, particularly the placement of the grill relocation. Condition 2 of the resolution addresses that the property owner must move the grill from its current location on the north end of the raised patio to a different location permitted by the zoning code and that also does not block the view of owners of the abutting

lots. He explained if the grill was located where they proposed on the northside of the yard next to the patio, it would require additional variances for setback and hardcover. Jennings recalled from the last meeting, they were going to find some place for the grill compliant with the current zoning regulations to the front of the patio by the lakeside. Anderson made the comment of why not just put the grill on wheels so it is mobile. Jake Steen from Larkin Hoffman spoke on the resident's behalf as to where they indicated they may locate the grill. Biggerstaff reiterated Ramler-Olson's commentary that grill should not be located in the north side-yard setback. Mr. Terp commented on what Anderson said regarding putting the grill on wheels so he can move it anywhere in the yard and asked if this could be done. Ramler-Olson replied that it was never discussed making the grill mobile because it was going to be plumbed to a gas line and therefore immobile. Connelly stated they agreed to come to a mutually agreeable solution and now it seems that they need to grant another variance for the location of the grill, which is not mutually agreeable. He is not in favor of making anymore allowances than what has already been granted. Steen said that they are committed to locating the grill in a spot that is compliant with the current zoning code regulations. Viger pointed out the fact that condition 11 of the resolution states the installation of the paver driveway to provide on-site treatment of stormwater runoff would bring the effective impervious coverage of the lot to 30 percent when the variance they were granted allows 39.8 percent, which means they could possibly add 9.8 percent additional hardcover to the property. She would like to see the statement "Following installation of this improvement, the effective impervious coverage of the lot will be 30 percent, or 3,913 square feet" be eliminated from the resolution.

Anderson moved to approve Resolution 21-24, striking the last sentence of in the findings of fact number 11 and the grill to be located in compliance with the current zoning code regulations, approving variances for the current raised patio to have a side yard setback of 2.7 feet from the south side property line, a side setback of 5.1 feet from the north side property line, and a lakeside setback distance of 73.6 feet, and for the subject property to have an impervious cover amount of 39.8 percent at 150 Wildhurst Road. LaBelle seconded the motion. Ayes: Anderson, LaBelle, Jennings. Nays: Connelly, Viger. Motion carried.

B. 100 West Point Road/15 Fairhope Ave. – Nick Preisler/Andrew Biggerstaff
Preisler surmised the complaint from 100 West Point Road on 15 Fairhope Avenue. WSB was asked to come out to the property at 100 West Point Road to investigate the property boundary and the retaining wall that was built on 15 Fairhope Avenue to see if it was built across the property line and if the new trees planted on top of the wall violate the VIE provisions. Biggerstaff gave his legal opinion and what options the

city has moving forward. Jennings spoke about the origin of the VIE ordinance and the spirit of it was to prevent someone from planting a wall of trees along the property line all the way down to the shoreline. He is comfortable with the fact that nothing is within 50 feet from the OHWL. LaBelle thinks it is a private matter between the two parties. Jennings agrees with LaBelle. Connelly agrees for the most part and would like to see the tree height maintained to 6 feet. Viger also agrees that city should not spend any more time and money on this as it is a private matter. She suggested looking closer at the VIE ordinance for clarification. The decision was made for staff to take no further action on the matter.

9. NEW BUSINESS

A. Amend City Administrator Contract – Kathy Laur

Laur explained her request to amend her contract to reflect five weeks or 200 hours a year of vacation time. Jennings stated he was not inclined to change the contract. Connelly asked what she negotiated when she first got here. She said she was offered 5 weeks her first year and does not understand how she would lose a week the following year. Connelly is inclined to support the request for additional vacation. LaBelle commented that if you amend a signed contract based on hearsay, it is a dangerous precedent to set. Jennings thinks they need to stick with what is written in the contract. Laur said she would then like to renegotiate her contract. Viger suggested doing so at her two-year review.

B. Change in Permit Application Review and Issuance Procedure – Kristin Viger

Viger has been discussing with Laur and Preisler how to improve the permitting process at city hall by including additional review from the engineering and planning department. She would also like to enlist WSB to train the staff at city hall. It was discussed between council and Preisler. The general consensus of council was it makes sense to continue reviewing the permitting process to come up with a better process.

10. MATTERS FROM THE FLOOR

None.

11. REPORTS

A. Administrator's Report –
No report.

B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology –
No report.

C. Kristin Viger – Parks and Docks, Sanitation and Recycling –
No report.

- D. Tim Connelly – EFD, Commercial Marinas, LMCD –
No report.
- E. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds –
No report.
- F. Attorney's Report –
No report.
- G. Adam Jennings – SLMPD, Administration, Public Works, Employee Advisory
Board – Coordinating Committee meeting with the police board on 10-13-21.
The General Powers Agreement is up for renegotiation within the year.

12. ADJOURNMENT

There being no further business, Anderson moved to adjourn the meeting at 8:32 pm. Connelly seconded the motion. Ayes: Anderson, Connelly, LaBelle, Viger, Jennings. Motion carried.

Adam Jennings, Mayor

Attest:

Kathy Laur, City Administrator

RESOLUTION NO. 21-25

CITY OF TONKA BAY
HENNEPIN COUNTY, MINNESOTA

A RESOLUTION ADOPTING A GENERAL RECORDS RETENTION SCHEDULE FOR MINNESOTA CITIES

WHEREAS, A General Records Retention Schedule for Minnesota Cities has been developed by the State Department of Administration's Data Practices Office and the Minnesota Historical Society's Division of Archives and Manuscripts; and

WHEREAS, The General Records Retention Schedule is updated by the Minnesota Clerks and Finance Officers Association; and

WHEREAS, The Records Disposition Panel has approved the General Records Retention Schedule for use by cities. A city can begin destroying records in accordance with the General Records Retention Schedule after it adopts the schedule and notifies the State Archives Department of the Minnesota Historical Society that the city has adopted the schedule.

NOW, THEREFORE, BE IT RESOLVED, that the Tonka Bay City Council does hereby adopt the 2021 Records Retention Schedule for Minnesota Cities.

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

- Councilmember Anderson _____
- Councilmember Connelly _____
- Councilmember LaBelle _____
- Councilmember Viger _____
- 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 ____ day of _____ 2021.

Adam Jennings, Mayor

ATTEST:

Kathy Laur, Clerk/ Administrator



4901 Manitou Road
 Tonka Bay MN 55331
 952-474-7994
www.cityoftonkabay.net

2021-2022
~~2020-2021~~
**DE-ICING PERMIT
 APPLICATION**

DATE OF APPLICATION	October 17, 2021
NAME OF APPLICANT	Shawn Wischmeier, Owner
LOCATION OF INSTALLATION	The Caribbean Marina
PHONE NUMBER	919-448-8884
EMAIL ADDRESS	swischmeier@gmail.com
TYPE OF INSTALLATION: Pier/Post Permanent Dock Pilings	

1. This installation will not under any circumstances be detrimental to the health, safety and welfare of the public.
2. Open water will not extend closer than eight (8) feet to the property lines of the applicant as extended into the water.
3. Snow fencing will be erected and maintained in an upright condition and will surround the entire de-iced area completely. Fencing will not extend beyond the property lines of the applicant as extended into the water.
4. Reflective material or flashing lights will be placed at suitable locations and intervals on the outside of the fencing to warn vehicles and persons in the area.
5. The area for which the permit shall be granted will be completely cleaned up of all fencing posts, stakes, boards, wiring, etc., and all will be removed entirely no later than April 1 of each year.
6. I agree that if any conditions are violated, the permit will be immediately revoked upon a five (5) day notice in writing from the City Administrator.
7. I agree to hold the City of Tonka Bay and its employees harmless from and against any or all claims, suits or damages.

Applicant

This permit is subject to all conditions listed above.

CITY OF TONKA BAY

DATE: _____

BY: _____

OFFICE USE ONLY			
PAYMENT MADE (\$75)	10-19-21	COUNCIL MEETING DATE	10-26-21
APPROVED		NOT APPROVED	

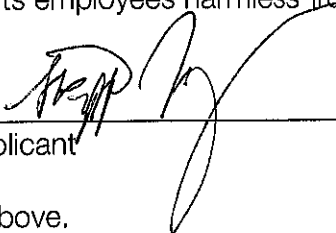


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2021-2022
~~2020-2021~~
**DE-ICING PERMIT
 APPLICATION**

DATE OF APPLICATION	10-14-21
NAME OF APPLICANT	TONKA BAY MARINA
LOCATION OF INSTALLATION	220 TONKA BAY ROAD
PHONE NUMBER	952-474-0292
EMAIL ADDRESS	skipp@tonkabaymarina.com
TYPE OF INSTALLATION:	AERATOR PUMPS

1. This installation will not under any circumstances be detrimental to the health, safety and welfare of the public.
2. Open water will not extend closer than eight (8) feet to the property lines of the applicant as extended into the water.
3. Snow fencing will be erected and maintained in an upright condition and will surround the entire de-iced area completely. Fencing will not extend beyond the property lines of the applicant as extended into the water.
4. Reflective material or flashing lights will be placed at suitable locations and intervals on the outside of the fencing to warn vehicles and persons in the area.
5. The area for which the permit shall be granted will be completely cleaned up of all fencing posts, stakes, boards, wiring, etc., and all will be removed entirely no later than April 1 of each year.
6. I agree that if any conditions are violated, the permit will be immediately revoked upon a five (5) day notice in writing from the City Administrator.
7. I agree to hold the City of Tonka Bay and its employees harmless from and against any or all claims, suits or damages.



 Applicant

This permit is subject to all conditions listed above.

CITY OF TONKA BAY

DATE: 10/18/21

BY: _____

OFFICE USE ONLY			
PAYMENT MADE (\$75)	10/18/21	COUNCIL MEETING DATE	10/26/21
APPROVED		NOT APPROVED	



MEMO

To Mayor and City Council
From Kristin Viger, Councilmember
Date October 26, 2021
Re Change in Permit Application Review

At the October 12, 2021, council meeting, I was directed to work with city staff to modify the permit application process to include a planning review and signature line to some of the city permits that currently do not require one. City Administrator, Kathy Laur assisted in updating the permit applications to include a new signature line for the City Planner on the permit applications identified at the October 12, 2021, meeting as suitable for including a City Planner review.

City Administrator Laur, also worked with staff to audit the amount of staff time and cost involved to process each permit. While each situation is unique, and some application review and permit issuance take longer than others it was determined that formally adding a planning review to the noted permit applications in general does not require an increase in fees at this time. The following is a summary of notes from this review:

1. Demo permit – the city charges \$201 plus a \$500 escrow fee. Typically, the \$500 is unused and is returned to the applicant. If WSB signs off on the permit, then we would need to dip into the escrow to cover the additional expense. WSB estimates of time could vary based on the project, but base review time is estimated between \$50-\$100 (per previous conversations with WSB). Building official signs off on this.
2. Exterior Remodeling permit – the fee is based on the valuation of the project and a \$400 zoning review fee is already required. That fee covers the extra time by WSB, and staff and it is not expected that this permit fee would need to change at this time. Building official signs off on this.
3. Fence permit – the permit fee is based on the valuation of the project and a \$400 zoning review is already required. The turnaround on this from WSB is quick and the \$400 fee covers WSB's review and additional staff time. Building official signs off on this. The amounts currently charged are adequate.
4. Filling and Excavation permit – this permit has a security deposit of \$500 that gets returned. The cost of the permit is based on the amount of dirt being moved. The escrow is currently \$300. WSB already reviews these permit applications, but time required to process these applications sometimes exceeds the escrow amount collected. Increasing the escrow amount to \$400-\$500 would sufficiently cover the costs and this should be adjusted when we review our fee schedule.



5. Land Use applications – Currently a \$3000 escrow is required. These already go through WSB for approval and often the escrow amount of \$3,000 isn't enough and we have to ask the applicant for more. This should be addressed when we update our fee schedule.
6. Pool permit – the fees are based on valuation of the project. WSB reviews these permit applications already, however, we don't require an escrow for this. Building official signs off on this. Adding an escrow amount to this permit application should be discussed when we review our fee schedule.
7. Solar Array permit – the city has not received one of these applications in at least two years. A signature line for WSB has been added to the permit application. Building official signs off as well. It is difficult to estimate the amount of staff time required to process this application and this should be discussed when we review our fee schedule.
8. Variance – the city charges \$500 plus a \$3,000 escrow fee. The City Planner (WSB) already reviews these. The escrow fee is typically used. Depending on how complicated the request is from the applicant, there are times when not all of it gets spent. A further audit of how often the city bills for additional money in addition to the \$3000 escrow can be done and discussed when we review our fee schedule. Staff and WSB spend significant amounts of time on these permit applications and variances are the biggest expense of any permit.

Adding a City Planner review and signature line to the above permits as noted does not significantly change the permit application and review process for the majority of our permit applications nor does it change the cost we currently collect. However, when going through the process to audit current fees it was noted that the city should review the permit fees and escrow amounts in general to ensure that the cost of staff time to review and process permits is adequately recouped.

Attachments

None

Staff Recommendations

None

City Council Action Requested:

To approve the change in the permit application process by adding a City Planner review and signature line to the permit applications as noted in the attachments and discuss potential changes in permit and escrow fees when approving the 2022 fee schedule.



4901 Manitou Road
Tonka Bay MN 55331
952-474-7994
info@cityoftonkabay.net
www.cityoftonkabay.net

VARIANCE APPLICATION

Property Address _____

Property Owner _____

Full Address _____

Phone _____ Email _____

Applicant (if different from above) _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

Project Information

Street Address _____ Zoning District _____

Property Identification Number(s) (PIN) _____

Legal Description (attach if necessary):

Brief Summary of Variance Request:

VARIANCE

The City Council may grant a variance to a dimensional requirement of the Tonka Bay Zoning Code. Common requests for a variance include relief from the maximum building height and from the minimum building setbacks. Minnesota State Statute and Tonka Bay City Code section sets the approval criteria for a variance. The applicant must demonstrate that the existing zoning code creates a "practical difficulty" for the owner in their reasonable enjoyment of their property. The approval criteria are provided below.

APPLICANTS STATEMENT

This application should be processed in my name. I have completed all of the applicable filing requirements and, to the best of my knowledge, the documents and information I have submitted are true and correct. I agree to reimburse the City of Tonka Bay for the costs of professional planners, engineers, and other consultants hired by the City to review this proposal.

Signature: _____ Date: _____

OWNER'S STATEMENT

I am the owner of the above described property and I agree to this application. I understand that an incomplete application will not be further processed or placed on the City Council agenda.

Signature: _____ Date: _____

Please see the attached checklist(s) for a list of plans and other information that must be submitted with this application and for additional important information.

FEES

Application fee: \$500.00

The application fee is used to cover publication costs, County recording fees, postage and other supplies.

Escrow fee: \$3,000.00

The escrow fee is used to cover staff expenses, engineering, planning and attorney expenses which may be incurred because of your application. All staff time is billed at the regular employee rate plus 30% for overhead costs, which includes benefits, buildings, lights, heat, etc.

Please note: Variances in the past have generally cost approximately between \$2,000 and \$10,000. It depends on how complete the application is and much staff time is needed to answer questions from the applicant, review the materials, etc. Any remaining funds, after expenses, are returned to the applicant. Expenses incurred over \$1500 will be billed to the applicant.

DURATION

Variances become null and void twelve (12) months after the date of approval, unless the property owner or applicant has substantially started the construction of any building, structure, addition or alteration, or use requested as part of the permit.

Any remaining funds, after expenses, may be returned to the applicant. Expenses incurred over \$1500 will be billed to the applicant.

(CITY STAFF) DATE PAID

RECEIPT NUMBER

INITIALS

CITY PLANNER

FILING REQUIREMENTS

Unless waived by the City Administrator, you must provide all of the following items with the Variance application. An incomplete application will not be processed or placed on the City Council agenda.

- 3 copies (11"x17") of a certified survey of the property. The survey shall include all information necessary to enforce applicable zoning regulations. Such information may include but is not limited to (see next page):

Scale and north arrow

Lot address

Legal description of parcel

Benchmark description, location, and elevation

Property iron locations and elevations

Lot lines and dimensions

Easements and rights-of-way

Parcel size in acres and square feet

Floor area ratio – *existing and proposed*

Hardcover calculations – *existing and proposed*

Location of all hardcover – *including decks, sidewalks, porches, pavers, retaining walls, landscape rock*

All applicable setbacks

Existing structure elevations – *garage floor, lowest floor, and lowest opening*

Proposed structure elevations – *foundation block, garage floor, lowest floor, lowest opening*

Existing & proposed grade elevations at the following locations:

Lot corners

Side lot lines extended from front and rear building lines

Street elevations (centerline, top of curb/edge of roadway) at lot lines and driveway

Building corners

15' outside of principle structure

Grade changes

Retaining walls (top & bottom)

Existing and proposed contours generated by field survey – *LiDAR contours are not allowed*

Arrows indicating the direction of proposed surface drainage

Driveway grade expressed as a percentage

Sanitary service location

Water service location

Nearby well and septic locations

Spot elevations at corners of adjacent structures

Location of existing utilities

Tree location and diameter

Designate trees to be removed

Proposed landscaping and/or stabilization of disturbed areas

Ordinary High Water contour (Lake Minnetonka: 929.4). Floodplain boundary contour (Lake Minnetonka: 931.5). Wetland boundary and wetland buffers

- A completed application and fees
- Electronic copy of all exhibits (includes application)
- A narrative **addressing the following statements:**

1. Specify the section of ordinance from which a variance is sought.
2. Explain how you wish to vary from the applicable provision(s) of the ordinance and what makes the request reasonable.
3. Explain how the variance requested is the minimum variance necessary to alleviate the practical difficulty?
4. Explain how the variance is in harmony and consistent with the general purposes and intent of the Comprehensive Plan and the zoning ordinance?
5. Explain how the variance will not adversely affect the health, safety, or general welfare of the neighborhood and the City.
6. Explain how the variance is necessary due to special conditions applying to the structures or land in question that are particular to the property, not caused by the owner, and do not apply generally to other land or structures in the district or vicinity in which the land is located.

FOUNDATION SURVEY

As-built foundation survey required prior to completing a foundation inspection (unless waived in accordance with the City's survey exemption policy) and shall include:

- Shall certify final setbacks of the structure being built.
- Shall certify elevations at which the new structure exists.
- Failure to provide the foundation survey is in direct violation of this ordinance.
- Expenditures incurred beyond the construction of the foundation will not be considered in determining the actions required to bring the building back into conformance if not built to approved plans.

AS-BUILT SURVEY

Required upon completion of new construction work (unless waived in accordance with the City's survey exemption policy) and shall include:

- Shall certify the final topography of the site.
- Shall verify the drainage patterns existing upon completion of work.
- Shall include the distance from average ground level to the highest roof peak.
- Shall include any additional information needed by the city to ensure compliance with code.

WHAT HAPPENS NEXT?

1. Once an application is received, the City has 15 business days to review for completeness.
2. Once an application is complete, the City Administrator will schedule a public hearing with the City Council and the planning consultants will prepare a report and recommendation. Allow at least 30-60 days from the COMPLETED application date to the City Council hearing. City staff will mail a notice to property owners within 350 feet of the property and to the local newspaper.
3. *As the applicant, your presence is expected at the City Council meeting.* The City Council meets on the second and fourth Tuesdays of each month. The staff report with staff recommendations will be released the Thursday before the Council meeting and can be found

at cityoftonkabay.net.

4. Following staff review the proposal will be presented to the City Council. Approval of the variance request requires 4/5 vote of the City Council.
5. *The variance expires one year after approval so timely building permit submittal is important.*
6. The applicant should also reach out to the Minnehaha Creek Watershed District to see if a permit is needed.



MEMO

To Mayor and City Council
From Robin Bowman, Public Works Superintendent
Date October 26, 2021
Re An Ordinance Amending Section 820 of the Tonka Bay City Code Related to Sewer Lifts

City staff is recommending an amendment to the city code related to sewer lifts.

The reason for the correction is that it will prevent the city from getting involved with lift stations that are installed in residents' homes. In a situation like this, the city ends up being liable for pump maintenance like the ones that had to be removed on Crabapple Lane.

Attachments

Amended Ordinance 21-09

Staff Recommendations

Approve Amending Ordinance 21-09

Council Action Required

Motion to approve Ordinance 21-09 an ordinance amending section 820 of the Tonka Bay City Code related to sewer lifts.

ORDINANCE NUMBER 21-09

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

**AN ORDINANCE AMENDING SECTION 820 OF THE TONKA BAY CITY CODE
RELATED TO SEWER LIFTS**

THE CITY COUNCIL OF THE CITY OF TONKA BAY ORDAINS:

Section 1. The City Council hereby amends Section 823.10 of the City Code by removing the ~~stricken~~ and inserting the double-underlined language as follows:

823.10 SEWER LIFTS

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer. In those instances where the public sanitary sewer system was intentionally designed not to allow gravity flow to the public sewer from the then existing buildings, the Cityowner will provide, ~~and~~ install, and maintain a sump pump.

Section 2. Effective Date. This ordinance shall become effective immediately following adoption and publication as required by law.

Passed by the City Council of the City of Tonka Bay this ____ day of _____, 2021.

Adam Jennings, Mayor

ATTEST:

Kathy Laur
City Administrator



City of Tonka Bay

Account Memo

██████████
Condie, Chris & Dana
25 ARBOR CT TONKA BAY MN 55331

Account Memo

Account final billed on 12/2/2009. Final Bill Account Number 00-00002563-01-7.

12/11/09 - Spoke with Connie at Customer Driven Realty. House closed on 12/8/09. New owners are Chris & Dana Condie. No other contact info at this time. Finished setting up new account.

8/1/21 - Note received with 2021Qtr2 payment. They deducted late fee charges 5/2/2021. Their payment was received on 5/3/2021. It WAS late. Mailed back their note and copy of date stamped receipt.

9/15/21 - Mr. Condie stopped in to complain about the late fees. The payment receipt for 2021Qtr2 was date stamped 8/3/21, which was also late. At this point, both 2021Qtr1 and 2021 Qtr2 payments have been received late. (He was also late 2020Qtr3.) Advised to contact city council for penalty relief.

10/20/21- Questions from Adam about late charges from May. May 1 was a Saturday. I came into work on Sunday, May 2nd, and downloaded all transactions from PSN, pulled ALL receipts in drop box, and the receipts from Thursday in the utility bag in the drawer. Created utility 4 deposits in Banyon. I then ran necessary reports and processed the penalty calculations, all ON Sunday 5/2/2021. See batch reports for date/time stamps. Their receipt would have been dropped in the box after I left Sunday afternoon. It was date stamped when we came in Monday, May 3rd.

FYI - Condie's were also late with their 2020 Qtr3 payment. It was due on 11/01/2020, penalties were run on 11/2/2020, and payment was received on 11/03/2020.

FILTER: [Full Account Number] = "██████████"



City of Tonka Bay

Transactions

Condie, Chris & Dana
25 ARBOR CT

Account	Tran Type	Sub Type	Charge Number	Charge Name	Charge Type	Amount	Date	Per	Year	Calc #	Pen	Comment
	Receipt	n/a	0		UR	\$1,192.25	8/2/2021	10	2021	94	No	
	Penalty	n/a	26	Henn SWM fee	Surcharg	\$0.58	5/2/2021	7	2021	93	Yes	
	Penalty	n/a	20	MN SWM tax	Surcharg	\$0.36	5/2/2021	7	2021	93	Yes	
	Penalty	n/a	19	MN wtr fee	Surcharg	\$0.24	5/2/2021	7	2021	93	Yes	
	Penalty	n/a	18	Recycling	Surcharg	\$3.65	5/2/2021	7	2021	93	Yes	
	Penalty	n/a	10	Stm Drainage	Service	\$0.38	5/2/2021	7	2021	93	Yes	
	Penalty	n/a	5	Garbage w/recyclin	Service	\$3.72	5/2/2021	7	2021	93	Yes	
	Penalty	n/a	3	Sewer	Service	\$15.33	5/2/2021	7	2021	93	Yes	
	Penalty	n/a	1	Water	Service	\$21.59	5/2/2021	7	2021	93	Yes	
	Receipt	n/a	0		UR	\$458.38	5/4/2021	7	2021	93	No	
	Receipt	n/a	0		UR	\$543.61	2/1/2021	1	2021	92	No	
	Penalty	n/a	3	Sewer	Service	\$33.08	11/2/2020	10	2020	91	Yes	
	Penalty	n/a	1	Water	Service	\$66.85	11/2/2020	10	2020	91	Yes	
	Penalty	n/a	5	Garbage w/recyclin	Service	\$3.72	11/2/2020	10	2020	91	Yes	
	Penalty	n/a	10	Stm Drainage	Service	\$0.35	11/2/2020	10	2020	91	Yes	
	Penalty	n/a	19	MN wtr fee	Surcharg	\$0.24	11/2/2020	10	2020	91	Yes	
	Penalty	n/a	20	MN SWM tax	Surcharg	\$0.36	11/2/2020	10	2020	91	Yes	
	Penalty	n/a	26	Henn SWM fee	Surcharg	\$0.58	11/2/2020	10	2020	91	Yes	
	Penalty	n/a	18	Recycling	Surcharg	\$3.65	11/2/2020	10	2020	91	Yes	
	Receipt	n/a	0		UR	\$1,088.28	11/3/2020	10	2020	91	No	
	Receipt	n/a	0		UR	\$912.78	8/1/2020	10	2020	90	No	
	Receipt	n/a	0		UR	\$398.53	4/30/2020	4	2020	89	No	
	Receipt	n/a	0		UR	\$360.19	2/1/2020	1	2020	88	No	
	Receipt	n/a	0		UR	\$889.19	11/3/2019	10	2019	87	No	
	Receipt	n/a	0		UR	\$546.69	8/1/2019	7	2019	86	No	
	Receipt	n/a	0		UR	\$375.27	5/1/2019	4	2019	85	No	
	Receipt	n/a	0		UR	\$315.77	2/1/2019	1	2019	84	No	
	Receipt	n/a	0		UR	\$1,135.98	10/29/2018	10	2018	83	No	
	Receipt	n/a	0		UR	\$763.00	8/1/2018	7	2018	82	No	
	Receipt	n/a	0		UR	\$336.27	5/1/2018	4	2018	81	No	
	Receipt	n/a	0		UR	\$352.77	2/5/2018	1	2018	80	No	
	Receipt	n/a	0		UR	\$816.29	11/1/2017	1	2017	79	No	
	Receipt	n/a	0		UR	\$536.57	8/2/2017	10	2017	78	No	
	Receipt	n/a	0		UR	\$431.27	5/1/2017	7	2017	77	No	
	Receipt	n/a	0		UR	\$398.95	2/1/2017	4	2017	76	No	
	Receipt	n/a	0		UR	\$729.73	11/1/2016	1	2016	75	No	
	Receipt	n/a	0		UR	\$563.07	8/1/2016	10	2016	74	No	
	Receipt	n/a	0		UR	\$409.21	5/3/2016	7	2016	73	No	
	Receipt	n/a	0		UR	\$466.77	2/7/2016	4	2016	72	No	
	Receipt	n/a	0		UR	\$811.67	11/5/2015	10	2015	71	No	
	Receipt	n/a	0		UR	\$533.46	8/10/2015	10	2015	70	No	Check#less pen
	Receipt	n/a	0		UR	\$315.90	5/6/2015	7	2015	69	No	
	Receipt	n/a	0		UR	\$281.78	2/7/2015	4	2015	68	No	
	Receipt	n/a	0		UR	\$521.75	11/5/2014	1	2014	67	No	
	Receipt	n/a	0		UR	\$322.79	8/5/2014	10	2014	66	No	
	Receipt	n/a	0		UR	\$277.34	5/7/2014	7	2014	65	No	
	Receipt	n/a	0		UR	\$347.06	2/7/2014	4	2014	64	No	
	Receipt	n/a	0		UR	\$578.39	11/12/2013	1	2013	63	No	
	Receipt	n/a	0		UR	\$361.01	8/8/2013	7	2013	62	No	



City of Tonka Bay

4901 MANITOU RD
TONKA BAY, MN 55331

Account Summary Statement

Current Amount Due **\$1,978.50**

Account Payoff Amount **\$1,978.50**

Account **[REDACTED]**

Chris & Dana Condie
25 ARBOR CT
TONKA BAY MN 55331

[REDACTED] Condie, Chris & Dana at 25 ARBOR CT

Type	Charge	Amount	Date	Prev Read	Curr Read	Usage	Bill Per	Year
Prev Bal		\$1,238.10	9/30/2021				10	2021
Receipt		\$1,192.25	8/2/2021				10	2021
Service	Water	\$1,378.37	9/30/2021	2699	2841	142	10	2021
Service	Sewer	\$465.00	9/30/2021			142	10	2021
Service	Garbage w/rec	\$37.20	9/30/2021				10	2021
Service	Stm Drainage	\$3.75	9/30/2021				10	2021
Surcharge	Recycling	\$36.50	9/30/2021				10	2021
Surcharge	MN wtr fee	\$2.43	9/30/2021				10	2021
Surcharge	MN SWM tax	\$3.63	9/30/2021				10	2021
Surcharge	Henn SWM fee	\$5.77	9/30/2021				10	2021
Cur Charges		\$1,932.65	9/30/2021				10	2021
Total		\$1,978.50	9/30/2021				10	2021

Current Transactions: Changes to Account Since Last Bill. (These may be shown on the next bill)

Current Amount Due **\$1,978.50**

Account Payoff Amount **\$1,978.50**



Entry Register

Batch Name: 20210501e00

Actual Receipt Total: \$13,706.06

User Receipt Total: \$13,706.06

Number of Entries: 33

Entry	Account	Amount	Service Address	Acct Bal Name	Check
1		\$394.81	4771 MANITOU RD	\$394.81 Ericksen, Judy	EPAY
2		\$345.07	20 WASECA AVE	\$345.07 Dobson, Kelly	EPAY
3		\$400.53	50 WEST POINT DR	\$400.53 Wilson, Charles K & Cheryl	EPAY
4		\$386.02	25 INTERLACHEN LN	\$386.02 RIENTS, DAVID	EPAY
5		\$304.87	450 LAKEVIEW AVE	\$304.87 RUIZ, YVETTE	EPAY
6		\$369.19	90 BRENTWOOD AVE	\$369.19 WUENSCH, JEFFREY	EPAY
7		\$361.15	250 WEST POINT RD	\$361.15 Eaton, Bruce & Gina	EPAY
8		\$369.19	55 TONKA BAY RD	\$369.19 Westerman, Cynthia	EPAY
9		\$374.16	130 GIDEONS POINT RD	\$374.16 KANUIT, MARGARET	EPAY
10		\$353.11	35 HAZEL ST	\$353.11 NORLING, EUGENE J	EPAY
11		\$483.72	110 GIDEONS POINT RD	\$483.72 LIEMANDT, DIANE	EPAY
12		\$304.87	250 WEST POINT DR	\$304.87 Eaton, Bruce & Gina	EPAY
13		\$496.26	90 INTERLACHEN LN	\$496.26 Puls, Bret	EPAY
14		\$80.52	50 BRENTWOOD AVE	\$80.52 Opfer, Julie	EPAY
15		\$403.60	40 CRABAPPLE LN	\$403.60 Hennesy, Jessica	EPAY
16		\$403.60	25 ECHO BAY DR	\$403.60 Sheedy, Patrick	EPAY
17		\$448.91	25 CRABAPPLE LN	\$448.91 Pullen, Steve & Teri	EPAY
18		\$386.02	165 BRENTWOOD AVE	\$386.02 Helmholdt, Bradley & Nicole	EPAY
19		\$772.02	32 Woodpecker Ridge Rd	\$772.02 JOSEPHSON, BILL	EPAY
20		\$429.97	35 PLEASANT LN E	\$429.97 SHIELDS, MICHAEL	EPAY
21		\$421.18	5040 MANITOU RD	\$421.18 Leighton, John & Sue	EPAY
22		\$386.02	50 BIRCH BLUFF RD	\$386.02 Headrick, Zachary & Kelsey	EPAY
23		\$304.87	4348 MANITOU RD	\$304.87 Uhl, David	EPAY
24		\$412.39	145 WEST POINT CT	\$412.39 Swan, Jordan & Alison	EPAY
25		\$386.02	65 INTERLACHEN LN	\$386.02 Smith, Christopher & Kristin	EPAY
26		\$325.92	40 BAY ST	\$325.92 Doerr, Susan	EPAY
27		\$369.19	5090 MANITOU RD	\$369.19 SEAMANS, STEVEN	EPAY
28		\$467.85	370 LAKEVIEW AVE	\$467.85 Hanson, Angela	EPAY
29		\$350.04	35 ECHO BAY DR	\$350.04 Jones, Susan	EPAY
30		\$429.97	70 TONKA BAY RD	\$429.97 Johnson, Sonja & Matt	EPAY
31		\$945.15	120 WOOD DUCK LN	\$945.15 Pendleton, Katie	EPAY
32		\$534.14	195 WEST POINT RD	\$534.14 Williams, Gregg & Vikki	EPAY
33		\$505.73	100 TONKA BAY LN	\$505.73 MARCEAU, ANTHONY & LORA	EPAY
		\$13,706.06			

FILTER: [Batch Name] = "20210501e00"



Entry Register

Batch Name: 20210501e01

Actual Receipt Total: \$1,631.46

User Receipt Total: \$1,631.46

Number of Entries: 3

Entry	Account	Amount	Service Address	Acct Bal Name	Page 1 Check
1		\$486.79	5050 MANITOU RD	\$486.79 Gallogly, Kim	EPAY
2		\$424.00	45 WEST POINT AVE	\$986.98 Schmidt, Chris & Allison	EPAY
3		\$720.67	135 CRABAPPLE LN	\$720.67 Hustad, Elisabeth	EPAY
		\$1,631.46			

FILTER: [Batch Name] = "20210501e01"



Entry Register

Batch Name: 20210429B15

Actual Receipt Total: \$5,095.58

User Receipt Total: \$5,095.58

Number of Entries: 14

Entry	Account	Amount	Service Address	Acct Bal Name	Check
1		\$373.70	10 PEARL ST	\$373.70 Tom Christ, Susan Knotz	
2		\$342.00	10 WEST POINT DR	\$342.00 Williams, Susan	
3		\$304.87	22 INTERLACHEN CT	\$304.87 Cooney, Michael	
4		\$534.14	10 GIDEONS POINT RD	\$534.14 Skoglund, John & Shannon	
5		\$361.15	45 ECHO BAY DR	\$361.15 Colwell, Thomas & Traci	
6		\$429.97	45 GIDEONS POINT RD	\$429.97 Coughlin, Michael & Wendy	
7		\$353.11	80 TONKA BAY RD	\$353.11 McCullogh, Myra	
8		\$353.11	90 WASECA AVE	\$353.11 Motherway, Patrick	
9		\$394.81	100 WEST POINT RD	\$394.81 LOWERY, RICHARD M	
10		\$385.62	115 WEST POINT CT	\$385.62 PEARSON, DEAN & PAT	
11		\$366.12	160 INTERLACHEN LN	\$366.12 YOUNGDAHL, NANCY	
12		\$458.38	165 GIDEONS POINT RD	\$458.38 HAAN, JEFF	
13		\$403.60	200 WEST POINT DR	\$403.60 DUNN, KEVIN & JANET	
14		\$35.00	25 HILLCREST DR	\$0.00 Di Giacomo, Michele & Jackie	
		\$5,095.58			

FILTER: [Batch Name] = "20210429B15"



Entry Register

Batch Name: 20210429B16

Actual Receipt Total: \$3,256.36

User Receipt Total: \$3,256.36

Number of Entries: 7

Entry	Account	Amount	Service Address	Acct Bal Name	Check
1	[REDACTED]	\$345.07	60 PLEASANT LN W	\$345.07 HREN, MICHAEL F	
2	[REDACTED]	\$377.23	80 FLORENCE DR	\$377.23 JOHNSON, N H	
3	[REDACTED]	\$333.96	85 BRENTWOOD AVE	\$333.96 TISDALE, D JEAN	
4	[REDACTED]	\$344.21	4286 CIRCLE RD	\$344.21 Schaeherer, Keith & Kristen	
5	[REDACTED]	\$421.18	4736 MANITOU RD	\$421.18 Van Horne, Kate	
6	[REDACTED]	\$368.12	5291 MANITOU RD	\$368.12 COULT, RICK	
7	[REDACTED]	\$1,066.59	5663 MANITOU RD	\$1,066.59 Caribou Coffee Site #01164	
		\$3,256.36			

FILTER: [Batch Name] = "20210429B16"

October 25, 2021

Dear Mayor and Councilmembers,

I am submitting my written resignation as Tonka Bay City Administrator to the Mayor and City Council of the City of Tonka Bay. I'm also using this opportunity to formally let my fellow city staff members know of my intention to resign.

Under the terms of my Employment Agreement in Section 17, it says that "If Employee voluntarily resigns her position with Employer, Employee agrees to give the Employer thirty (30) days advance notice."

I'm submitting my resignation with my last day with the City of Tonka Bay to be on Friday, November 25, 2021, which meets this contractual requirement. I would be happy to assist the Mayor and Council in any way that I can to make a smooth transition to whomever succeeds me.

I wish to thank the Mayor and City Council for the opportunity I have had for the last two years as an employee of this city.

I've accepted a position with the City of Oakdale.

As the Mayor and City Council know, we have a great city staff that serves our city and residents very well. I will miss working with them the most.

Again, thank you for the opportunity to serve as Tonka Bay's Administrator. I wish you all well.

Sincerely,

Kathy Laur

RESOLUTION NO. 21-26

A RESOLUTION ACCEPTING RESIGNATION OF KATHY LAUR, CITY ADMINISTRATOR EFFECTIVE NOVEMBER 25, 2021

WHEREAS, City Administrator Kathy Laur submitted her resignation effective on November 25, 2021; and

WHEREAS, Kathy Laur leaves employment with the City of Tonka Bay after two years of service with the City; and

WHEREAS, the City of Tonka Bay thanks Kathy Laur for her support, guidance and leadership to elected officials, city staff and the community and wishes her well; and

THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF TONKA BAY, to accept the resignation from Kathy Laur, effective November 25, 2021.

This resolution was adopted by the City Council of the City of Tonka Bay on the 26th day of October 2021.

Motion by XXXXXXXX, seconded by XXXXXXXX.

Roll call vote:

Councilmember Anderson	_____
Councilmember Connolly	_____
Councilmember LaBelle	_____
Councilmember Viger	_____
Mayor Jennings	_____

Adam Jennings, Mayor

ATTEST:

Rachel Myskevitz, Deputy City Clerk