

**City of Minnetonka Beach
REGULAR CITY COUNCIL MEETING
Monday, October 12, 2010
MINUTES**

Roll Call

Mayor Joann Anderson, Council Members: Jill Bartel, Michelle Kroll, Linn Ferguson, and Mike Taylor. Absent: Treasurer Dennis Fischer.

1. Call to Order

Mayor Joann Anderson called the meeting to order at 7:02 p.m.

2. Approve Agenda

2.1 Council Meeting Action Notes

Bartel requested the next Finance Committee meeting be added to the Council Action Notes. It is scheduled for October 19th from 4-6 p.m.

Agenda Approval

The agenda was approved as written (**Bartel motion, Taylor second; all ayes**).

3. Approve Minutes

3.1. Regular Meeting of September 13, 2010

(**Ferguson motion, Bartel second to approve the minutes as written; all ayes**).

3.2. Water Distribution System Public Hearing of September 27, 2010

(**Bartel motion, Ferguson second to approve the public hearing minutes with the correction of “Agenda” changed to “Minutes” in the title; all ayes**).

4. Open Forum

Hennepin County Commissioner Jan Callison was in attendance and she talked about the 2011 Hennepin County budget. The Commissioners have three budgets they set; the General County, the Hennepin County Regional Railroad Authority, and the Housing & Redevelopment Authority. They have been cutting their budgets. Bartel spoke about the “stark cuts” that are happening and noted the growth in numbers of people in the suburbs needing help. Commissioner Callison also spoke about the Hennepin County Medical Center (HCMC) financial status. They have closed HCMC to non-residents of Hennepin County who do not have health insurance. They were able to see those patients from other counties before state funding was cut. A new emergency communication facility is being planned for the future. The old 911 facility in Golden Valley is at capacity and she sees a new facility as a “pressing need”.

Dock Committee member Dave Rogers, 2208 Huntington Pt. Rd. E., spoke regarding the proposed increases in the dock fees for 2011. He noted the preliminary city budget shows an increase of 9% and with city reserves falling, he said he has empathy for what

Council has to do. But, he feels the increase in dock fees to offset part of the lawsuit legal fees at the Dock 11 fire lane should not happen because 58 non-riparian dock holders shouldn't have to bear the \$10,000 cost allocated to the permit holders. He said dock fees have gone up 60% from 2007 to 2010. He noted if the \$10,000 were paid by city reserves it would reduce the reserves by just 1%. He said he wouldn't want to set a precedent by paying legal fees for what happened in the past. The Dock Committee also wants the LMCD levy removed from the calculations that established dock fees because they see it as a city-wide expense.

5. Police Report

5.1 Police Report – September

Officer Steve Sturm reported it has been quiet in the city. There have been extra patrols warning and ticketing bicyclist on the Dakota Regional Trail that don't stop at stop signs. The police double up and people get warnings for the first stop sign they go through, the first officer then radios the second officer down the trail and the bicyclist is given a citation if they go through the next stop sign. Taylor asked about accidents on the trail the past weekend. He said at 3 p.m. on Saturday there was an ambulance called for one incident where there was a bicyclist down on the ground by the Lafayette Club. Officer Sturm was not familiar with what had happened. The police continue patrolling Ray Peters Park. Officer Sturm reported illegal drug use is on the rise in the western suburbs and there have been a number of marijuana busts.

5.2. Three Rivers Park District Citation Report – Boe Carlson

Boe Carlson was at the meeting in response to the Trail Safety Task Force letter dated May 20, 2010. He said regarding signage modifications and the request to take out some of the auxiliary signage along the trail in Minnetonka Beach, he hoped it could be done without having to go back through Planning. There are four or five auxiliary signs at this time in along the trail in the city. TRPD is looking at consistency for roadway crossings and they hope to have recommendations by the end of the year. Regarding stamping of the trail, they are not sure of the stamping's effectiveness in slowing people down for driveways and streets. TRPD suggests identifying a test location for a temporary speed bump, install one, and have TRPD staff observe to see if there is some success.

Regarding a redesign of the intersection to the south of the Lafayette Club's entrance and by the Margaret Dahl Library, Mr. Carlson said TRPD would be happy to partner with the City and the Club to improve the traffic flow, signage, and redesign of the intersection. TRPD would want to have the City take the lead on it, though. Bartel asked if there is a problem with the intersection and Mayor Anderson noted there have been a couple of calls over the years; residents know that intersection, but non-residents don't know the area well and are sometimes confused. Council would need to authorize costs associated with any redesign if they wanted to go forward. Bartel said she would hate to see the City spend money on it.

Mr. Carlson will get information to Administrator Griffin regarding how many patrol hours TRPD has had for enforcement on the trail. He will try to get locations, too, if the City is interested. Taylor said he would like to know what other cities are seeing along the trail corridor regarding citations and incidents as he is curious what the whole picture

looks like. Mr. Carlson said what is happening is fairly consistent to the cities to the west, almost non-existent signage infractions, but there are also fewer signs. Bartel asked about the number of citations on the Dakota Regional Trail as it relates to the other TRPD trails, and Mr. Carlson said it is very consistent with the other trails. TRPD is trying to acquire additional parking locations to meet the needs of trail users.

Mr. Carlson said they are willing to have TRPD police come out and meet with Council, staff, and the Orono police chief. Mayor Anderson suggested the meeting be held in the spring regarding what to expect for enforcement on the trail in 2011. She also would like to have the police talk about enforcement saturation days. Mayor Anderson directed staff to include in the Council Action Notes a March meeting for police officials to meet with Council regarding enforcement in 2011. Mr. Carlson said a trail winter use meeting is being scheduled and the City will be receiving notification of the meeting.

Mayor Anderson said she would like to see temporary rubberized speed bumps installed by Lake Rd. and by one of the driveways next year. Kroll said she wants to see a patrol officer schedule for the Dakota Regional Trail provided at the spring meeting. Ferguson asked about accountability for those working enforcement on the trail and if warnings issued are tracked. Mr. Carlson said just tickets get tracked through the Hennepin County dispatch system.

6. Consent Agenda

6.1. Fire Report – September

6.2. Resolution 2010-42 – Appoint Finance Committee Members

(Taylor motion, Bartel second to approve the consent agenda items; all ayes).

7. Planning and Zoning

No items.

8. Treasurer's Report

8.1. Approve Checks

(Bartel motion, Ferguson second to approve 46 checks, numbers 12445-12490 in the total amount of \$55,694.84; all ayes).

8.2. Year to Date Budget Report

Mayor Anderson compared the 2010 interest earned year-to-date of \$354.75 vs. \$11,541.42 in 2009 mainly because of interest rates going down. Taylor would like to see comparisons of gallons of water used in 2009 and 2010 since the new meters were installed. Staff will research the numbers. On 9/30/10 the amount in city reserves was \$597,816.24.

9. Old Business

9.1. Consider Approving Feasibility Report – Water Main Improvements

Council received the Feasibility Report prepared by Bonestroo for the Priority 1 East Side Minnetonka Beach Watermain Improvements, dated September 2010.

Darren Amundsen, Bonestroo, was in attendance and also presented a table memorandum which provided a summary of scenarios showing the results of a fire flow analysis. Council discussed the amount of water available for fighting fires via pumper trucks. Mr. Amundsen said from a fire flow standpoint the city needs to do Priority 1 (East Side Water Main Improvements). Priority 2 (Central Water Main Improvements) would install a 12-inch main between Northview Rd. and the water tower, and would provide more volume of water for a longer duration of time. Fire Chief Greg Pederson was in attendance and said from a fire fighting standpoint Priority 1 has to be done and Priority 2 is a “pay me now or pay me later” improvement. There is a 6-inch main along Shoreline Drive with three hydrants located on the bluff area. Chief Pedersen said those old fire hydrants are not easily accessible for fire trucks. If going to a 12-inch main along the north side of the trail and abandoning the old 6-inch main along the shoreline bluff, residents would need to hook up to the larger main with a new service line. A feasibility study would need to be completed for Priority 2 if Council wanted to move forward.

Discussion took place regarding Woodwinds Lane being a private road and whether those residents would need to be assessed for a new watermain. Mayor Anderson said the watermain is under the private road and has been a part of the city water distribution system since it was originally installed, she personally doesn't think they should have to be assessed for it.

(Taylor motion, Kroll second to approve the Bonestroo Feasibility Report for the Priority, East Side Minnetonka Beach Watermain Improvements dated September 2010; all ayes). Estimated cost for the East Side project: \$681,443.75.

9.2. Consider Authorizing Plans and Specifications for East Side Water Distribution Improvements

The next step after approval of the feasibility report would be to authorize preparation of plans and specifications. Council discussed how the schedule would be affected if the Priority 2 Central Watermain Improvements were to be approved. The project schedule for Priority 1 East Side Watermain Improvements would have Council approving plans and authorizing bids in February 2011, opening bids in March, awarding the contract in April, with construction beginning in May, and final construction completed in September 2011. **(Taylor motion, Bartel second to authorize the preparation of plans and specs for Priority 1 East Side Watermain Improvements and to authorize the Mayor, or the Mayor's designate, to negotiate the rate structure for Priority 1 plans and specs and Priority 2 plans and specs; all ayes).**

(Ferguson motion, Kroll second to authorize Bonestroo to prepare a feasibility study on Priority 2 Central Water Main improvements, not to exceed \$7,000; all ayes). The feasibility study for Priority 2 will be presented to Council in November. The Finance Committee will need to do a feasibility rate study for combined projects Priority 1 and Priority 2. Kroll volunteered to work with Bonestroo on procuring an easement on the Frecon property.

9.3. Employee Health Insurance Benefits

Ferguson prepared schedules comparing costs saved when going to a health savings account (HSA) type of plan for employee health insurance benefits. The monthly premium costs will be reduced for both the city and the employees. The Health Partners plan would be a high deductible plan where a deductible of \$2,500 would have to be met (for other than preventive care) before the plan would pay. With moving to a HSA plan, it was recommended the city contribute one half of the deductible for employees for the first year to help set up the accounts and to reduce employee out of pocket expenses. The savings to the city for the first year would be \$2,880. The city is in the LOGIS insurance pool and while Health Partners is the insurance company the city would need to go with in 2011, it could look elsewhere on its own for lower premium coverage in subsequent years. **(Bartel motion, Taylor second to approve the change to the employee health insurance benefit plan using the Health Partners Health Savings Account plan, and for 2011 the city will contribute one half of the deductible and still pay 75% of the premiums for full-time employees and 62% of the part-time city clerk's premiums; all ayes).** Administrator Griffin will make the above changes to the Employee Handbook and bring it to Council for approval.

10. New Business

10.1. Consider Park Commission Recommendation to Post Ray Peters Park "Parking by Permit Only"

Park Commission Chair Patty Rezabek reported the commission is requesting to have Ray Peters Park posted "Parking by Permit Only". She noted sometimes younger residents are not comfortable and feel intimidated by older organized groups using the hockey rink and the kids are not getting ice time. Most of the organized groups that use the hockey rink are non-residents. The Park Commission feels the easiest and most enforceable way to free up the rink would be to post it requiring a permit. Council discussed setting time restrictions for hockey rink use by groups. Someone suggested setting hours of 2 p.m. – 10 p.m. and outside of those hours the ice would be available for non-residents. Kroll noted from 4-10 p.m. is when it is more difficult for residents to use the rink and for parents to try to get to the park to pick up their children due to so many vehicles in the parking lot. Mayor Anderson suggested permit parking only except on Sunday. Another suggestion was to look at charging fees for ice use by groups. Council sent the issue back to the Park Commission regarding parking permits and fees to non-residents for hockey rink ice time.

Council discussed the warming house phone and whether or not it is being used. It is costing the city about \$60.00/month. A comment was made that most people now have cell phones, or a friend with them who does. Council directed the phone be removed from the warming house, saving over \$700/year.

11. Staff Reports

11.1. Director of Public Works

Ben Young was on vacation.

11.2. Clerk's Report

City Clerk Marilyn Regnier reminded Council that they will need to canvass the municipal election results on Wednesday, Nov. 3rd, at 9:00 a.m.

11.2.1. Outside Lighting on Accessible Walkway at City Hall

The accessible walkway has some areas that are too dark at night making it a safety issue. Staff has been researching low voltage pathway lighting for the area. Also to help with safety, motion detected lighting needs to be installed on the southeast corner of city hall because the other motion detected lights on the building do not come on when the building is approached from the accessible walkway. Mayor Anderson had also recommended low voltage lighting be installed for the front steps leading to the building. Not all of the lighting costs were known at this meeting, but the electrician's cost for installing the motion detected lighting on the building would be about \$200.00. It was recommended to go ahead with that portion of the lighting project. Council agreed and directed that the electrician should soon install the motion detected lighting. Staff will bring back in November the final proposed costs for low voltage lighting for Council to consider.

11.3. Administrator's Report

11.3.1. Proposal to hire new bank reconciliation person

City Administrator Susanne Griffin reported the city currently pays \$85.00/hr. for All in One Accounting to do the monthly bank reconciliations. She is recommending hiring instead Lynette Rohde, at \$30/hr., who has a degree in accounting and has over twenty years of accounting field experience. She is also a friend of Administrator Griffin's. A contract for accounting services would need to be prepared, which would include the clause that services could be terminated without notice. Mayor Anderson said because of Administrator Griffin's association with Lynette Rohde, she spoke with the city attorney's office and their comment was should the city want to terminate the contract with Ms. Rohde for any reason it was hoped this would not cause a problem with Susanne's association with her. Council approved via consensus to make the change and the city will give All in One Accounting a one month's cancellation notice and have a contract for Lynette Rohde at the November Council meeting.

11.3.2. Yard Waste Sticker Sales proposal

Administrator Griffin reported that yard waste is picked up by Allied Waste in compostable bags. It is a requirement by Hennepin County that yard waste no longer be mixed in with the trash. Currently residents must call Allied to schedule a pickup of their yard waste bags and they have to give their credit card number as \$1.50/bag is charged to their card. There have been several complaints by residents about having to give their credit card number for just one or two bags. She has spoken with Allied about setting up a program to sell yard waste bag stickers at city hall. Allied would prepare the stickers and sell them to the city, and residents could stop by city hall and buy the amount of stickers they needed at \$1.50/bag. Residents would still need to call Allied to schedule a pickup. Pickup of the stickered bags would be scheduled on the city's regular trash pickup day (Fridays), but pickup of these bags requires a separate Allied truck to be sent out. She would put the program in motion unless Council members were opposed. Council gave the go ahead and the Beachcomber will advertise the new program.

The new lighting inside city hall, paid for by a grant, has already started saving on the city's lighting bill. The city has saved \$58.58 when comparing the past month's electric bill over the same time last year.

The city received a letter from the Metropolitan Council, dated September 17, 2010, regarding their Inflow and Infiltration (I&I) program. Minnetonka Beach did not have any excess in I & I this past year due to the reduction program the city has undertaken to comply with the Metropolitan Council's requirements.

12. Council Reports

12.1. Mayor's Report

Mayor Anderson reported the Finance Committee held their first meeting. They will probably be meeting every couple of weeks, with the next meeting to be held on October 19th from 4-6 p.m. They want to look at the budget and Bruce Kimmel, Ehlers, Inc., will provide information on the types of funding available. Tiered water rates are being discussed, but it was noted the city would need to be careful not to penalize people for having large families if setting up tiered water rates.

Mayor Anderson requested staff provide a copy to Council of the League of Minnesota Cities (LMC) document titled "Alternative Revenues".

12.2. Council Liaison Reports

Bartel said the Planning Commission did not meet because they didn't have a quorum. She attended the Orono City Council meeting last night regarding the Crystal Bay Rd. resident's petition for a cul-de-sac. In the end, Mayor White said there is no money for a feasibility study and he recommended the residents come up with a less expensive way to reduce traffic on the road. They set up a task force of Orono staff, residents, police, fire, and a Minnetonka Beach person. Jill Bartel will be on their task force as the representative from the Beach.

Ferguson reported on the September 30th Dock Committee meeting and said a lot of the discussion was regarding the proposed raise in dock fees to cover legal fees. The Dock Committee feels the fees shouldn't be applied because they feel the recent lawsuit over the fire lane/dock 11 is a land use issue and should be spread city-wide. They feel dock fees should be sustaining, but shouldn't be money making. Also, the LMCD budget levy is currently paid by dock fees and they believe that amount should also be a city-wide expense.

13. Adjournment

(Ferguson motion, Bartel second to adjourn the meeting at 11:55 p.m.; all ayes).

Public Present:

Dave Rogers, Police Officer Steve Strum, Patty Rezabek and Fire Chief Greg Pederson.

Note: The above list is not a complete list as not everyone signed in.

Staff Present:

City Administrator Susanne Griffin and City Clerk Marilyn Regnier. Minutes recorded by City Clerk Regnier.