

**APPROVED MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
February 12, 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, LaBelle, and Jennings. Also present were City Administrator Tingley, Public Works Superintendent Bowman, City Attorney Biggerstaff, City Planner Perdu and City Engineer Preisler.

3. APPROVAL OF AGENDA

De La Vega amended the agenda by swapping the order of Item 6 Special Business and Item 7 Public Hearings. Jennings and De La Vega discussed the order change. Anderson moved to approve the agenda as amended by De La Vega. Ansari seconded the motion. Ayes 5. Motion carried.

4. CONSENT AGENDA

Anderson moved to approve the following consent agenda item:

A. Regular Meeting Minutes of January 22, 2019

Ansari seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

Duane Anderson, 55 Florence Drive, asked that the LRT trail be plowed the entire width. De La Vega stated that the City of Shorewood was responsible for plowing their portion of the trail. Due to liability concerns, Tonka Bay has not agreed to plow its portion of the trail.

6. PUBLIC HEARINGS

A. Planned Unit Development – General Concept Plan – 5609 Manitou Road

Perdu provided a summary of the planned unit development general concept plan for the Tonka Bay Village Shopping Center at 5609 Manitou Road.

Preisler recapped the traffic study.

Jennings, Preisler and Charles Rickart, WSB traffic engineer, discussed various details of the traffic study.

De La Vega and Perdu discussed the mixed-use density stated in the 2040

Comprehensive Plan and what was listed in her presentation.

Ansari, De La Vega and Rickart discussed the entrance/exit at the southern end of the shopping center. De La Vega has received negative comments regarding that intersection and recommended it should be reconfigured.

De La Vega opened the public meeting at 7:45 p.m.

Cole Orndorff, 15 Bay Street, did not oppose this proposed development. He specified concerns regarding the traffic study and the proposed hardscape.

Gerald Holl, 15 Highland Avenue, was concerned about the residential density of the proposed project. De La Vega explained who and how residential density was determined. Holl and De La Vega discussed the approval/denial process of the submitted proposed plans.

Mark Rossi, 10 Glade Street, and De La Vega discussed the consequences of a referendum for the development.

Phillip Jaffe, an owner of the Tonka Village Shopping Center, formally requested to table the current public hearing and requested a future public hearing to gather input from Council and residents. De La Vega supported this request and directed staff to coordinate with Jaffe to determine a future date for the public hearing.

Tony Kuechle, Doran Development, LLC, stated that by continuing the current public hearing it would afford him the opportunity to incorporate received comments into plans which to be presented at the future public hearing.

Colleen Larson, 15 Bay Street, commented on the traffic study and the proposed plans.

Kristen Viger, 60 Pleasant Avenue, remarked on park dedication fees, the proposed density and the entrances/exits for the Tonka Village Shopping Center.

Travis Van Neste, 85 Wildhurst Road, commented on the density mandated by the Metropolitan Council and the planned unit development process.

Duane Anderson, 55 Florence Drive, indicated he supported the development but also spoke of potential traffic problems.

John Eiss, owner of Country Club Lanes at 5601 Manitou Road, recapped his

conversations with Kuechle.

Rossi responded to various comments previously made.

Hearing no further comments, De La Vega closed the public meeting at 8:28 p.m.

Anderson moved to table discussion of the planned unit development for the Tonka Village Shopping Center, 5609 Manitou Road. Ansari seconded the motion. LaBelle reminded staff to be mindful of the 60-day deadline. Tingley responded that the 60-day deadline was approximately March 23 or 24 and the applicant also could withdraw the application. Ayes 5. Motion carried.

7. SPECIAL BUSINESS

A. Sambatek Request – Contract Amendment for 2040 Comprehensive Plan Update

Tingley described why Sambatek requested a contract amendment for the 2040 Comprehensive Plan. He continued that Sambatek has not fulfilled the contract terms. Additionally, a completed water supply plan was a requirement for the application of a PFA loan; which will aid in the funding of the water treatment plant project and the deadline to apply for a PFA loan was fast approaching.

Sirish Samba, President and CEO of Sambatek, recapped the City's and Sambatek's relationship.

De La Vega and LaBelle expressed their grievances of Sambatek's failure to fulfill the contract. Samba and Farveh Makhssous, Sambatek planner, attempted to address the Council's concerns and validate the request for the contract amendment to complete the 2040 Comprehensive Plan. De La Vega stated that the Council would not approve the request.

De La Vega directed staff to complete the 2040 Comprehensive Plan.

8. OLD BUSINESS

A. 95 Crabapple Lane – Variance Request for Grade Modification

Tingley discussed the variance request for grade modification at 95 Crabapple Lane.

Perdu detailed the variance request for grade modification at 95 Crabapple Lane.

David Ronald, 55 Crabapple Lane, and Preisler discussed the current and proposed height and grade of the garage floor.

LaBelle noted that he supported staff's conclusions and recommendations. Jennings agreed.

Council and Preisler discussed the elevations of 95 Crabapple Lane.

Anderson moved to approve Resolution 19-08 a resolution approving a variance from the maximum amount of modification to the natural grade at the property located at 95 Crabapple Lane based on the findings of fact a. through I. and recommended conditions 1. through 5. Jennings seconded the motion. Ayes – Ansari, LaBelle, Jennings, Anderson and De La Vega. Motion carried.

B. Electronic Utility Billing

Tingley discussed the implementation for electronic utility billing.

LaBelle and Tingley discussed the 2.95% credit/debit card fee.

Council and Tingley discussed the difference between autopay and credit/debit card payment. Tingley indicated that Council may decide to offer one or both options. Anderson and De La Vega stated that they favored the credit/debit card payment. Jennings indicated he preferred autopay but was also agreeable to credit/debit card payment.

De La Vega inquired about the security of the online information. Tingley stated that all information would be through PSN. Biggerstaff added that typically all of the security is handled through the company taking payment.

Council and Tingley discussed the pros and cons of electronic utility billing.

Anderson moved to approve the purchase the credit/debit card option supporting the electronic utility payment for a total of \$1,767.95. Jennings seconded the motion. Ayes 5. Motion carried.

Tingley noted that implementation would take place in June with the second quarter billing.

9. NEW BUSINESS

A. Lake Minnetonka LRT Regional Trail/County Road 19 Crossing Resolution

Tingley explained the history and the proposed resolution for the LRT Regional Trail/County Road 19 crossing.

LaBelle recommended contacting Hennepin County to discuss the issue.

De La Vega stated that the new mayor of Excelsior would also like to be involved in the trail crossing discussions.

De La Vega and Jennings discussed the resolution and engaging Hennepin County in trail crossing discussions.

LaBelle inquired how the resolution would be presented to Hennepin County and Three Rivers Park District. Tingley described the process.

Anderson moved to approve Resolution 19-09 a resolution regarding the safety of the regional trail crossing at County Road 19 in Shorewood and Tonka Bay. LaBelle seconded the motion. Ayes – Ansari, LaBelle, Jennings, Anderson and De La Vega. Motion carried.

B. City Docks Key Card Discussion

Tingley summarized previous municipal dock gate key card discussions.

Council and Tingley discussed the number of key cards to be issued to each slip renter, the price per card and the required key card deposit fee.

De La Vega said the \$25.00 deposit fee was for two key cards and if additional key cards were wanted, another \$25.00 deposit fee was required. Tingley commented that he would verify in the Municipal Dock Policy regarding the number of cards per deposit fee.

Council discussed the reason for the gate locks and possible problems which may arise.

C. 2019 Floating Holiday Request

Tingley explained the 2019 floating holiday request.

Anderson moved to approve the 2019 floating holiday employee request for December 24 and December 31, 2019 and authorized City offices to be closed on those days. Ansari seconded the motion. Ayes 5. Motion carried.

10. **MATTERS FROM THE FLOOR**

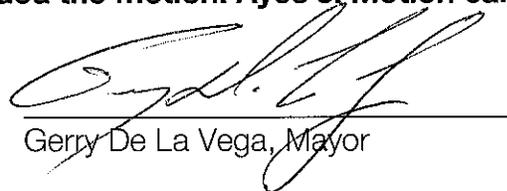
None.

11. REPORTS

- A. Administrator's Report – Tingley updated the Council of:
-The dog waste/receptacle combination;
-Lunch and the agenda for the goal session scheduled on February 16; and
-The search for a Minnetonka Community Education Advisory Council Tonka Bay representative.
- B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology – No report.
- C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling – Ansari reported on:
-The February 11 Parks and Landscape Committee meeting; and
-May 4th, 2019 was the date determined for Celebrate Wekota Park.
- D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks – Jennings stated that Fire Chief Scott Gerber has accepted the Fire Chief position with the City of Eden Prairie. Furthermore, the process of filling the Excelsior Fire Chief position has begun and explained the various steps.
- E. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds – No report.
- F. Attorney's Report – Biggerstaff restated Council's intentions with Sambatek.
- 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 9:43 p.m. Jennings seconded the motion. Ayes 5, Motion carried.


Gerry De La Vega, Mayor

Attest:


John Tingley, City Administrator/City Clerk