

**DEEPHAVEN CITY COUNCIL MEETING
MONDAY, MAY 20, 2019
MINUTES**

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

PRESENT: Mayor Paul Skrede, Councilmember's Melissa McNeill, Tony Jewett, Steve Erickson, and Kent Carlson

STAFF: City Administrator Dana Young

2. **PLEDGE OF ALLEGIANCE**

The Council recited the Pledge of Allegiance.

3. **APPROVE CONSENT AGENDA**

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

- A. Approve May 6, 2019 Council Minutes
- B. Approve May 7, 2019 Special Council Minutes
- C. Appoint Kaisha Rafferty to Park Committee

Seconded by Councilmember Jewett. Motion carried 5-0.

4. **MATTERS FROM THE FLOOR**

Amy Heintzman, 4395 Chimo East, stated that she was excited to hear about the proposal to install a sidewalk from the Chimo East intersection to the corner of Minnetonka Blvd to allow kids a safer walkway to the school. She stated that she has other safety concerns such as with the speed of vehicles at this intersection. She stated that she would continue to be interested in discussing other speed slowing solutions such as establishing a school zone, adding safety signage, providing access to the LRT Trail & the school, or changing the striping on the turn lanes.

Mayor Skrede stated that he sent a copy of the plans for this sidewalk to Bryan McGinley, the Elementary School principal. He stated that the plans include a raised sidewalk with a curb border to the south side of Chimo East and a split rail fence located behind the sidewalk. He stated that the split rail fence will enable southbound traffic to see that something is going on in this area. He stated that curbing will also keep people from cutting the corner. He added that the City also intends to add dotted lines and restriping at the crossing to assist with kids crossing the street. He stated that they have not considered a crosswalk yet due to concerns about visibility.

Amy Heintzman noted that the turn lane starts too far back from the Chimo East entrance.

Mayor Skrede stated that we have to have some area available for the turn lane but noted that the right turn lane is probably wider than we need.

Councilmember Jewett asked if adding a crossing guard was discussed at the meeting with Principal McGinley.

Amy Heintzman stated that it was not.

Mayor Skrede stated that the plan was sent to Bryan with an invitation to meet to discuss the plan. He stated that he hasn't heard back from him yet.

Amy Heintzman thanked the Council for listening.

A question was asked if there would be a way to get to the middle school from the LRT Trail.

Mayor Skrede stated that there doesn't seem to be a lot of interest from the Three Rivers Park District on this access issue and added that getting onto the trail is not part of this road project. He stated that we could look at this in the future.

Jim Sulciner, 19720 Vine Street, was present to ask about the time table for the Minnetonka Blvd Project.

Mayor Skrede stated that the bid opening will be on May 29th and the Council will review the bids at their June 3rd Council meeting. He stated that the final decision to move forward with the project has to wait until the end of the reverse referendum period and anticipates a starting date of around mid-June.

Jim Sulciner asked if the proposed \$1.5 million dollar bond issue was for the resurfacing of Minnetonka Blvd and the adjacent streets.

Mayor Skrede stated that the bond will be used to fund street resurfacing for Minnetonka Blvd, Carsonwood Avenue, Parkway, Northern Road, and Highland Avenue.

Jim Sulciner stated that this is a comprehensive street improvement and felt that this would be an opportunity to get a city-wide survey. He stated that the Open House provided the opportunity for City input and that safety continues to be a number one concern.

Mayor Skrede stated that eventually you have to quit planning and start performing.

Councilmember Carlson stated that the first phase is to resurface Minnetonka Blvd. He stated that burying the power lines is a future consideration. He stated that there is a high cost associated with this project and the power lines would never be buried under the bituminous portion of the street. He stated that he and his neighbor worked with Xcel Energy to bury the

power line in their neighborhood and it took 32 months of working with Xcel to get the line buried. He stated that the Council could look at the power line issue at some future date. He stated, in his opinion, we would want to look at burying power lines on a community-wide basis not just along Minnetonka Blvd.

He stated that in regards to sidewalks along Minnetonka Blvd, the Council is working with the Park Committee on a pathway in several areas, not just along Minnetonka Blvd. He noted that in providing a grant for a bikeway feasibility study, Hennepin County had recommended the consideration of other trail connections other than Minnetonka Blvd. He stated that dry pipes were also discussed but were not considered as viable.

Jim Sulciner asked about the existing water line to the Elementary School.

Mayor Skrede stated that the water line is provided by the City of Minnetonka and Minnetonka will not allow the further extension of their water line into Deephaven.

Jim Sulciner asked if anyone had approached Minnetonka recently about extending water service.

Administrator Young stated that a resident, who had well issues, had recently asked Minnetonka to extend their water line several hundred feet to his property but was declined.

Mayor Skrede provided a summary of the difficulties experienced by Deephaven Woods Senior Living in obtaining water from Minnetonka.

Jim Sulciner asked if there was any reason for not sending out a community survey.

Councilmember Carlson stated that the City recently held an Open House, which provided an opportunity for residents to interact with engineers on the Minnetonka Blvd project and other streets to be resurfaced in Deephaven this year, the bikeway study, and other future amenities. He stated that this type of exchange is more meaningful than a survey.

Jim Sulciner stated that a survey, open house and additional dialogue are needed as an opportunity to get more information.

Mayor Skrede stated that burying power lines and sidewalks do not have to be included with the street project. He stated that there was the opportunity at the Open House to request future projects.

Councilmember Erickson added that he and the Mayor spent over two hours reviewing various drainage issues that had been brought up at the Open House. He stated that the bottom line is that the Council's intention is to rebuild a street that is in very tough condition.

Councilmember McNeill stated that it took 32 months for Xcel to bury a power line in Councilmember Carlson's neighborhood and it certainly appears that we have plenty of time to discuss burying power lines throughout the rest of Deephaven.

Jim Sulciner asked if the Council was committed to this next phase.

Mayor Skrede stated that prices and the impact of installing a walking path along Minnetonka Blvd are forthcoming.

Jim Sulciner stated that Bushaway Road in Wayzata has three times the traffic as Minnetonka Blvd and noted that this roadway was completed along with sidewalks.

Mayor Skrede stated that Bushaway is a Hennepin County road that began as a \$28 million project in which the County spent over \$63 million dollars to repair.

Jim Sulciner stated that this is the opportunity to make Minnetonka Blvd safer and wants to see the City move forward on phase 2.

5. UNFINISHED BUSINESS

A. Adopt Ordinance No. 04-66, Approving Franchise Fee Agreement

Administrator Young stated that Ordinance No. 04-66 was first presented for Council review at the April 1, 2019 Council meeting. He stated that discussions have been held with CenterPoint Energy's attorney on the proposed ordinance and final revisions have been made to the ordinance based on those comments. He stated that a markup of the revised Franchise Fee Agreement has been provided showing those changes that have been made to the first draft of the ordinance.

Motion by Councilmember Erickson to adopt Ordinance No. 04-66, a Franchise Fee Agreement with CenterPoint Energy and approving the summary publication. Seconded by Councilmember McNeill. Motion carried 5-0.

B. Adopt Resolution No. 16-19, Adopting Post-Issuance Debt Compliance Policy

Administrator Young stated that as part of the issuance of the 2019 Street Reconstruction Bond, Ehlers & Associates is requesting that the City adopt a Post-Issuance Compliance Policy and a Post-Issuance Debt Compliance Procedure prior to the issuance of the bond.

Councilmember Jewett asked if depreciation was considered for a road or just for a facility.

Administrator Young stated that depreciation could be considered for both.

Motion by Councilmember Carlson to adopt Resolution No. 16-19, Adopting Post-Issuance Debt Compliance Policy. Seconded by Councilmember Erickson. Motion carried 5-0.

C. Other

There was no other Unfinished Business this evening.

6. NEW BUSINESS

A. Discuss Heathcote Road Street Striping Complaints

Administrator Young stated that based on a resident request, concerns about bicycle traffic to the unofficial access to the LRT Trail, and the narrow, curvy nature of the street, the Public Works Committee recommended extending the yellow no passing lines from the bottom of the hill on Heathcote Road, just off of Circle Drive, the entire length of Heathcote Road to the Heathcote Drive intersection. He stated that a number of complaints have been received from neighbors objecting to the lack notice regarding the striping, which he agreed was an oversight, and requesting the removal of the stripes.

He stated that the Police Chief still believes that the striping is beneficial from a public safety standpoint and unfortunately, after discussions with our public works staff, there is no good way to eliminate the stripes. Repainting the yellow stripes with grey paint would simply leave another stripe down the center of the street and sandblasting or grinding the painted stripes would simply leave another noticeable stripe down the street and could potentially damage the existing street. He stated that there is no real good solution to removing the existing stripe other than to let it fade.

Alayne Gilbert, 4209 Heathcote Road, was present to state that she noticed the street striping late at night. She stated that she had discussed speed control with the Edina City Manager and he had noted that traffic goes faster after a residential street has been striped. She stated that the lack of notification was very much felt by her and her neighbors and she stated that she would not have purchased her home if the stripes had been on the street. She stated that the stripes are not helping and she hasn't heard one voice supporting the striping. She asked when the road is to be redone and if there will be any sidewalk included.

Mayor Skrede stated that the City is doing more engineering analysis on the streets and that he is not aware of any plan to include sidewalk in Heathcote.

Alayne Gilbert stated that the bicycle trail access is not safe right now and, as the adjoining property owner, she would like to be included on any trail discussions.

Councilmember Erickson stated that the trail discussions are at a preliminary phase and he would include her in any future discussions.

Alayne Gilbert stated that she would prefer a grey line over the yellow lines.

Mayor Skrede stated that people in the past have tried to legitimize trails that were never there. He stated that a past Council had spent seven meetings trying to get a trail closed. He stated that this serves as an example why it takes so long to do due diligence.

Jim Sulciner stated that a survey would help find out how many people would be interested in having sidewalks and the City could levy for sidewalks.

Mayor Skrede stated that levying would be the only way to do sidewalks. He noted that some people would favor sidewalks but only if the sidewalk were on someone else's side of the street.

Councilmember McNeill recommended sending out a letter to the neighborhood asking the residents what they would like done.

Councilmember Carlson stated that striping may have a traffic calming effect and to ask the City Engineer to provide better information on whether striping helps to slow traffic.

Councilmember McNeill stated that this information could be included in the letter.

Alayne Gilbert noted that the usages of the street are important as well. She stated that she would support speed bumps and additional stop signs.

Mayor Skrede suggested talking with the Police Chief on providing some speed monitoring.

Lynn Hooper, 5025 Hooper Lake Road, asked if the list of streets that we stripe could be added to the City webpage and stated that portable speed bumps have been used in the past on Vine Street.

Mayor Skrede asked that the letter be reviewed by the Public Safety Committee before it is sent out.

B. Other

There was no other New Business this evening.

7. REPORTS FROM STANDING COMMITTEES

A. Park Committee

Administrator Young presented a review of the Park Committee meeting held on May 7, 2019 on the following items:

- Discussion was held on a Cottagewood Area Parks Spring Maintenance report
- The Committee recommended the appointment of Kaisha Rafferty to the Park Committee
- Recommended authorizing bids on the reconstruction of the two Shuck Park tennis courts and the installation of a new half court basketball court. The basketball court could be bid as an alternate.
- Recommended that the City Council establish 11' driving lanes on Minnetonka Blvd to allow for 5' walkways to enhance the safety of pedestrians and bicyclists.

Councilmember Erickson provided a summary of the preliminary bikeway plan along Minnetonka Blvd that he and others had reviewed last Friday at the Bikeway Feasibility Study meeting.

B. Public Works Committee

Administrator Young presented a review of the Public Works Committee meeting held on May 14, 2019 on the following items:

- Discussed lowering speed limits on secondary streets to 25 mph, with the exception of main thoroughfares like Minnetonka Blvd & Vine Hill Road remaining at 35 mph. The Police Chief will issue his recommendations on which streets should be designated with either a 25 or 35 mph speed limit.
- Discussed organics recycling requirements that go into effect January 1, 2022 and developed a working plan to establish a potential organics recycling drop-off site.
- Discussed a request to install a structure over the ditch bordering Rutledge Road in Thorpe Park. The Committee recommended denying the request due to maintenance, drainage, and liability concerns
- The Committee discussed an offer from the Minnetonka Yacht Club to jointly share in the costs of goose management in St. Louis & Carson's Bay. The Committee recommended participating in this effort if goose control efforts are expanded to include Walden Beach & the St. Louis Bay marina.
- The Committee reviewed and approved a landscaping plan submitted by Lasting Impressions Landscaping in the amount of \$17,765.00 for the Thorpe Park Parking Island.
- Discussion was held regarding adding a third lifeguard chair at Deephaven Beach.
- Discussed the Heathcote Road striping complaints.

Motion by Councilmember Carlson to approve the landscaping plan submitted by Lasting Impressions Landscaping in the amount of \$17,765.00 for the Thorpe Park parking island area. Seconded by Councilmember Erickson. Motion carried 5-0.

8. ADJOURNMENT

Motion to adjourn by Councilmember Erickson, seconded by Councilmember McNeill. Motion carried 5-0. The meeting adjourned at 8:50 p.m.

Respectfully submitted,
Dana H. Young
City Administrator