

**APPROVED MINUTES  
TONKA BAY CITY COUNCIL  
REGULAR MEETING  
November 27, 2018**

**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 LaBelle. Also present were City Administrator Tingley, Public Works Superintendent Bowman, City Attorney Biggerstaff, City Engineer Preisler and Assistant City Planner Ramler-Olson.

Member Absent: Councilmember Jennings.

**3. APPROVAL OF AGENDA**

**Anderson moved to approve the agenda as submitted. Ansari seconded the motion. Ayes 4. Jennings was absent. Motion carried.**

**4. CONSENT AGENDA**

**LaBelle moved to approve the following consent agenda items:**

- A. Regular Meeting Minutes of November 13, 2018**
- B. Budget Work Session Meeting Minutes of November 13, 2018**
- C. Resolution 18-40 – 85 Lakeview Avenue Variance Requests**
- D. Resolution 18-41 – 295 Lakeview Avenue Variance Requests**
- E. Financial Report**

**Anderson seconded the motion. Ayes 4. Jennings was absent. Motion carried.**

**5. MATTERS FROM THE FLOOR**

Aaron Lutz, 30 Northrup Avenue, stated that the recently installed fence at 25 Northrup Avenue violates the ordinance. De La Vega instructed Lutz to provide documentation for staff to examine.

Mark Rossi, 10 Glade Avenue, declared that he did not favor the high-density housing proposal at Tonka Village Shopping Center.

**6. SPECIAL BUSINESS**

None.

**7. PUBLIC HEARINGS**

A. 2040 Comprehensive Plan

Tingley reviewed the 2040 Comprehensive Plan approval process and discussed the 2040 Comprehensive Plan.

De La Vega opened the public hearing at 7:12 p.m.

Jill Maki, 30 Pleasant Lane West, suggested amending the vision statement to reflect what was approved by Council in 2016.

Kristen Viger, 60 Pleasant Avenue, said that the 2030 Comprehensive Plan amendment for the density change for the mixed use district at 5609 Manitou Road should be discussed.

Travis Van Neste, 85 Wildhurst Road, discussed the number of units that may possibly be built due to the increased mixed use density.

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

LaBelle, De La Vega, Tingley and Biggerstaff discussed the necessity of review of the 2040 Comprehensive Plan by other communities if modifications were made.

De La Vega supported the suggested amendment by Maki.

**Anderson moved to amend the 2040 Comprehensive Plan to include the entire vision statement. LaBelle seconded the motion. Ayes 4. Jennings was absent. Motion carried.**

Council discussed the mixed use district maximum density of 20 units/acre. LaBelle indicated that he did not mind if the number remained 20 units/acre or if the number was lowered and explained his reasons. De La Vega agreed with LaBelle. De La Vega continued that 20 units/acre was the upper parameter, but that number appeared too large for the Tonka Village Shopping Center area and explained why. Ansari explained why she believed the number should be reduced. Anderson noted that the recommended maximum 20 units/acres in the mixed use district was less than surrounding communities.

Rossi stated that residents were concerned about traffic and the visual aspect of the proposed development.

De La Vega asked the Council if the maximum mixed use density should be amended. Anderson remarked that he did not think changing the maximum mixed

use density in the 2040 Comprehensive Plan would affect Council's future decisions. De La Vega agreed.

Wendy Van Neste, 85 Wildhurst Road, asked that since the maximum density number is not a driving factor then why not decrease it. De La Vega responded that the correct number was unknown and described the process of amending the Comprehensive Plan.

Viger and LaBelle discussed the proposed maximum 20 units/acre and if it should be decreased. Viger and De La Vega discussed how the appropriate number could be determined and the various checks and balances of the plan submittal and approval process.

De La Vega noted that the Comprehensive Plan guides development in the City.

Eric Lindquist, 120 Birch Bluff Road, discussed how property values relate to the mixed-use density. He also inquired how the proposed development would help Tonka Bay residents. De La Vega answered that the owner of the shopping center was attempting to create opportunity for that property and provided specific examples.

B. Certify Delinquent Accounts

Tingley discussed the unpaid accounts and that the amount due will be certified to the appropriate property taxes.

De La Vega opened the public hearing at 7:55 p.m.

Mike Shields, 35 Pleasant Avenue East, stated that he does not have a delinquent account but that he recommended the City employ some sort electronic payment. Tingley responded that electronic payment was a line item in the Capital Improvement Plan for 2019.

Hearing no further comments, De La Vega closed the public hearing at 7:56 p.m.

**Anderson moved to approve Resolution 18-39 for the collection of delinquent charges for the 2018 utility services and miscellaneous fees. Ansari seconded the motion. Ayes – Anderson, Ansari, LaBelle and De La Vega. Jennings was absent. Motion carried.**

C. Manitou Park Ballfield Lights

Tingley summarized the ballfield light donation from Minnetonka Baseball Association (MBA) at Manitou Park. Furthermore, the public hearing was scheduled to receive feedback from residents.

Da La Vega and Craig Gallop, Musco Sports Lighting, discussed the specifications of the proposed ballfield lighting.

De La Vega opened the public hearing at 8:03 p.m.

Susan Fuhr, 20 Lilah Lane, expressed concerns on how the ballfield lights may affect the neighborhood. De La Vega mentioned that Illumination Summaries were included in the packet.

Meghan Stadelman, 55 Lilah Lane, stated that her home is immediately adjacent to left field, was concerned about light and noise and that the Illumination Summary does not display her house. Gallop explained how to read the Illumination Summary and that no light from the proposed ballfield lights would reach her home.

Stadelman also commented that she was concerned of parking, especially during tournaments. De La Vega replied there parking was not allowed at the end of Lilah Lane and steps could be taken to prohibit parking there. He added that Manitou Park parking lot was a topic which Council has been discussing.

LaBelle asked Stadelman whether she was for or against the ballfield lights. Stadelman responded that she was against the installation of the ballfield lights.

Matt Walker, MBA, and Kyle Heitkamp, MBA President, addressed Stadelman's concerns of traffic.

Kevin Seamans, 26 Lilah Lane, is not in favor of the ballfield lights because of the potential increase in the number of games and the associated increase of noise.

Dave Jensen, 25 Lilah Lane, he was concerned of the traffic on Lilah Lane, of the possible light pollution from the ballfield lights and people in the park past the 10:00 p.m. Heitkamp responded to Jensen's concerns.

Tingley, Heitkamp and Gallop discussed the shutoff mechanism for the ballfield lights.

Stadelman questioned the ballfield lights schedule. Heitkamp replied that it could be controlled by the City and that MBA would typically use the fields Monday through Thursday nights, May through September.

Hearing no further comments, De La Vega closed the public hearing at 8:23 p.m.

LaBelle said he was opposed to the installation of the ballfield lights and detailed his reasons.

Anderson indicated he was in favor of allowing the ballfield lights and stated his reasons.

Ansari stated that the ballfield lights would enhance Manitou Park.

De La Vega discussed his reasons why he did not oppose the ballfield light installation.

**Anderson moved to direct staff to draft an agreement for the donation of ballfield lights at Manitou Park. Ansari seconded the motion. Ayes – Anderson, Ansari and De La Vega. Nays – LaBelle. Jennings was absent. Motion carries.**

D. 25 West Point Avenue Variance and Conditional Use Permit Application

Tingley discussed the variance and conditional use permit application for 25 West Point Avenue.

Ramler-Olson detailed the variance and conditional use permit application for 25 West Point Avenue.

De La Vega opened the public hearing at 8:47 p.m.

Mel Chez, 15 West Point Avenue, stated he supported the project but was concerned about stormwater drainage and specified his reasons. Preisler responded to Chez's concerns of the stormwater drainage. De La Vega said that property owners enter into a stormwater agreement with the City; the City will hold the property owner accountable. Chez and Preisler discussed raingardens.

Ron Brenner, Ron Brenner Architects, Stillwater, MN, spoke of how drainage would be created on the property and that he was confident of the proposed drainage plan. Chez responded that he was not confident of the proposed drainage plans and explained why.

Preisler responded to Chez's drainage comments.

De La Vega and Preisler discussed the difference between the current drainage and

the proposed drainage plans.

De La Vega recapped Chez's concerns and Preisler's comments.

Kyle Hunt, Kyle Hunt & Partners, clarified where on the property were Chez's drainage concerns. Chez and Hunt discussed the proposed drainage.

Hearing no further comments, De La Vega closed the public hearing at 9:03 p.m.

LaBelle stated he supported the variance and conditional use permit requests and specified his reasons. De La Vega, Anderson and Ansari agreed.

**Anderson moved to direct staff to prepare a resolution of approval for a conditional use permit to allow for excess floor area ratio of 0.33 based on the findings of fact listed in the report and the recommended conditions 1 through 6. LaBelle seconded the motion. Ayes 4. Jennings was absent. Motion carried.**

**Anderson moved to direct staff to prepare a resolution of approval for the requested variance for finished fill not to extend 15 feet beyond the structure at 25 West Point Avenue based on the finding of fact listed in the report and the recommend conditions 1 through 7. LaBelle seconded the motion. Ayes 4. Jennings was absent. Motion carried.**

## **8. OLD BUSINESS**

A. Birch Bluff Road – Pleasant Avenue Speed Bump

LaBelle left at 9:07 p.m.

De La Vega recapped the community meeting regarding speed bumps on Birch Bluff Road and Pleasant Avenue.

**Anderson moved to approve the proposed speed bump location and quote from EFA in the amount of \$3,994.00 to be purchased this year and installed after the street are swept in the spring of 2019 and removed in the fall annually. Ansari seconded. Ayes 3. Jennings and LaBelle were absent. Motion carried.**

B. Municipal Dock Gate Locks

Tingley discussed the proposed municipal dock gate locks.

The Council discussed the pros and cons of key fobs and key cards.

De La Vega inquired about the price of key cards. Tingley stated that the price will be researched and brought back to Council.

C. Municipal Dock Policy

Tingley specified the amendments to the Municipal Dock Policy.

**Anderson moved to approve the updated Municipal Dock Policy. Ansari seconded the motion. Ayes 3. Jennings and LaBelle were absent. Motion carried.**

D. Lime Feed Softening System Update

Tingley discussed the update to the lime feed softening system change order.

Preisler detailed the amendments to the change order.

**Anderson moved to approve Resolution 18-42 Approving Change Order No. 1 for the Water Treatment Plant Lime softening Feed System Improvements. Ansari seconded the motion. Ayes – Anderson, Ansari and De La Vega. Jennings and LaBelle were absent. Motion carried.**

Preisler updated the Council of the water treatment plant project.

**9. NEW BUSINESS**

None.

**10. MATTERS FROM THE FLOOR**

Mr. Van Neste remarked that it appeared that development was the driver of the 2040 Comprehensive Plan when it should be the opposite. De La Vega summarized the changing of the unit/acre for mixed use. Van Neste, the Council and Tingley discussed the potential development at Tonka Village Shopping Center.

Maki and Council discussed approved businesses and how they can enhance Tonka Bay.

Maki and De La Vega discussed Wekota Park playground equipment and the future direction of the parks.

**11. REPORTS**

A. Administrator's Report – Tingley stated he contacted Doran Development regarding a possible parking study conducted at the Tonka Village Shopping Center. Furthermore, the concerns articulated at the meeting tonight will be forwarded to Doran Development.

Tingley responded to the comments regarding the fence at 25 Northrup Avenue.

Tingley indicated that the Shorewood City Administrator contacted him regarding traffic concerns due to the potential Tonka Village Shopping Center development. Preisler and he will further examine the raised traffic concerns.

Tingley updated the Council of:

- The Manitou Park parking lot. Preisler discussed the cost of the parking lot;
- The Parks Committee meeting discussion;
- The Tree Lighting Ceremony; and
- The tree and playground equipment grants through Hennepin County.

Tingley addressed that the City Code is silent of the formation of committees and commissions. De La Vega acknowledged that and described why it was never added to the City Code. Biggerstaff stated that there were reasons for and against to define committees/commissions in City Code; his biggest concern was that it may violate the open meeting law. De La Vega directed staff to post announcements of the Park Committee meetings on the bulletin board.

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

C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling - Ansari recapped the reason for the revival of the Parks Committee.

Jennings, Ansari and Tingley discussed converting the ice rink into a dog park in the warmer months.

Ansari discussed the Tree Lighting Ceremony on November 29.

D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks – Absent.

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 – De La Vega attended an Excelsior Fire District meeting; discussion centered around the handling of medical calls.

De La Vega reminded Council to submit Tingley's evaluation to him.

**12. ADJOURNMENT**

**There being no further business, it was moved by Anderson to adjourn the meeting at 9:59 p.m. Ansari seconded the motion. Ayes 3. Jennings and LaBelle were absent. Motion carried.**



Gerry De La Vega, Mayor

Attest:



John Tingley, City Administrator/City Clerk

