

**APPROVED MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
October 23, 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 (7:03 p.m.) and Jennings. 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 LaBelle.

3. APPROVAL OF AGENDA

Anderson moved to approve the agenda as submitted. Jennings seconded the motion. Ayes 3. Councilmembers Ansari and LaBelle were absent. Motion carried.

4. CONSENT AGENDA

Anderson moved to approve the following consent agenda items:

A. Regular Meeting Minutes of October 9, 2018 as amended by Jennings to add the following sentence: Page 6 Letter D, 'The next Excelsior Fire District meeting is on November 14 and the public is encouraged to attend.'

B. Financial Report

C. Building Permit Activity Report

Jennings seconded the motion. Ayes 3. Councilmembers Ansari and LaBelle were absent. Motion carried.

5. MATTERS FROM THE FLOOR

None.

6. SPECIAL BUSINESS

A. Senator Osmek

De La Vega noted that Senator Osmek was unable to attend the meeting.

7. PUBLIC HEARINGS

A. 85 Lakeview Variance Requests – 2nd Driveway Access and Fence

Councilmember Ansari arrived at 7:03p.m.

Tingley described the variance requests from applicants for a second driveway access and fence at 85 Lakeview Avenue.

De La Vega stated that the applicant was unable to attend the meeting and requested that the public hearing be tabled until the next Council meeting. The Council agreed to table the topic until the November 13 Council meeting.

De La Vega opened the public meeting. Hearing no comments, he continued it to the November 13 meeting.

Anderson moved to table the variance requests for 85 Lakeview Avenue until the November 13 City Council meeting. Ansari seconded the motion. Ayes 4. LaBelle was absent. Motion carried.

B. 60/70 Interlachen Lane – Simple Subdivision Application

Tingley described the simple subdivision application for 60/70 Interlachen Lane.

Ramler-Olson detailed the simple subdivision application for 60/70 Interlachen Lane.

De La Vega opened the public hearing.

Gene O'Brien, 60 Interlachen Lane, explained his reason for applying for the simple subdivision.

Hearing no other comments, De La Vega closed the public hearing.

Jennings indicated he supports this application. De La Vega agreed.

Anderson moved to direct staff to prepare a resolution of approval of the simple subdivision proposed at the properties 60 Interlachen Lane and 70 Interlachen Lane based on the findings of fact listed in the report and Items A through E and the Recommended Conditions 1 through 3. Jennings seconded the motion. Ayes 4. LaBelle was absent. Motion carried.

8. **OLD BUSINESS**

A. Water Rate Study Update -- Shannon Sweeney from David Drown and Associates, Inc.

Tingley introduced Shannon Sweeney, David Drown and Associates, Inc., he was here to update and answer questions the Council may have.

Sweeney recapped his previous conversation with the Council. He explained the proposed water project financing scenarios.

De La Vega, Sweeney, Jennings and Tingley discussed depreciation of the water tower and plant.

De La Vega and Sweeney discussed the base and tier water rate charges.

De La Vega summarized that it appeared to be reasonable to Council to use the high-end base rate and manipulate the tier water rate charges to secure approximately \$25,000.00 to cover depreciation, operating expenses and bond payment.

9. NEW BUSINESS

A. Manitou Park Ballfield Lights – Minnetonka Baseball Association

Tingley described Minnetonka Baseball Association's (MBA) proposal to install lights at Manitou Park.

Kyle Heitkamp, MBA president, explained why MBA would like to install lights at Manitou Park. He also specified that MBA would donate the cost of the installation and lights to the City.

The Council discussed the location of the ice rink lights, where the ballfield lights could be placed and homes which may be possibly affected by the proposed ballfield lights.

De La Vega and Heitkamp discussed metering and payment of electricity for ballfield lights.

De La Vega stated he is in favor of having ballfield lights at Manitou Park and that the installation was consistent with the City's plan of updating the parks. Ansari agreed, but also questioned whether other amenities would be upgraded. Heitkamp answered that the current configuration of the park works. De La Vega noted that the addition of paths was included in several proposals to upgrade Manitou Park parking lot.

De La Vega directed staff to schedule a public hearing for the November 27, 2018 Council Meeting to allow for community input regarding lighting the ballfield at Manitou Park.

B. City Code Updates Section 950 First Reading – Maximum Load Limits

Tingley recapped the history of amending Section 950 Maximum Load Limits.

De La Vega recommended the following amendments:

- Section 950.05, last sentence from 'at each' to 'at the';
- Section 950.06, delete the repeated 'whenever said street or highway'; and
- Section 950.07, change 'School busses or head start buses' to 'Buses'.

Anderson moved to waive the second reading and adoption of Ordinance 2018-10, Chapter IX, Section 950, Maximum Load Limits and Seasonal Weight Restrictions as amended by De La Vega. Jennings seconded the motion. Ayes 4. LaBelle was absent. Motion carried.

Anderson moved to adopt Resolution 18-35, authorizing summary publication of the ordinance amending Chapter IX, Section 950, Maximum Load Limits and Seasonal Weight Restrictions. Jennings seconded the motion. Ayes-Anderson, Ansari, Jennings and De La Vega. LaBelle was absent. Motion carried.

C. Lime Softening Feed System Project Update

Preisler updated the Council and discussed the proposed change order of the lime softening feed system project. He also detailed why work has not yet commenced.

Ansari, Preisler and Tingley discussed the current contractor and the delay for starting the project.

Jennings and Preisler talked of how the winter could impact the construction timeline.

De La Vega and Preisler discussed the budget for the lime softening feed system project.

De La Vega expressed concerns about the current system failing; indicating that the contractor be held liable to the schedule and to repair the current lime softening feed system if it fails. De La Vega and Preisler discussed possibly adding a monetary penalty for every day the lime softening feed system fails and is off line. Biggerstaff explained how the amount may be quantified.

De La Vega and Preisler discussed the affect the delay of the lime softening feed system project may have on the financing of the water treatment plant project.

Ansari asked if there were any health risks if the lime softening feed system failed. Preisler stated that hard water would be the only effect of the system failing.

Preisler indicated that he would present the change order at the next Council meeting.

D. Water Treatment Plant Improvement Project Update

Preisler updated the Council of the water treatment plant improvement project and that this project includes the installation of a new backup generator. Furthermore, staff has identified the possibility of connecting lift station #3 to the new backup generator. However, the order would have to be changed to reflect the connection of the new backup generator to lift station #3.

Tingley discussed funding for the connection.

The Council is in favor of connecting the new backup generator to lift station #3.

De La Vega directed staff to remove the funding for one generator in the Capital Improvement Plan. Tingley indicated he would remove it.

Anderson moved to include the proposed lift station #3 power feed improvement with the water treatment plant improvement project. Jennings seconded the motion. Ayes 4. LaBelle was absent. Motion carried.

E. Lime Pond Cleaning Proposal

Tingley discussed the lime pond cleaning proposal.

Bowman explained the reasons for the lack of contractors.

Anderson and Bowman discussed the operation of cities that do not have lime ponds and the possibility of partnering with another city.

De La Vega and Bowman discussed the price increase of the quote to clean the lime pond.

De La Vega directed staff to contact Litzau Excavating, Inc. to negotiate the price of the quote.

Anderson inquired if the ponds could overflow. Bowman answered that the ponds could become overfilled with lime but not overflow.

Tingley questioned if other communities do not dry the lime prior to disposing of it. Bowman was not sure of other communities. Preisler answered that he was

unaware of any local communities and stated that having the lime in slurry form does make it less desirable for removal.

10. MATTERS FROM THE FLOOR

None.

11. REPORTS

A. Administrator's Report – Tingley discussed the presented prototype lock and its associated cost from Alarm Lock for the municipal docks. He continued that this will be presented at a future Council meeting.

Tingley stated that he located the Manitou Park parking lot proposal concepts. He inquired if Council preferred to hold the public hearing regarding Manitou Park parking lot during the same Council meeting as the public hearing for the Manitou Park ballfield lights or at a different Council meeting. De La Vega noted that they are two different topics but that they may be discussed on the same day.

Tingley reminded the Council that the Enterprise Budget Work Session meeting is November 13 at 6:00 p.m.

Tingley informed the Council that Bowman has setup appointments to meet with arborists. He also explained that an opportunity to apply for a Hennepin County tree grant has been identified.

Tingley updated the Council of the status of the Welcome to Tonka Bay sign to be located in the intersection of Birch Bluff Road/Pleasant Avenue. He also passed around a photo of the sign superimposed in the right-of-way at the previously stated intersection. Tingley indicated that this topic will be presented to Council at a future council meeting.

Tingley noted that he and Jennings determined that the community meeting for speed bumps will be held on November 8 at 7:00 p.m. and letters were sent to affected residents. He continued that any feedback from the community meeting would be presented to Council.

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

C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling – Ansari remarked that Gregg Thomas will represent the City on the LMCD board and recapped her conversation with him. De La Vega suggested that Thomas present an update to the Council.

- D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks – No report.
- 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 stated that at the last SLMPD meeting the body camera policy was approved and the Chief Meehan's performance was reviewed.

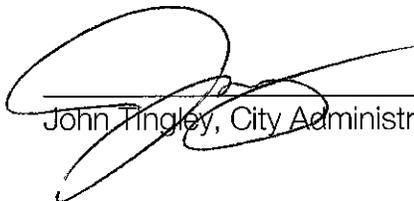
12. ADJOURNMENT

There being no further business, it was moved by Anderson to adjourn the meeting at 9:03 p.m. Jennings seconded the motion. Ayes 4. Labelle was absent Motion carried.



Gerry De La Vega, Mayor

Attest:



John Tingley, City Administrator/City Clerk

