

**City of Minnetonka Beach
Park Commission Meeting Minutes
June 5, 2018**

Members Present: Chair: Dan Forbes; Vice Chair: Patty Rezabek; Commissioners: Joe Pagano, Betsy Taylor, Chris Dovolis, Diane Rogers, Gerry Boschwitz

Absent:

Staff Present: City Clerk Heidi Honey

Council Liaison: Paul Kozloski

Guest: Tom Seuntjens

Forbes called the meeting to order at 5:00 pm. He explained that he invited Tom Seuntjens to attend the meeting to give historical insight regarding when land was vacated on Lafayette Road for better understanding when questions arise and possibly creating a policy in the future.

1. Minnetonka Beach Business

1.1. Approve the June 5, 2018 Meeting Agenda

Taylor asked to add 2.2.4. Garden Gate Update.

A motion was made by Commissioner Taylor and seconded by Commissioner Pagano to approve the June 5, 2018 meeting agenda as amended. With all members voting in favor, motion carried.

1.2. Approve Minutes – May 1, 2018 Park Commission Meeting Minutes

Rezabek asked to change John Condon to John O'Reilly on page 4. Honey will make the change.

A motion was made by Commissioner Rezabek and seconded by Commissioner Forbes to approve the May 1, 2018 meeting minutes as amended. With all members voting in favor, motion carried.

1.3. Expenses to Date

Forbes noted nothing out of the ordinary. Tonight Forbes signed \$2,000 of invoices for Garden Gate. Crabapple treatment spraying and Life's a Beach will be invoicing soon. All of those are budgeted.

1.4. Lafayette Road Land Vacation – Tom Seuntjens

Forbes stated that the city attorney has given an interpretation of the use of Lafayette Road after the land vacation in 1978 but some questions have arisen. Tom Seuntjens was asked for his understanding of the rights and responsibilities that the city and homeowners have to the area. Seuntjens provided his notes and summarized them as follows. Residents petitioned Council to vacate Lafayette Road as platted in 1883 because the lake shore was a city common area and not owned by the residents. People could pull their boats up and have picnics if they wanted. The city conducted three public hearings and then put the decision to vacate the land on a general election vote. An overwhelming majority of residents approved the land vacation. City Council then passed Resolution 1979-32. The city vacated all but the 40 foot area which is now the road and city right of way. It is not an easement to the City because that portion was retained as city property and never vacated. It was never owned by the abutting properties. It was retained because it was critical that the city maintain it for the residents. He went on to explain that item 5 of Resolution 1979-32 refers only to the vacated land and not to the retained 40 foot wide city owned property. It restricts what can be done by property owners regarding tree planting, cutting and maintaining the lakeshore. This information was sent to residents in a letter and also in Resolution 1981-28 regarding quitclaim deeds for the land. Seuntjens further explained that the landowners are required to maintain the land and they received lakeshore and dock rights. He stated that Woodbridge is the same situation as Lafayette Road. He also discussed a six foot path on Arcola Lane owned by the city.

Seuntjens went on to give his personal interpretation. The 40 foot wide portion was always owned by the city and was not as easement from residents to the city. The city has the right to plant trees in the 40 foot retained area but that does not mean that is a value to everyone and they should keep lake views in mind. People object to trees because they will block views. In 1980, the City removed hundreds of elm trees and replaced them. They did not put the trees on Lafayette or Woodbridge but in other areas of the city to create a tree lined boulevard in those areas (Westwood, swim beach, Woodbridge -Lafayette to CR15, Arcola – CR15 to Woodbridge, Lafayette Park and Half Moon Park). Per the Comprehensive Plan, not all streets are required to be tree lined boulevards. There are many areas to plant trees and his personal opinion is to maintain and improve parks and streets with the most positive cost effective impact with the least conflict for residents. He went on to say that the right to perform a task (plant a tree) does not mean that the task should always be performed if it does or is perceived to create harm. He thinks lake views on Lafayette and Woodbridge should remain as they are. He also thinks they should strictly enforce the City's obligation to control cutting of trees on lakeshore.

Rogers described opposition from a Huntington Point resident when they were going to plant a tree. Seuntjens suggested they not cause conflict. Rogers suggested they create a proposed planting plan and Council can approve or deny it if someone has concerns.

Forbes will work on a draft for Council for future discussion about the Lafayette Road vacation land use.

2. Park Commission Business

2.1. Protect

2.1.1. Ray Peters Warming House update - lockbox

Taylor contacted police regarding inappropriate use of the warming house. There have not been any reports of inappropriate use so she suggested that residents call police if they see anything and then police will document it. Reminders can continue to be placed seasonally in the Beachcomber to call police when they see suspicious activity. The commissioners decided it is not a huge issue yet.

2.1.2. Dahl Library

Pagano inspected the library with Public Works Superintendent Berent. The library needs a lot of work. The foundation is cracked, the roof has issues around the chimney, the electric needs updating, windows need replacement, and the ceiling and floor tiles may contain asbestos. Pagano and Berent estimated the cost for repair as follows: foundation \$1,000-1,500, roof \$4,000-4,500, windows \$2,000, electric \$500-1,500, asbestos \$5,000-6,000. They discussed that the City may be able to file claim for roof damage. They then discussed how much should be fixed from updating the entire library to repairing only the foundation and windows. They also discussed if they want to try and have it designated as a historic building which may offer some funding but also restrictions. Dovolis was concerned that it may not qualify for historical status because it has been repurposed. He also did not know if the city would want to designate it. They discussed more details about grants and the status of the water tower grant process. They discussed the amount of use the library gets and if it would be used more if it didn't look so run down. Forbes suggested doing maintenance items and adding larger items to the CIP in future years. They discussed how to pay for a larger repair if they need to. Rogers suggested recommending that it be restored to Council and supply estimates and Council can advise Parks on how to proceed. Pagano thinks the first thing to check is the foundation and if its repair would disturb the flooring or ceiling tiles. Pagano was asked to get foundation and window repair estimates.

Kozloski suggested that they get bids for Monday's Council meeting. They are identifying an issue and Council will want to understand the scope of the project. Commissioners agreed that they are in favor of recommending that the library be cleaned up or restored.

Forbes then discussed the gardens at the library. Honey obtained an estimate from Garden Gate for cleaning up the overgrown gardens and maintaining them for the remainder of the year. The cost is \$424.81 and this is not part of the current contract. The commissioners want to inspect the area to get

perspective on the amount of work. Rogers, Rezabek and Taylor will inspect the area and Forbes authorized them to spend \$200 to \$300 for garden maintenance at the library if they agree it is needed.

2.2. Maintain

2.2.1. Trimming (Wolff tree, Melin Tree)

Rogers explained that the Melin tree is not on city property but a large limb hangs over the road. She met with four tree trimmers and obtained estimates to remove the limb and informed the home owners that she did not think the City would pay for removal of the limb. She does not think the city should be involved in it because it is not a city tree. An arborist did not recommend removing the limb because it could kill the tree. Commissioners discussed if the tree was determined to be a safety hazard. After Rogers spoke with all of the tree trimmers and gave the commission their comments, the commissioners agreed the city is not responsible for removal of the limb but they wanted Rogers to forward the bids to the Melins as a courtesy.

A motion was made by Commissioner Pagano and seconded by Commissioner Rogers that the city give the homeowner the courtesy of a letter stating that their tree branch may be a potential hazard and include the trimming bids Rogers received. With all members voting in favor, motion carried.

Rogers suggested City Staff send the letter and estimates to the homeowner.

Rogers then discussed a tree located on city park property that has three main trunks with one branch going over Wolff's house. The commissioners discussed that the city is now aware of the problem and it should be removed. Rogers recommendation is to cut the one limb of the city tree endangering the Wolff property and leave the rest. Rogers has authority to hire contractor.

A motion was made by Commissioner Rogers and seconded by Commissioner Rezabek to authorize Rogers to hire a contractor to remove the one main branch from the City tree that is endangering the Wolff property. With all members voting in favor, motion carried.

2.2.2. Life's a Beach Contract

Forbes stated the final contract has been approved and is in the packet.

2.2.3. Ash/Crabapple Treatments

Rezabek stated that treatments have been completed.

2.2.4. Garden Gate Update

Taylor noted that two small evergreens need to be replaced at the welcome sign. Otten Brothers is replacing the dying trees at the edge of the park by the bottom of the stairs.

2.3. Improve

2.3.1. Mulch

Rogers had concerns about spreading mulch from chipped diseased trees throughout the city. She explained the city's situation with an expert. The expert explained that typically mulch should be heated to a certain temperature or treated but he felt it was safe for the city to continue chipping and spreading as has been done in the past.

2.3.2. Grant Update

Dovolis researched the Hennepin County fall sports grant application would be \$10,000 to 12,000 for a utility vehicle. The process starts in July and they will email Dovolis. Forbes said Berent can take the lead on the grant but they can help Berent with the process if Council wants him to pursue it. Dovolis and Rezabek will talk about an EAB grant later.

2.3.3. Four Square at Ray Peters Park

Asphalt was repaired at Ray Peters to prepare for the Four Square court last year. Berent was asked by Honey to add painting the court to his list. He can paint it but could not give a deadline.

Rezabek mentioned dead tree with dead branches that need trimming. Honey will have Berent call Rezabek to look at branches to see if he can trim them.

2.3.4. Capital Improvement Program (CIP)

Forbes had correction on the worksheet that \$8,000 is for treatment and \$2,000 is for reforestation. Rezabek stated that treatment also includes removal of diseased trees that have no value. Forbes suggested adding the \$2,000 reforestation every other year to the park budget and not having it in the CIP. Commissioners agreed that they should treat reforestation as an operating expense and not as a capital item. Rogers discussed using planting funds to plant a large evergreen by the library to put lights on. EAB Treatment is \$8,000 every other year for treatment, removal and stump grinding.

A motion was made by Commissioner Pagano and seconded by Commissioner Taylor to treat the \$2,000 reforestation expenditure, specifically in 2019 and 2021, as a budgeted expense and remove it from the CIP with the expectation it will be added to the park operating budget for odd number years going forward. With all members voting in favor, motion carried.

Commissioners then discussed the CIP worksheet and decided to keep the EAB Treatments of \$8,000 for years 2020 and 2022. They discussed what years to put for the other additions and recognized that Council could move the items to different years. They agreed to add a sprinkler system for City Hall in the amount of \$10,000 for 2019 and add library improvements in the amount of \$20,000 for 2019. They had no additions for 2021. Council will review the list of CIP items from all commissions and make decisions on that. Kozloski discussed getting more detailed estimates but suggested they have the placeholder for the library. This will alert Council to issues at the library.

A motion was made by Commissioner Pagano and seconded by Commissioner Rezabek to approve the following recommendations for the CIP: add \$10,000 for City Hall irrigation in 2019, add \$20,000 for Margaret Dahl library restoration in 2019 and keep the EAB treatments of \$8,000 for 2020 and 2022. With all members voting in favor, motion carried.

3. Adjournment

A motion was made by Commissioner Pagano and seconded by Commissioner Boschwitz to adjourn the meeting. With all members voting in favor, motion carried.

Vice Chair Rezabek adjourned the meeting at 7:15 pm. Forbes had to leave the meeting early.

Respectfully submitted,

Heidi Honey, City Clerk