

**City of the Village of Minnetonka Beach**  
**Dock Committee Meeting Minutes - APPROVED**  
**October 30, 2024 ~ 5:30 p.m.**

**Present:** Chair Jeff Steinke, Vice Chair Jim Knudsen; Committee Members: Jack Foss, Lucian Panait, Todd Pottebaum, Dan Van Handel, Johnny Whitaker

**Absent:** Council Liaison Tracey Breazeale

**Guests:** None

**Staff:** City Administrator Heidi Honey, City Clerk Jane Burgess, Public Works Superintendent Jason Hilgers

1. Call to Order

Chair Steinke called the meeting to order at 5:30 p.m.

2. Approve Agenda

**(Pottebaum motion, Foss second to approve the agenda of October 30, 2024. All ayes.)** Motion passed.

3. Approve Minutes of September 26, 2024 Dock Committee meeting

**(Van Handel motion, Whitaker second to approve the September 26, 2024 Dock Committee meeting minutes. All ayes.)** Motion passed.

4. Old Business

4.1. City Council Objective – Explore Improved Configurations at Beach Docks 12-16

Steinke stated that at the last Docks meeting there were questions and clarification needed. The answers provided by City Council and others are in an email that is page 8 of the packet.

- What does good or success look like? Council made a motion at their October 7, 2024 meeting supporting the Park Commission's recommendation asking the Dock Committee to achieve Parks motion to open up the swim beach views by 150' prioritizing the southwest view.

Additional discussion: Parks recommended detail to the original Dock Commission objective. A map in the packet shows 150 ft, and docks displaced to meet their 150' request. Steinke stated up until now, they were working on a generally stated objective to improve views, safety and water quality. They have focused on safety and views because the swim beach water passed all tests this summer. This input from Parks recommends 150 ft of view from the beach and that is new information for the Dock Committee. The motion from the Council meeting was on page 8. The park commission motion was also in the packet which supports Parks.

- Requested Comprehensive Plan excerpts specific to the swim beach and docks: Page 12 of this meeting packet have the comp plan excerpts from the October 7, 2024 Council packet related to swim beach and views.
- Timeline: City Council requested a plan be presented at their November 12 meeting, and if they cannot meet that deadline tell them why and also an appropriate date when one will be submitted.
- What are quantifiable measures improved views? Answer: See answer to #1.

Whitaker then reported on the pier concept discussed at the previous meeting. The cost for this system is approximately \$235,000 for the 25 slips configured as previously presented in a "U" or rectangular shape on the south side. Boathouses are not allowed with this system. Installation would be \$60,000 annually, \$30,000 each for in and out. Van Handel thought this cost is similar to buying all new docks. The dock would still be wobbly depending on the amount of muck at the lake bottom.

Whitaker had a question for Parks and Council. He stated a neighbor wanted to donate a skateboard half pipe to the city, but Park Commission recommended declining the donation and one of the main reasons was that they did not want to draw non-residents to the park. He then stated if the view is opened a large amount, the city will draw non-residents to the city beach. He thinks Parks and Council should considerer this unintended consequence. He added that this configuration is very dangerous to maneuver.

Steinke stated the cons for the pier concept are #1 safety, and #2 cost. Prevailing wind is south and west. It would be very difficult to navigate when it is windy. Van Handel agreed that with his wake boat, it would be very unsafe to navigate. Pottebaum would be very hesitant to put this in front of Council because of stability and safety concerns. It could create liabilities for Council. The same reasons apply to the proposed reconfiguration with existing docks.

Knudsen asked if they rotated the layout 90 degrees. They would need to go out 200 ft or have two piers going out not as far. The proposed configuration to the south does not improve views. The views will always be compromised with any docks there. The further out you go, the less safe it is and it may impact views more. To go out 200 ft, they need to give up 50% of the shoreline.

Whitaker understands Parks' wish but with safety issues and feasibility, he thinks there are unintended consequences with the reconfiguration. Commissioners agreed that the current configuration is the safest with all boats pulling straight in. Steinke recommended removing boathouses and leaving lift canopies on for one year to see if it would make a difference. He stated it accomplishes what they were originally tasked with. They have now risen the bar and asked for 150 ft but he thinks they can still accomplish the original objective of improving views by removing boathouses. This was Dennis Klohs' recommendation also. There was discussion about polling all slip holders in the city about removing boat houses. Van Handel expressed concerns about removing boathouses and that it may look worse with all the boats at various heights and all of their stuff being exposed.

Whitaker distributed his/Pottebaum's proposal titled "Phased Dock Reconfiguration and Boathouse Standardization Plan". The plan would require current renters to transition to green boat houses and new renters must have green ones. Two slips closest to the swim beach will be relocated as slips are vacated. Specifics of plan:

#### **Phased Dock Reconfiguration and Boathouse Standardization Plan**

This plan is designed to meet the city Council's goals of improving lake views, enhancing safety, and protecting water quality, all while preserving essential access for non-riparian users. It balances the immediate needs of current renters with a long-term vision for a more inviting and accessible lakefront community that honors safety, accessibility, and natural beauty.

By phasing in these changes over time, we ensure that progress aligns with Council objectives without causing significant disruption. Key benefits include respecting current renters' rights, enhancing visual cohesion, and gradually improving lake views while preserving accessibility and safety. This solution supports Council goals while creating a lakefront space that current renters and future generations alike can enjoy.

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#### **Proposal Outline**

##### **1. Grandfathering and Retaining Current Rights**

- **Existing Boat Houses:** Current renters are grandfathered in and may retain their existing boathouses but need to transition to green canopies by 2035.
- **New Renters and Canopy Standards:** Upon vacancy, new renters must convert to all canopies to green.

##### **2. Incremental Relocation and Reconfiguration**

- **Gradual Relocation:** As slips are vacated, two slips closest to the swim beach will be incrementally relocated to improve lake views, prioritizing those obstructing key sightlines closest to the swim beach.
- **Safety Preservation:** The current configuration minimizes risks and enhances safe navigation and docking, especially during strong west and southwest winds, which are common in this area. Preserving this layout supports safe and effective boating.
- **Minimal Disruption:** This phased approach minimizes disruptions to current renters.

##### **3. Standardized Boathouse Guidelines by 2035**

- **Uniform Appearance:** By 2035, all boathouses will adhere to a standardized design and color scheme, creating a visually cohesive dock area that enhances the lakefront's appearance.
- **Phase-in Approach:** Renters with non-green canopies have until 2035 to meet the new standards, allowing for a smooth transition without immediate impacts.

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#### **Key Benefits**

- **Minimal Disruption:** The plan respects current renters' rights by phasing in changes gradually, allowing time for adaptation.
- **Aesthetic Improvement:** Standardized canopy colors enhance the lakefront's visual appeal.
- **Safety and Long-term View Enhancement:** The current configuration prioritizes safe docking conditions in common high-wind areas. Incremental relocation of innermost slips improves lake views while maintaining non-riparian access, fostering an inviting and balanced lakefront community.

Knutsen distributed an excerpt from the Comprehensive Plan p. 48 which is the lake access plan and talks about preserving the number of allocated slips. Steinke added that the city also should not decrease the quality of the slips by moving to an inferior location. This was also referenced in Dennis Klohs' email documenting dock history. Whitaker stated to get a view, they will have to make a concession.

Steinke recommended removing boathouses for one year as he sees that as least disruptive. Pottebaum thought that was most disruptive because 24-25 people who are accustomed to having lifts have to store them at people's homes and that disrupts the harmony of the neighborhood. This takes something away from people who have been used to having it. This proposal is by attrition and will not impact anyone. He added this is a compromise and least disruptive.

Pottebaum stated the boathouses camouflage a lot. Van Handel recommended all boathouses at the same height.

Whitaker stated these are the best slips in Minnetonka Beach. They are the most convenient, there is a park there for kids to run around while parents load or unload the boat, and they are the safest. He has lived next to two city dock locations in the past and others are tricky for different reasons. He would like to remove the least number possible because these are the prime slips.

Pottebaum stated there is no perfect solution but this proposal for moving two docks is a reasonable compromise. If Council likes the proposal, they can see how it goes with moving two slips. One slip has vacated, and everyone would move over one spot.

Jim Dudley asked to speak. Steinke allowed it. Dudley stated they need to be careful yielding to a few people. There are many people living in the beach who are slip renters and have been here decades. When talking about removing canopies, that is serving one person's need or desire. Slip renters with boathouses are using them to protect their valuable assets. He went on to say that Council's suggestion is idealistic and the only residents using the beach consistently are Jack Foss, and Dennis and Kathy Klohs who sit at the same bench regardless of if the docks are installed or not. The beach is overwhelmingly used by people who do not live in the city. It is used by workers at lunchtime and people coming into the city to look at the sunset or sit there. He stated Whitaker had a valid point, and when the City started to see nonresidents using the beach, it installed the "Parking by Permit Only" signs to prevent the beach from being overwhelmed by nonresidents so residents could enjoy it. Dudley then suggested if they wanted to proceed with Whitaker's proposal, they would tell Council, while we respect what you suggested, these are the reasons we cannot do that: we can't realign the docks because of safety concerns, we looked at the feasibility of putting docks out further and it is very difficult, if views are greatly widened it will be like Wayzata swim beach where people come in from everywhere which is an unintended consequence that nobody had thought about, slip renters who have had these slips for many years do not want these changes, and residents across the street don't complain about the views. Council should think about all of these things and provide an in depth response. He did not think the Dock Committee has to yield to what Council is saying, and Council can choose to do whatever they want. He suggested the Dock Committee do what is best for the slip holders.

There was discussion about polling residents, and complexity of questions.

Whitaker discussed who lives there and who rents there and the impact on them. Rosendahl commented that moving two slips does not seem like it impacts anyone, but it does impact those on the waiting list. City docks are built into the value stream of properties and people bought homes here knowing that. Steinke suggested Rosendahl express these comments to Council at the November 12 meeting. Honey stated that residents may only comment during open forum for items not on the agenda and they may only comment on agenda items if called upon by the Mayor.

Steinke discussed locations to relocate the two slips. There are two jet ski slips at Arcola that could be reconfigured into one but that would not be a relocation.

**Van Handel motion to reiterate why they do not want to make any changes and Dudley outlined.**

(There were many conversations happening all at once)

**Van Handel motion to not make changes to the current configuration given concerns for safety, and also to help preserve the number and location of desired boat slips (City Comprehensive Plan p. 48).**

Whitaker feels they have conflicting ideas with Parks wanting to open views to 150 ft and that Parks doesn't want to encourage nonresident beach use and then Council mandating views. He agrees with Van Handel but he wants to come up with a solution that would be a compromise for Parks, Council and Docks to make it better. He doesn't want to send a motion that would remove the Dock Committee from the conversation.

There was a discussion that giving Council a proposal like Whitaker's instead of Van Handel's motion would likely be better received by Council. The committee is working hard to work through this and has put in a lot of effort. There was discussion about getting community input. Pottebaum asked how Parks communicated to Council and now Council is communicating with Docks. He wondered if it was a timing issue with getting the input between Docks and Parks. Honey explained that there is a Council liaison for each committee and commission. Breazeale is the liaison for both Docks and Parks. Breazeale was unable to attend the October 1 Parks meeting and Mayor Pagano attended in her place. Whatever is discussed at the meeting is then reported back to the Council at their next meeting. It was part of an agenda item at the meeting. Panait stated he serves as a volunteer on both Parks and Docks. He was at the Parks meeting and confirmed Breazeale usually attends, and he was surprised to see Mayor Pagano there. He thought it seemed like Pagano had already had some discussion with a Park Commission member who suggested the 150 ft opening. There were some numbers discussed and rounding. He stated he was surprised by it because it was not based on any evidence.

Whitaker asked if they can suggest that their first answer is no change, it is too much of a loss of a city asset and the most safe. If change is required, let's start with moving one dock and see how it goes this summer. They can do this next season. Rosendahl asked who measures success. There was discussion that it is subjective. Whitaker thinks they were out maneuvered by the Park Commission making a recommendation to Council even though Docks has been working on this all year. Now they must respond to Parks requesting 150 ft. One dock would increase the opening to 69.5 ft.

Foss asked if people swim there. There are people who swim there. Foss stated the benches are set around the half circle which directs the views and the kids are centralized right there. He does not understand why the additional space is needed because as the benches and sand is set up, you are directed to see between the two sides of the docks. The benches do not need to be separated 150 ft apart. The houses are high enough so there is no issue. Foss stated they have lost slips through lawsuits, the beach is very favorable and they were moved there. He does not think there will be increased beach usage if the view is widened.

(There were multiple conversations happening at one time.)

Pottebaum stated if ideas one and two don't work, and Council wants a full analysis for a full reconfiguration this committee is not qualified to do a feasibility study. Volunteers are well intended and cannot provide the actual data they are looking for. This committee is a willing partner in the solution and not saying they are not willing to find one.

Knudsen stated this approach is not proposing anything. Van Handel stated if their opinion that relocating or reconfiguring slips is not safe is not good, and Council really values the slips and wants to preserve them, they need expert help.

Panait supports Whitaker's proposal. It will significantly improve views if canopies are the same color and height.

Whitaker summarized no change to configuration and require all green canopies by 2027. Steinke thinks this is not enough to satisfy Council. He encouraged them to provide as much detail on a plan for Council.

Whitaker asked if his proposal would be enough of a plan for Council. Steinke stated it is a start. He added that he does not think 150 ft is achievable, but he thinks they can achieve the original objective to improve the views which is achievable but not measurable. Van Handel said it is achieving a balance and that is why he is focusing on color and height of boathouses. Steinke state he thinks Council will not think Docks increased the view by visually unifying the boathouses. There was discussion about if Council understands the value of the beach slips where people pay a lot to live in the neighborhood and they can take golf carts to the boat and kids can play while parents get the boat ready. Moving slips from that safe and ideal location to Shoreline is not logical and very undesirable. That's why other slips have been moved to the beach. Everyone would love better views but the slips are very valuable to the community. Whitaker explained that it is like there are different conversations happening in a vacuum and there's a bit of a breakdown so he thinks it would be nice if they could present to Council so they understand all that went into this, and not just providing a plan. The minimal change proposal has been very well thought out. Steinke agreed and stated how it will be received by Council is the unknown.

Panait suggested a meeting with Parks, Docks and Council. Steinke is not sure that Parks understands all of the different ideas they have explored and the difficulty of this task. He suggested Parks may think there are more locations to move slips to than are available. Moving slips to 15 is extremely dangerous and not accessible. Knudsen stated the reality is that they do not have places to move 6 slips. Steinke stated they receiving a request for 150 ft tells him that Parks does not have an appreciation for how challenging this is. There was discussion that Parks does not understand the Comp Plan Lake Access Plan. Steinke stated Parks may think Docks has more move options than they do to work with. Pottebaum stated this is not consistent with the comprehensive plan. Van Handel read from Comp Plan Lake Access Plan Parks and Open Space Goal 4 (p.48): "Require that the public lake access be open to all residents" and stated if you put additional slips on 15, and you have multiple kids under the age of 12, that is not accessible, it's dangerous. Steinke suggested part of the motion be making note and making others aware that what Parks is asking us to do is really not achievable because there is no place to relocate these docks and City can't just lose them. Knudsen stated they need to be educated on the dock program adding that at the Council meeting, one of the members thought slip renters had deeded lake rights as non riparian landowners which is incorrect. It is loosely in the City Charter and reinforced by the Comprehensive Plan, so they need to be educated. Steinke stated the "why" behind the motion is important. Van Handel stated the Comp Plan requires public lake access be open to all residents and preserve the number of the City's allocated boat slips. He added other concerns of property values, and safety is #1. Whitaker stated Council should make the decision of moving a slip to 15 because it is unsafe. Its safety versus a view. Docks does not want that liability. Steinke supported that as a strong "why".

Commissioners discussed the "why" for their motion. Safety concerns for navigation of boats with a different configuration. There are kids in the water, kids on boats, and the bigger concern is hitting people not hitting other boats. Slips on 15 are not safe and accessible. Collapsing and giving up slips is contrary to the City's Comprehensive Plan. However, if more is needed a professional is needed to do a feasibility study because the volunteers of the committee have exhausted their ideas amongst themselves. Whitaker feels like they have given them what they thought (minimal change) and then they got back from Parks 150 ft and that made it even harder. He thinks the dialog needs to be opened to get a better idea or a joint solution. Steinke talked about a meeting with Parks so both parties understand the conversations that are taking place and they could come together on a solution. It is a step in the right direction. They would all love 150 ft views but they need to talk through solutions. There are complexities and many challenges that they would like Parks to understand. Panait agreed that should be the next step. Panait stated the Parks meeting ended with Parks saying they would like 150 ft views and it is up to Docks to figure that out and Docks is currently unable to do that without a budget and experts or a feasibility study. They need to come together to figure it out. The U shape solution is not feasible, Docks thinks it is highly unsafe and it is the only reconfiguration to explore with the PUD. It has been exhausted. There was discussion about using a surveyor but typically they will take an idea to him for him to lay it out to see if it works.

There was a request to invite the mayor to the meeting also since Breazeale is the liaison to both committees and it seems they should have another liaison there. With two people from the Parks sitting on Docks, this should be worked out but they just got notice of the 150 ft request a week before the meeting.

**Pottebaum motion, Van Handel second retain the current swim beach docks configuration to maintain safety and the City's Comprehensive Plan. Additionally, by 2027, all slips would be required to have forest green canopies, and boat houses. Ayes – Foss, Knudsen, Panait, Pottebaum, Van Handel, Whitaker;**

During the vote Steinke asked if he could abstain. There was discussion about the chair voting or abstaining from a vote. Honey stated the chair cannot make a motion, but he can second a motion and can vote. She added that he can do what he chooses. Honey also stated that anyone can abstain, but they are appointed to make difficult decisions and abstention is usually when someone could personally profit from the decision. The mayor only votes in a tie. Steinke stated he does not think this motion improves the views. There was discussion about moving Chip's slip and additional discussion that they did not feel there was anywhere for it to go.

During the vote another discussion started about the open slip. Knudsen reported that at the Council meeting, Council wanted a hold on the wait list for swim beach docks. He asked if the slip vacated by Chip Zawislak will be filled or not. Honey redirected back to the vote.

**Pottebaum motion, Van Handel second retain the current swim beach docks configuration to maintain safety and the City's Comprehensive Plan. Additionally, by 2027, all slips would be required to have forest green canopies, and boat houses. Ayes – Foss, Knudsen, Panait, Pottebaum, Van Handel, Whitaker; Nay – Steinke (for the reason that it does not meet the objective and does not improve views). Motion passed.**

**Pottebaum motion, Van Handel second to establish a joint Parks and Docks meeting to explore the Parks motion, review challenges, and explore new options to create a joint solution. All ayes; Motion passed.**

Foss stated that Steinke needs to explain there have been 100s of hrs. put in this, with outside consultants, and input from many people including neighbors to the swim beach. There is probably no other information to gather. They are unsure the docks can be relocated anywhere, and they cannot lose slips.

Knudsen asked if the Dock Commission update is scheduled for the next Council meeting. Honey stated it is. He said maybe Council will accept the first motion and direct them to work with Parks, or maybe they will come back with something else. It is unknown but if they ask for 6 slips to be relocated, they will end up 4 losing slips and that was not the intention and not a solution.

There was support for Steinke to delve deeper into "why" they made the motions that they did when he reports to Council. Docks does not want Council to think they are not trying hard. They have spent a lot of time and want a good solution. Richie Anderson spent a lot of time on configurations, and tried to make it safe as possible, and they did not find a solution that would work. His best option is unsafe. Docks is now responding to Parks request.

5. Adjourn

**(Pottebaum motion, Foss second to adjourn; all ayes.)** Motion passed. Meeting adjourned at 7:00 pm.

Others present: Jim Dudley, Wayne Ramaker, and John Rosendahl

Minutes taken by City Administrator Heidi Honey