

City of Minnetonka Beach
REGULAR CITY COUNCIL MEETING
Monday, November 8, 2010
MINUTES

Roll Call

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

1. Call to Order

Mayor Joann Anderson called the Regular City Council meeting to order at 7:13 p.m. after the Canvassing of Election Results.

2. Approve Agenda

2.1 Council Meeting Action Notes

No comments were made regarding the Action Notes.

Approve Agenda

Council received an amended agenda which included New Business Item 10.1. LMCD Request to Sponsor Legislation in Support of Enforcement of Existing State Aquatic Invasive Species laws. **(Bartel motion, Taylor second to approve the amended agenda as written; all ayes).**

3. Approve Minutes

3.1. Regular Meeting of October 12, 2010

(Ferguson motion, Bartel second to approve the minutes of October 12, 2010 as written; all ayes).

4. Open Forum

No one chose to speak.

5. Police Report

5.1 Report – October

Sergeant Tony Wittke reported the city has been really quiet; only 16 activity calls during October. There haven't been any parking issues. He clarified that the police watch the Dakota Regional Trail but do not patrol up and down it. There have been no complaints regarding the trail since the summer. He said the police report includes the usual, traffic stops and alarms. Kroll asked if the policing districts would be altered due to the loss of Long Lake policing and Sergeant Wittke reported they would remain the same.

6. Consent Agenda

6.1. Fire Report – October

6.2. Resolution 2010-43 – Park Commission Appointment- Kevin Decker

6.3. Resolution 2010-44 – Winter Snow Plow Agreements

6.4. Resolution 2010-45 – Annual Tornado Siren Maintenance Contract

6.5. Resolution 2010-46 – Accept Results of November 2, 2010 City Election

6.6. Resolution 2010-47 – Lynette M. Rohde Agreement for accounting services

6.7. Resolution 2010-50 – Planning Commission Appointment – Jeff Ziebarth (Bartel motion, Ferguson second to approve the consent agenda items; all ayes).

7. Treasurer's Report

Treasurer Dennis Fischer recommended approval of the checks.

7.1 Approve Checks

(Ferguson motion, Bartel second to approve 47 checks, numbers 12491-12537, in the total amount of \$47,358.69; all ayes).

7.2. Year to Date Budget Report

Taylor asked what was in account 2354-Projects in the amount of \$2,500. Administrator Griffin will research it and report back. There was a question regarding \$1,490 in account 2532-Dock Supplies. Administrator Griffin reported it was for repairing the walkway and stairway to docks by the Arcola bridge which were damaged by a hit and run vehicle. The amount in the city reserves 4M Fund as of 10/31/10 was \$532,823.83.

7.3. Recommendation from Finance Committee on Financing Water Improvements

Treasurer Fischer said the Finance Committee is recommending a finance methodology Council can consider for the proposed water improvements, bond refinancing, and funding a part of the capital improvements. He said sentiments that came out of the public hearing held on September 27th were that Council should look at the feasibility of also doing the Priority 2 Central Connector Section. The Finance Committee recommends using a combination of bonds. The financing would shift over time from a 50/50 split of tax levy and water revenues to more of a water revenue based repayment, which would raise water rates.

Bruce Kimmel, Ehlers, reported the Finance Committee looked at a three part financing plan which would be rolled into a joint bond issue including refunding of existing 2002 bonds for interest cost savings, the new financing of the east side and central connect water improvement projects, and funding of capital improvements of \$66,000 for street repairs and a new public works truck. The water improvements would use an increasing amount of water revenues to pay back the debt service, but cushion the short and immediate impact on water rates by using tax abatement. Tax abatement is directing a portion of the annual levy specifically towards debt service. A public hearing would need to be held. With the tax abatement in place it would allow for the water rates to go up gradually and after 15 years all the debt service would transition to water revenues and out of property tax payments. The funding of the capital improvements would take out \$66,000 from the 2011 budget and be financed over a six year timeframe.

Estimated financial impacts will be seen more clearly after a water rate study is completed and construction bids are known. Finance Committee Co-Chair Mike Bloom commented regarding the financing model that is recommended. He noted the representation that if water rates in the future were insufficient, we could still fall back to property taxes if there were a shortfall. By 2024, water revenues will be paying the debt, instead of part being paid by property taxes and part by water revenues.

The estimated costs have many variables depending on the decision on which projects to fund, construction costs, and outcome of a utility water rate study. The estimated total annual impact increase on a \$500,000 home would range from \$420 in 2012 to a high of \$526 in 2027, and depending upon amount of water use by homeowner. Mike Taylor said the bonds would be financed through 2030.

The Finance Committee will be meeting again in January 2011. A water rate study would be done in 2011. Regarding a timeline, the city will want to apply for the bond in February and sell the bonds in April in order to have the bond proceeds in May.

8. Planning and Zoning

8.1. Resolution 2010-48 – Adopting Ordinance No. 72 Protection and Enhancement of Solar Access

Planning and Zoning Administrator Dick Krier presented his letter/report and stated the ordinance came about because of the State's mandate that solar access protection be a part of comprehensive plans for communities and that each community conforms to its comprehensive plan. The Planning Commission worked on the ordinance beginning in October of 2009, has held a public hearing on the proposed ordinance, and is recommending that Council adopt the new ordinance that sets standards so the property north of a "to be built" structure or an expanded home will continue to have access to solar energy by requiring additional north setbacks. The Planning Commission requested that the ordinance would apply to new or remodeled structures, would protect solar access on adjacent properties, is similar to what other cities are doing, protects aesthetics, limits solar devices to those attached to a building's roof or are an integral part of the building's structure, and allows free standing solar devices on docks (the LMCD's jurisdiction). The maximum height of each point on a new or remodeled structure's roof, including new vegetation, would be limited so that it would not cast a shadow on the roof of a northerly lot's existing home or on the buildable area of an adjoining northerly lot measured with specifications including time and date. A shadow study may be required to show the effect of the proposed new structure on the northerly neighbor. It was noted with the other lake area communities there are some informal access pieces, but no formal ordinance adopted.

Mayor Anderson said she understands that we are setting the setbacks so that people who want to have solar energy can do so. Taylor asked how many homes would be impacted by the ordinance and City Planner Krier said about 50% of the houses would have some type of shadow case, but it would only have an impact in extreme cases. He thought the most critical area would be on Cottage Lane because of narrow lots and he ran an analysis based on 5 foot, 10 foot and 20 foot setbacks. Solar access is protected for the

primary building (home) and the access is only protected above the 28 foot solar plain. The ordinance wouldn't have an impact on an 8-foot setback, single story lot.

Park Commission Chair Patty Rezabek asked if it would have an impact regarding tree planting. City Planner Krier said existing plantings are protected, but new vegetation related to new housing would be prohibited from being planted if mature height would fall within the ordinance specifications.

Alain Frecon was concerned the city would regulate too much and wondered how the ordinance would be enforced and whether trees might have to be cut down. City Planner Krier said existing planting is exempt. Mr. Frecon also wanted to know if the ordinance would include protection of satellite communication and the Internet. City Planner Krier said it does not cover satellites; they have standards set in the Accessory Use ordinance.

City Planner Krier said generally a shadow study would not have to be done, but would need to be completed if there is something unique about the house. He said he would be able to do a shadow study in an hour. Any home 30 feet or less in height would not be affected by this ordinance. Taylor said he is concerned that it would impact 50% of the homes and Krier noted that is because 50% of the homes face east/west and 50% north/south.

Mayor Anderson said she wanted further analysis. Kroll said she would like to have more time to study the ordinance before adoption. Bartel said she would also like more time to read and understand it and didn't feel comfortable adopting it at this time. Mayor Anderson said she doesn't understand the effect of the ordinance regarding a home remodel where there would be a 40 foot high wall. Council felt the ordinance needs clarification on what is and what is not impacted. One example, would vegetation replacement be impacted when a fire or windstorm has taken the vegetation down? Council tabled the ordinance until January.

8.2. Resolution 2010-49 Authorizing Summary Publication of Ordinance No. 72

This was not addressed due to the proposed ordinance being tabled.

8.3. Work in Public Right of Way – Tree Removal – 2209 Huntington Point Rd. E.

Planning and Zoning Administrator Krier reported John and Aedie McEvoy, 2209 Huntington Point Rd. E., are requesting to remove two Green Ash trees in the public road right-of-way by their driveway. One of the trees interferes with their new driveway and they want to replace the other one to match it. The proposed replacement trees are Ulmus Accolade Elms which have the appearance of an American elm. It has been found that the replacement trees have survived epidemics of Dutch Elm disease in the Chicago area, but two Morten elms included in trials at the University of Minnesota were found to have Dutch Elm disease in 2004. Only one of those trees appears to have recovered completely. The homeowners will need to guarantee the trees for two years. Given the University of Minnesota study, Krier has asked the owners to consider an alternative species for this location and the city has provided an approved tree list to the McEvoy's landscape architect. **(Taylor motion, Bartel second to grant permission to the**

McEvoy's, 2209 Huntington Point Rd. E., to remove two ash trees from the public road right-of-way and replace them with a different species to be selected from the city approved list; all ayes).

9. Old Business

9.1. Dock Committee Recommendation Regarding 2011 Dock Fees

Mayor Anderson said at the September Council meeting the preliminary budget was set for 2011 with the dock fees covering \$10,000 of the \$40,000 remaining payment of the legal fees pertaining to Dock Site 11. The Dock Committee was opposed to a fee increase and was asked to come back in November to give their recommendation on the dock fees.

Dock Committee Co-Chair Lee Goehring stated the Dock Committee requests a freeze in the dock fees at the 2010 level. He said since 2007 the fees have gone from \$95.00 to \$600.00. He commented they found in the dock's budget the \$6,167 LMCD levy which he feels was "buried" in the dock fees. He noted the LMCD levy is calculated based on number of residents and is related to aquatic species and shouldn't be paid by just the 58 dock permit holders. Regarding the \$10,000 recovery of Dock Site 11 legal fees, they don't want to set a precedent of having 58 dock holders pay legal fees. He said the fee increase is a huge increase, and that our dock permit holders pay more than other cities. He provided a chart showing dock fee comparisons with other communities, and it showed Minnetonka Beach as having higher fees.

Taylor commented the City of Mound was the only other city where they just provide dock space for some of their docks; the other cities provide the docks. Bartel said the City of Minnetonka, while listed with no municipal docks available, does have dock leasing of 29 docks, at \$3,000/year, no canopies allowed. Mayor Anderson commented other cities have a waiting list, so she felt there should be some value because our city doesn't have one. She noted in a meeting with four other mayors when discussing docks, the City of Greenwood's dock fees will be going up to \$950. It was noted Minnetrista dock fees are higher than ours.

Scott King said he recently purchased a home in Minnetonka Beach because of the dock "rights" that his realtor told him. He said his house was appraised at \$75,000 more because of dock "rights". He thought trying to compare whether a city has a dock waiting list doesn't count. Bartel said it is a misnomer when realtors sell homes saying "dock rights" because a dock doesn't come with every home; there are opportunities to have access to a dock, but no dock "rights".

Dock Committee Co-Chair Ward Myers thought there is already \$5,000 in the dock fees relating to legal fees for Dock 11 which has been built in for the last three years. He also said docks need to pay for themselves and be self-sufficient. Lee Goehring said as Dave Rogers had previously pointed out to Council, they feel the Dock 11/fire lane issue was a land use issue, not a dock issue.

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Laura Inglis said in Minnetonka Beach it is known that every resident can have water access; it is not necessarily an entitlement, you may have to wait for a dock. She said it was very smart for Council to protect land rights for docks. She wanted to know when the philosophy changed for docks to become a profit center instead of just paying for itself.

LMCD Rep. Dennis Klohs said his understanding was the Dock 11 issue was a land dispute issue not a lake access issue, which was a general city expense not a dock specific expense. Mayor Anderson disagreed and said it was a dock expense because when our city asked the LMCD if we were to make a settlement for less than 50 feet, could we still maintain the two docks there and the LMCD said they could not guarantee it. Taylor said he was told by our attorney the judge could have changed the 50 feet because it was not protected footage. Mayor Anderson said we were fighting to protect dock space; if we did lose, the LMCD could reconfigure and then we could lose more than just Dock Site 11. Mayor Anderson said the precedent was set in 1998 when the settlement on the Goodman lawsuit on Dock 11 cost the city \$48,000 and the dock fees were raised from \$30.00 to \$95.00 to cover legal fees.

Jack Foss thinks in the 1970's when the city gave lakeshore away along Lafayette Rd., it is what got us into the predicament we have today. He said he thinks the city is taking advantage of the dock permit holders by making them pay for other fees that the total city should be paying.

Kelly Boyle talked about increased fees and wanted Council to be careful with setting a precedent over how long to recover legal fees when looking at a significant increase.

Mayor Anderson said we are not sure we are recovering 100% of costs with dock fees. Staff will be keeping track of their time beginning in 2011 so we get a better handle on what it is actually costing. She said regarding fees, there is nothing wrong with making a profit, other cities do. She said her personal feeling is that we are not out of bounds regarding fees. Laura Inglis said she thinks it is wrong, and that it wasn't fair.

Lee Goehring said it was disconcerting that the Dock Committee didn't have enough time to look at the proposed increases; they received word of it the day that it was going to Council in September.

Kelly Boyle said the mission of the Dock Committee was to make the docks self-funding and she is concerned the philosophy has changed from dock fees being self-sustaining to profit making for the city. Mayor Anderson said the Dock Committee's mission was to look at the dock ordinance and to establish procedures to implement the ordinance. It was recommended that Council review the dock ordinance and establish procedures.

Dan Sundell asked whether there were other fees such as park fees or highway fees that, although benefiting the entire city, are assessed only to a specific group. His second point was on economics regarding waiting lists, he said if you have too much demand you raise the rates, but the city is raising fees when not all sites are rented. He said

thirdly, if the dock fees are a profit center he questioned how fair it is when none of the Council members are dock permit holders. Mike Bloom said some precedent was set when the Dakota Rail was purchased and threatened to cut off access of Northview Rd. and owners had to pay as a separate group even though residents city-wide could use the road. He thought his share was a one time fee of \$8,000.

Mayor Anderson said it bothers her a lot that the issue has become so divisive, she never intended that this would be so and feels badly. She noted they are looking at the 2011 city budget very closely, of the remaining \$40,000 in lawsuit legal fees to be paid, \$30,000 would be paid city-wide on property taxes, and \$10,000 by dock fees. She feels it is a fair dock fee increase. She thinks they need to take a look at the \$6,000 LMCD levy fee and it should be spread city-wide. After talking with other cities, she still thinks it is a fair dock fee.

Patty Rezabek said the Park Commission came with a support recommendation for the Dock Committee's stance, they felt it wasn't fair the LMCD levy be paid by the dock permit holders given the fact that part of the LMCD fee was a general lakes issue and given the percentage of dock increases over time. She said she appreciated that the city protected the city land. She thinks there are other ways in recouping the legal fees without raising the dock fees. She sees it as parkland and there are other ways to recoup the fees without raising the dock fees, such as take it out of the Parks budget.

Taylor said sitting through all the Council meetings regarding the lawsuit this was about nothing other than protecting docks; the city was fighting for the right to put docks there. He said trying to establish that it was a land issue instead of about docks is a true misconception.

Alain Frecon said as a riparian home owner he pays property taxes on number of feet of lakeshore owned and non-riparian's don't. He commented when Council says we want to fight for land so we can preserve it for dock permits, you have to balance it. Riparian homeowners are paying for the lion's share, but we as citizens need to help the best we can.

Mike Bloom said he can understand trying to cover expenses and trying to recoup the legal fees, but recommends Council state its objectives; if there is something else, define what it is. Taylor said we need to decide on a philosophy basis we agree on for setting fees.

Amy Johnson asked if dock holders pay off the \$10,000, can fees be reduced or would the fees remain the same? If not reduced, she wanted to know how the extra profit generated would be used. She clarified previous points she made regarding looking at city systems and amount of staff time pertaining to docks.

Bartel said she is going to contact other communities to see if they are just covering costs or if they are establishing the fees by charging for value. She said there is value to where you have your docks, especially at the swimming beach. She noted the docks are

affecting the whole community, by having docks at the swimming beach they affect the view of the lake. She feels there is more to it than the dollars; there is a value where you have your docks, especially at the swimming beach.

Kroll said she feels strongly that she doesn't want it to be a lakeshore vs. non-lakeshore owner issue. She also thinks the LMCD levy fee should be spread out to all residents. She feels the legal fees would be a separate issue. She commented that looking at fair value for dock fees and looking at other cities is a good start. She would like it to be more peaceful amongst everyone and not divisive, and she appreciated what everyone had to say.

Ferguson talked about addressing the whole issue of fees and possibly shifting from what it has been in the past where property taxes have paid for a portion of fees. He said Council is trying to keep taxes down and yet maintain the city services as it has been. Kroll noted Council is looking at other fees and not just docks. Taylor talked about other fees such as for garbage and water which are paid by property taxes and fees.

Bartel wondered about opening up slips to nonresidents, but it was noted that all the slips left are the smaller size for wave runners.

Mayor Anderson thanked the group for attending and said Council will be finalizing the budget in Dec. She noted the \$6,000 for the LMCD levy is probably going to come out of the dock fee expenses and paid by property taxes. December 6th is the Truth in Taxation Hearing where Council will be going through the 2011 budget and making any changes, and on Dec. 13th the 2011 budget will be approved, which is what the property tax levy will be based on.

9.2. Consider Approving Feasibility Report – Water Main Improvements, Priority Two, Central Area

Darren Amundsen, Bonestroo engineer, presented the Feasibility Report for the Priority 2 Central Connection 12-Inch Watermain. The proposed watermain would extend from the water tower at the public works facility on Woodbridge Road to the east of the intersection of Westwood Road and Northview Road (near the Margaret Dahl Library).. The 12-inch water main project was broken into three segments; Segment A would replace an 8-inch water main from Northview Rd. to Woodbridge Rd. along Westwood Rd. and the Dakota Regional Trail alignment. Segment B is new water main along the trail and Arcola Lane between the Woodbridge Rd. crossing, and it requires homeowners to relocate their water service from the bluff area; and Segment C would replace the 8-inch water main on Woodbridge Rd. from Arcola Lane to near the water tower. There would be easements needed primarily from the Hennepin County Regional Rail Authority.

Mr. Amundsen said one benefit for doing the project would be better access to hydrants. He said he wanted to make it clear that from an engineering flow analysis standpoint, as long as the Orono connect is possible, the 12-inch connection is not absolutely necessary to maintain 500 gal per minute fire flows, but Segments A & C are 8-inch water mains

and they are old pipes which will eventually need to be replaced. Without that connection open, the 12-inch connection is very important to get water from the tower on the east side to the west side, but the Orono connection is on the west side so that is pushing water and it can come from both sides. The logistical, construction costs and funding benefits of constructing these improvements with the East Side water improvements are advantages for doing the project now. Segment B solves a potential problem because it is providing better access to hydrants, which currently comes from on top of the bluff and access for fire fighting and repair is difficult. The new line would place water services and hydrants near Arcola Lane. This Segment B could be done without doing the other parts A and C. City Planner Krier said without the upgrade to the 12-inch main, the Lafayette Club can't do any more improvements. It was noted the pressure flow in the system is set by the height of the water tower. Public Works Director Ben Young recommended doing the whole package for the reasons given and because the 12-inch water main would be the backbone to the water system. Total estimated costs for doing the three segments; A, B and C are \$659,400. **(Taylor motion, Bartel second to accept the feasibility report for the Priority 2 Central Area Connection 12-Inch Watermain as submitted; all ayes).**

9.3. Consider Authorizing Plans and Specifications for Water Distribution Improvements, Priority Two, Central Area

The proposed project schedule for Priority 2 Central Area would be on November 8th (this meeting) Council would approve the feasibility report and authorizes plans and specifications, Feb. 2011 Council approves plans and authorizes bidding, March 2011 Open Bids, April 2011 Awarding contract, May 2011 Construction begins, August 2011 project is substantially completed, and September 2011 for final completion of the construction projects.

City Planner Dick Krier suggested the authorizing of plans and specs be subject to the contract being presented to Council so that it gives Bonestroo the authority to prepare the contract in phases. One concern was regarding the unknown soil conditions which would be found during a Priority 2 Environmental Analysis. Krier recommended Council authorize the Priority 2 soil sample analysis at this meeting so Council would be made aware early on if there were any soils contaminate problems. Council would want to get the soil test back before signing the contract for plans and specifications. This would move the authorizing of plans and specs to the December Council meeting. It was suggested that Hennepin County may have already done soil testing for the footings on their bridges and the City should try to get a hold of those soil test results.

(Taylor motion, Bartel second to authorize a Phase 2-Central Area Environmental Analysis; all ayes). (Taylor motion, Bartel second amendment to the first motion that the Priority 2 environmental analysis be subject to approval of the cost of the soil borings by the Mayor; all ayes). Darren Amundsen will get costs as soon as possible for the environmental analysis to Mayor Anderson; he thought a ballpark number would be \$4,000-\$6,000 for the soils tests, dependent upon how many soil samples are taken. City Planner Krier said a general rule of thumb for the cost of soil

borings is usually \$1,500/soil boring. Mr. Amundsen said Bonestroo will come back with a contract for the cost of the soil samples and, if the Mayor approves the contract costs, he hopes to have the soil boring results back as soon as possible, but by the December 13th meeting at the latest. Mayor Anderson said based upon the results of the soil samples, if they decide not to go forward the city would need to eat those costs. If they decide to go ahead with the project, the costs would be part of the bonding project.

Alain Frecon had questions regarding water flow, replacing all the piping vs. a patching type of project. He thinks it makes sense to replace all the water mains on the east side with 8-inch mains vs. doing the patchwork connections that are being recommended. It was noted the city looked at the cost for total water main replacement and found it to be cost prohibited, costing 10 to 20 times more. When asked why not put a 12-inch water main throughout, Mr. Amundsen noted the smaller water mains will keep the water flowing faster, which helps clean sediment from the system. Mr. Amundsen said the piece meal project gets the minimum fire flow of 500 gal per minutes to the fire hydrants on the east side, which the fire department is recommending. It was pointed out that water quality is not guaranteed with the project nor is the water flow pressure to homes. Mr. Frecon also talked about the cost of the project to homeowner's property taxes which would rise.

Council has held two study sessions and one public hearing on the east side water improvements. Council discussed holding a public hearing on the Priority 2-Central Area improvements and decided they would hold it on December 13th at the regularly scheduled Council meeting. Information about the proposed water projects have been in the Beachcomber newsletters. It was recommended that letters go out to all the homeowners because even though information has been given out, they may not be aware their property taxes could go up.

Bartel asked if there was Council consensus on going forward with the Priority 2-Central Area. Taylor said they would be having another public hearing to get more community input before Council makes a final decision whether to go forward. **(Taylor motion, Bartel second to authorize the Mayor to negotiate a contract with Bonestroo for Priority 2-Central Area water improvements; all ayes)**. If going forward, the authorizing of plans and specs would be at the December 13th meeting.

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

Park Commission Chair Patty Rezabek reported the commissioners had already discussed a number of options relating to use of the ice rink. They wanted to keep the rules consistent regarding parking and to just start with posting "Parking by Permit Only" at Ray Peters Park. They discussed charging fees and time limits and they basically feel the issue is enforcement. No temporary parking permits would be issued. Staff needs to come back with an ordinance amendment because the ordinance currently lists parking by permit only on Lafayette Rd. by the swimming beach. **(Bartel motion, Taylor second to direct to staff to bring back an amendment to the parking ordinance regarding**

parking by permit only; all ayes). Once the signs are posted at Ray Peters Park the police will need to be notified so they can enforce the parking by permit only regulation.

10. New Business

10.1. LMCD Request to Sponsor Legislation in Support of Enforcement of Existing State Aquatic Invasive Species (AIS) laws

In September the LMCD adopted a resolution to emphasize local enforcement of existing State laws regarding Aquatic Invasive Species (AIS). The LMCD's AIS Task Force recommends increased enforcement by local law enforcement agencies to minimize the spread of AIS from Lake Minnetonka. The recommendation provides for 100% of the revenue generated from AIS fines to be captured by the local law enforcement agency issuing the citation. LMCD Rep. Dennis Klohs said he doesn't know if local police have been contacted regarding the proposed policing. He recommended Council table the topic until more information can be provided. It was tabled until possibly December. Rep. Klohs will request when to have it back on the agenda.

Discussion took place regarding harvesting of milfoil. Bartel is concerned that the harvesting spreads the milfoil. Rep. Klohs said the harvesting is done for navigation of the lake and Bartel commented people don't understand that. Klohs noted milfoil is known as being a great garden fertilizer. He also said the lake will get clearer because the zebra mussels that are now here.

11. Staff Reports

11.1. Director of Public Works

Ben Young reported:

He has started the fall leaf pick up.

There have been a couple of complaints regarding rusty colored water.

He reported the Lake Rd. lift station alarm went off last week because of a loss of electricity. A dead squirrel was found at the top of one of the poles which caused the power outage. Neighbors heard the audible alarm and called city hall.

11.2. Clerk's Report

City Clerk Marilyn Regnier reported:

The outdoor lighting proposals for city hall will be coming back to Council once all the costs have been received.

11.3. Administrator's Report

City Administrator Susanne Griffin reported:

No report.

Planning and Zoning Administrator Dick Krier reported one large building permit has been issued for a new home for the McEvoy's at 2209 Huntington Pt. Rd. E. The two boats stored in yards which Council directed removed at 3136 Brooks Lane (Foss) and 3010 Westwood Rd. (Koehler) have been removed. Two garages are being rebuilt at 3142 Brooks Lane (Raduenz) and 3148 Brooks Lane (McCann).

12. Council Reports

12.1. Mayor's Report

Mayor Anderson reported she attended a mayor's meeting with six other lake area mayors.

12.2. Council Liaison Reports

Bartel said the Planning Commission is working on the side setbacks ordinance.

13. Adjournment

(Taylor motion, Bartel second to adjourn the meeting at 12:03 a.m.; all ayes).

Public Present:

Alain Frecon, Ward Myers, Lee Goehring, Jim & Carole Knudsen, Jim Haag, Dan Sundell, Scott King, Laura Inglis, Amy Melin, Dennis Klohs, Patty Rezabek Serene Warren, Mike Bloom, Tracy O'Connor, Kelley Boyle, Amy Johnson, Darren Amundsen and Jack Foss

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

Staff Present:

City Administrator Susanne Griffin, City Clerk Marilyn Regnier, Public Works Director Ben Young and Planning & Zoning Administrator Dick Krier. Minutes recorded by City Clerk Regnier.