

**CITY OF MINNETONKA BEACH  
CITY COUNCIL MEETING MINUTES  
Monday April 8, 2013**

**Roll Call:** Mayor Joann Anderson, Council Members: Jill Bartel, Jaci Lindstrom, Rick Skalla, Mike Taylor, and Treasurer Randy Gilster.

**Absent:** None

**Staff Present:** City Administrator, Susanne Griffin; City Clerk, Diane Tiegs; and Public Works Director, Ben Young.

**Guests:** Orono Police Sergeant Scott Boris; Dr. Pam Myers, President of the Westonka Historical Society

**1. Call to Order**

Mayor Anderson called the meeting to order at 6:26 p.m.

**2.** The Pledge of Allegiance was led by City Clerk Tiegs.

**3. Approval of Agenda**

The 6 p.m. Board of Review meeting adjourned early so City Council addressed non-controversial items not requiring Council action until the regular meeting start time of 7 p.m.

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

**3.1. Council Meeting Action Notes**

Council reviewed the Action Notes and discussed a possible rate study be added to the list.

**A motion was made by Council Member Taylor and seconded by Council Member Bartel to refer to the Finance Committee a review of the utility rates then give a recommendation to Council if a new rate study should be conducted. With all members voting in favor, the motion carried.**

**4. Approve February 11, 2013 meeting minutes**

**A motion was made by Council Member Taylor and seconded by Council Member Lindstrom to approve the Regular City Council meeting minutes of February 11, 2013. With all members voting in favor, the motion carried.**

**5. Open Forum:** None present

**6. Westonka Historical Society Presentation – Dr. Pam Myers**

Council Member Taylor addressed Council and reviewed his initial meeting with Dr. Pam Myers, Chair of the Westonka Historical Society (WHS). Dr. Pam Myers talked about the history and purpose of the Westonka Historical Society. The main focus of the WHS at this time is to secure more funding and a location for the Museum. The main funding source comes from membership

dues, grants, and the sales of Lake Minnetonka historical books. A video sample containing historical information and pictures was presented. Dr. Pam Myers encouraged the Council to consider how the WHS can best represent Minnetonka Beach at the museum and requested donations of items for display and possible future funding. City Administrator Griffin will publish information about the Westonka Historical Society in the Beachcomber. Dr. Myers will be back to Council in June when the Minnetonka Beach budget discussion begins. City Administrator Griffin stated there are some items of historical value in the basement of City Hall that would help with the representation of Minnetonka Beach.

## 7. Police Report

### 7.1. Police Report – February and March

Sergeant Scott Boris of the Orono Police Department reviewed the March Police Report. Council Members asked if resident gun registration information is public information. Council also questioned the status of a forcible rape that was reported in 2012. Sergeant Boris will email his findings to Council with answers for those two questions. City Administrator Griffin attended the police commission meeting and gave an update on the administrative citation process which is in development in Orono and soon will be sent to communities for review.

## 8. Civic Committee Annual Report – Civic Committee Chair, Cathy Dudley

Civic Committee Chair Cathy Dudley presented a review of the planned Civic Committee activities for 2013. Committee Member Kristen Haag purchases the Minnetonka Beach wear that is available at City Hall and new items will be purchased for the summer of 2013. Each year a letter is sent to residents for the annual dues. The dues pay for the community events that are held each year.

The new year was kicked off with a skating party which was well attended. A newcomer's event for new residents is scheduled for Sunday, April 14 from 4 to 6 p.m. at the Schwendimann residence. The Committee decided to revive the street dance event which is scheduled for June 15<sup>th</sup> from 7 to 11 p.m. at the beach commons. This is an adult only event with food, beverages, and music provided by a DJ. The progressive dinner will not be held this spring with the intent to revamp the event and possibly schedule it for fall before the "snowbirds" go south. The summer picnic is scheduled for July 28<sup>th</sup> and will begin at 4 p.m. In October the annual Halloween party will be held.

## 9. Treasurer's Report

9.1. Consider Motion to Approve March Checks – \$49,052.18, 37 check numbers 13817-13853.

**A motion was made by Council Member Bartel and seconded by Council Member Taylor to approve check numbers 13817 through 13853 in the amount of \$49,052.18. With all members voting in favor, the motion carried.**

9.2. Consider Motion to Approve April Checks - \$46,760.76 check numbers 13854-13890.

**A motion was made by Council Member Taylor and seconded by Council Member Lindstrom to approve check numbers 13854 through 13890 in the amount of \$46,760.76. With all members voting in favor, the motion carried.**

9.3. YTD Budget Report generated new views comparing previous year to current year.

Treasurer Gilster stated for the May meeting another variation of the report will be introduced illustrating a month over month, year over year review.

9.4. Previous Year Comparison Report

Treasurer Gilster reviewed the new yearly comparison report which Council found to be helpful.

9.5. Transfer Reserve funds to CIP report

Treasurer Gilster will follow-up with Council at the May meeting regarding the transfer of funds between the Reserve Fund and the Capital Improvement Reserve Fund. Mayor Anderson would like this information for the preliminary budget review in August. Council Member Skalla would like an actual account created for the CIP Reserve Fund rather than having the dollars included in the General Fund. City Administrator Griffin will contact representatives for the 4M Fund and inquire about creating a sub-account on the statement.

Council Member Skalla stated that a decrease in property values will cause a \$72,000 shortfall next year. Council should consider if there is a need to levy more money next year. It is important to educate residents how the property evaluations may have dropped but taxes may increase. Hennepin County adjusts the tax levy based on the new property values to ensure that the city receives taxes equivalent to the budget. Council Member Taylor suggested if Hennepin County already published information regarding the decrease in property values it should also be repeated in the Beachcomber.

City Administrator Griffin reported to Council the outcome of the solid waste tax audit. The City of Minnetonka Beach paid the tax based on what the resident paid for garbage rather than what the contractor charged. This was an incorrect process and should have been based on what the contractor charges. The City changed the process after the first quarter of 2011. The amount difference from July 2009 through the first quarter of 2011 was paid back to the State. Also, the Lafayette Club and St. Martins Church should have been charged the commercial tax rate however, back taxes were not due for that.

**9. Consent Agenda**

9.6. Fire Report – February and March

9.7. **Resolution 2013 – 17** Consider Dock Applications for 2013 City Dock Permits

9.8. **Resolution 2013 – 18** Consider Dock Variances

9.9. Wells Fargo Half Marathon, Sunday, May 5<sup>th</sup>, 2013

9.10. Consider Adopting City Vehicle Policy

City Administrator Griffin presented the proposed City vehicle policy that was drafted by the City Attorney. Mayor Anderson stated the reason for a policy is to assure the City is protected when the Public Works Director travels to and from home in a city vehicle and if he has passengers.

Council Member Skalla stated this is an employee benefit for the miles traveled to and from home or if the vehicle is used for personal errands. Mayor Anderson replied the benefit is to the residents of Minnetonka Beach because Public Works Director Young can be called anytime day or night and respond more quickly by already having the city truck rather than going to the public works facility to exchange vehicles before answering the call. Public Works Director Young stated that when his work day is completed he uses his personal vehicle.

The Council discussed the dock applications and noted that they are up from 2012. City Administrator Griffin stated that some permits were not renewed in 2012 due to the economy. Council Member Skalla inquired if there were open slips and if so are residents aware they are available. City Administrator Griffin responded that residents are aware of open slips and there is a second round of slip assignment for residents on a waiting list or those wanting a second boat slip.

**A motion was made by Council Member Taylor and seconded by Council Member Bartel to approve the Consent Agenda. With all members voting in favor, the motion carried.**

## **10. Planning and Zoning**

10.1. **Resolution 2013 – 16** Resolution Adopting Ordinance No. 89, 2<sup>nd</sup> Series Amending Section 205 Definitions and Section 206 Permitted Accessory Uses, Chapter Two of the City Code of Ordinances

Council Member Lindstrom, liaison to the Planning and Zoning Commission attended the meeting on March 4, 2013. Council Member Lindstrom reported on the wind generator study discussion. Planning and Zoning Administrator Krier recommended taking time to assure the study is completed to demonstrate a rational basis for the City to allow them or not. The study is still in process.

City Administrator Griffin reviewed Resolution 2013-16. The purpose is to assure the City Code and tables in the code are consistent.

**A motion was made by Council Member Taylor and seconded by Council Member Lindstrom to approve Resolution 2013-16 adopting Ordinance No, 89 2<sup>nd</sup> Series Amending Section 205 Definitions and Section 206 Permitted Accessory Uses, Chapter Two of the City Code of Ordinances. With all members voting in favor, the motion carried.**

10.2. Planning Commission Survey

Council Member Lindstrom reviewed the proposed Planning and Zoning survey with Council. The purpose of the community survey is to assist in determining the community's wants and needs. Council discussed how to distribute the survey to residents and encourage participation. Suggestions were using an on-line survey, sending a letter to residents inviting comments and suggestions and, send the information out with the Beachcomber. Council approved the language in a letter to be sent to residents as the initial phase of developing a community survey. The letter was prepared by the Planning Commission.

## **11. Old Business**

11.1. Fire Lane Access Policy

Council discussed the issues with the fire lane at the beach commons area. The issue of traffic, garbage, and the safety of children playing in the area were discussed. The fire lane access cannot be open for residents only. If it is open it is open to the public as well. Council Member Lindstrom stated she is not certain the access should be closed. The City could consider closing the fire lane for the winter season and open the fire lane during the summer months. The Council discussed holding a public forum for resident input on the subject at the May 13, 2013, City Council meeting.

**A motion was made by Council Member Taylor and seconded by Council Member Lindstrom to hold a public forum at the May 13, 2013, Council Meeting to obtain information from residents regarding the future status of the fire lane at the beach commons area and other fire lanes. With all members voting in favor, the motion carried.**

## **12. New Business**

12.1. LMCC Executive Committee Request for City Representation on Joint Powers Agreement Amendments

The Executive Committee of the LMCC is asking city LMCC representatives to express their city's needs and concerns regarding the Joint Powers Agreement with the LMCC. This request is due to

communities that have threatened to leave the joint powers agreement and negotiate with the cable companies on their own. There are a few communities that do not have access to services in portions of their city. Leonard MacKinnon and Treasurer Randy Gilster are Minnetonka Beach representatives to the LMCC and will attend the LMCC meetings and report back to Council with updates.

12.2. LMCC Representative Leonard MacKinnon – Brief Report on LMCC

LMCC Representative MacKinnon reviewed the purpose of the Lake Minnetonka Cable Communications Commission (LMCC). Cities have the right enter into franchise agreements for cable television services. The City of Minnetonka Beach and sixteen other cities have delegated that right to the LMCC. The only authority the LMCC has is to negotiate the cable television franchise agreement, not internet and not telephone services.

The City recently received a letter from Mediacom with information regarding a pending rate increase. City Administrator Griffin will contact Mediacom to assure the letter was sent to all residents.

**13. Staff Reports**

13.1. Director of Public Works Report

Public Works Director Young reported a water service break at the Boyle residence located at 2518 Cross Point Rd. The cost to repair is \$3,000. Public Works Director Young was called out for two separate evening service calls to address an alarm that went off at Lift Station No. 3. The switches were re-wired to correct the problem.

13.2. Clerk's Report

City Clerk Tiegs reported to Council on the upcoming Walk with the Mayor, the Step To It kick-off on Wednesday, May 1, at 6 p.m. Residents are to meet at City Hall for the walk. Participants will receive a t-shirt and Twins tickets and other items while supplies last.

13.3. Administrator's Report

Transfer of Planning and Zoning Duties to City Staff Update.

City Administrator Griffin clarified to Council that Staff is willing take over the extra duties and assess how much time it involves. This year we have not had the opportunity to test the new process because building permits have been slow to date. City Administrator Griffin stated consideration could be given to having the Planning and Zoning Administrator process variances which are more involved. Until Staff has had the opportunity to try the new process it is unknown how much time is involved. This will be tabled for discussion at a later date once the new process has been put into practice.

**14. Council Reports**

14.1. Mayor's Report – No Report

14.2. Liaison Reports – No Reports

**15. A motion was made by Council Member Taylor and seconded by Council Member Bartel to adjourn the meeting at 9:13 p.m. With all members voting favor, the motion carried.**

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**Respectfully submitted,  
Diane Tiegs, City Clerk**