

**DEEPHAVEN CITY COUNCIL MEETING
MONDAY, MARCH 17, 2008
MINUTES**

- 1. CALL MEETING TO ORDER:** Mayor Paul Skrede called the meeting to order at 7:00 p.m.

PRESENT: Mayor Paul Skrede, Councilmembers John Wheaton and Keith Kask

ABSENT: Councilmember Kim Crockett and Steve Adams

STAFF: Police Chief Cory Johnson and City Administrator Dana Young

- 2. PLEDGE OF ALLEGIANCE**

The Council recited the Pledge of Allegiance.

- 3. APPROVE CONSENT AGENDA**

Motion by Councilmember Wheaton to approve the Consent Agenda, consisting of the following items:

- A. March 3, 2008 Minutes
- B. Adopt Sanitary Sewer Maintenance Policy
- C. Adopt Street Sweeping Policy

Seconded by Councilmember Kask. Motion carried 3-0.

- 4. MATTERS FROM THE FLOOR**

Annette M. Poeschel, Executive Director of Intercongregation Communities Association, and Project Coordinator Shirley Buehler were present to provide an overview of the work performed by ICA to assist those in need within the Lake Minnetonka Area.

- 5. NEW BUSINESS**

- A. Adopt Ordinance No. 09-20, Est. Definition of Boat Length**

Councilmember Kask stated that following the completion of the St. Louis Bay docks, the Boat

Committee recognized that the outer boats on the new docks need to be in compliance with the LMCD directive that the length of the boats could not exceed 24 feet. He stated that this proposed definition would clarify how the boat length will be defined.

Mayor Skrede asked if there was any provision for a variance in dealing with boat lengths.

Councilmember Kask stated that there was not but it was a good question. He added that you are beginning to see larger and larger boats on the lake and could certainly understand the desire for larger boats. He stated that in looking around the lake, however, a 24-foot boat length was fairly standard at area marinas.

Mayor Skrede asked if this ordinance pertained specifically to boats on the city marinas or if it regulated all boats in Deephaven.

Administrator Young confirmed that the proposed ordinance would only regulate those boats on city marinas.

Councilmember Wheaton stated that the definition is open to some interpretation and asked why the last sentence in the proposed definition required boats to be in compliance with all LMCD regulations.

Administrator Young stated that the definition included the reference to the LMCD because their regulations dictate the length of boats at the St. Louis Bay marina and the length that boats can extend beyond docks.

Motion by Councilmember Kask to adopt Ordinance No. 09-20, An Ordinance Amending Section 900.01 Entitled City Watercraft Spaces as amended and dispensing with the second reading. Seconded by Councilmember Wheaton. Motion carried 3-0.

B. Adopt Ordinance No. 10-06, Amending Sewer System Regulations

Administrator Young stated that there are approximately 5 homes in Deephaven that are demolished and reconstructed each year. He stated that the Public Works Committee has been reviewing the issue of whether old building sewers (the private sewer line) that connects the house to the City's sanitary sewer main should continue to be used in the case of a demolition and rebuild.

Administrator Young stated that our current sewer code essentially allows homeowners to continue to use their existing private sewer line to connect to their new home, which might not be inappropriate if the existing line is in good condition. However, the concern of the Public Works

Committee is whether it is good policy to allow residents constructing a new home to continue to use a 35 year old private sewer line that will likely not outlive their new home.

Councilmember Kask stated that he felt it was a good idea to require a new sewer line to be installed to accommodate a new home and suggested changing the language in the proposed ordinance to include the new building sewer utility lines.

Mayor Skrede stated that the City presently allows the continued use of older private sewer lines and was concerned that this was somewhat certifying that the old line is in good condition. He stated that it would give the homeowner piece of mind if the old private sewer line were replaced.

Councilmember Wheaton asked if the sewer line would have to be replaced if the demolished house were only 15 years old.

Mayor Skrede stated that the sewer line would still have to be replaced.

Motion by Councilmember Kask to adopt Ordinance No. 10-06, Amending Sewer System Regulations, as amended and dispensing with the second reading. Seconded by Councilmember Wheaton. Motion carried 3-0.

C. Adopt Ordinance No. 07-06, Amending Section 705 Snowmobile Regulations

Administrator Young stated that discussion was held at the March 5th Public Works Committee meeting about the proliferation of All Terrain Vehicles (ATV's) in the city of Deephaven, particularly during the winter months, and whether ATV's shouldn't be regulated along with snowmobiles.

Police Chief Cory Johnson noted that ATV's are almost overtaking snowmobiles in popularity due to our increasingly mild winters and residents have asked why the city doesn't have regulations controlling the use of ATV's. He added that ATV's are used primarily during the winter, especially with ice fishing.

Motion by Councilmember Wheaton to adopt Ordinance No. 07-06, Amending Section 705 Snowmobile Regulations and dispensing with the second reading. Seconded by Councilmember Kask.

Motion carried 3-0.

D. Other

Motion by Councilmember Kask to approve Final Payment in the amount of \$15,262.50 to

Minnetonka Portable Dredging for construction of the St. Louis Bay Docks, subject to a final inspection of the docks to be completed by March 19th. Seconded by Councilmember Wheaton. Motion carried 3-0.

6. REPORTS FROM STANDING COMMITTEES

A. Public Works Committee

Administrator Young presented a review of the Public Works Committee meeting held on March 5, 2008 on the following items:

- Traffic control issues at and around the St. Louis Bay ramp
- Sanitary Sewer Maintenance Policy
- Street Sweeping Policy
- Old Building Sewer Ordinance
- Reviewed the estimated cost of a Storm Water Management Plan
- Reviewed proposed improvements by Public Works Department at Paddle Park
- Requested bids for the repair of the roof over the Mechanical Shop
- Vine Hill Bridge repair update

B. Park Committee

Park Committee Liaison John Wheaton presented a review of the Park Committee meeting held on March 5, 2008 on the following items:

- St. Louis Bay Breakwater Structure
- Changing the Park Committee Meetings to the 2nd Wednesday of each month
- Platform Tennis Court Improvements
- Park Improvements
- Zamboni Storage Building
- Arbor Day – Sunday, April 27th at 1:00 p.m.
- Deephaven Days – Saturday, August 9th

B. Boat Committee

Boat Committee Liaison Keith Kask presented a review of the Boat Committee meeting held on March 12, 2008 on the following items:

- St. Louis Bay Breakwater Structure

- Riprap Project at St. Louis Bay
- Possibility of switching meeting dates with Park Committee

7. ADJOURNMENT

Motion to adjourn by Councilmember Kask, seconded by Councilmember Wheaton. Motion carried 3-0. The meeting adjourned at 8:28 p.m.

Respectfully submitted,

Dana H. Young
City Administrator