

Monday, April 13, 2015 7:00 PM
CITY OF MINNETONKA BEACH
CITY COUNCIL MEETING MINUTES

Roll Call: Mayor Rick Skalla, Council Members: Jill Bartel, Paul Kozloski, Jaci Lindstrom. Treasurer: Randy Gilster. Absent: Council Member Mike Taylor

Staff Present: City Administrator Susanne Griffin; City Clerk Heidi Honey; Public Works Director Ben Young

Guests: Police Sergeant Chad Stensrud, Police Chief Correy Farniok, Park Commission Chair Jody Sperduto, Guest Leonard MacKinnon

- 1. Mayor Skalla called the meeting to order at 7:38 p.m.**
- 2. City Clerk Honey led the Pledge of Allegiance.**
- 3. Approve Agenda for the April 13, 2015, City Council Meeting.**

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.

Action Notes: Council Member Lindstrom asked to lead the Tobacco Free Parks Ordinance research on the Action Notes to bring it back to Council for action. She asked to add it to the June 8 City Council meeting agenda. Mayor Skalla asked if the June 9 Planning Commission ordinance review date remains accurate. Council Member Taylor was absent so City Administrator Griffin will follow up with Planning Commission. Mayor Skalla discussed the referrals for Finance Committee and the impact of the water projects and asked that a date be set for that. The Utilities Commission will meet the week of May 18th to discuss outstanding water projects, prioritize water projects and discuss flooding in the parks. They will include the Finance Committee in that meeting. Parks Commission Chair Sperduto will also attend the joint meeting.

4. Approve Minutes

4.1. Regular Meeting of March 9, 2015

Mayor Skalla asked to clarify in the Mayor's Report on page 7 that the City did not pay out of pocket for the lawsuit but the City's Insurer paid.

A motion was made by Council Member Bartel and seconded by Council Member Lindstrom to approve the Council meeting minutes of March 9, 2015 as amended. With all members voting in favor, the motion carried.

5. Open Forum

There was no discussion but Mayor Skalla noted a Boy Scout in the audience. The Scout stated he is Ben Boschwitz and is working on his Citizen in the Community for Scouts. He was simply viewing the Council process.

6. Recognition of Leonard MacKinnon for Outstanding Community Service

Mayor Skalla presented Leonard MacKinnon with a Proclamation and a Minnetonka Beach cap thanking him for his many years of outstanding service to Minnetonka Beach. Former Mayor Anderson thanked Leonard MacKinnon for his outstanding work on the Utilities Committee.

7. Park Commission report – Chair Jody Sperduto

Chair Sperduto reported that Otten Brothers will be planting four lindens when road restrictions are removed. The Arcola Beach ash trees that needed to be removed have been taken down. Stumps will be removed when road restrictions are off. Approximately 2/3 of the CIP funds for EAB have been used. Most ash trees have been taken down that needed to be. Two trees have been added to the treatment list for 2016.

The large Minnetonka Beach sign will be repainted. The sign area will be professionally landscaped and boulder edged. The landscaper has requested 50% down to start. The cost of the project is \$2,900. Chair Sperduto reported on other signs in Minnetonka Beach. She received bids to re-paint the white metal signs outside City Hall and on either end of Minnetonka Beach. Those signs will cost \$2,000 to sandblast and re-paint. Park Commission does not have that in their budget but they do have \$5,000 CIP funds that will not be used this year for the playground project. She received a bid to purchase a sign consistent with the one on the east end of Minnetonka Beach from Spectrum Sign Systems. It will cost \$6,500. Chair Sperduto will seek additional bids for the large sign on the west side of Minnetonka Beach. She asked Council for permission to use some of the park enhancement budgeted grant money to repaint the white signs. Mayor Skalla supports using the money for the signs and landscaping. Park Commission is planning a study session on May 13 to examine the Park System Plan in detail and to prioritize park areas, with focus on Ray Peters Park.

Chair Sperduto reported that resident Andrew Myers presented a pumpkin patch idea at the Park Commission meeting. He wanted a 50' x 60' pumpkin patch on the west side of Hill Road at a cost of \$2,000. Park Commission decided to recommend to Council to start with a 10' x 10' patch on Hill Road with no edging or fencing. Council Member Bartel said Park Commission was not overwhelmingly supportive of the pumpkin patch. Park Commission would be supportive of it but does not want the responsibility of ownership of it. There are many potential problems such as upkeep and watering. Since Park Commission does not fully recommend the pumpkin patch after studying it, Council will not make a decision on it as presented but it could be brought back to Council at a future date. City Administrator Griffin notified Chair Sperduto that the 50% down payment for the landscaping project will be paid at the next Council meeting.

8. Police Report – March

8.1. Police Report – March Report

Sergeant Stensrud stated there have been a lot of road restriction violations. April is Distracted Driving month with extra enforcement in place across the metro. There will be a Use of Force program for Police Commission May 30th 1 to 5pm. The Wells Fargo Half Marathon is May 3rd. Shoreline Drive will be closed 9am to 11am on that day.

8.2. Chief Farniok– Social Host Ordinance and Administrative Citations

Chief Farniok discussed the Social Host Ordinance proposal he will be presenting to local cities. This is a misdemeanor offense with a sentence of up to 90 days and fine up to \$1,000. Under current law, the adult must provide the alcohol to the minors to be in violation of the law. With the new social host ordinance, the adult can be charged with a misdemeanor for knowledge of underage drinking and allowing underage consumption in their home regardless of where the alcohol came from.

Chief Farniok also discussed Administrative Citations ordinance which was passed in Orono in 2013. The administrative citation is managed at the city level. Cities see better compliance and payment with Administrative Citations for civil citations. City Staff can reduce fees by 50% if paid in 10 days and the revenue goes directly to the city. Currently, these violations go through criminal court. Chief Farniok offered to provide Mound's Administrative Citation ordinance as an example for Minnetonka Beach and for all of the cities adopting this to have consistency for enforcement. The legislation does not allow Administrative Citations for moving violations or criminal violations.

9. Consent Agenda

- 9.1. Fire Report – March
- 9.2. **Resolution 2015 – 17** Consider Dock Applications for 2015 City Dock Permits
- 9.3. **Resolution 2015 – 18** Consider Dock Variances
- 9.4. Consider Approval of Safe Assure Contract Renewal
- 9.5. Appoint new Dock Committee Members – Affirm existing Members

City Administrator Griffin informed Council that the final list of dock applications for Resolution 2015-17 was presented at the meeting. The change to the initial list is to add Dock 2-3 for Rachel Hunt.

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

10. Treasurer's Report

- 10.1. Consider Motion to Approve April Checks

A motion was made by Council Member Bartel and seconded by Council Member Lindstrom to approve checks numbered 14957 through 14999 in the amount of \$49,985.51. With all members voting in favor, the motion carried.

10.2. YTD Budget Report and Previous Year Comparison Report

Treasurer Gilster stated the City is tracking as expected. The City is over budget on Dues because of the SafeAssure contract and First Lab's \$250 charge for random drug testing. City Administrator Griffin will follow up with First Lab regarding the annual charge so it can be budgeted correctly for next year. There was discussion about remaining dock slips available. City Administrator Griffin stated those are mostly small personal watercraft size slips.

10.3. Outstanding Accounts Payable Report

There was discussion about residents who still owe money for invoices. They have all received statements stating their invoices are past due and they may appeal to council or have the amount assessed to their taxes.

11. New Business

11.1. No Wake Days on Lake Minnetonka

Dennis Klohs presented to Council at the March 9, 2015 City Council meeting the idea of quiet water days and asked Council to consider leading the effort at the municipal level. Mayor Skalla had asked Council members to talk with residents and get their feedback. Council Member Lindstrom does not object to pursuing it. Council Member Bartel feels pursuing it along with other communities is fine, but does not want the City to pursue it on their own. She thinks it looks elitist. Mayor Skalla spoke with many residents and thinks many people would not mind it for one day per

week. The LMCD would enforce it for the entire lake. Resident Jamie Suiter stated it is a slippery slope and weeknights are not that busy anyway. After discussion, Council decided there is not overwhelming support for Minnetonka Beach to initiate this effort.

11.2. Appoint Alternative Zoning Administrator

City Administrator Griffin stated that Dick Krier is still the Planning and Zoning Administrator for the City and the City has not accepted his resignation. Planning and Zoning Administrator Krier submitted a letter to Council stating he would extend his contract with a new hourly rate for work after May 5, 2015. Administrator Griffin told Council that the City has used Bill Thibault of Thibault Associates for some Planning & Zoning Administration projects in the past and she recommends naming him as Alternate Planning & Zoning Administrator until a replacement has been selected and contracted. There was discussion about the status of the Planning and Zoning Administrator replacement selection process.

A motion was made by Council Member Bartel and seconded by Council Member Lindstrom to name Bill Thibault, Thibault Planning Development Associates, as Alternate Zoning Administrator and authorize the Mayor to enter into a contract through the Letter of Understanding with Mr. Thibault to serve as Alternate Zoning Administrator. With all members voting in favor, the motion carried.

12. Staff Reports

12.1. Public Works Director Young

Public Works Director Young reported on the reflective stakes at various intersections in Minnetonka Beach. Hennepin County placed those to prevent motorists from cutting corners. Hennepin County has requested a letter from the City stating that if the stakes are removed, the county is not responsible for damage to property. If the City wants them back in place, the county will not replace them. Council decided the reflective stakes should remain in place and Public Works Director Young can possibly change the look with different reflectors. Public Works Director Young will talk with Parks Commission Chair Sperduto regarding possible boulders incorporated in the landscaping around the Minnetonka Beach sign for winter snow plowing issues.

The new truck cannot be ordered yet but will be ordered as soon as orders are being accepted. The cost will go up \$1,500. Public Works Director Young talked with Rick Perry, from Perry's Truck Repair in Long Lake, about the hydraulics and they determined the hydraulics may not be needed for the City's use. He recommended trying electric first and adding the hydraulics later if needed. That will reduce the cost of the truck by \$9,000.

Public Works Director Young received a sidewalk bid along with a bid replacing the City Hall steps which are slightly too high. Lyle Oman, Orono building inspector, stated the steps are ¼" too low. He looked at the railing and stated it is ¼" low but acceptable. The railing should be extended at top and bottom of the stairs. It would extend out on to the sidewalk. Public Works Director Young is still waiting to get additional bids for the steps. He has been working on repairing three storm sewers that had caved in.

12.2. City Clerk Report

No report

12.3. Administrator's Report

No report

13. Council Reports

13.1. Mayor’s Report – Mayor Skalla discussed the police service contract and that the City pays a flat monthly fee based on a formula for services. If the City uses more than that, Orono police absorb the cost. If the City uses less than that, the excess funds are put into a fund and used to purchase extra things the police need such as radios, cameras, weapons, etc. instead of asking the cities for each purchase they need to make. The police have a list of future planned purchases for the money. He wanted Council to be aware of the process because it is Minnetonka Beach taxpayer money.

13.2. Liaison Reports-

Council Member Taylor – Dock Committee. City Administrator Griffin reported on behalf of Council Member Taylor. Dennis Klohs attended the meeting and discussed the possible change in ordinance to reconfigure the docks in the future. There was discussion about replacing sections of the common dock area at the beach. The Dock Committee agreed that the City should not pay for those sections and the slip owners should split the cost. The Dock Chair will meet with the dock installer to determine what sections need to be replaced. A letter will go out to the dock owners regarding this. There was discussion about priority one dock fees. The Dock Committee tabled further discussion on the fees.

Council Member Lindstrom – Civic Committee is organizing a cleaning up the City event and wanted to know if Hennepin County can be called to clean up along Shoreline Drive. There was discussion about checking to see if that part of the road is adopted in the Adopt a Highway program. Civic Committee can check on that. They asked for a children at play sign by the beach on Monday Fundays because Lafayette Road is a thoroughfare for construction. They also asked for Children at Play signage on Beach Lane as well. Kelly Boyle and Cathy Dudley asked no parking removed. Procedure is for City Staff will discuss signage with the Mayor and if further discussion is needed, it will be referred to Planning Commission. Council Member Lindstrom will write up a memo with specifics for City Staff to review. Public Works Director Young reminded Council that he puts up barricades to block the road for Monday Funday. Council Member Lindstrom will remind Civic of the barricades.

Council Member Lindstrom – Utilities Committee. No report.

Council Member Bartel – Finance Committee. No report.

Council Member Bartel –Park Commission. Park Commission Chair Sperduto covered the report. No additional report.

A motion was made by Council Member Bartel and seconded by Council Member Lindstrom adjourn the meeting at 9:46pm.

PUBLIC IN ATTENDANCE – The following individuals signed the sign-in sheet: Jamie Suiter.

Respectfully submitted,

Heidi Honey, City Clerk