

**DEEPHAVEN CITY COUNCIL MEETING
MONDAY, MAY 21, 2018
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 Tony Jewett, Steve Erickson, Kent Carlson and Darel Gustafson

STAFF: City Administrator Dana Young

2. **PLEDGE OF ALLEGIANCE**

The Council recited the Pledge of Allegiance.

3. **APPROVE CONSENT AGENDA**

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

- A. Approve May 7, 2018 Council Minutes
- B. Appoint Tom Erdmann to Park Committee
- C. Approve April 2018 Treasurer's Report

Seconded by Councilmember Erickson. Motion carried 5-0.

4. **MATTERS FROM THE FLOOR**

There were no Matters from the Floor this evening.

5. **UNFINISHED BUSINESS**

- A. **Adopt Resolution No. 19-18, Approving 2017 Playground Equipment Bid**

Administrator Young stated that in response to a Request for Proposals on Playground Equipment, the Deephaven Park Committee reviewed the following four bids for playground equipment & installation on May 1st:

<u>Bidder</u>	<u>Equipment</u>	<u>Installation</u>	<u>Total Bid</u>
Minnesota Wisconsin Playground	\$ 28,750.00	\$ 6,250.00	\$35,000.00
St. Croix Recreation Company	\$ 30,283.00	\$ 5,200.00	\$35,483.00
Landscape Structures – Option 1	\$ 26,743.00	\$ 8,257.00	\$35,000.00
Landscape Structures – Option 2	\$ 26,390.00	\$ 8,610.00	\$35,000.00

He stated that Landscape Structures Option 1 includes two saddle spinners and Option 2 includes a swing set instead of the saddle spinners.

He stated that after reviewing all playground equipment & design options, the Park Committee selected St. Croix Recreation Company as offering the preferred playground equipment. The Committee felt that their equipment simply offered more for kids to do and also catered to a slightly older age group (5-12 year olds) than the other two vendors. He stated that the Request for Proposals requires the playground equipment to be installed by July 1, 2018.

Councilmember Erickson asked if there were swings at the existing playground.

Administrator Young stated that there were not. He added that the proposal submitted by St. Croix Equipment also did not include swings, unlike the other two proposals, because swings require a fairly sizeable area and the Village Hall playground area is not very large.

Motion by Councilmember Carlson to adopt Resolution No. 19-18, a Resolution Approving Bid & Awarding a Contract to St. Croix Recreation Company in the amount of \$35,483.00 for playground equipment to be installed at Village Hall Park. Motion seconded by Councilmember Jewett. Motion carried 5-0.

B. Adopt Resolution No. 18-18, Approving 2018 Street Improvement Bids

City Engineer David Martini presented the following bids on the 2018 Street Improvement Project for Council review:

<u>Bidder</u>	<u>Total Bid Amount</u>
GMH Asphalt	\$179,244.25
Midwest Asphalt	\$201,724.00
Astech Corporation	\$213,941.20
Omann Contracting	\$230,913.94
Bituminous Roadways	\$272,000.00

He stated that the bids include an alternate for Hillside Street and noted that GMH Asphalt provided the low bid.

Administrator Young stated that the 2018 budget for this project is \$270,270. He stated that the bid from GMH Asphalt is \$91,025.75 under budget. He recommended that due to this low bid, that the Council adopt Resolution No. 18-18, a Resolution approving the bid submitted by GMH Asphalt in the amount of \$179,244.25 and authorize the Public Works Committee to include up to \$80,000.00 in additional street work to be included in the contact with GMH Asphalt.

Councilmember Carlson asked when the project would begin.

David Martini stated that he is not sure of a specific date but knows that the contractor is anxious to get started.

Motion by Councilmember Gustafson to adopt Resolution No. 18-18, Approving the Bid and Awarding a Contract to GMH Asphalt in the amount of \$179,244.25 for the 2018 Street Improvement Project and to authorize the Public Works Committee to include up to \$80,000.00 in additional street work to be included in the contact with GMH Asphalt. Seconded by Councilmember Erickson. Motion carried 5-0.

C. Adopt Resolution No. 20-18, Approve 2018 Sewer Main Cleaning & Televising

City Engineer David Martini presented the following bids on the 2018 Sewer Main Cleaning & Televising Project for Council review:

<u>Bidder</u>	<u>Total Bid Amount</u>
Pipe Services Corporation	\$ 49,874.25
American Environmental	\$108,085.07

He stated that the sewer main cleaning & televising would include all the area south of the LRT Trail and includes 29,704 lineal feet of sewer main. He added that Pipe Services offered the same unit prices for their bid this year as they had last year.

Administrator Young stated that the 2018 budget for this project is \$30,000. He stated that the cost of this project has come in well above budget for a couple of reasons. First, staff has selected a significant area to be cleaned and televised that was last done in 2012. And second, the cost of the 2018 Manhole Rehabilitation Project, which has also been budgeted at \$30,000, should come in quite a bit under budget due to the relatively fewer number of manholes that need to be repaired this year.

Motion by Councilmember Erickson to adopt Resolution No. 20-18, Approving the Bid and Awarding a Contract to Pipe Services Corporation in the amount of \$49,874.25 for the 2018 Sewer Main Cleaning & Televising Project. Seconded by Councilmember Gustafson. Motion carried 5-0.

D. Review Park Committee Bikeway Recommendations

Administrator Young stated that discussion was held at the May 1st Park Committee about providing specific bikeway route proposals to the City Council for their review and approval. Once the Council has given their support to specific route proposals, these routes would be included in a request for proposals for engineering services to conduct the bikeway feasibility study.

He stated that the Park Committee recommends that the primary focus of a bikeway feasibility study should include the following route segments:

- Chownen's Corner to Hwy 101
- Thorpe Park to Heathcote to the LRT Trail
- The LRT Trail to the Elementary School

He stated that the Park Committee has concluded that the original route from Thorpe to the Vine Hill Bridge on Minnetonka Blvd may only be a potential back-up route if certain property through Heathcote cannot be acquired, or easement granted, or if the dimensions of Heathcote Road cannot accommodate a bike path according to MnDOT standards. He noted that the Park Committee has come to the conclusion that while Minnetonka Blvd is the most challenging route engineering-wise, it is currently the only other route on a public right of way.

Councilmember Jewett stated that while Heathcote is the preferred bike route, he noted that Hillcrest also provides access to the LRT Trail.

Mayor Skrede noted that Hillcrest would be challenging as a bike route but it's good to have an alternate route.

Councilmember Erickson stated that he agrees with the routes recommended by the Park Committee and asked if we were still going to obtain full right-of-way widths along Minnetonka Blvd.

Councilmember Carlson stated that we can get the right-of-way widths for the preferred routes but it might also be helpful to know the right-of-way on Minnetonka Blvd from Chowen's Corner to the Vine Hill Bridge.

Mayor Skrede stated that he would prefer to stay with the routes proposed by the Park Committee.

Councilmember Erickson stated that he simply brought this up so that we will keep this in mind.

Motion by Councilmember Carlson to approve the inclusion of the following three routes as the primary focus of a bikeway feasibility study:

- Chowen's Corner to Hwy 101
- Thorpe Park to Heathcote to the LRT Trail
- The LRT Trail to the Elementary School

Seconded by Councilmember Jewett. Motion carried 5-0.

E. Adopt Ordinance No. 04-62, Amending Fees on Stormwater Mitigation Inspections

Administrator Young stated that the intent of the ordinance was to provide for the inspection of the storm water mitigation devices that have been proposed for several construction projects and to provide a fee structure to recover the costs of the inspection.

Motion by Councilmember Carlson to adopt Ordinance No. 04-62, an Ordinance Amending Fees on Stormwater Mitigation Inspections. Seconded by Councilmember Gustafson. Motion carried 5-0.

F. Other

There was no other Unfinished Business this evening.

6. NEW BUSINESS

A. Approve 2019-2020 Lifeguard Agreement

Administrator Young stated that the 2017-2018 Lifeguard Service Contract increased 3% in 2017 and 0% in 2018 to adjust for operational cost increases and salary increases. He stated that the proposed 2019-2020 Lifeguard Service Contract with Minnetonka Aquatics is proposed to increase 4.8% in 2019 and 0% in 2020. The reason for the increase in 2019 is to make lifeguard salaries competitive enough to retain and recruit a sufficient number of lifeguards.

He stated that there will be no change in the proposed lifeguard days as Sandy Beach and Robinson's Bay Beach are scheduled to have lifeguard services for 65 days and Deephaven Beach for 72 days for each year of the contract.

Motion by Councilmember Erickson to approve the 2019 - 2020 Lifeguard Service Contract with Minnetonka Aquatics in the amount of \$42,039 in 2019 and 2020. Seconded by Councilmember Jewett. Motion carried 5-0.

B. Approve Preliminary 2019 LMCD Budget

LMCD Liaison Jake Walesch and LMCD Executive Director Vicki Schleuning were present to provide an update on recent LMCD activities and to provide an overview of the preliminary 2019 LMCD Budget.

Jake Walesch stated that the proposed 2019 LMCD Budget is similar to the 2018 Budget, except that it is a little higher due to grants becoming more difficult to get. He stated that the budget proposes a 5.1% increase overall and a 3.0% increase to Deephaven.

Mayor Skrede thanked the City of Minnetonka for paying the majority of the cost for the LMCD despite having the least amount of shoreline. He stated that we look at the entire budget, not just how we benefit. He asked if there is a schedule for the harvesting of milfoil.

Jake Walesch stated that there may be fewer issues with milfoil this year due to the late ice-out in Lake Minnetonka but they still plan on harvesting in Carson's Bay.

Vicki Schleuning stated that the LMCD has tried to do performance based harvesting but it hasn't worked all that well. She stated that they have surveyed lakeshore owners and will be trying to work together with some of the private harvesters. She stated that they had an issue last year with large amounts of native plants, which they typically don't harvest.

Councilmember Jewett asked about the Lake Associations and if the LMCD is harvesting in those bays.

Vicki Schleuning stated that they work with the bay captains and don't harvest when the associations are treating the bays.

Councilmember Gustafson asked about aqua pellets to remove vegetation from swimming areas.

Vicki Schleuning stated that the Department of Natural Resources would issue permits for that particular use. She stated that there are new products that are being used specifically for swimming areas. She stated that the treatments depend on what type of vegetation you are intending to remove.

Councilmember Gustafson asked when is it the best time to apply these chemicals.

Vicki Schleuning stated that it depends on what plants you are planning to remove.

Mayor Skrede asked if we need a permit from the Department of Natural Resources.

Vicki Schleuning stated that a permit is required that will ask the type of product you plan on using, the treatment area, and the targeted vegetation.

Mayor Skrede asked if we need a permit from the LMCD. Vicki Schleuning stated that a permit is not required from the LMCD.

Mayor Skrede returned to the 2019 Budget and asked about the size of donations that the LMCD expects to receive in 2019.

Jake Walesch stated that 2019 will be the 50th Anniversary of the LMCD so they do expect to see an increase in donations next year.

Further discussion was held regarding legal costs vs. fine revenues and the benefits of continuing to provide AIS inspections at the boat launches.

Motion by Councilmember Jewett to approve the preliminary 2019 LMCD Budget. Seconded by Councilmember Carlson. Motion carried 5-0.

C. Approve Special Event Permit Application for Minnetonka Yacht Club

Kelly Brackin was present to state that the Minnetonka Yacht Club (MYC) will be hosting the 2018 ILYA Inland Championship Regatta from August 12-19 and they are requesting permission to park trailers in the parking lot next to the platform tennis courts.

In addition, she stated that the Yacht Club would like to use Cottagewood Children's Park for the award ceremony on Wednesday, August 15th and Sunday, August 19th from 1:00 p.m. – 3:30 p.m. Food and alcohol will be provided at the award ceremonies on Wednesday and Sunday.

Councilmember Jewett stated that he has talked with Police Chief Johnson regarding this event.

Further discussion was held on the possibility of providing temporary parking permits.

Councilmember Carlson asked how many vehicles are expected.

Councilmember Jewett stated that he expects about 100 people at the ceremony with parking at City hall and at the gravel lot. He noted that only about 12 beers were given out last year.

Councilmember Carlson noted that if we sold parking stickers, how many would be needed for this event.

Kelly Brackin stated that they would need about 100 or so permits.

Motion by Councilmember Erickson to approve a Special Event Permit for the Minnetonka Yacht Club for the use of the parking lot at Haralson Park (Platform Court Area) for trailer storage, the use of Cottagewood Children's Park for the awards ceremony, and permission to consume beer at Cottagewood Children's Park. Seconded by Councilmember Jewett. Motion carried 5-0.

D. 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 1, 2018 on the following items:

- An update was provided on the Thorpe Park Warming House Project
- The Committee provided their recommendations on their preferred bike routes for inclusion in the Bikeway Feasibility Study
- Approved the playground equipment proposal submitted by St. Croix Recreation
- Discussed the installation of paddleboard structures at Deephaven Beach
- Recommended the appointment of Tom Erdmann to the Park Committee

B. Public Works Committee

Administrator Young presented a review of the Public Works Committee meeting held on May 8, 2018 on the following items:

- Discussed the issue of residents plowing snow into neighboring yards. No action was taken.
- Discussed the installation of a sump pump to control discharge into the rear yard at 20565 Linden Road. The Committee recommended waiting until August to decide

whether this project could be implemented this year or wait to be included in the 2019 Storm Water Fund Budget.

- Discussed the paddleboard request and recommended obtaining additional designs for storage units.
- Discussed private road improvement projects and the possibility of homeowner associations contracting with the City for including private roads as part of the City's street improvement program..
- Discussed an offer to repaint City park & beach signs.

8. ADJOURNMENT

Motion to adjourn by Councilmember Gustafson, seconded by Councilmember Carlson. Motion carried 5-0. The meeting adjourned at 8:11 p.m.

9 SPECIAL COUNCIL MEETING

A. Discuss Soil Conditions Report for Thorpe Park Warming House Project

Councilmember Carlson provided an overview of the soil conditions underneath the proposed Thorpe Park Warming House as reported by Bollig & Sons and the \$30,000 cost they quoted to remove and replace soil in an area approximately 60' x 50' x 8' deep. He stated that since we really had no idea on the appropriate amount of material to remove, the City contracted with Braun Intertec to provide a soil conditions report, which included two soil borings and an organics count. He stated that the soil conditions report has come back from Braun Intertec that recommended only removing 2-3 feet of poor soil and to build up around the foundations.

Mayor Skrede noted that we had to do some soil removal when asphaltting the new hockey rink.

Councilmember Carlson stated that the report also provided some groundwater information and noted that we will have to pump out some water while correcting the soils. He stated that he asked staff to send the soil report to the contractor so that he can forward the report to Bollig & Sons to obtain a revised bid. He stated that he would like to get a much more detailed bid proposal from Bollig.

Councilmember Carlson added that we also received a proposal from Braun to keep an eye on the soil work, perform soil tests, and test the concrete for a cost of approximately \$5,100. He added that, according to our construction contract, none of this is our problem as the contractor should be responsible for the soil conditions.

It was the general consensus of the Council to contract with Braun Intertec in the amount of \$5,176 for special inspection and testing services to ensure that the soil correction work is done properly.

Further discussion was held regarding B. Streeter & Company's contract with the City of Deephaven, how to allocate any future unexpected project costs equitably, and to ensure that the Warming House Project gets completed in a timely manner.

10. ADJOURNMENT

Motion to adjourn the Special Council meeting by Councilmember Carlson, seconded by Councilmember Erickson. Motion carried 5-0. The meeting adjourned at 9:37 p.m.

Respectfully submitted,
Dana H. Young
City Administrator