

**Monday, January 10, 2022 6:00 PM**  
**CITY OF MINNETONKA BEACH**  
**CITY COUNCIL MEETING MINUTES**

**Roll Call:** Mayor Jaci Lindstrom; Council Members: Susan Enlow, Steve Howarth, Vibhu Sharma and Treasurer Chris Zinn. Absent: Tracey Breazeale

**Staff Present:** City Administrator Heidi Honey by phone due to illness, City Clerk Jane Burgess, City Engineer Alan Offerman, Ryan Capelle - Stantec

**Guests:** Senator David Osmek

**1. Mayor Lindstrom called the meeting to order at 6:02 p.m. Lindstrom encouraged masking as COVID-19 case numbers have increased.**

**2. Sharma led the Pledge of Allegiance**

**3. Approve Amended Agenda for the January 10, 2022 City Council Meeting.**

Enlow noted that numbering of last three items was wrong on Consent agenda. Should be 10.10 – 10.12 not 11.10 – 11.12. Also item 10.10 as corrected should be Amending and Restating Resolution 2021-67 not 2021-08. Burgess will revise as noted.

**Howarth motion, Sharma second to approve the amended agenda. All ayes, the motion carried.**

**4. Approve Minutes –**

4.1. Truth in Taxation Meeting of December 6 and December 13, 2021

**Enlow motion, Sharma second to approve the December 6, 2021 Truth in Taxation meeting minutes. Enlow aye, Sharma aye. Howarth abstained as absent. The motion carried.**

**Enlow motion, Sharma second to approve the December 13, 2021 Truth in Taxation meeting minutes. All ayes, the motion carried.**

4.2. Regular Meeting Minutes of December 13, 2021

Enlow stated that Item 7.2, 3<sup>rd</sup> paragraph should say that Planning Commission Chair Jeff Breazeale stated that for the variance request for 3034 Northview Rd it should say the homeowner is reducing hardcover not square footage.

Lindstrom requested that more conclusive detail for the variance approval of item 7.1 at 3132 Northview Rd should be added. Burgess will add all the Conditions of Approval and Findings of Fact for Approval from the approved Resolutions 2021 – 62 to the minutes. Howarth agreed.

**Howarth motion, Sharma second to approve the Amended December 13, 2021, Regular City Council meeting minutes. All ayes, the motion carried.**

**5. Police Report**

Sgt. Sonnek reported that Minnetonka Beach had five police calls in December for alarms, three vehicle crashes and a house fire at 2933 Westwood Rd. He stated Orono PD hired a new mental health worker, but that person quit right away so they are looking for another person to fill that position.

Lindstrom thanked Sonnek for everything the Orono PD did in responding to the Westwood Rd. fire and after the fire with their support in protecting the home from theft. Howarth asked if there is still an arson investigation going on with the fire incident and Sonnek said they are still working on it and that was not decided yet.

## 6. Guests

### 6.1. Senator David Osmek

Senator Osmek representing District 33 has served in the MN Senate since 2013. He also drives school bus for Mound Westonka Schools. He spoke about his disappointment in the last session and could not support many of the bills presented. He did support the transportation bill – not light rail but rapid bus transit. He said Deephaven has had recent car jackings and offenders are released from jail quickly which is not good as they are often repeat offenders. He said he did not support the Rondo Land Bridge over I-94 near the state Capitol. His opinion is that this bridge and land will turn into a homeless encampment with an actual cost of \$1 Billion. Osmek said his bill passed in session that helps prepare prisoners for release by providing them with job search support, a photo ID, social security card, prescriptions if needed, all ahead of release. This may prevent reoffending and he said he wants to make every taxpayer contribute to society. He said the hot topics for the next session will be unemployment tax and what to do with the state's \$7 billion surplus.

Lindstrom asked Osmek for his support for the City's water treatment plant replacement funding initiative. He said that he is supporting the health and safety of Mound residents' water. He said that Kelly Morrison has been unresponsive to him in collaborating with her efforts in supporting Minnetonka Beach.

Howarth praised Osmek for his inmate release preparation initiative, but re-emphasized Lindstrom's ask for his support for the water treatment plant replacement funding. Osmek suggested PFA loans and Zinn responded with a summary of the over \$3 million the City has invested in infrastructure including a new water tower and watermain projects. Tax assessments to residents for a new water treatment plant would equal approximately \$1300 per person household each year for 20 years.

## 7. State of the City – Mayor Lindstrom

Mayor Lindstrom presented a PowerPoint with her State of the City Address

Her highlights from 2021 included a return to in-person City meetings during the Covid-19 Pandemic. The City received \$31,747 in American Rescue Plan Act (ARPA) funding with an equal match to be received in 2022. City Hall operations increased from 62 resolutions adopted in 2020 to 71 in 2021 and building permits valued at \$7.7 million were issued. Two new playgrounds were installed, one donated by LivingstonStrong, and 80% of the City's 5 Year Plan was completed in just two years.

Lindstrom's presentation listed all the of the many projects completed the by Park Commission from numerous restoration projects to the awarding of a Hennepin County Tree Canopy Grant, to the Be a Villager's Adopt a Park initiative. The City's 92 year old water tower was replaced and the Brooks Ln/Westwood Rd watermain Improvement Project was completed.

Lindstrom was proud to announce the City retained its AAA municipal bond rating, and the 2012A Bond was refunded which went towards the Brooks/Westwood watermain project with a low 1.25% interest rate. She reported that the City's reserves remain strong. Property values increased to \$404.5 million and the City's property tax increase for 2022 is only 2.8%.

Goals and objectives in Lindstrom's presentation for 2022 include strategic short and long-term planning, efficient and cost-effective improvement and enhancement of City services and operations, with focus on

maintenance and improvement of City assets and infrastructure. The historic accomplishments of the Park Commission in 2021 enabled them to “think big” with ambitious goals for parks and woodlands.

Lindstrom said the City will continue to plan for aging City infrastructure with replacement of the water treatment plant, 85-year old 4 inch water mains, and obtain funding to do so. Pavement Management programs will be planned for as well.

Financial goals include: fiscal responsibility, a balanced budget, and strong reserves to ensure excellent financial health. A transition to fund accounting will occur, a future utility rate study may happen in 2023, and Lindstrom will continue to have as a goal continued low as possible property tax increases.

A strong sense of community is important to Lindstrom and the City will sustain and expand resident activities including the Be a Villager initiative and increasing involvement of Junior Civic. Lindstrom concluded her State of the City by thanking City Staff, City Council, Committee Members and Volunteers.

Howarth praised Lindstrom for the water tower project.

**8. Open Forum** – Opened and Closed at 6:52 pm.

**9. Old Business**–

9.1. Water Treatment Plant and Remaining Watermain Replacement State Funding Update  
Capelle provided an update on the status of two key water infrastructure projects that the City is pursuing funding opportunities to procure. They are the replacement of the water treatment plant and replacement of aging cast iron water main pipes. Stantec and staff worked together to get both projects on the Project Priority List (PPL) and Intended Use Plan (IUP) administered by the Public Facility Authority (PFA). He explained that being listed on the PPL is the first step in process for gaining access to stimulus and infrastructure funds that were distributed during previous times of need such as the American Recovery Act in 2008.

Continuous communication with Representative Morrison and Senator Johnson-Stewart has proven significant in moving the City closer to receiving consideration for funding from the MN Legislature and other avenues, Capelle stated.

He added that on November 18, 2021, the Capital Investment Committee of approximately 20 representatives toured the City’s water treatment plant to increase the leverage for \$4.8 million in new plant funding. This tour organized by Stantec and City staff, provided the group a firsthand perspective of the conditions of the plant and was very well received. Capelle, Hilgers, Mayor Lindstrom and Treasurer Zinn all presented pertinent facts of the condition of the 63-year-old plant, Capelle said.

Capelle explained the State Revolving Fund (SRF) which he learned a great deal about after speaking to a representative from PFA. He said that the City ranks low in basic infrastructure points as the system is based on median household income from lowest to highest. The MHI placed Minnetonka Beach at the low end of the priority list. He then provided detail as to this ranking and points system which is included in his Stantec memo on page 34-35 in the packet.

**9.2. Ordinance 134, 2<sup>nd</sup> Series Approving Amendment to City Code Section 510 – Noise Control and Resolution 2022 – 09 – Authorizing Summary Publication**

Honey presented the recent history of the Lafayette Club’s request for the City to amend City Code Section 510 – Noise Control. This would enable the Club to begin mowing and other maintenance

prior to the allowable start time of 7:30 am. Honey researched how other cities with golf courses handle morning golf course maintenance with varied responses. Some courses had handshake agreements with neighboring properties starting their work away from homes and moving towards them later, some enforced upon complaint, and some are updating their code to include language she proposed.

She explained the MN Pollution Control Agency's (MPCA) regulations, enforcement policy and allowable noise classifications. The City must follow residential noise classifications: L10 = 65 dBA and L50 = 60 dBA during daytime (7 am to 10 pm) and L10 = 55 dBA and L50 = 50 dBA during the nighttime (10 pm to 7 am). Decibel levels are recorded at the location receiving the sound.

At the December 13, 2021, City Council meeting, Honey provided draft ordinance language that would allow domestic power equipment use for parcels over 30 acres (which applies to the Lafayette Club) to engage in activity prior to 7:30 am, but no earlier than 6:00 am and further than 500 ft from a neighboring dwelling. She also added language that would give council the authority to allow public infrastructure projects to work outside normal construction hours if needed with their approval, and removed an exemption to the noise ordinance for the tram running on the track through the city. She was directed by council to amend the draft language to allow for activity no earlier than 5:30 am and further than 100 ft from a neighboring dwelling.

Honey stated that the Lafayette Club also requested a first tee time of 7:00 am, instead of 7:30 am. This was likely regulated by the noise ordinance in the past and there were no other regulations on the Club for hours of operation that she found.

In preparation for the public input session at the January 10, 2022, council meeting and consideration of the ordinance amendment, Honey said notice of the proposed ordinance change was in the Weekly SPLASH! eblast, the Beachcomber, posted on City bulletin boards, and mailed to residents residing within 350 ft of the Lafayette Club. The proposed ordinance language for consideration (all three council members present must approve to pass) includes the changes as directed by Council, and also updates (4)(B) changing the time for refuse hauling to match the contract with the trash hauler which is 7:00 am.

The request was to consider approving Ordinance No. 134, 2<sup>nd</sup> Series and adoption of Resolution 2022 – 09 Authorizing Summary Publication of Ordinance No. 134, 2<sup>nd</sup> Series because publication of the entire Chapter 510 would be costly.

**The Public Input Session opened at 7:12 pm.**

David Christiansen, 1928 Cottage Lane. He said they live 120 feet from the 2<sup>nd</sup> tee box and the Club has been starting golf course maintenance at the main building at 5:30am. They then go to the 1<sup>st</sup> hole, then 2<sup>nd</sup> tee box. It's very inconsistent mowing, weed whipping, and blowing all at the same time he said. The noise bothers his wife at 5:30 am and he said it is very loud. Dave said he feels that the Club has offered no solutions such as quieter equipment. He wants other solutions, additional distance, a time study and they should start in the interior.

Chris Dovolis of 1922 Cottage Lane lives 100 feet from 2<sup>nd</sup> tee. He appreciates the ordinance amendment notice they received in the mail and they are golf members of the Club and appreciate what the Club does for this community. Chris said that Subpart A Domestic Power Equipment should be struck from this amendment as it is totally unacceptable. The purpose of a noise ordinance is to not allow people to make noise. It should provide for the quiet enjoyment of people and their property he said. The quiet enjoyment of their property is interrupted when they are awakened at

5:30 am, and if they go to bed at 11pm they are not getting 8 hours of sleep. 7:00 am would be 8 hours of sleep and is close to our current noise ordinance start time. This ordinance will turn it into effectively law that it is ok to make noise at 5:30am. He said the City should be consistent and should then consider allowing all residents to start blowing their leaves at 5:30am. He said this is discriminating based on where they live and he implores council to not approve it.

Cindy Lau of 2868 Northview Rd said the Club has been mowing the medians at the crack of dawn and it's very noisy and she agrees with the previous presenters to not approve this ordinance amendment.

Lindsay Paine of 2663 Woodbridge Rd spoke saying he felt that work being performed 500 feet from homes was ok, but not 100 feet which is surprising to them and it is at the edge of their bedroom. This will codify what the Club has already been doing, does not work with the community, and infringes on the quiet enjoyment of their property. As a good neighbor there should be a good way to get to a good accommodation that would make everyone at least reasonably happy. 500 feet was reasonable, but 100 feet is surprising to them. Paines have been members of Minikahda Club for over 20 years and there are homes all around the club. The greenskeeper there works around all the homes – they found a solution that works for a 7am start tee time. 100 feet codifying what's already been being done and there is no reasonable give and take for what is being asked. They are members of Lafayette Club and love the Club, but they love their quiet enjoyment at 6, 6:30 in the morning.

Nell Mathews of 2643 Arcola Lane said that in 1996 she was on City Council when the noise ordinance was passed and the Lafayette Club was not discussed as she recalls. She looked back at the minutes and this was not mentioned. She feels the reason for this is because the City was established after the Lafayette Club was, and the Club was grandfathered in for many things. She said the Lafayette Club is not regulated by the City and adds value to Minnetonka Beach. She said without the Lafayette Club the City would not exist and not have the deviations from the strict regulations imposed by the DNR on land use development.

She added that when the noise ordinance was passed she did not think that it was contemplated to include the Club which is consistent with how the Club has always operated. There have been power mowers used at the Club since the early 1900's. When the City was established in 1920, she said there was no intention to regulate the Lafayette Club and it was accepted as it was. Since this request is to codify what has been the custom and practice this is not an unusual request. It would be different if the Lafayette Club had been developed as a golf course after these homes were built. The City does not regulate the Lafayette Club.

Gregg Malsbary, General Manager of the Lafayette Club, said the grounds crew superintendent is now retired and they have a new team in place now under the direction of Max Olson, Golf Course Director and Ian Newlin, Deputy Golf Course Director. Greg has worked with them extensively over the last three months to get a better understanding of what past practices were and knowing there was not an ordinance set in stone for the Lafayette Club.

He said they typically start course maintenance at 5:30 am they start on the greens with greens mowers and newer Triflex mowers for approaches, greens and tee boxes. These pieces of equipment operate at 80 – 85 decibels. He said they want to update their entire fleet of mowing equipment. Their very old fairway mower operates at 110 – 115 decibels and their others operate at 90 – 95 decibels. He said they don't want to disturb the immediate residential community. They always started at 7:30am tee time for the golf course so it takes 1.5 to 2 hours to do the greens and front part of course to get them tee time ready. Malsbary addressed the different season saying they start later

in the spring and fall as it is darker early in the morning. High Season is very busy with all the tournaments and various league play.

He added that after storms they must do cleanup of branches, leaves etc. and the golf season ends November 1<sup>st</sup>. They backpack leaf blow the leaves beginning mid-September to clear the greens to mow them. The Club has spent \$300,000 in new, better quality equipment and there is more equipment that will be quieter on order but there are supply chain issues and back orders. The previous superintendent always did things the easy way that they were always done. Malsbary said the Club has been faced with huge staffing challenges and quarantining due to COVID the last two years. Tee times and start times do not change. They accommodate the sometimes 30% loss of staff at times due to illness etc. Their goal was not to disturb residents early from their sleep.

Howarth asked Malsbary if he can agree to work on the interior then outward and use quieter equipment for residents who asked about accommodation. He added asking what the Club is doing to disturb the least number of neighbors. Malsbary agreed to the interior then outward plan and said they will use quieter equipment earlier in the morning. He said their plan is to start at putting green at 5:30 – 5:40 am and then move to hole 1 and then the two greens. Howarth expressed concern that the Club can be ready for an earlier than 7:30 tee time. He asked Malsbary if he has done a study and evaluation to see how to achieve an earlier start time of 7:00am. Malsbary said yes and it coordinated with the 100 foot distance.

Lindstrom said residents said the schedule Malsbary stated above is not happening. They are hearing mowers at 5:30am she said. She asked Malsbary to agree that the quiet would happen earlier.

Lindstrom also said that 100 feet in the ordinance is not effective according to the residents who spoke. She asked Malsbary if he is willing to work 250 feet from the homes early in the morning. Howarth said that their previous council discussion showed that this is not possible to complete the work for the start time.

Enlow stated that there were no Club noise complaints prior to last few years. She added that the Club golf course has been there since 1882. She added that if lower decibel equipment is used it should be sufficient at 100 feet. She requested that there be a person at the Club to respond to resident complaints and concerns.

Howarth asked Malsbary if he would be that person to handle complaints and he agreed to do so.

Honey stated that the PCA regulates decibel levels and regardless of what our ordinance is the Club cannot be in violation of them – perhaps they have been violating them already. Malsbary's decibel levels mentioned for equipment used violates the allowable PCA decibel levels which are 55-60 during day and 50-55 at night. Honey said to Enlow's point they may need different equipment. PCA level is measured at the recipient or dwelling. Malsbary said the decibel levels he quoted were at the user point.

Council discussed testing the equipment for PCA decibel allowable levels.

Lindstrom closed the Public Input Session at 7:53 when she requested council deliberation after hearing from the public.

Lindstrom asked for council discussion and she wants it in writing that the Club agrees to a lower decibel level early to accommodate the residents who spoke and live near the Club. Malsbary agreed.

Enlow asked for storm cleanup exceptions for the Club.

Sharma said equipment should be replaced and suggested that perhaps electric leaf blowers would be quieter than gas especially in the 100 feet from home areas.

Enlow stated that council cannot mandate that the Club purchase quieter equipment. She suggested that when equipment is replaced that it be quieter at replacement time.

Howarth said the ask by the Club is to codify an operating process for what's been intentionally carved out many decades ago while being a good neighbor to citizens. They would make a commitment to do all they can to accommodate citizens while recognizing that the golf club has been in existence since 1899 he thinks. He added that everything surrounding the golf club is new thereafter. They would probably agree to use quieter equipment earlier and be a good neighbor  
Howarth concluded.

Malsbury concluded by saying that he will take any complaints that come in. He added that with the new team and leadership in place they will do everything they can to shift the culture to steer away with a new routine and rhythm. They will proactively look at electric backpacks but supply chain difficult. They are starting over in many ways and there are new neighbors too. They want to work together.

Lindstrom stated this might be a process to go through with the club figuring out things along the way with superintendent and grounds crew. They can all work together.

**Enlow motion, Howarth second to Adopt Ordinance 134, 2<sup>nd</sup> Series Approving Amendment to City Code 510 – Noise Control as Presented to City Council at the January 10, 2022 meeting. All ayes, the motion carried.**

**Sharma motion, Howarth second to Adopt Resolution No. 2022 – 09 Authorizing Publication of Ordinance No. 134, 2<sup>nd</sup> Series By Title and Summary. All ayes, the motion carried.**

Resident Dovolis asked if he could speak and Lindstrom approved his request. He stated he did not think the decision would go this way. He stated that if Council had really looked at the verbiage they are approving, they are putting in writing that the Club basically can do whatever they want. If council had listened to all that was said here tonight the Club is going to do the best they can, but the ordinance says they can do whatever they want. He added that residents can call the Club and complain but nothing can be done because the ordinance says that it's ok. It also doesn't say anything about decibel levels or getting new equipment nor can this council force the Club to get new equipment. Power drills are included – they could bring a backhoe in according to what's here he added. That is what you are voting for Dovolis concluded.

Enlow stated the decibel level limits are in the ordinance. Dovolis asked how can the decibel level be proven. Dovolis asked for one season test. People can come to his house early and listen.

Howarth stated council is codifying what's been done in the past. He didn't think Dovolis should have spoken after the motion but Dovolis said his hand was up before the motion.

Lindstrom stated that as presiding officer of the meeting, she made the decision to allow Dovolis to speak.

## 10. Consent Agenda

- 10.1. Fire Report – December 2021
- 10.2. **Resolution 2022 – 01** Appoint Bridgewater Bank as Official Depository for 2022
- 10.3. **Resolution 2022 – 02** Designate the Laker Pioneer as the Official Newspaper for 2022
- 10.4. **Resolution 2022 – 03** Weight Restriction Exemptions
- 10.5. **Resolution 2022 – 04** Approve Employee Floating Holiday
- 10.6. **Resolution 2022 – 05** Set 2022 Board of Review Date for April 11, 2022
- 10.7. **Resolution 2022 – 06** Annual Appointments
- 10.8. **Resolution 2022 – 07** 2022 Staff Wages (as approved in 2022 budget)
- 10.9. Tree Removal Permit Application – 2478 Lafayette Rd, Brilley
- 10.10. **Resolution 2022 – 08** – Amending and Restating Resolution 2021 – 67 – 2022 Budget
- 10.11. Approve checks: Final December 2021 and January 2022
- 10.12. **Resolution 2022 – 10** Approving Club and Sunday On-Sale Liquor License for Lafayette Club

**Enlow motion, Sharma second to approve the Consent Agenda. All ayes, the motion carried.**

Lindstrom paused the meeting at 7:58pm for a break. Meeting resumed at 8:00pm.

## 11. Finance Report

### 11.1. Summary Report of City Finances

Zinn presented the City's 2021 results actual compared to budget. Actual income exceeded budgeted amount by \$155,000 which included \$15,000 more in tax collections and a \$32,000 special tax assessment collected from 2328 Lafayette Rd. Building permit revenue was higher than budget by \$58,000 at \$108,000, and the City received \$32,000 in American Rescue Plan Act (ARPA) funds. Water revenue collected was \$27,000 higher than budgeted as well.

He stated that City expenses were essentially flat. He noted that legal expenses were \$32,000 over budget and zoning and engineering charges from Stantec were over by \$29,000. The CIP was down \$69,000. Zinn added that with cash accounting, the City will have net income to add to City Reserves.

Zinn reviewed his Financial Dashboard in the packet. Unrestricted Fund cash is at \$1.4 million which he said is good and is where the City was at the end of 2020 as well. Ehler's will help with bond refunding in February 2022 to make sure it's handled properly. Zinn recommended focusing on zoning and legal charges throughout the year going forward so the City will know how much is left in the zoning and engineering budget throughout the year. He also recommended taking Accounts Receivable offline as it's been nicely reduced.

Howarth requested that old Accounts Receivable be brought to City Council's attention after choosing an aging date such as past due 60 days or 90 days. He also stated he really likes Zinn's Financial Dashboard. Enlow and Lindstrom agreed. They also praised Zinn for a great year. Zinn said the Financial Dashboard was Sharma's idea but he put it together.

Zinn said that he and Honey will monitor various account codes throughout the year to watch spending vs. budget.

Lindstrom stated she supports the zoning and engineering budget being monitored closely throughout the year. She referenced Zinn's previous comment that the City doesn't need new accounting software as Zinn and Honey feel they can run the financials using Quickbooks reporting. He will make sure. She said he should look at Banyon Fund Accounting if needed. She also complimented Zinn for being a good leader. She added that the refunded bond transaction and that it paid for the Brooks Lane/Westwood Rd Watermain Improvement project, strong reserves and maintaining our AAA rating.



**11.2.** 2021 Final Unaudited Budget Report, Previous Year Comparison  
Zinn said he and Honey will meet with the City auditor on Thursday January 13, 2022 to ensure everything is consistent with the audit. He reviewed the Profit & Loss Previous Year Comparison.

## **12. Action Notes and Staff Reports**

### **12.1. Council Meeting Action Notes**

Lindstrom said no changes in items just some date changes. She clarified in response to Howarth's question that Osmek would not meet with Morrison regarding infrastructure funding. She requested masking as she is a physician, but they did not meet.

### **12.2. Clerk's Report**

Burgess presented highlights and report is in packet. She said she spends most of her time on the high volume of complicated building projects making sure the builder, Stantec, building official and others are on track. It takes a lot of attention to detail and timing to keep the permitting approval process moving to completion and permit issuance. Preconstruction meetings and performance agreements are created for projects over \$50,000 which many are each month. She said the homeowners are now on email threads so they can see how much work goes into their project to help them understand their City zoning and engineering invoice charges.

She oversees Gage in utility billing with inserts and new equipment, administrative support and the post office as well. Works with Hilgers with public works projects and creates Beachcomber, weekly plus SPLASH eblasts. She is creating the packet for the Park Commission meeting on 1/25 with two new co-chairs. Tree removal and moratorium questions are addressed working with Honey. She dealt with complaints as they come in from snowmobiles in the parks to resident shoreline alteration to construction vehicle parking. She said the 2022 resident directory is nearing completion and we had Stantec create an updated new City map.

### **12.3. Administrator's Report – in packet**

Honey attended the meeting via Zoom due to an illness.

Lindstrom spoke on Honey's behalf and stated she is doing a terrific job preparing for the audit. She added that it's very busy at City Hall during a normally quiet time.

### **12.4. Public Works Report – in packet**

Lindstrom spoke on Hilgers behalf stating that he is still so busy he cannot take any time off. He put extra effort into the ice rinks because of weather difficulties and wants it to be in great shape for the resident skating party on February 6<sup>th</sup>.

## **13 Council Reports**

### **13.1 Mayor's Report:**

Lindstrom explained the process to cancel an in-person council meeting if ever necessary. Tonight's meeting was being considered for cancellation due to increased COVID numbers. Everyone wearing masks at this meeting tonight. City Attorney Batty told her a meeting cannot be cancelled, but if the Mayor does not attend declaring that in-person meetings are not prudent due to safety (such as COVID-19) then Zoom or other format meetings can be allowed. Lindstrom requested council support to sign a declaration stating that remote access meetings are necessary for all City meetings due to safety until further notice.

Lindstrom complimented the Long Lake Fire Department on how well they handled the recent house fire at 2933 Westwood Rd. This was Minnetonka Beach's first fire handled by Long Lake Fire and it built confidence and trust in the department as they did such a great job. She said they responded

within minutes, immediately called two ladder trucks in for assistance from Mound and Eden Prairie. They placed water trucks on Shoreline Drive saving 2921 Westwood Rd from damage. 15 fire trucks extinguished the fire in about four hours she added. Neighboring homes were evacuated.

Lindstrom said that if this fire had been handled using the City's old water tower it would have drained it as there were only 3,000 gallons of water left in the new, larger tower when the fire was extinguished. She added that Public Works Superintendent Hilgers was extremely helpful with this fire, and he immediately opened up the Orono water connections for the fire. She also noted that our City's water pressure and hydrants were excellent.

Sharma stated the fire is a good example when considering variances of why homes should not be built close together in case a house fire jumps to neighboring homes.

13.2. Liaison Reports (if necessary):

Enlow - She attended the Fire District meeting. The Orono contract with Long Lake expires in 2025 and they want to start their own fire department. Wayzata Fire previously discussed departments sharing firefighting trucks and equipment. She said it appears that Orono is separating and wanting their own infrastructure.

Enlow stated the tree preservation group is still working on the ordinance, and she and Honey had a productive meeting with Carlson of Stantec. She is also reviewing the DNR ordinance with Susan Carlson to create a historic timeline of all the DNR approvals from 1996 – today and evolutions.

Sharma – He will meet with Honey soon to work on golf cart ordinance and reported that snowmobiling in the parks is continuing to be a problem. Pre-teen drivers pulling sleds in Parks.

Howarth – no report for utilities or LMCC. They discussed future meeting scheduling/format.

Breazeale –absent

**Howarth motion, Sharma second to adjourn the meeting. All ayes, the motion carried.**

The meeting adjourned at 8:40 pm.

**PUBLIC IN ATTENDANCE** – The following people signed the attendance sheet: Nell Mathews, Lindsay Paine, Laura Paine, Chris Dovolis, Cindy Lau, Rita Howarth, and Gregg Malsbary.

**Respectfully submitted,**

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**Jane Burgess, City Clerk**