

**APPROVED MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
January 8, 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, Assistant City Planner Ramler-Olson and City Engineer Preisler.

3. OATHS OF OFFICE

Tingley administered the Oath of Office to Mayor-elect De La Vega and to Councilmembers elect LaBelle and Anderson.

4. APPROVAL OF AGENDA

Anderson moved to approve the agenda as submitted. Ansari seconded the motion. Ayes 5. Motion carried.

5. CONSENT AGENDA

Anderson moved to approve the following consent agenda items:

- A. Regular Meeting Minutes of December 11, 2018**
- B. Resolution 19-01, Appointments**
- C. Resolution 19-02, Water and Sewer Charges**

Ansari seconded the motion. Ayes 5. Motion carried.

6. MATTERS FROM THE FLOOR

None.

7. SPECIAL BUSINESS

None.

8. PUBLIC HEARINGS

- A. 30 Woodlane Street – Variance Request**

Ramler-Olson detailed the variance request for 30 Woodlane Street.

Ansari asked if there could be any drainage issues. Ramler-Olson responded no because it would be a bathroom addition to the second story of the house.

De La Vega inquired about the increase to the roof size. Preisler stated that the roof would be larger, but the foot print of the house would not change.

De La Vega, Anderson and Tingley discussed the single email correspondence received from a neighbor regarding the variance request.

De La Vega opened the public hearing at 7:14 p.m.

John Anderson, ADA Design, explained the reason for the remodel and variance request.

Hearing no further comments, De La Vega closed the public hearing at 7:18 p.m.

Jennings remarked that the request appeared to be in character with the rest of the neighborhood. Councilmember Anderson agreed.

LaBelle stated that by granting the variance request, the nonconformity would increase; thus, he did not support the variance request.

LaBelle and Councilmember Anderson discussed the nonconformity.

Ansari and Anderson (ADA Design) discussed a possible alternative to the addition.

Jennings stated he understood both arguments.

De La Vega said he agreed with LaBelle's comment of the increased nonconformity. However, he thought that this was a reasonable request.

De La Vega and LaBelle discussed the pros and cons of the variance request.

Ansari inquired if the resident of 30 Florence Drive was notified of the variance request. Tingley described the public hearing notice process. Anderson (ADA Design) indicated that the resident of 30 Florence Drive was aware of the variance request.

Council and Tingley discussed specifically contacting the resident at 30 Florence Drive. Council directed staff to reach out to the resident at 30 Florence Drive.

LaBelle remarked that obtaining a neighbor's approval was not enough to support this variance and explained why.

Jennings questioned Biggerstaff of the legality of approving the variance and not denying it as per staff's recommendation. Biggerstaff detailed that Council could approve the variance request with no legal ramifications.

Anderson moved to direct staff to prepare a resolution of approval for the requested side yard setback for the second story for the property located at 30 Woodlane Street based on the findings of facts a. through k. and the recommended conditions b. through d.

Council and Biggerstaff discussed omitting recommended condition a.

Jennings seconded the motion. Ayes – Ansari, Jennings, Anderson and De La Vega. Nays – LaBelle. Motion carried.

B. 445 Lakeview Avenue – Conditional Use Permit Request
Ramler-Olson detailed the CUP request for 445 Lakeview Avenue.

De La Vega and LaBelle discussed floor area ratio.

De La Vega asked about the requirements for a new R-1A lot. Tingley explained the requirements.

De La Vega opened the public hearing at 7:46 p.m.

Chris Erhart, 19655 Silver Lake Trail, Shorewood, indicated the reasons for the CUP.

Hearing no further comments, De La Vega closed the public hearing at 7:47 p.m.

LaBelle and Anderson indicated their support for the CUP.

Anderson moved to direct staff to prepare a resolution for approval for the requested conditional use permit for excess floor area ratio at the property located at 445 Lakeview Avenue based on the findings of facts a. through j. and recommended conditions a. through g. Jennings seconded the motion. Ayes 5. Motion carried.

C. First Reading Ordinance 19-01 – Tonka Bay Annual Fee Schedule
Tingley discussed the proposed changes to the fee schedule.

De La Vega asked about the term key fob. Tingley replied that key fob can be used

interchangeably with key card.

Anderson moved to waive the second reading and approve ordinance amendment 2019-01. Ayes 5. Motion carried.

Anderson moved to adopt a resolution approving ordinance summary for publication. Ansari seconded the motion. Ayes - Ansari, LaBelle, Jennings, Anderson and De La Vega. Motion carried.

9. OLD BUSINESS

A. Manitou Park Ballfield Light Donation Request by Minnetonka Baseball Association

Tingley described the Manitou Park ballfield light donation and agreement between the City and Minnetonka Baseball Association (MBA).

Ansari verified that there were no light poles near any homes. De La Vega answered no and specified where the poles were placed. Kyle Heitkamp, president of MBA, explained the location of the poles.

De La Vega expressed concern of the word exclusive in Paragraph 1 of the agreement; that it could indicate that MBA would be the sole users of the ballfield. He continued that anyone may use the ballfield if MBA was not using it and that there have not been any conflicts in the past. Heitkamp agreed.

De La Vega suggested removing the word exclusive. Heitkamp questioned if language could be added indicating that MBA could have priority scheduling. De La Vega agreed. Tingley added that an approved Special Event Application implies that Manitou Park cannot be booked on those days and times.

Council directed staff to post on the website and in the newsletter the days MBA reserved Manitou Park.

De La Vega discussed the specifications of the lights.

Anderson moved to approve the donation agreement between the City of Tonka Bay and the Minnetonka Baseball Association for the donation of lights with the modified language. Jennings seconded the motion. Ayes 5. Motion carried.

B. Accepting Bids for the 2018 Sewer Lining Project

Preisler explained the bids for the 2018 Sewer Lining Project.

De La Vega asked about the bid approval status for Excelsior, Minnetrista and Shorewood. Preisler reported on the approval status of the other cities.

Council questioned why the date was 2018 and not 2019. Preisler explained that the project was budgeted for in 2018.

De La Vega and Preisler discussed the various bids.

De La Vega, Tingley and Preisler discussed funding.

Anderson moved to approve a resolution awarding the bid for the 2018 Sewer Lining project in conjunction with the Cities of Excelsior, Minnetrista and Shorewood to Visu-Sewer, Inc. in the total amount of \$196,165.90, the City of Tonka Bay's portion \$38,341.25. Jennings seconded the motion. Ayes – Ansari, LaBelle, Jennings, Anderson and De La Vega. Motion carried.

C. Welcome Sign – Pleasant Avenue

Tingley recapped the discussion history of the Welcome Sign at the intersection of Pleasant Avenue/Birch Bluff Road.

LaBelle questioned what initiated the discussions for the welcome sign. Tingley indicated the topic was broached during the very early 2019 budget discussions.

LaBelle questioned Council whether a sign was needed or still wanted. Jennings indicated that the current sign proposal is far grander than what he expected. Anderson agreed. De La Vega commented that in his opinion, replacing the parks signs were a higher priority than adding a welcome sign at the intersection of Pleasant Avenue/Birch Bluff Road.

De La Vega suggested that the replacement of all current City signs should continue and be completed prior to the installation of a welcome sign. Council agreed.

D. City Dock Dredging Survey Results

Tingley discussed the City dock dredging survey. He also asked Council to discuss possibly expanding the docks.

Preisler expounded on the dredging survey and the results.

LaBelle and Preisler talked of dredging vendors.

De La Vega remarked that if the dock were to be expanded, vegetation in the area would have to be part of the consideration. Preisler responded that he was uncertain of the vegetation removal policy.

De La Vega directed staff to obtain quotes for spot dredging.

Council and Preisler discussed the various methods used to obtain the depth measurements.

10. NEW BUSINESS

A. Garbage/Recycling Rate Discussion for Seasonal Residents

Tingley discussed the current practice for the reduction of the garbage/recycling rate for seasonal residents. He sought guidance from Council on how to proceed.

LaBelle, De La Vega and Tingley discussed how it was confirmed that residents receiving the rate reduction were truly gone for the indicated time period.

De La Vega suggested issuing a fee for suspending services.

LaBelle inquired the number of residents suspending garbage/recycling service. Tingley did not know the specific number but thought approximately 25 residents.

LaBelle stated that he would like to read a policy draft pertaining to garbage/recycling rates for seasonal residents.

Tingley shared information of practices for seasonal rates of other cities.

Jennings indicated he would support discontinuing the allowance of seasonal rates.

De La Vega summarized that the Council appeared to be in favor to discontinue offering seasonal rates. Tingley recommended to end this practice in the upcoming second quarter. Council agreed.

B. Set Date for 2019 Board of Appeals Meeting

Tingley discussed the Board of Appeals and the suggested meeting date.

Anderson moved to schedule the 2019 Local Board of Appeals and Equalization Meeting on April 22, 2019 at 6:30 p.m. to be held at the Tonka Bay City Hall. Jennings seconded the motion. Ayes 5. Motion carried.

Council and Tingley discussed the number of Councilmembers who have completed the specified training needed to attend the meeting.

C. 2019 Goals Discussion
LaBelle left at 8:43 p.m.

Tingley discussed the possibility of developing a list of City goals based on the Organizational Operating Principles.

Ansari is in favor of developing a list of City goals. De La Vega agreed and offered some suggestions on how to proceed. Anderson agreed.

De La Vega noted that the Organizational Operating Principles are specifically for staff and not necessarily for the City as an overall organization.

De La Vega stated that he and Tingley would determine how to proceed and present that information at a future Council meeting.

D. City Administrator Six-Month Performance Review
De La Vega described the process of Tingley's review.

De La Vega recommended retroactively granting Tingley a step increase.

Anderson moved to retroactively grant Tingley a step increase. Ansari seconded the motion. Ayes 4. LaBelle absent. Motion carried.

11. MATTERS FROM THE FLOOR

None.

12. REPORTS

A. Administrator's Report – Tingley updated the Council of the Water Treatment Plant project.

Tingley informed the Council that Doran Development intended to submit a concept plan for 5609 Manitou Road on Thursday, January 10. He outlined the plan approval process. Preisler added that the traffic division will need up to two and a half weeks to analyze the concept plan.

De La Vega asked for an update regarding Sprint and the right-of-way. Tingley recapped the discussion from the December 11, 2018 Council Meeting regarding Sprint's request and the various concerns.

Ansari and Tingley discussed the dissemination of information of the 5609 Manitou

Road development progress.

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 January 7 Parks Committee meeting.

Tingley commented on the status of the Wekota Park playground equipment. De La Vega directed staff to present the information at a future Council meeting for Council review and feedback.

D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks – No report.

E. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds – Prior to leaving, LaBelle stated he did not have anything to report.

F. Attorney's Report – No report.

G. Gerry De La Vega –SLMPD, Administration, Public Works – De La Vega noted that the quarterly SLMPD meeting was January 9.

13. ADJOURNMENT

There being no further business, it was moved by Anderson to adjourn the meeting at 9:04 p.m. Jennings seconded the motion. Ayes 4. LaBelle absent. Motion carried.



Gerry De La Vega, Mayor

Attest:



John Tingley, City Administrator/City Clerk