

**CITY OF MINNETONKA BEACH
CITY COUNCIL MEETING MINUTES
Monday May 13, 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 Office Jami Wittke

Residents: Carmen Carruthers, Cathy Dudley, Dennis Klohs, John Whitaker, Patty Rezabek

1. Call to Order

Mayor Anderson called the meeting to order at 7:07 p.m.

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

3. Approve Agenda

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

3.1. Council Meeting Action Notes

Mayor Anderson assigned the Finance Committee in April to do a Utility Rate Study and also would like them to include a review of the Capital Asset Finance Policy.

4. Approve Minutes

A motion was made by Council Member Lindstrom and seconded by Council Member Taylor to approve the Regular City Council meeting minutes of April 8, 2013 as amended with additional language “Hennepin County adjusts the tax levy rate based on the new property values to ensure that the city receives taxes equivalent to the budget.” by Council Member Taylor. With all members voting in favor, the motion carried.

5. Open Forum

Mayor Anderson relayed compliments that were received by residents to Director of Public Works Young and to Staff, City Administrator Griffin and City Clerk Tiegs. Residents relayed their positive experiences when they needed assistance from City employees and appreciate the extra efforts put forth.

6. Police Report for April

Officer Jami Wittke of the Orono Police Department reviewed the April activity report. Officer Wittke stated it was a quiet month with 22 total contacts; eight were traffic violations, one for over-weight vehicle, five personal related calls, and two animal calls. Three Rivers Park District Officers and the Orono Police Department will work together doing bicycle patrol saturation once a month through August on the trail. The main focus will be to educate bicyclists and trail users.

Council Member Taylor inquired about a call he made regarding a suspicious person and vehicle parked in front of his home for quite some time on the morning of April 20, 2013. Officer Wittke will report back to Council about her findings on that call.

7. **Three Rivers Park District Report** – Boe Carlson/Hugo McPhee – not present.
8. **Lake Minnetonka Conservation District (LMCD) Representative Report** – Dennis Klohs
LMCD Representative Klohs reviewed and gave Council his recommendation for the 2014 Preliminary Budget. Representative Klohs recommends to Council that the LMCD should have a zero increase and even a possible decrease for their 2014 budget. The proposed budget increases were basically stripped out when the LMCD voted not to do \$30,000 chemical treatments to Lake Minnetonka. The other budget increase is for employee compensation. Representative Klohs felt that this should be a zero percent increase for 2014. Currently the administrative budget for the LMCD make up 82% of their budget. Council Member Skalla stated that ratio is high and the LMCD should put more of their budget towards actual operation and less administration. Council Member Skalla and City Administrator Griffin reviewed the Minnehaha Creek Watershed District Draft Plan Amendment – Addition of Section 6.10, Aquatic Invasive Species (AIS) Management Program and discovered 11 different entities take part in the decisions regarding the AIS treatment for Lake Minnetonka. Council Member Skalla said these entities need to work together and eliminate duplication of services, the cost to administer the services, and streamline processes. Representative Klohs will bring the Council's comments on the proposed 2014 LMCD Budget to the LMCD. A Public Forum is scheduled for Tuesday, June 6, and at that time the LMCD will hear comments from communities.

The Minnetonka Beach Council supports the Draft 2014 LMCD Budget Option One less the \$30,000 for unspecified aquatic invasive species prevention and management programs which does not have an approved plan. The LMCD must find ways to administrate more efficiently to absorb any increase in their costs. The Council also challenges all the entities that are involved with Lake Minnetonka AIS management to work together and eliminate duplication of services, streamline administration services to cut costs, and combine programs to one approved plan. City Administrator Griffin will draft a letter to the LMCD stating the Council's recommendation.

A Minnehaha Creek Watershed District (MCWD) Representative attended the most recent LMCD meeting and stated that the funding contract LMCD has with the MCWD will be contingent on the LMCD remaining consistent with the MCWD long range goals.

A motion was made by Council Member Bartel and seconded by Council Member Taylor that the Minnetonka Beach City Council supports the Option I Draft 2014 Lake Minnetonka Conservation District Budget less the \$30,000 for unspecified aquatic invasive species prevention and management programs that does not have an approved plan. With all members voting in favor, the motion carried.

Public Forum – Access to Lake at Fire Lanes

Mayor Anderson called the Public Forum to order at 7:50 and welcomed new resident Carmen Carruthers along with residents John Whitaker, Patty Rezabek, Cathy Dudley.

Mr. Whittaker gave background on the swimming beach fire lane issues experienced over the winter months. He stated the parking by permit only has limited access to the fire lane over the summer months but during the winter month's parking is not needed due to vehicles driving and parking on the frozen lake. The traffic and garbage were like no other year due to the lake accesses located north of County Road 51 on CSAH 15 and the City of Wayzata access area rip rapped the shoreline causing the increased traffic at the fire lane along with trash, traffic danger for children, and late night noise. It has become an issue for the surrounding residents.

Residents in attendance do not want the fire lane fully closed rather install a removable post in the middle of the lane to limit vehicle size during the winter months which would allow use of the fire lane by snowmobiles or 4-wheelers. The pole could be removed during the summer months for full use of the fire lane. Resident Carmen Caruthers addressed Council to make sure there is access for snowmobiles along with small vehicles and boats. Resident Patty Rezabek stated the winter traffic is a problem and abused by the users.

Mayor Anderson closed the Public Hearing at 8:06 p.m.

City Administrator Griffin provided copies of the City Ordinance and the City of Tonka Bay classifications for their fire lanes. Mayor Anderson stated Tonka Bay's classifications I and II for fire lanes are the best fit for the Minnetonka Beach fire lane use. Council discussed possible actions and the Council consensus was to put some kind of obstruction in the lane during the winter months to limit vehicle access and remove the obstruction during the summer months. City Administrator Griffin stated Staff will bring back an Ordinance Amendment and a proposed Policy for Council review at the June meeting.

9. Consent Agenda – 8:15

- 9.1. Fire Report – April
- 9.2. **Resolution 2013 – 19** Consider Dock Applications for 2013 City Dock Permits and Dock Variance
- 9.3. Consider Safe Assure Contract Renewal
- 9.4. Consider Approval of Liquor Liability Insurance and Temporary Liquor License for Minnetonka Beach Resident Street Dance to be Held June 15, 2013
- 9.5. **Resolution 2013-20** Authorizing Exemption to City Code Section 505 to Allow Lawful Gambling for St. Martin's Church at the Lafayette Club to be held September 22, 2013

Chair Cathy Dudley reviewed the plan for the Civic Street Dance to be held on June 15, 2013. An off-duty police officer will be hired for the event, a food truck serving Mexican cuisine, and a bartender will serve beverages; music will be provided by a DJ. The Civic Committee will check to confirm whether a permit is needed for the food truck vendor. Mayor Anderson thanked Chair Dudley for the update.

Council Member Taylor inquired about the number of dock permits issued last year vs. this year. City Administrator Griffin responded that the number of dock permits issued has surpassed the number of permits issued in 2013.

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

10. Treasurer's Report – 8:20

10.1. Consider Motion to Approve May Checks
Treasurer Gilster and City Administrator Griffin reviewed the monthly expenditures and answered Council's questions. Treasurer Gilster also pointed out the new reports that are a month to month comparison of current to the previous year. Council found the reports to be very helpful. Next month Treasurer Gilster will have a summary report that will be less paper than what was presented at this meeting.

A motion was made by Council Member Bartel and seconded by Council Member Lindstrom to approve check numbers 13891 through 13943 in the amount of \$48,355.96. With all members voting in favor, the motion carried.

Treasurer Gilster reviewed the budget comparison report and answered questions from Council. Council Member Taylor inquired about fund 1450 Miscellaneous which has a balance of \$5,015.01. City

Administrator Griffin responded the amount is from the sale of the old Public Works truck, dividend checks from Workers Compensation, and miscellaneous refunds. Council Member Taylor also pointed out the decrease in expenditures for Planning and Zoning. Mayor Anderson responded that City Administrator Griffin and Council Member Skalla recently reviewed a 160 page document from Minnehaha Creek Watershed District and forward comments back to them. This is something that Planning and Zoning Administrator Krier would have done previously but by having Staff and Council review the document it was a cost savings. There has been fewer building permits issued as last year this time which also leads to the lower expenses.

Council Member Skalla inquired about the water main project balance of \$4,600. City Administrator Griffin will have a remaining balance for the bond funds less the seal coating and miscellaneous road repairs at the next meeting. Council Member Taylor inquired about the cracks in the roadways. Public Works Director Young stated that there will be some patching done prior to seal coating. Council Member Taylor stated that funds need to be allocated to assure our roads remain in good condition rather than having too many repairs at a greater cost in the future.

Treasurer Gilster asked Public Works Director Young if the speed bumps are scheduled to be painted. Public Works Director Young responded that they are scheduled to be painted this summer. Mayor Anderson stated that during a recent meeting with Three Rivers Park District, Assistant Superintendent Boe Carlson said speed bumps designed for trail use will be installed on the trail when the ground thaws.

10.2. YTD Budget Report and Previous Year Comparison Report were reviewed by Council.

10.3. Transfer Reserve funds to CIP Fund Sub-Account

City Administrator Griffin and Treasurer Gilster reported to Council that a separate account can be created for the Reserve Fund and they will proceed with setting up the account.

11. Old Business – None

12. New Business

Motion to Amend the Fee Schedule to include fines for Animals Not Licensed and Animals At Large was reviewed by City Administrator Griffin. She explained several incidents and complaints to Council regarding nuisance animal calls. Other communities have their fines registered with Hennepin County. City Administrator Griffin is recommending fines be amended to the current fee schedule and register those fees with Hennepin County. Residents will be informed of the amended fee schedule for at large or unlicensed pets. She will also publish an article in the May Beachcomber to notify residents of the new process. City Clerk Tiegs would send a letter with a copy of the new fines to all pet owners that have purchased a pet license.

A motion was made by Council Member Taylor and seconded by Council Member Lindstrom to approve Resolution 2013-21 to amend the fee schedule to include fines for animals not licensed and animals at large. With all members voting in favor, the motion carried.

13. Staff Reports – 8:40

Director of Public Works Ben Young reported to Council that the last day for leaf pick-up will be May 20th. The City streets will be swept the week of May 20th. The storm sewer located at Cross Point Road/Huntington Point Road E was repaired. Overall the roads in Minnetonka Beach received damage over the winter this year. A resident requested the Public Works Director to pick up brush on CSAH 15. Due to the danger of traffic, no shoulder, along with the liability of the City the brush will not be picked up on CSAH 15 and Council agreed with Public Works Director Young. A resident requested that street sweeping be done twice a year rather than once a year. Public Works Director Young stated the cost is \$1200 to sweep each

time. Council discussed possible months that the streets should be swept during spring and fall. A resident on Woodwinds requested this road be seal coated during the seal coating project due to damage from the water main installation last year. Discussion was that the road is private and may not be eligible for seal coating. Public Works Director Young will find out the cost for Woodwinds seal coating. Rock will need to be stock piled for the seal coat project and it may be stored in the Ray Peters Park parking lot.

Clerk's Report - no report

City Administrator Griffin reported that Park Commissioners Sperduto and Johnson along with City Administrator Griffin interviewed two applicants for the summer swimming beach worker. Ryan Breon was hired for the position. Both applicants were very qualified and did a great job interviewing. City Administrator Griffin will be attending the Annual League of MN Cities Annual Conference which will be held June 19 through the 21st at the St. Paul River Centre.

14. Council Reports

14.1. Mayor's Report

Mayor Anderson, City Administrator Griffin, and Three Rivers Park District Associate Superintendent Carlson, and Three Rivers Park District Commissioner Steele met to discuss solutions for trail issues. Associate Superintendent Carlson stated speed bumps are to be installed along with signs for speed limits of 10 miles per hour. If bicyclists go around the speed bumps additional plantings will be done to alleviate riding around them. Three Rivers Park is allowing one organized bike ride per month on the trail west of Mound so more populated areas will not be affected. The trash receptacle has been placed along the trail.

14.2. Liaison Reports

Council Member Skalla and City Administrator Griffin reviewed a report received from the MCWD. Both agreed that too many entities are involved with AIS prevention on Lake Minnetonka and not working together. There may be duplication of efforts which could be eliminated to be more cost effective. City Administrator Griffin has invited Executive Director Eric Evenson of the LMWD to speak at the June Council meeting about the watershed district.

Council Member Taylor is unable to attend the Fire Department meeting for May 22, 2013. City Administrator Griffin or Treasurer Gilster will attend the meeting as liaison.

Council Member Bartel attended the Utility Committee as substitute liaison for Council Member Taylor and stated there was discussion on future projects and what the City's bond capacity is. City Administrator Griffin will review the water project and prioritize outstanding items that need to be addressed. She will also report back to Council with the City bond capacity for future projects. There still is a problem with the Brooks Lane catch basin. Mr. Johnson owns property in that area and water has run through his garage. City Administrator Griffin told him he needed to attend a Council meeting to present information for Council review regarding a water main on his property.

Council Member Lindstrom reported on the Planning Commission meeting. The Planning Commission reviewed the capital program and made minor modifications. To date there have been three responses for the Planning and Zoning survey. City Administrator Griffin will reprint the survey in in the Beachcomber and have available at the counter in City Hall. Currently there are four building permits in progress and no variances have been requested. The next Planning Commission meeting will be held on June 3, 2013.

15. Adjourn

A motion was made by Council Member Taylor and seconded by Council Member Bartel to adjourn the meeting at 9:32 p.m. With all members voting favor, the motion carried.

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