

Monday, May 14, 2018 7:00 PM
CITY OF MINNETONKA BEACH
CITY COUNCIL MEETING MINUTES

Roll Call: Mayor Mike Taylor; Council Members: Jill Bartel, Paul Kozloski, Jaci Lindstrom, and Andrew Myers; Treasurer Steve Howarth. Absent: none.

Staff Present: City Administrator Susanne Griffin, City Clerk Heidi Honey, Public Works Superintendent Brian Berent, and City Engineer Darren Amundsen

Guests: Three Rivers Park District Sgt. Jurgensen, Planning Commission Chair Jim Haag; Park Commission Chair Dan Forbes; Bruce Kimmel – Ehler’s;

- 1. Mayor Taylor called the meeting to order at 7:00 p.m.**
- 2. Clerk Honey led the Pledge of Allegiance.**
- 3. Approve Agenda for the May 14, 2018 City Council Meeting.**

Kozloski asked to remove Item 10.4 Life’s a Beach Contract from the Consent Agenda because it is being re-written.

A motion was made by Council Member Bartel and seconded by Council Member Myers to approve the agenda as amended. With all members voting in favor, the motion carried.

- 4. Approve Minutes –**
 - 4.1. Regular Meeting of April 9, 2018
Lindstrom noted a typo on page 4. Clerk Honey will make the correction.

A motion was made by Council Member Lindstrom and seconded by Council Member Bartel to approve the April 9, 2018 Regular City Council meeting minutes as amended. With all members voting in favor, the motion carried.

5. Police Report

- 5.1. Police Report – April 2018
Sgt. Boris’ retirement party is tonight. His replacement will report at the next meeting.
- 5.2. Three Rivers Park District – Dakota Trail – Sgt. Jurgenson
Three Rivers issued eight administrative citations and five written warnings in April, and five administrative citations and two written warnings for stop sign violations so far in May. They are spending more time in the City and are planning quite a few saturations. Lindstrom asked about maintenance and inspections. Griffin will check with Trail Manager McCullough and email Council. Kozloski stated it is good seeing their increased presence in the City. Jurgenson discussed a shift in cyclists using roads instead of paths. He also stated that people can be cited for not picking up after their dog.

6. Commission/ Staff Reports

- 6.1. Planning Commission – Chair Jim Haag

Chair Haag referred to the Shoreline Drive Median Subcommittee meeting minutes in the packet and said Hennepin County is preparing the area to install delineators on May 16. They will be monitoring the effect on traffic and the subcommittee will meet in July to review findings. This is a study of the effect on traffic, not safety for crossing. Feedback should be emailed to Bob Byers at Hennepin County and Administrator Griffin. Messages should go out in the Beachcomber and email blasts asking for feedback. The county's communications people can prepare messages. There could be a handout encouraging people to sign up for weekly blasts at Progressive.

Haag discussed the traffic calming study proposal from Sambatek for them to determine where to place speed bumps on Lafayette Road. The Planning Commission limited the scope to focus on this stretch of road. County Aid to Municipalities (CAM) funds will cover engineering studies for the access paths to crossing portion. Howarth asked Griffin to forward the packet from last year detailing the capital budget process to him and Haag. They also discussed how the Planning Commission was spending Transportation Study funds from the CIP.

A motion was made by Council Member Lindstrom and seconded by Council Member Bartel to approve the Sambatek proposal not to exceed \$1,500 for the speed bump study. With all members voting in favor, the motion carried.

6.2. Park Commission – Chair Dan Forbes

Chair Forbes stated plans for gardening, tree trimming, and tree planting are underway. He then explained that the beach cleaning contract is still under discussion. In the past, the city spent \$1,200 for cleaning by a high school student and chemical treatment. Last year, Life's a Beach was hired to clean the beach for \$3,500. Weeds were very heavy last year. This year's proposal is \$5,000 to clean the beach if they can park the truck and trailer at the Public Works Facility. Parks approved the cost but they were concerned about storage of the truck and trailer. Forbes then discussed parameters of the contract. They will clean the entire span of the beach once per week from the fire lane to flag pole including rip rap and focus on the swim area the other two days. They will pull weeds in the swim area. Last year they cleaned the entire span all three days but did not pull weeds. Council did not want to allow the storage of the truck and trailer on city property.

The commission is going to help Berent research possible grant funding for a utility truck and work with him on assessing possible repairs needed at the library. He then discussed that Parks got bids on the Northview wall last year to put it on the CIP, but the repair is not their responsibility. Griffin stated it is item 8.5 on the agenda. While discussing the proposal with Darren Amundsen, they discovered that it is Hennepin County Railroad Authority property so she has contacted them to see how they want to proceed with repairs. She suggested Council not take action on it tonight until they hear back from the county. Amundsen explained that most of the road is on Hennepin County Regional Railroad Authority property. Council suggested Berent pick up the fallen bricks from the road in the meantime. Howarth suggested Griffin follow up with the county and Council discuss it at the next meeting.

A motion was made by Council Member Kozloski and seconded by Council Member Bartel to authorize Mayor Taylor to approve a negotiated contract with Life's a Beach not to exceed \$5,000. With all members voting in favor, the motion carried.

6.3. Director of Public Works – Brian Berent

The old leaf truck sold at auction and the new truck is in service. Street sweeping is May 21. A report from the Minnesota Dept. of Health with recommended water plant upgrades is in the packet. The LMCD reported repair needed to the steps at Dock 2. It is the City's responsibility to maintain stairs to the dock access in the fire lane because the city provides access to the dock area. Berent received two bids to repair them and one contractor did not think the steps were to code. The bid for \$2,200 is for full replacement. The City budgets \$500 annually for minor dock repairs and typically not all of it is spent. Dock fees go into the general fund and this expense would come out of there. The building official can inspect the steps for code compliance. Council discussed dock fees and if they cover all the needed repairs. Council also discussed referring an inspection policy to the Dock Committee but no determination was made. Berent stated that the first section at Dock 2 needs to come out every fall so ice shifts doesn't damage the stairs.

A motion was made by Council Member Lindstrom and seconded by Council Member Bartel to authorize Berent to organize either replacing or repairing the Dock 2 steps at his discretion not to exceed \$2,200. With all members voting in favor, the motion carried.

Berent received a CenterPoint Energy grant for \$333 of the \$666 requested for traffic control devices (cones, flashers, barricades). A large power outage last night may have caused the pumps to turn off at the water tower. When Berent switched the breakers, the pumps went on and water service was restored. Berent is researching a SCADA system which would notify him of a problem. In the event that the pumps go out, Berent can open a line to Orono water. Berent received a bid for \$2,800 to inspect the ground storage reservoir tank which holds over 60,000 gallons and currently is not used. The water tower holds 50,000 gallons. The MN Dept. of Health recommends having the average daily use in storage. Berent plans to talk with Orono to discuss feasibility of the City using their water if needed in non-emergency situations like heavy usage days.

A motion was made by Council Member Bartel and seconded by Council Member Lindstrom to authorize Berent to spend \$2,800 for KLM to inspect the ground storage tank. With all members voting in favor, the motion carried.

Council reviewed the snow removal policy in the packet and discussed mailbox replacement. In the past, Ben Young repaired them or a standard one was installed and haven't had any problems. Council agreed on \$75 for reimbursements to homeowners.

A motion was made by Council Member Bartel and seconded by Council Member Lindstrom to approve the Snow and Ice Removal Policy with the amendment of \$75 for mail box damage reimbursement. With all members voting in favor, the motion carried.

7. Open Forum

No comments.

8. New Business

8.1. Traffic Study Proposal and Recommendation from Planning Commission
Approved earlier.

8.2. 2018 Capital Improvement Program – Bond-Funded Projects
Treasurer Howarth referenced Finance Committee meeting minutes and the Summary of Bond Funding Considerations in the packet. He also reviewed the timeline for bonding as follows: In

2018: July - prepare 2019 Budget; August – Bond Referendum; July through December – continue review of capital needs; September 2018 through February 2019 – engineering specs completed and bid packages sent to contractors. In 2019: February and March – Council approves final determination of bond funding; March through April – bond funding completed; April through September - construction begins and is completed.

Kimmel reviewed three bond funding scenarios and the estimated impact on the city tax levy. The three scenarios are: 1) Bond amount of \$2,500,000 with no use of reserves; 2) Bond amount of \$2,325,000 with no use of reserves; and 3) Bond amount of \$1,925,000 with \$400,000 of reserves used.

Kimmel discussed structuring and communicating bond questions and educating residents on the tax impact. He then reviewed the actual and estimated new debt service by funding sources charts for the three scenarios. Council discussed the amount, if any, annually in utility fund reserves. Council can lower the bond amount later, but they cannot raise it. Council discussed other future projects and additional rounds of funding for those.

- 8.3. **Resolution 2018-17** Determining the Necessity for the Issuance of General Obligation Bonds Not to Exceed \$2,500,000.00 and Calling a Special Election for August 14, 2018

A motion was made by Council Member Lindstrom and seconded by Council Member Bartel to approve Resolution 2018-17 Determining the Necessity for the Issuance of General Obligation Bonds and Calling a Special Election Thereon. With all members voting in favor, the motion carried.

8.4. Local Surface Water Management Plan, Sanitary Sewer Plan – Review and Comment
The Comprehensive Sewer Plan and the Local Surface Water Management Plan are part of the Comprehensive Plan and both are required by the Met Council. They were authorized to be completed by Stantec and were submitted for review to the adjacent jurisdictions and the Met Council. They will be included in the final Comprehensive Plan for adoption. Council can submit comments to Administrator Griffin. Utilities will review them as well.

8.5. Engineering Proposal for Northview Wall repair – Darren Amundsen
Discussed earlier.

9. Old Business

9.1. Nuisance Ordinance Violation – 2328 Lafayette Road

Mayor Taylor stated that the property was inspected last year based on complaints resulting in a list of violations. The resident was offered help. Residents found agencies and funding to complete the required projects. The resident recently turned down the help and now the code violations need to be addressed. Mayor Taylor discussed this with Mr. Burak which was followed up by a letter delivered to Mr. Burak explaining that the violations that have not been addressed. Griffin reviewed the memo from the city attorney regarding the process. Council will now need to determine if there are still violations of Section 508, followed by issuance of an administrative citation and the prosecuting attorney would be directed to prosecute if the penalty is not paid. Council then discussed abatement of the nuisance.

A motion was made by Council Member Kozloski and seconded by Council Member Myers to adopt Resolution 2018 -22 Authorizing Administrative and Legal Action Concerning 2328 Lafayette Road and Robert Burak with specific information to be updated as necessary. With all members voting in favor, the motion carried.

Griffin will follow up on the process with the prosecuting attorney, police and building official.

9.2. **Resolution 2018-18** – Consider 10 Year Contract with Long Lake Fire Department Effective 1/1/2019

Mayor Taylor stated the draft contract has been reviewed by the city attorney and the Long Lake Fire Department. False alarm rates are significantly higher with Long Lake and they would charge the resident for the false alarm, instead of the City. Howarth asked about service levels for other cities in their contract. The city attorney reviewed service level contracts with the other cities. Taylor stated that an exhaustive analysis of service levels was done and it did not appear there would be any large differences in service levels between the departments. He went on to say that the city attorney said they could use that data as a baseline for performance and they can execute the arbitration clause (Item 19) to work out the cancellation of the contract if the City sees degradation of service based on current service levels. Taylor explained further that they would use the current service levels (such as fire and medical response times) as the base line and match future performance against that. Lindstrom stated response times of fire fighters are very important and both cities are similar. Howarth would like more time to review the contract pricing.

A motion was made by Council Member Myers and seconded by Council Member Kozloski to adopt Resolution 2018-18 Fire Service Contract.

Bartel wanted to understand automatic renewal. Van Eyll stated the contract renews for a five year term after Year 10. There is an opportunity to cancel without cause at two years. Council discussed current false alarm fees. Bartel wanted the record to show that the contract is \$50,000 for Year One with Long Lake Fire and the proposal is \$84,000 for Year One with Mound Fire Department. Council then reviewed the annual costs to the city for Long Lake in the contract.

With all members voting in favor, the motion carried.

Joann Anderson stated that Mound Fire has provided exceptional service over the years. When the City was going to do the watermain improvements, Mound tested all of the mains and helped the City determine what to abandon and what to repair without charging the City. She said it is very hard to let someone go who served the City so well. Taylor agreed that the City has been served very well by Mound but it needs to be fiscally responsible.

9.3. Authorization to Terminate Contract with Mound Fire Department Effective 1/1/2019

A motion was made by Council Member Kozloski and seconded by Council Member Myers to authorize notification by June 1, 2018 of termination of contract to the Mound Fire Department Effective 1/1/2019. With all members voting in favor, the motion carried.

10. Consent Agenda

10.1. Fire Report – April

10.2. **Resolution 2018-19** Consider Dock Applications for Priority 5 -2018 City Dock Permits

- 10.3. Dock Reconfiguration Request – Dock 8-1 – Minor Reconfiguration
- 10.4. Contract for Beach Cleaning Services – Life’s a Beach Contract
- 10.5. Bartlett Tree EAB Treatment Proposal (CIP Budget)
- 10.6. Special Event Permit – Lafayette Club Dakota Trail 5K Run/2K Walk – July 28, 2018 (8:30-10 a.m.)
- 10.7. Payroll Service Change from ADP to Press Gold Group
- 10.8. Special Event Permit – Architect’s Home Tour – 2316 Huntington Point Rd. W.- Sept. 15-16, 2018
- 10.9. **Resolutions 2018-20 and 2018-21** – Planning Commission Appointments – Susan Enlow and Rita Howarth
- 10.10. Fireworks Permit – Lafayette Club – May 26, 2018 at 9:30 p.m.
- 10.11. LMCD Proposed 2019 Budget

The Agenda was amended to remove 10.4 but an action was taken on it during the 6.2 Park Commission discussion. Lindstrom discussed limiting the number of trail events if they see an increase.

A motion was made by Council Member Lindstrom and seconded by Council Member Myers to approve the Consent Agenda as amended. With all members voting in favor, the motion carried

11. Treasurer’s Report

- 11.1. Approve Checks: May 2018

A motion was made by Council Member Lindstrom and seconded by Council Member Bartel to approve 42 checks numbered 16680 through 16722 in the amount of \$49,305.46 for May 2018 expenses. With all members voting in favor, the motion carried.

Howarth discussed an investment portfolio maturity of \$138,000 coming due May 24, 2018. He asked Ehlers to do a portfolio analysis for recommendations in June and asked Council for a 90 day rollover.

A motion was made by Council Member Lindstrom and seconded by Council Member Bartel to authorize Treasurer Howarth to reinvest for another 90 days. With all members voting in favor, the motion carried.

- 11.2. YTD Budget and Prior Year Comparison report

Bartel noted that building permits are low. Lindstrom noted public works items that are over budget, plant operation (2725) and repairs (2726). Item 2725, there were some unusual things that happened at the plant (plumbing and a chlorine pump) but also the consultant for the water tower fee of \$5,600. The city received a grant to cover the consultant fees in 2017 but paid expenses in 2018.

Council discussed Berent’s phone. He has been directed to get a new phone so he can text but has not selected one yet. Griffin was directed to select a phone for him.

- 11.3. Outstanding Accounts Receivable Report

12. Action Notes and Staff Reports

- 12.1. Council Meeting Action Notes

Bartel stated that resident expectations are high and roads are messier after leaf pick up than in the past. She also thought streets were not taken care of as well during the winter. Taylor said that

Berent takes feedback seriously and he is still understanding the expectations. He suggested they email him if they see things out of the norm of expectation. Council discussed that the Public Works Superintendent reports to Council instead of the City Administrator. Many other cities have public works reporting to the City Administrator. Council decided to have the practice of directing Council requests or feedback through Administrator Griffin and having Berent report to Griffin on any concerns he has. Mayor Taylor will talk with Berent about work direction and concerns.

Council then discussed dirty roads from road construction. If they see anything, they should call City Hall and they will contact the builder. The builders are required to keep the road clean. Construction vehicles have a two hour limit for street parking and need to park on site.

Griffin pointed out the referrals to other committees and asked liaisons to make sure their committee chairs are aware of them.

12.2. Clerk's Report

Honey will add Mayor Taylor's house to the list of homes for sale.

12.3. Administrator's Report

Griffin stated that the City has gone through a few editions of the City logo and Civic came up with a new logo a couple years ago. She showed Council the two logos and they agreed on the wheel logo for the new leaf truck.

11. Council Reports

11.1. Mayor's Report:

Mayor Taylor had no report.

11.2. Liaison Reports (if necessary): Kozloski – Docks, Bartel – Planning, Lindstrom – Utilities/Civic, Kozloski – Parks

Lindstrom stated that the Utilities Commission meets May 22 with a water plant tour prior at 6 pm. She invited Council to attend. Civic Committee met May 9 and submitted CIP items. They have new hats, mugs and sweatshirts. Mike and Pam Schultz are the appetizer house for Progressive Dinner and there are 115 RSVPs.

A motion was made by Council Member Bartel and seconded by Council Member Kozloski to adjourn the meeting. With all members voting in favor, the motion carried.

The meeting adjourned at 10:40 pm.

PUBLIC IN ATTENDANCE – The following people signed the attendance sheet: Sue Kozloski, Joann Anderson, Rita Howarth, Betsy Taylor, Corey Jurgenson (Three Rivers), Nell Mathews, Patty Rezabek, Dan Forbes, Jim Haag, Richard Crosby, Gregory S. Pederson (Mound Fire Department). Attended but not signed in: James Van Eyll (Long Lake Fire).

Respectfully submitted,

Heidi Honey, City Clerk