

**CITY OF MINNETONKA BEACH  
CITY COUNCIL MEETING MINUTES  
Monday June 10, 2013**

**Roll Call:** Mayor Joann Anderson, Council Members: Jill Bartel, Jaci Lindstrom, and Rick Skalla

**Absent:** Council Member Mike Taylor and Treasurer Randy Gilster

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

**Guests:** Orono Police Sergeant Jim Cornick, Three Rivers Park Associate Superintendent Carlson, and Three Rivers Park District Public Safety Director Hugo McPhee, Dr. Pam Myers Westonka Historical Society, Director Eric Evenson of Minnehaha Creek Watershed District (MCWD).

**1. Mayor Anderson called the meeting to order at 7:04 p.m.**

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

**3. Approve Agenda**

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

3.1. Council Meeting Action Notes – No discussion.

**4. Approve Minutes**

4.1. Regular Meeting of May 13, 2013

**A motion was made by Council Member Bartel and seconded by Council Member Skalla to approve the Regular City Council meeting minutes of May 13, 2013. With all members voting in favor, the motion carried.**

**5. Open Forum**

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

Dr. Myers updated Council on the progress of the new location for the Historical Society Museum in the vacated area of the Mound City Hall. She extended an invitation to Council to tour the facility on Saturday at 9 a.m., June 15, 2013, before the open house. There are rooms set up and dedicated to Tonka Toys, the Andrew Sisters, and rooms with historical information on the area communities. Fox 9 News and KARE 11 have done news spots promoting the new Westonka Historical Museum.

Currently there is a one year lease for the new location with plans to continue the lease indefinitely. The operating costs are estimated to be \$2,000 per month. Dr. Myers is requesting Council consideration for funding from the Minnetonka Beach 2014 Budget. Dr. Myers also distributed information to Council for review. Mayor Anderson inquired how the suggested dollar amount for

each community donation was arrived at. Dr. Myers responded that each community's population and geography were used to determine the dollars of support requested from each community. There was not an actual formula used. Mayor Anderson stated that during the 2014 Budget discussion the request will be considered.

## **7. Minnehaha Creek Watershed District (MCWD)**

Eric Evenson Director of MCWD provided an update to Council on the MCWD's purpose and current projects combatting Aquatic Invasive Species (AIS) programs. Currently the MCWD is working with the US Geological Survey (USGS) and other entities to address the zebra mussel infestation. The USGS is testing the new product Zequanox which kills only zebra mussels. The latest AIS, Hydrilla, crowds out native species; impedes irrigation and boating, and destroys the ecosystem. An Ohio firm is using weevils to control Eurasian Milfoil growth. This is currently being tested in Christmas Lake and Veterans Bay. The University of Minnesota has been working with this but without great success. However, the Ohio firm has had success and will try to help with milfoil eradication using weevils. The MCWD continues to do water quality monitoring on the area lakes.

The State of MN has new permit requirements for storm sewer systems. There should not be a major impact to the smaller communities with the new requirements on developments and reporting. St. Martins received a \$21,000 grant to install porous pavers which is an alternative to the swirl separator. There are larger scale CIP projects such as restoring the north side of Big Island to control erosion, a project for Long Lake to clean-up old sewage lagoons and stop the flow into Lake Minnetonka, and the Minnetrista lake area project is to clean up the carp. The MCWD purchased and renovated an office building. Effective July 1, 2013, the MCWD will have a new address which is 15320 Minnetonka Blvd., Minnetonka, MN 55345.

Council Member Skalla inquired about the AIS plans that has been developed and asked how many different agencies are involved. He also asked if there is consolidation of the entities to make the plan cost effective. Director Evenson answered that there are some unique agencies that need to be considered but it is the hope to bring a commonality approach in treating AIS. Council Member Skalla stated it is better to pool resources than compete with each other. Council Member Bartel asked if the products used to treat AIS are available for private use. Director Evenson stated that the products used are not available to the public at this time.

City Administrator Griffin referenced the cost share program asking if cities can apply and if a change has been made so communities can receive full credit on the phosphorus reduction. Director Evenson stated he is not certain what the formula is to get full credits for that and what was just adopted. He added that previously there was a push for legislation for consolidation of the watershed districts however, that did not go to the legislature this session.

Director Evenson thanked the Council for the opportunity to speak and if there are any question to please contact him.

## **8. Police Report**

### **8.1. Police Report – May**

Orono Police Sergeant Jim Cornick reviewed the May report. Council Member Lindstrom inquired about the narcotics call and requested information. Sergeant Cornick stated that typically it is a

traffic stop and an illegal substance was found. Sergeant Cornick is not familiar with the ticket but will research and forward information on to Council.

City Administrator Griffin requested patrol at the Arcola dock area especially on weekends and late in the evening. The purpose would be to have a more visible police presence at the Arcola dock area to alleviate problems with boat break-ins and underage parties. Sergeant Cornick will speak to Chief Farniok and submit the request for extra patrol. The administrative ticket is still in progress with no further information available.

8.2. Three Rivers Park District (TRPD) Report – Associate Superintendent Boe Carlson and Chief of Police Hugo McPhee

Chief McPhee addressed Council providing information on the four patrol saturations scheduled with Orono on the Dakota Trail. He is waiting for confirmation from Chief Farniok of the Orono Police Department. A patrol with four TRPD officers was done on May 29<sup>th</sup> from noon to three p.m. from CSAH 19 to the Lafayette Club. Numerous citations were issued. The scheduled trail saturation patrols are June 23 noon to 1 p.m., Weds July 24<sup>th</sup> from 2 p.m. to 4 p.m., and August 24<sup>th</sup> 9 a.m. to 12 p.m.

Associate Superintendent Carlson spoke to Council on the speed issues with bicyclists on the trail. Enforcement and education on trail etiquette has been progressing. Most bikers do not come to a true stop at the posted signs rather a majority of the biker's slow then blow through the stops. Associate Superintendent Carlson stated speed bumps on the trail are a unique condition with the number of driveways and narrow site lines along the trail. Manufactured speed bumps are not available for trails. A vendor has been located who modifies roadway speed bumps for trail use. The resident driveways on the trail from 2633 Woodbridge Road to 2554 Arcola Lane need to be addressed. Mayor Anderson asked when speed bumps would be installed on the trail especially in that area. Associate Superintendent Carlson stated it could be as early as the end of June.

Mayor Anderson shared with Council the results of a meeting with resident John Breon on Saturday, June 8, 2013, on the Dakota Trail. Mr. Breon set up cones for simulated stopping distances at variance lengths on the trail. They stepped out on the trail and yelled stop then measured the stopping distance of bicyclists. Their stopping distance would not be slow enough to avoid a vehicle in their path of travel. Bikers were polled about how they obey stop signs on trail. Generally they said they do not stop, but look and continue on. Mayor Anderson requests speed bumps on the trail at Woodbridge Road by the golf cart path and the three driveways of residents Breon, Prentice, and Doyle as soon as possible.

Mr. Breon is requesting that the vines on fence at Lafayette Club along the trail be removed to clear the sight line for bicyclists. Council previously directed the Lafayette Club to do the plantings as part of the initial trail landscaping but it could become a safety issue for trail users. Mr. Breon would like to clear the vines off six fence sections on both sides to allow better sight lines for bicyclists and vehicles. The fence is on Lafayette Club property and the plantings were to shield the fence and golfers from the trail users. The fence and vines are located at the narrowest portion of the trail due to the easements. Council Member Lindstrom stated that the motorists are careful and wary of bicyclists but because the vines grow and spread they could become an issue in the future. Council Members were all in agreement to install the speed bumps. Initially fewer speed bumps should be installed and if they do not solve the speed problem then more could be installed.

Council Member Skalla stated the vines and the sight lines are not an issue when he is out bicycling.

**A motion was made by Council Member Bartel requesting Three Rivers Park District to install speed bumps on the Dakota Trail at appropriate intervals at the resident driveways of Breon, Prentice, and Doyle along with a speed bump at the intersection of Woodbridge Road and the golf cart path. The vines on the fence by the Lafayette Club will be addressed should the speed bumps not be observed by bicyclists proving not to be effective. With all members voting in favor, the motion carried.**

Council inquired about the removal of the dead tree on the trail located near 3104 Northview Road. Associate Superintendent Carlson said a local nursery will replace the dead tree. There is a large stump located on the trail near the Margaret Dahl Library that needs to be removed. He will look at that stump and relayed to Council that two stumps have already been removed. Discussion was held regarding a 10 mph speed limit on the trail through Minnetonka Beach. The Council inquired what needs to be done in order to enact an ordinance and if the City is allowed to adopt an ordinance for the trail. TRPD Police Chief stated that there are things that can be done to determine if speed on the trail is unsafe. The existing ordinance states biking in an unsafe manner is dependent on current conditions. TRPD Police Chief McPhee will check if there are battery operated radar guns available to use on the trail to clock bicyclists. This would be a good way to actually determine what speeds they are traveling.

#### **9. Public Hearing – Storm Water Pollution Prevention Program (SWPPP)**

Mayor Anderson called the Public Hearing to order at 8:57.

Seeing no one present to speak Mayor Anderson closed the hearing at 8:58 p.m.

Council Member Bartel asked for clarification on the St. Martins Church grant regarding the amount of credit the City would receive. City Administrator Griffin said Staff will follow-up with MCWD.

Administrator Griffin reviewed the implementation schedule. She stated that requirements are to attend public education which is difficult due to limited time available. The City continues to make progress toward the goals and objectives to prevent storm water pollution. Council directed Staff to contact the MN Pollution Control Agency and the Minnehaha Creek Watershed District to solicit suggestions on how small cities can meet the requirements that need to be met. Council Member Bartel, Planning and Zoning Administrator Krier, and City Administrator Griffin will review the implementation schedule to determine the next best action to meet requirements.

#### **10. Consent Agenda**

10.1. Fire Report – May

10.2. LMCIT Tort Liability Waiver

10.3. Utility Committee Appointment – Linn Ferguson and Michelle Kroll

**A motion was made by Council Member Bartel and seconded by Council Member Skalla to approve the Consent Agenda with the amendment to the dock permit applications. With all members voting in favor the motion carried.**

#### **11. Treasurer's Report**

11.1. Consider Motion to Approve Checks

**Motion made by Council Member Lindstrom to approve 43 checks numbered 13944-13986 in the amount of \$45,095.83, and seconded by Council Member Bartel. With all members voting in favor the motion carried.**

11.2. YTD Budget Report and Previous Year Comparison Report

City Administrator Griffin reviewed the budget report. Council Member Bartel asked about the bids on seal coating and the available funds. City Administrator Griffin responded that \$40,000 is available in bond funds for the seal coating. There is \$54,000 available from the CIP for the project. Council Member Lindstrom wants a good seal job done due to the tough shape of the roads.

The 4M sub account for a capital improvement fund has been set up. The CIP improvement budget was for \$20,000 however, another \$10,000 can be moved into the fund due to the savings realized from the lower cost for the new mower. The exact amount to transfer is \$10,860 but could be rounded up to \$11,000.

The damaged areas from the water project construction will be reviewed for over seeding and repair by Kyle Renneke of Stantec and Public Works Director Young. The Council would like assurance this will be done before hot July temperatures happen and seed is hard to grow.

**12. Old Business**

12.1. Ordinance No. 90, 2<sup>nd</sup> Series, Amending Section 513, Snowmobiles, All-Terrain Vehicles, Go-carts, Motorized Dirt Bikes of the Minnetonka Beach City Code relating to accessing the lake on public lands.

**Motion was made by Council Member Bartel and seconded by Council Member Skalla to approve the amendment to Ordinance No. 90, 2<sup>nd</sup> Series, Amending Section 513, Snowmobiles, All-Terrain Vehicles, Go-carts, Motorized Dirt Bikes of the Minnetonka Beach City Code relating to accessing the lake on public lands. With all members voting in favor the motion carried.**

12.2. Dock Area 5-7a – Continued Clean Up of the public area

Staff met with Resident Jim Haag who concerned about the vandalism and theft at the Arcola dock area. Mr. Haag would like the area cleaned up to make it appear more official which may help to alleviate vandalism. Three Rivers Park District offered to install a street light in that area if the City will continue the on-going expense and maintenance of a light. Staff will contact TRPD for information on what kind of contractor will be used to install the street light. If Xcel Energy installs the new street light the fee to operate the light will be a flat fee. If a private company installs the street light, a meter will be installed and the City will be charged accordingly.

The shed located at the Arcola dock area is not used by the City. The shed is in poor condition and consideration should be given to removing it. There are residents that store items in the shed and there are also old dock sections and a boat lift to be removed from the area. Public Works Director Young recommends the shed be removed. Staff will contact Tim Laterno of Dock and Lift to remove the shed debris with the barge so it doesn't have to be hauled up the steep slope. The picnic table at the dock area has a metal frame which is okay but the table top needs new boards.

Staff will send letters to the dock holders in the Arcola dock area stating the shed will be demolished so items stored must be removed along with unauthorized signs, dock sections, and a boat lift.

#### 12.2.1. David Boschwitz Eagle Scout Candidate Project Update

David Boschwitz provided an update to Council regarding his Eagle Scout project at the Arcola dock area. He has obtained all approvals for the project needed from the Boy Scouts of America. Mr. Boschwitz applied for two grants but was not awarded funding from either. He is sending a letter to friends and family to solicit donations for his project. Three Rivers Park District (TRPD) Associate Superintendent, Boe Carlson will help with the selection and supply of plant materials. Mr. Boschwitz goal is to complete the project before summer's end. He will keep the Council updated as the project progresses. Mr. Craig Christenson is his advisor on the project and is assisting with drawing a plan.

### 13. New Business

#### 13.1. Special Event Application – Event at the Swimming Beach on August 3, 2013 – Ms. Nicole Middendorf

Ms. Middendorf applied for a Special Event permit to host an event for her firm, an informal family appreciation gathering for 60-100 people. Ms. Middendorf will have parking on her drive-way (30 cars). City Administrator Griffin suggests valet parking to alleviate the congestion on the narrow streets. Ms. Middendorf said that guests must RSVP so if the number is larger than 30 vehicles valet parking will be arranged. Guests will come and go between the hours of 10 a.m. and 3 p.m. Council asked about insurance and she stated she has a business policy with umbrella coverage that covers the event. Parking permits are needed to park at the Swimming Beach. Council directed Ms. Middendorf to notify neighbors in the Swimming Beach area as a courtesy so they are aware of the planned activity.

**Motion was made by Council Member Lindstrom and seconded by Council Member Bartel to approve the Special Event Permit Application at the Swimming Beach on August 3, 2013, for Nicole Middendorf on the condition that valet parking is hired in conjunction with the number of RSVPs received for the event. With all members voting in favor the motion carried.**

Special Event Application – Wedding at City Hall, July 13, 2013 – Katerina Willemsen (Kosloski)  
Mayor Anderson addressed Council regarding a Special Event Application for a wedding at City Hall with 27 guests in attendance. Mayor Anderson will perform the civil ceremony.

**A motion was made by Council Member Bartel and seconded by Council Member Skalla to approve the Special Event Permit Application of Katarina Willemsen for a wedding to be held on July 13, 2013, at Minnetonka Beach City Hall. With all members voting in favor the motion carried.**

### 14. Staff Reports

#### 14.1. Director of Public Works Report

##### 14.1.1. Sealcoating Bids

Public Works Director Young stated the pump motor at the lift station by the Lafayette Club was replaced. He stated the pumps are old and replacement should be considered for the capital improvement budget. This can be discussed at the CIP review during the July meeting. The

pumps cost \$1,600 for a rebuilt motor. Road patching will start mid-June. Roads are in tough shape due to the bad weather over the winter. Seal coating will take place sometime in late July.

14.2. Clerk's Report – No report.

14.3. Administrator's Report – No report

**15. Council Reports**

15.1. Mayor's Report

Mayor Anderson discussed the drainage issues at the Forbes and Rezabek properties. This is now referred to Planning and Zoning Administrator Krier for review.

15.2. Liaison Reports

Council Member Lindstrom reported on the wind generator presentation at the Planning and Zoning meeting. It was a very informative visual that demonstrated the noise level and the intrusion it has on surrounding residents. On August 1 at the Planning Commission meeting there will be an advocate for wind generators speaking to the commission. Council Member Lindstrom reported on the number of permits that have been issued in Minnetonka Beach during the month of May.

**16. Motion was made by Council Member Lindstrom and seconded by Council Member Skalla to adjourn the meeting. With all members voting in favor the motion carried.**

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**Respectfully Submitted,  
Diane Tiegs, City Clerk**