

**Monday, December 11, 2023 6:00 PM**  
**CITY OF MINNETONKA BEACH**  
**REGULAR CITY COUNCIL MEETING MINUTES**

**Roll Call:** Mayor Joe Pagano; Council Members: Tracey Breazeale, Chris Dovolis, Jennifer Halverson, and Jason Mohr; Absent: Treasurer Chris Zinn

**Staff Present:** City Administrator Heidi Honey, City Clerk Jane Burgess, Public Works Superintendent Jason Hilgers, and City Engineer Alan Offerman

**Guests:** Orono Police Chief Correy Farniok, Orono School Board Member Laura Wallander

1. **Call to Order Mayor Pagano called the meeting to order at 6:00 pm.**

2. **Pledge of Allegiance** – Led by Clerk Burgess

3. **Approve Agenda**

Halverson requested that the Agenda be amended to add item 7.2.1. Resolution 2023-50 Declaring the Official Intent of the City of the Village of Minnetonka Beach, Minnesota, to Reimburse Certain Capital Expenditures of a Project from the Proceeds of Tax-Exempt Bonds.

**Halverson motion, Breazeale second to approve the December 11, 2023 agenda as amended. All ayes, the motion carried.**

4. **Approve Minutes**

4.1. Regular Meeting of November 13, 2023

**Breazeale motion, Mohr second to approve the November 13, 2023 regular City Council meeting minutes. All ayes, the motion carried.**

5. **Guests**

5.1. **Orono Police Report – Chief Correy Farniok**

Chief Farniok reported that last month's activities included a few concerning activities. There were several auto theft attempts of unlocked cars, and home burglaries in Minnetonka Beach. The two burglaries involved stolen golf clubs from an unlocked garage door and a brick thrown through a home window. The police have good leads on who committed these crimes as they hit other communities too. There were also other incidents including vehicle crashes on icy roads, a mailbox hit, and harassing voice messages left on a phone. He added that prevention is important by locking doors, garages, and vehicles even if they are left for a short time. No keys or valuables should be left in vehicles even if they are in the garage. Farniok stated that sometimes people are afraid to call 9-1-1 and they shouldn't be. If something looks suspicious, call 9-1-1 immediately. He added that it is difficult to follow up on something if time has gone by so minutes matter. The non-emergency phone number should not be called, just 9-1-1.

Breazeale asked Farniok for advice for snowbirds, and he stated that Orono Police and Reserves do house checks a few times weekly upon request. If residents see neighbors' lights on at an unusual time at a snowbird home, they should call 9-1-1.

Pagano thanked Chief Farniok and also Officer Steve Sturm for the ride-alongs he did with them. He was able to see in great detail all that they do, and services provided on the job. He recommended that residents set their home alarms if they have them and add cameras to homes especially if they are located near

intersections off Shoreline Drive. Farniok told council members to email him if they have any questions or issues to discuss.

Halverson asked if Ring camera subscriptions are a good idea and Farniok said they are because then the footage is recorded and saved.

5.2. Orono School Board Member – Laura Wallander

Wallander stated that she has been an Orono School Board member and Minnetonka Beach representative for eight years. Her purpose for attending this council meeting was to express gratitude for the recently passed school referendum which provided internet and safety enhancements. A new phone system was installed that shows what specific room outgoing calls come from, which is important in an emergency. They have a new attendance monitoring system as well due to technology money received from the referendum. Wallander added that it is business as usual post Covid, and the school board is working on strategic plans and looking for input. She requested that Minnetonka Beach residents complete a survey on Oronoschools.org, even if they don't have children at Orono Schools, which Burgess will include in the weekly SLASH! Eblast and the Beachcomber newsletter. The Board's goal is to make sure graduates are prepared for life and focus on scholarship opportunities, character and relationships. They are working to determine what is the profile of an Orono graduate. They are also making sure the right things are being done for their students, staff and community taxpayers who are impacted by schools.

Pagano asked how many Minnetonka Beach children attend Orono Schools. Wallander did not know the answer but stated that Minnetonka Beach has a large number of children attending private schools. Less than 30% of voters in the district have children in Orono Schools so passing referendums can be challenging. Burgess added that Orono Schools told her that 99 Minnetonka Beach children attend Orono Schools.

**6. Open Forum (items not on the agenda) opened at 6:21 pm and closed at 6:21pm with no discussion.**

**7. Old Business**

7.1. Water Treatment Plant

7.1.1. Water Treatment Plant Engineering Proposal – Stantec

Offerman presented a Proposal for Community Project Funding (CPF) Grant Assistance & Environmental Review from Stantec's funding team and environmental review experts. It is still anticipated that the City will receive federal funding of \$959,000 through Congressman Phillip's office for PFAS removal in the new water treatment plant. The City should receive news of this award on February 2, 2024. He stated that with funding comes required compliance tasks that Stantec can assist the City in completing. The proposal detailed the scope of work, proposed schedule, and estimated fees.

Task one involves management of the process with Stantec's lead billed at \$4,000.

Task Two involves the application itself and Stantec can assist with it billed at \$3,000.

Task Three A is the Environmental Review and assessment of 14 environmental factors billed at \$29,500.

Task Three B is the Archaeology and Architectural History Review billed at \$5,355.

Task Three C is the Wetland Delineation Review billed at \$5,300.

The proposal total is \$47,155.

In Situ, an archeological consulting firm, would complete Task Three B as required by the Minnesota State Historic Preservation Office (SHPO). Those tasks include:

- Background Literature Review and Phase 1A Report Preparation
- Phase 1 Archeological Survey within proposed budget boundary
- Architectural Inventory

- Report preparation and completion of MN site forms depending on survey results. Offerman is looking for proposal approval, pending funding award, to begin the extensive required work soon so that if the funding is awarded to the City, then the project will be ready to proceed with obtaining bids for the plant.

Pagano suggested that council wait until Treasurer Zinn is present at the January council meeting for approval of the expenditure for review and study.

**Halverson motion, Breazeale second to table the approval of Stantec’s Proposal for Community Project Funding Grant Assistance & Environmental Review for the Minnetonka Beach Water Treatment Plant until the January 8<sup>th</sup> council meeting when Treasurer Zinn will be present. All ayes, motion passes.**

7.1.2. **Resolution 2023 – 50** Resolution Declaring the Official Intent of the City of the Village of Minnetonka Beach, Minnesota, to Reimburse Certain Capital Expenditures of a Project From the Proceeds of Tax-Exempt Bonds.

Honey explained that this Resolution pertains to the next bond issuance and declares the City’s intent to use the funds from the next bond issuance for the water treatment plant project.

**Halverson motion, Mohr second to adopt Resolution 2023 - 50 Declaring the Official Intent of the City of the Village of Minnetonka Beach, Minnesota, to Reimburse Certain Capital Expenditures of a Project From the Proceeds of Tax-Exempt Bonds. All ayes, the motion carried.**

7.2. Personnel Policy Amendment – Earned Safe and Sick Time

Honey stated that she updated the City’s Personnel Policy to include language for the new required Earned Safe and Sick Time (ESST) law. Since the City’s current policy addresses the requirements of allocated time earned, she basically renamed the current sick leave to ESST and included the requirements of ESST. Seasonal and part-time personnel who work over 80 hours annually are also eligible for ESST. Employees earn an ESST hour for every 30 hours worked. As members of the Personnel Committee, Breazeale and Halverson reviewed the revised policy and approved it as did the City attorney.

**Breazeale motion, Halverson second to approve the personnel policy with the Earned Safe and Sick Time (ESST) amendment as described in the packet. All ayes, the motion carried.**

7.3. Request for Snow Cleanup on Woodwinds Lane

To follow up from the November council meeting, Honey stated that all five homes on Woodwinds Lane sent emails of interest to have Hilgers clean up the snow from their street once their private plowing is completed. Hilgers confirmed that he does this cleanup for Brooks Lane, Crecent Street and Arcola Lane as well.

**Breazeale motion, Halverson second to authorize Public Works to do snow cleanup from Woodwinds Lane after their driveways and private road are plowed. All ayes, the motion carried.**

## **8. New Business**

8.1. **Resolution 2023 – 45** Appointment of Planning Commission Member – Applicants Scott Gamble and Bill Whitely

Honey stated that the applicants’ resumes and emails of interest are included in the packet. Planning Commission Chair Breazeale provided his input in support of Whitely as he has been a member of the Work Group who has done extensive work with him on the City Zoning code project. Halverson agreed. They discussed the fact that Whitely has attended most recent council meetings as well. They added that Gamble is highly qualified, has an impressive resume, and would be a great addition to City committees and commissions. They appreciate his interest in the Planning Commission.

**Halverson motion, Breazeale second, to adopt Resolution 2023-45 approving the appointment of Bill Whitely to the Planning Commission’s open seat vacated by Commissioner Joann Anderson to fill the remainder of her term. All ayes, the motion carried.**

**9. Finance**

9.1. Continuation of Truth in Taxation Hearing and **Resolution 2023 – 46** 2024 Final Budget.

At 6:43 pm, Pagano asked if any residents have input in the continuation of the Truth in Taxation hearing from December 4, 2023. There was none so the hearing closed at 6:44 pm.

**Breazeale motion, Mohr second, to Adopt Resolution 2023 - 46 2024 Final Budget and Tax Levy Certification for the Year 2024. All ayes, the motion carried.**

9.2. 2024 – 2033 Capital Improvement Program (CIP)

Honey stated that the only revision in the CIP was the reduction of the CIP by \$2,000 as reflected in the resolution.

**Halverson motion, Breazeale second, to approve the 2024 – 2033 Capital Improvement Program. All ayes, the motion carried.**

9.3. **Ord. No. 145, 2<sup>nd</sup> Series** – 2024 Fee Schedule and **Resolution 2023 – 47** – Authorizing Summary Publication of Ord. No. 145, 2<sup>nd</sup> Series – 2024 Fee Schedule

**Halverson motion, Mohr second to Adopt Ordinance No. 145, 2<sup>nd</sup> Series An Ordinance Amending Appendix B Fees for Licenses, Permits, Services of the Minnetonka Beach City Code. All ayes motion carried.**

**Breazeale motion, Halverson second to Adopt Resolution 2023 – 47 Authorizing Summary Publication of Ord. No. 145, 2<sup>nd</sup> Series Appendix B Fees for Licenses, Permits, Services. All ayes, the motion carried.**

9.4. Financial Dashboard

Pagano stated that he requested that Zinn, who was not at this meeting, rank the Accounts Payable items in order by dollar amount going forward.

**10. Consent Agenda**

10.1. Fire Report – November

10.2. **Resolution 2023 – 48** - 2024 Council Meeting Dates

10.3. Employee Benefits Addendum for 2024

10.4. Abdo Letter of Engagement for 2023 Audit

10.5. Approval of Checks – November and December 2023

10.6. Authorize payment of 2023 invoices received between December 8 – 31, 2023 to be approved at January 2024 Council meeting

10.7. Reaffirm Approval of Minutes for Regular meeting of October 10, 2023, and Board of Adjustment and Appeals meeting of October 10, 2023

10.8. Zoning Code Amendment - **Ord. No. 146, 2<sup>nd</sup> Series** - Reordering Ch 4 Zoning Districts to Ch 4, 6, 9, 10, 11, 12, 13 and Ch. 6 Finishing Chapters to Ch 7 and 8 and **Resolution 2023 – 49** – Authorizing Summary Publication of Ord. No. 146, 2<sup>nd</sup> Series

10.9. Kennedy and Graven 2024 Legal Services Rate Increase

10.10. Prosecuting Attorney Services Agreement – 2024

**Breazeale motion, Halverson second to approve the Consent Agenda. All ayes, the motion carried.**

**11. Staff Reports**

11.1. Administrator's Report

Honey referred to her report in the packet highlighting that she spent a great deal of time on the new water treatment plant project, budget finalization, bonding and other finance related activities. She also noted that she applied for a grant for televising the wells, but the funds have been exhausted. The City had the necessary points to qualify for the grant and has been placed on a priority waiting list.

11.2. Clerk's Report -written report in packet

Burgess explained the fire suppression options she is working on, and staff is leaning towards a much less expensive fire alarm system rather than a very costly sprinkler system. The wireless alarm system will sense heat and smoke and dispatch directly to Long Lake Fire so they will arrive much sooner. Waterproof/fireproof storage containers were purchased to house the important documents in the basement to preserve the history of Minnetonka Beach should there be a broken water pipe or fire.

11.3. Public Works Superintendent Report

Hilgers reported that he has completed a lot of utility locates. He would like colder weather to move in so that he can try to freeze the hockey rink, but warm weather is expected to continue. He has worked on a lot of maintenance projects and worked closely with the burying of the Mediacom lines from Westwood Rd at Lake Rd east to the end of Arcola Lane at Shoreline Drive.

12. Council Reports

12.1. Liaison Reports

**Breazeale** – She stated that there was not a Civic meeting, but they held the Tea, Toddies, and SKOL! Party on December 10<sup>th</sup> at the Breazeale's house. The next event is the Civic skating party which will take place on February 4, 2024. For Parks, Breazeale explained the new Pollinator Garden educational sign created by the Park Commission and Burgess with funding from Parks and Public Works. The sign will be located in Lafayette Park near Shoreline Dr. and Hill Rd. at the new Park Commission pollinator garden the Holt's created. She showed council members the new sign and explained that there may be future signs at the Swim Beach Park at the native plant garden. This sign is interchangeable so new messaging can easily be placed on the sign inexpensively.

**Dovolis** – No report

**Halverson** – She stated that the last Planning Commission meeting she attended was the most efficient meeting she has attended with the commission approving the Zoning Code updates. She added that the court ruling regarding the Long Lake Fire Dept and the City of Orono is in the packet. She stated that the meetings are heated, interesting, and difficult. Pagano added that when the City's fire contract ends in December of 2025, the City will need to make a decision where to go for fire services.

**Mohr** – No report

12.2. Mayor's Report – State of the City

Pagano stated that House Rep. Andrew Myers hosted a local mayors and administrators meeting at Minnetonka Beach City Hall today. The common theme expressed by all the lake communities is infrastructure and rising property taxes. The extensive Highway 7 project was also discussed, and Ryan Wilson of MN DOT presented two improvement plan options to the group impacting Minnetonka west to St. Bonifacius. Minnetonka Beach will be impacted when Highway 7 intersection changes are under construction and detours could increase traffic on Shoreline Drive. Pagano reported that there was also discussion about increasing support for police as their numbers are diminishing in many departments.

Pagano presented his State of the City Address Part 1- Governance Model which focuses on THE HOW. He worked closely with former mayors Abdo and Taylor on the Comprehensive Plan rewrites and worked

closely with former Mayor Lindstrom as well. He reviewed what they did that made governance effective by studying their learnings and best practices. He referred to his research findings as the “Greatest Hits of the Great Leaders in our Community.” The Address is comprised of 10% community characteristic, 80% governance operating model, and 10% reprise of the priorities of the year.

Pagano’s Presentation Call Outs include:

- Council’s oversight is the core of governance
- Staff is the face and constant of city government
- Time is our scarcest resource.

Pagano’s presentation went on to include the following categories:

- Current State – Strengths
- Staff
- Staff’s Network
- Current State – Strengths Part 2
- Current State – Challenges
- Council’s Impactful Role
- Oversee the Operating Model
- ROTI – Guiding Principle
- 2024 Priorities
- Thank You and Comments

Halverson stated that Pagano was spot on in his analysis. She liked his plan for efficiency, staying focused, and following a plan.

Dovolis and Breazeale agreed with Halverson and added that including an evaluation piece is very important.

Mohr stated that he likes the plan and effort to keep things going as they have been, and he added that he likes the busy 2024 agenda.

Mayor Pagano’s State of the City Address Part 1 – Governance Model will be posted to the City’s website.

### **13. Adjourn**

**Halverson motion, Breazeale second to adjourn the meeting. All ayes, the motion carried.**

**The meeting adjourned at 7:21 pm.**

**PUBLIC IN ATTENDANCE – none**

**Respectfully submitted,**

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**Jane Burgess, City Clerk**