

**DEEPHAVEN BOAT COMMITTEE
THURSDAY, JUNE 16, 2016
MINUTES**

Call Meeting to Order

David Gross called the meeting to order at 7:05 p.m.

Members Present

Jim Friedlander, John Jaffray, David Gross, Brian Larson, and City Administrator Dana Young

Members Absent

Brian Chou

Also Present

Mayor Paul Skrede

May 12, 2016 Boat Committee Minutes

The Committee approved the May 12, 2016 Boat Committee minutes on a motion by Brian Larson, seconded by John Jaffray. Motion carried 4-0.

Matters from the Floor

John Jaffray asked about the City Council's decision regarding the Ten Year Rule proposal recommended by the Boat Committee.

Paul Skrede stated that the Council had no interest in addressing this issue.

John Jaffray asked if there was any way to soften the Council's view.

Paul Skrede stated that the recommendation was discussed by the City Council and the general reaction was disappointment that 20 people had to come to the Boat Committee meeting under Matters from the Floor to discuss an issue that the City Council had no interest in discussing.

David Gross stated that he was at that particular Council meeting during the discussion of the Ten Year Rule and reiterated that the City Council has no interest in reviewing this policy.

Discuss Transition Process with Moving Motor Boats to Buoys

David Gross stated that the Watercraft Space Ordinance was changed by the City Council to allow watercraft on buoys. He stated that at the Lake Minnetonka Conservation District Board meeting last week, in reaction to a request from the City of Deephaven, the LMCD passed a resolution to remove the requirement that only sailboats could be moored on the Deephaven buoy fields and suspended their policy not allowing other watercraft on buoys.

John Jaffray stated that this is very good news as this adds 20% more capacity for the mooring of motorboats.

David Gross stated that now that motorboats are permitted on our buoys, he has come up with the following proposed transition plan for Committee review.

How to allocate motorboats to buoys

The buoys are spoken for in September as they have been allocated for an MYC regatta. It is also difficult to notify and allocate the buoys for the remainder of the 2016 season. It is recommended that we wait until 2017 so that the allocation of the buoys can occur through a regular registration process.

- 1. Allocate according to the Buoy List*
- 2. Send a letter to everyone on the Dock Waiting List inviting them to apply for a buoy by October 1st.*
- 3. Insert a notice in the October Newsletter informing the general public and send an email via "Next Door Deephaven".*
- 4. On November 1st, all applications will be entered into the new Buoy Waiting List in the same priority as on the Dock Waiting List, with the current dock holders at the top of the list.*
- 5. Any new applications will be placed at the end of the "Dock Waiting List Applicants"*
- 6. Any applications received after October 1st will be added to the end of the list*
- 7. Buoy assignments will be made December 1st from the list of available buoy spaces from the new Buoy Waiting List as has been done in the past*
- 8. There would be no other changes*
- 9. Maintain the rule that a dock leaseholder may also have a buoy space if a buoy space is available*
- 10. No term limits for the sailboat buoys*

Jim Friedlander stated that if he could keep his slide space, a buoy space would work well for him. He stated that there would be a little more trouble in getting to his boat but it would be worth being able to keep the space for 40 years.

David Gross confirmed that his proposal would not have term limits for watercraft on the buoys.

Brian Larson stated that he thought it was unlikely that residents would want to have their motorboat on a buoy for perpetuity. He stated that he would prefer access to the new Buoy Waiting List to be open to everyone on a first come basis.

Jim Friedlander asked if we should ask the council to simply rescind the Ten Year Rule.

Brian Larson stated that he wouldn't have a problem with that but didn't think there was any chance the Council would revisit the issue.

David Gross noted that the current 10-year rule was immensely popular back in 2008.

Jim Friedlander stated that there is a groundswell for correcting the dual class system and if there is enough angst, change will happen.

David Gross stated that he hasn't seen any groundswell.

Dana Young asked if someone has a sailboat on a buoy now, can they change over to a powerboat under this proposal. David Gross stated that they would be able to since the ordinance amendment now allows watercraft to be on buoys.

Jim Friedlander asked if the entire buoy field becomes filled with powerboats, does someone wanting to moor a sailboat have precedence. David Gross stated that they would not because any watercraft, sailboat or powerboats, are permitted on buoys.

David Gross asked the Boat Committee to act on his proposal on the allocation of motorboats on buoys.

Motion by John Jaffray to approve the proposal on the allocation of motorboats on buoys as presented by David Gross. The motion died for the lack of a second.

Jim Friedlander stated that he didn't support the motion because there are a lot of nuances to this proposal that he would like to have time to think through.

Brian Larson stated that he wondered if it would be an option to replace the 20 unused buoys with 20 dock slips.

David Gross stated that it is a multi-use lake that is used for more things than just docks. He stated that Minnetonka Beach allows docks on street ends that have created quite a few problems. He stated that 20 more dock slips won't solve the problem.

Jim Friedlander asked what if we want to convert these 20 unused buoys to dock slips. This should be a consideration that we have to evaluate.

John Jaffray recommended tabling further discussion until the next Boat Committee meeting.

David Gross stated that there is no linkage between having powerboats on buoys and wanting more dock slips.

Jim Friedlander stated that we need to know if we want to go forward with dock slips instead of buoys.

John Jaffray stated that there appear to be two separate issues. First, there is the LMCD approval process for new docks and the second is that the new buoy procedures may have unintended effects.

David Gross noted that the City Council has expressed an interest in having this happen. If we don't pass this transition plan, the Council may well act on their own.

Jim Friedlander stated that he would just like to look at what we can do to convert the buoys to dock slips.

Dana Young stated that he can send out information showing the location of the city-owned shoreline and the Committee can weight out each location for potential dock space.

Brian Larson stated that this is a unique opportunity to convert to permanent docks.

Paul Skrede stated that the City Council changed the wording in the ordinance from sailboats to watercraft because it was an easy first step without knowing how long the LMCD would take to consider the request. The Council felt that the buoy transition process would be a good task for the Boat Committee to undertake. He stated that the Council doesn't feel any urgency to try to lease out the buoys this year so there isn't necessarily a July deadline to get this process decided. He added that he doesn't know where the Council would stand on term limits, fees or on the order of applications on the waiting list. He stated that we shouldn't take for granted that everyone on the Dock Waiting list should be given top priority on the Buoy Waiting List.

He stated that he has a number of questions that need to be answered such as whether buoys are included in the total number of permitted Boat Storage Units and if the LMCD's decision on more docks would lead to a discussion on amenity points.

David Gross stated that the LMCD no longer considers amenity points.

Paul Skrede stated that the City Council has wanted the Boat Committee to review dock options at the shorespace area for a number of years. He stated that not everyone on the City Council may be that agreeable to finding additional dock space but we need to find out if we are eligible for additional docks.

David Gross stated that we can submit an application for whatever we want before the LMCD as long as there is no increase in Boat Storage Units or density. However, any application to the LMCD would cost money in application fees and survey costs.

Brian Larson stated that although he really likes the aesthetics of sailboats on buoys, he realizes that sailboats won't be coming back and would like to convert buoys to dock space.

David Gross stated that the LMCD has specific criteria for approving a new dock area.

Paul Skrede stated that the LMCD decision gives us the ability to mix and match usage on the buoys. He stated that we can now do that without any further involvement with the LMCD. He stated that any further dock expansion would involve the LMCD, which would be step two in this process. He added that step three would involve survey work in such areas as street ends.

John Jaffray noted that doing such a comprehensive review could take up to two or three years and the LMCD could still say no to additional docks.

David Gross stated that the LMCD staff would help guide us through this process.

Jim Friedlander agreed that we should explore different options and locations for docks and felt that he had to explain that these options were properly explored. Further discussion on these issues will be held at the next meeting.

Review 2016 Marina Fund Budget

Discussion was held regarding the budget process. Dana Young stated that the upcoming budget is reviewed by the Boat Committee and approved by the City Council, typically in October.

David Gross asked if the Boat Committee could make suggestions for items to be included in the 2017 Budget, such as funding to inspect the mooring buoys and anchors, weed control around the docks, and survey costs to assist in reviewing potential dock locations.

Dana Young stated that they could certainly be included in the budget and the Council would decide whether they warrant funding.

Discuss Boat Lifts

Discussion on boat lifts was tabled pending the receipt of further information from the City of Excelsior.

Other

David Gross pointed out some inconsistencies in the Watercraft Space Ordinance. It was decided to carefully review the ordinance for inconsistencies at the next meeting.

Brian Larson expressed his disappointment that not one of the 20 or so residents who showed up to discuss the Ten Year Rule with the Boat Committee have expressed an interest in joining the Committee, even when specifically asked at the meeting.

Further discussion was held on recruiting two additional members.

Adjournment

Motion to adjourn by Jim Friedlander, seconded by Brian Larson. Motion carried 4-0. The meeting adjourned at 9:17 p.m. The next regularly scheduled meeting of the Boat Committee will be held on July 14, 2016.