



CITY OF SPRING PARK
CITY COUNCIL AGENDA
JULY 19, 2021 – 7:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ADOPT MEETING AGENDA
4. ADOPT CONSENT AGENDA*
 - a. Approve Regular City Council Meeting Minutes from July 6, 2021
5. PUBLIC FORUM**
6. PRESENTATIONS & GUEST SPEAKERS
 - a. Jim Eichten – 2020 Audit Presentation
7. PUBLIC HEARINGS
8. PETITIONS, REQUESTS, & APPLICATIONS
9. ORDINANCES & RESOLUTIONS
10. REPORTS OF OFFICERS AND COMMITTEES
 - a. Mayor & Council
 - i. Yacht Club Marina LMCD Request
 - b. City Staff
 - c. Contract Staff
11. NEW BUSINESS & COMMUNICATIONS
12. CLAIMS FOR PAYMENT
 - a. July 19, 2021 Claims
13. UPCOMING MEETINGS & TRAINING
 - a. July 21 – Police Commission – 8:00 AM
 - b. July 21 – Fire Commission – 11:00 AM
 - c. July 28 – LMCD Work Session with Regular Meeting to Follow – 6:00 PM
 - d. August 2 – City Council Regular Session – 7:00 PM
14. MISCELLANEOUS (INFORMATION ONLY)
15. ADJOURNMENT

* The Consent Agenda lists those items of business which are considered to be routine, recommended for approval, and/or which need no discussion. The several separate items listed on the Consent Agenda are acted upon by one motion. There will be no separate discussion of these items unless a Council Member makes a request, in which event the item will be removed from the Consent Agenda and placed elsewhere on the regular agenda for Council discussion and action.

** Under Public Forum individuals may address the City Council about any item not contained on the regular agenda. Each speaker should keep their statements to three minutes to allow sufficient time for others. The Council will take no official action on items discussed at the forum, with the exception of referral to staff for future report.



CITY OF SPRING PARK
CITY COUNCIL MINUTES
JULY 6, 2021 – 7:00 PM
SPRING PARK CITY HALL

1. CALL TO ORDER

The following Council Members were present: Jerome P. Rockvam, Mark Chase, Jeff Hoffman, Pamela Horton, and Gary Hughes. Mayor Rockvam chaired the meeting.

2. PLEDGE OF ALLEGIANCE

Rockvam led the audience in the Pledge of Allegiance.

3. ADOPT MEETING AGENDA

Council Member Hughes motioned, being seconded by Council Member Chase to approve the agenda as presented. On vote being taken, the motion was unanimously approved.

4. ADOPT CONSENT AGENDA

Council Member Horton motioned, being seconded by Council Member Hoffman to:

- a. Approve City Council Work Session Meeting Minutes from June 21, 2021
- b. Approve Regular City Council Meeting Minutes from June 21, 2021
- c. Agreement with Hennepin County for Assessment Services

On vote being taken, the motion was unanimously approved.

5. PUBLIC FORUM - none

6. PRESENTATIONS & GUEST SPEAKERS - none

7. PUBLIC HEARINGS – none

8. PETITIONS, REQUESTS, & APPLICATIONS - none

9. ORDINANCES & RESOLUTIONS

Council Member Hoffman motioned, being seconded by Council Member Horton to:

- a. Resolution 21-08: Accepting American Rescue Plan Funding

On vote being taken, the motion was unanimously approved.

10. REPORTS OF OFFICERS AND COMMITTEES

- a. Mayor & Council

Discussion was had the force main breaks and the clean-up efforts. Congratulations was given to Shane Wiskus on his upcoming Olympic appearance. Discussion was had on the upcoming project with the County on Sunset Drive. Also discussed was the possibility of slip lining or pipe bursting.

b. City Staff – none

c. Contract Staff

Nielson reviewed the West Arm West project and the open house that was held June 30th at the Seton Townhome common area. He reviewed the turn-a-round area, roadway improvements, removing the center pilings on the bridge, underground powerlines, surmountable curb, and the project timeline.

Rockvam motioned, being seconded by Horton to authorize advertising for bids for the West Arm West project. On vote being taken, the motion was unanimously approved.

11. NEW BUSINESS & COMMUNICATIONS – none

12. CLAIMS FOR PAYMENT

a. July 6, 2021 Claims

Horton motioned, being seconded by Council Member Hughes to approve claims for payments that have been submitted. On vote being taken, the motion was unanimously approved.

13. UPCOMING MEETINGS & TRAINING

- a. July 13 – Administration Committee – 12:00 PM
- b. July 14 – LMCD Work Session with Regular Meeting to Follow – 6:00 PM
- c. July 14 – Planning Commission – 6:00 PM
- d. July 19 – City Council Work Session – 6:00 PM
- e. July 19 – City Council Regular Session – 7:00 PM

14. MISCELLANEOUS (INFORMATION ONLY)

15. ADJOURNMENT

There being no further discussion, Hoffman motioned, being seconded by Rockvam to adjourn the meeting at 8:03 p.m. On vote being taken, the motion was unanimously approved.

Jennifer Nelson, City Clerk

Dan Tolsma, City Administrator



LAKE MINNETONKA CONSERVATION DISTRICT REQUEST FOR REVIEW AND COMMENTS

MN DNR General Permit Application #97-6098

Date of Request: 06/09/2021

Response Due By: 06/18/2021

Comments on this application are due 10 days from receipt of this notice.

Return to: LMCD, 5341 Maywood Road, Suite 200, Mound, MN 55364 or via email (below).

FROM: Matthew Cook, Environmental Administrative Technician

THROUGH: Vickie Schleuning, Executive Director

PHONE: (952) 745-0789

E-MAIL: mcook@lmcd.org

TO:

- X MN DNR Area Hydrologist: Lucas Youngsma, lucas.youngsma@state.mn.us
Jack Gleason, john.gleason@state.mn.us
- X DNR Area Fisheries Supervisor: Daryl Ellison, daryl.ellison@state.mn.us
- X MCWD: James Wisker, jwisker@minnehahacreek.org
Tom Dietrich, tdietrich@minnehahacreek.org
- X City of Spring Park: Dan Tolsma, dtolsma@ci.spring-park.mn.us
- X LMCD Board Members: Gary Hughes, ghughes@lmcd.org
Gregg Thomas, gthomas@lmcd.org

PROPOSAL INFORMATION

Name of Applicant: The Yacht Club LLP
Address of Project: 4165 Shoreline Drive
Spring Park, MN 55384
Bay: Spring Park Bay
Request Type: Multiple Dock License
Structure Type: Seasonal

Project Description:

The applicant has submitted an application to reclassify the site from a Club operation to a Qualified Commercial Marina. The site is located at 4165 Shoreline Drive in Spring Park. The site has 320 feet of shoreline on Spring Park Bay.

The site is currently licensed as a Club facility. The applicant proposes to operate the site as a Qualified Commercial Marina, with slips open to the general public for rent. The applicant does not propose any structural changes to the dock system at this time. A similar application for this property

was previously submitted, but withdrawn since the purchase agreement was rescinded. The current owner wishes to continue the proposed license change.

The following documents are attached for your review:

1. LMCD Request for Review (this document)
2. Aerial imagery of the site
3. Existing Site Plan
4. Proposed Site Plan

COMMENTS ON PROPOSAL

Comments on Project by Reviewer (attach separate sheet if needed):

On behalf of the City of Spring Park we offer the following review comments pertaining to the request to reclassify the dock license for The Yacht Club LLP from Club facility to a Qualified Commercial Marina, with slips open the general public to rent.

While the City recognizes that the LMCD does not establish dock license designation directly on the zoning approvals issued for the property by the municipality in which the use is located. LMCD regulations do recognize that there is a use and operation distinction between a Club license and a Commercial Marina license.

Definitions:

Subd. 15. Club. “Club” has the meaning given by Minnesota Statutes, section 340A.101, subdivision 7. This term does not include a residential association, homeowner’s association, an outlot association, or other similar organization whose membership is restricted to, or comprised in major part of, owners of specific property not abutting the Lake who have an interest in or right to use an outlot or similar tract or parcel of land located on the Lake.

Subd. 16. Club Facility. “Club facility” means a commercial structure, or part thereof, owned or operated by a club or by any other nonprofit corporation, group, or association. The term does not include those parts of commercial structures licensed for transient use only, or residential structures.

Subd. 21. Commercial Use. “Commercial use” is, unless specifically noted otherwise, a general reference to commercial marinas, club facilities, qualified commercial marinas, qualified sailing schools, and qualified yacht clubs. The term includes any use of a dock or dock structure by a person or entity in conjunction with a commercial or other revenue producing business enterprise. The owner of a commercial use is eligible to apply for a license for a commercial structure.

If Club and Commercial Marina uses have the same operational and use characteristics the LMCD regulations would not need separate definitions or license classifications.

One of the Criteria for considerations of a commercial Structure approvals (6-201 Subd 3) includes the following:

“(f) Whether the proposed structure will be compatible with the adjacent development;”

In 1991, the city of Spring Park adopted a zoning amendment creating the C-4 Office Commercial Zoning District to specifically accommodate the development of the Minnetonka Yacht Club office building and dock features. The purpose of the C-4, Office Commercial district is to provide a district which may reasonably adjoin high density residential districts for the location and development of administrative office buildings and related uses and which provides a transition in land use from residential uses to more intensive uses.’

The C-4 district was established to allow for limited commercial uses; permitted uses are limited to office uses only, The Yacht Club and sailing school were included within the C-4 zoning district as a conditional use with performance standards to insure the it maintained a compatible relationship with the other commercial office tenants and the adjoining apartment complex. In considering the zoning and the condition use permit for the existing office building and docks the City evaluated the details of the site plan and the operational characteristic of the proposed use in granting the development approval.

The Minnetonka Yacht Club was approved by the City and has operated for the last 30 years, in a manner that is compatible with other office tenants and the adjoining residential uses. The Yacht Club has operated under a LMCD club license consistent with the land use approvals. The club license still exists allowing the site to continue to function as initially approved. As such, denial of the Commercial Marina License will not deny the property previous rights or operations.

The change in dock license, to a commercial marina, changes the site and dock use as recognized by the LMCD regulations and licensing classifications. This change in classification will introduce a different user group to the site and a change of site operations. The City is concern the reclassification to a commercial marina will negatively impact the tenants and operations of the office building; impact the adjoining residential apartment complex.

In conclusion, the City recognizes that the LMCD does not establish a dock license designation directly on the zoning approvals issued for the property by the municipality in which the use is located. However, we ask you to recognize the following:

1. There is a distinction between a Club and Commercial Marina as defined in LMCD regulations.
2. The change of Dock Classification will impact the on-site office building and adjoining residential land use.
3. The current club license does not interfere with the historic use of the building.
4. Denial of the Commercial Marina classification does not take away any of the historic use or rights of the site or docks.
5. The City has concerns that site is not suited for a commercial marina.

LMCD Request for Review and Comments
The Yacht Club LLP – New Multiple Dock License Request
June 9, 2021

Recommendation of Reviewer:

Based on the aforementioned findings, the City of Spring Park respectfully requests that the LMCD deny the change of Dock Classification to Commercial Marina and keep the docks at the Yacht Club site at 4165 Shoreline Drive in Spring Park as a Club Dock classification and license.

Alan Brixius

Spring Park City Planner

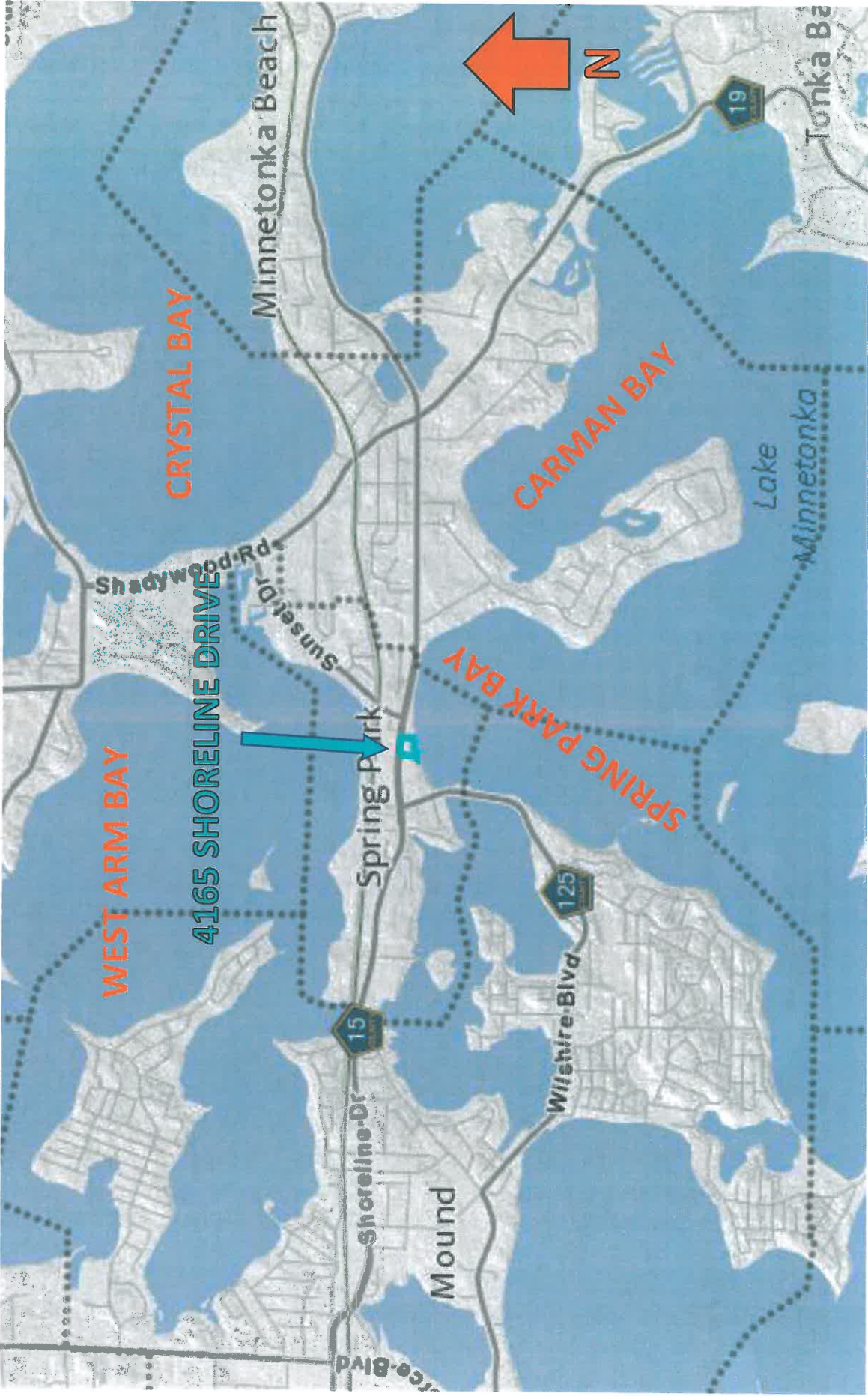
07/19/2021

Name of Reviewer

Title

Date

The Yacht Club LLP, 4165 Shoreline Drive in Spring Park | MDL Application
For illustrative purposes only. Taken from Hennepin County Property Information Map 03/30/2021.



The Yacht Club LLP, 4165 Shoreline Drive in Spring Park | MDL Application
For illustrative purposes only. Aerial imagery a composite of 2018 and 2020. Taken from Hennepin County Property Information Map 03/30/2021.



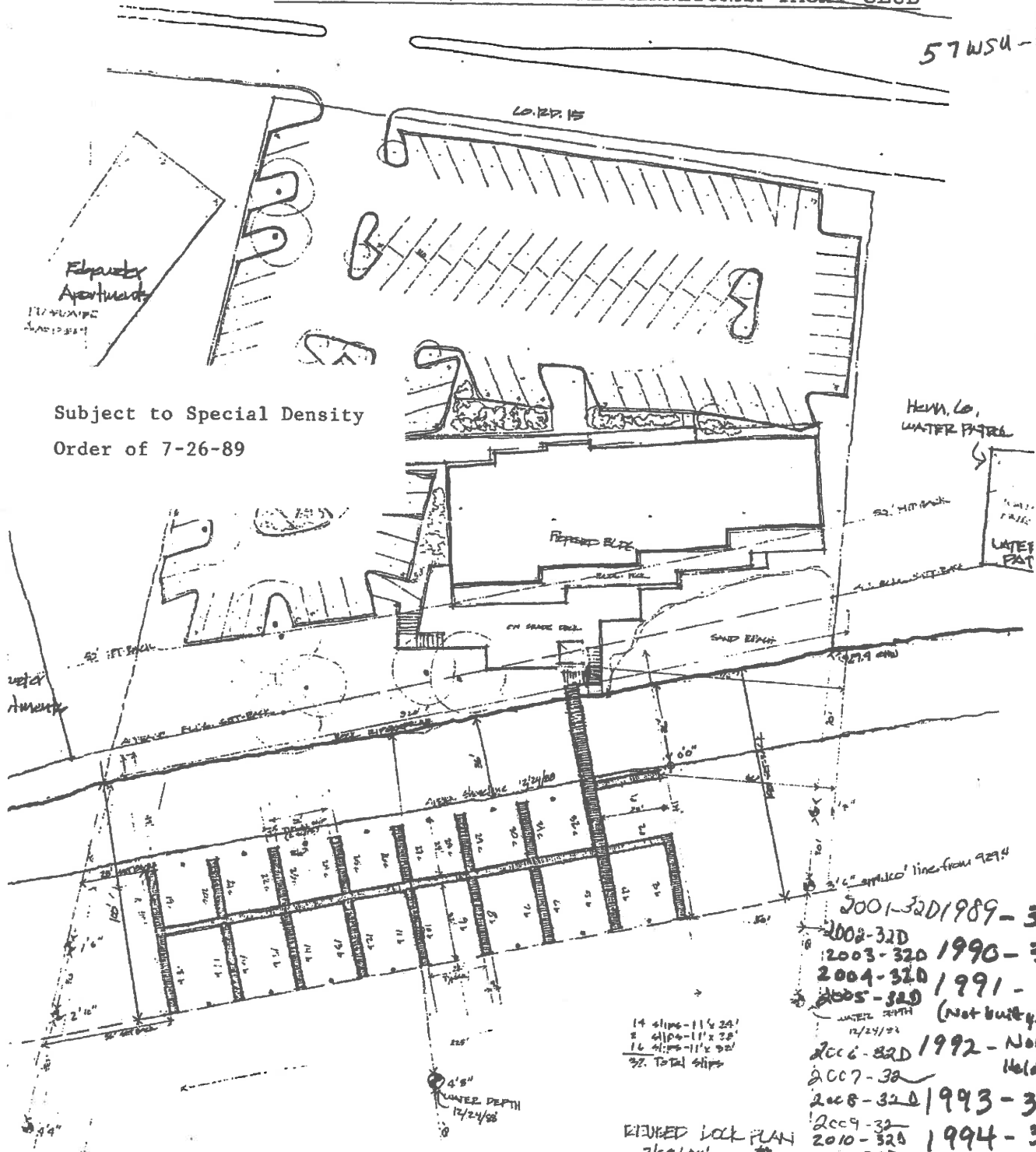
The Yacht Club - SPRING PARK, MN

RDP PARTNERS / UPPER LAKE MINNETONKA YACHT CLUB

57WSU-189

Edgewater
Apartments
170 W. WISCONSIN
LAKESIDE, MN

Subject to Special Density
Order of 7-26-89



14 slips - 11' x 22'
8 slips - 11' x 28'
16 slips - 11' x 32'
38 Total slips

REvised LOCK PLAN
12/28/88



LAKE
MINNETONKA - Spring Park B27

- 2001-32D 1989-32D
- 2002-32D
- 2003-32D 1990-32D
- 2004-32D 1991-32D
- 2005-32D (not built yet) (P)
- 2006-32D 1992 - Non-renewing
Held in abeyance
- 2007-32D
- 2008-32D 1993-32D
- 2009-32D 1994-32D
- 2010-32D
- 2011-32D
- 2012-32D 1995-32D
- 2013-32D 1996-32D
- 2014-32D
- 2015-32D 1997-32D
- 1998-32D
- 1999-32D
- 2000-32D

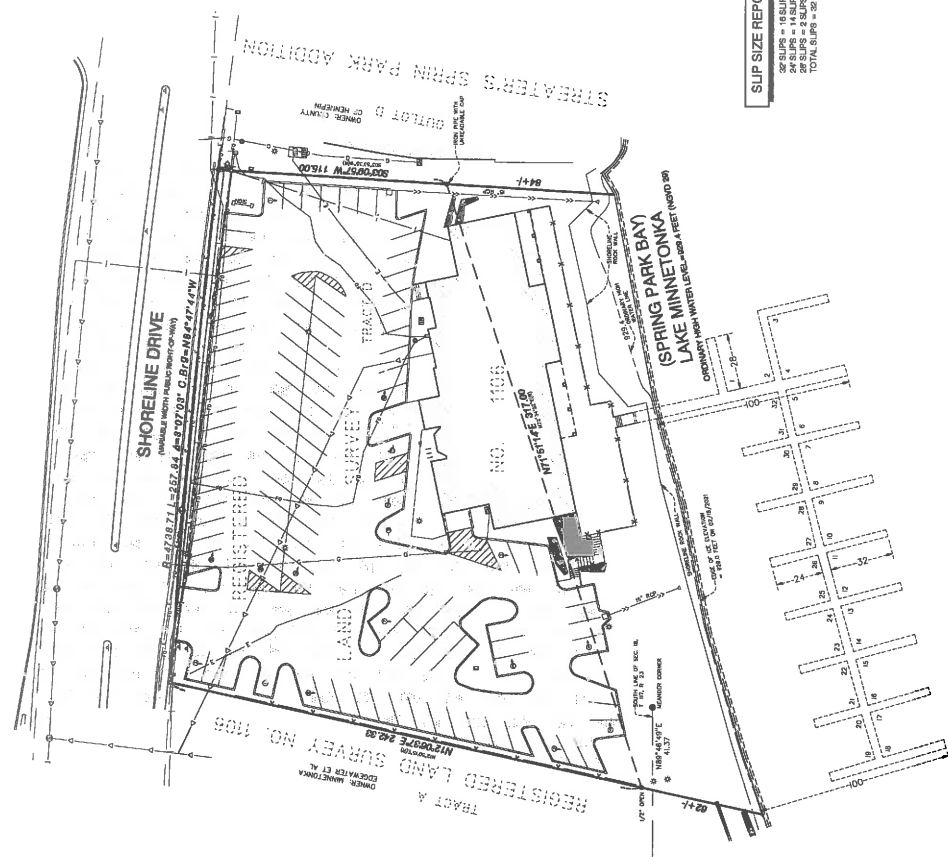
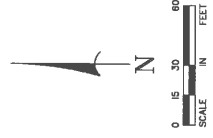
SITE & SLIP PLAN

733 Marquette Ave, Ste 700
 Minneapolis, MN 55402
 612.756.3080 MN
 612.756.3089 fax
 www.alliant-hinc.com



DRAWN BY	MT
CHECKED BY	DPE
DATE BORN	08/10/2006
SCALE	1"=50'
JOB NO.	210025
FIELD	DAUD

YACHT CLUB
 4166 SHORELINE DRIVE
 SPRING PARK, MINNESOTA



SLIP SIZE REPORT
 28 SLIPS = 18 SLIPS
 24 SLIPS = 14 SLIPS
 12 SLIPS = 8 SLIPS
 TOTAL SLIPS = 32

PROPERTY DESCRIPTION
 TRACT D, REGISTERED LAND SURVEY NO. 1106, Hennepin County, Minnesota.
 Tract D Property

NOTES
 1. This plan is for informational purposes only. It is not intended to be used for any legal or financial purposes.
 2. The basis of bearings is based on the Hennepin County Coordinate System (NAD83) as of January 2, 2021.
 3. All distances are in feet.
 4. Existing landmarks: INDOOR Measurement 2004.4, Elevation = 270.74 feet (MSD2020).
 5. Data developed are based on information provided. They are subject to minor variations from their actual installation.

- LEGEND**
- SET CAP IRON MONUMENT 57366
 - SET BRASS MONUMENT 57366
 - △ SET IRON MONUMENT 57366
 - CAST IRON MONUMENT
 - ◇ HYDRANT
 - UNDERGROUND ELECTRIC
 - CATCH BASIN
 - ELECTRIC BOX
 - FENCE
 - EDGE OF ICE
 - CONCRETE
 - ELECTRIC MANHOLE
 - FLAG POLE
 - TELEPHONE VALVE
 - POST INDICATOR VALVE
 - TELEPHONE BOX
 - SIGN
 - PERFORMANCE
 - COMMUNICATION HAND HOLE
 - (R) RECORD DOCUMENT

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Check #	Employee/Council Name	Check Amount	Check Date
5787	Farniok, Sharon L.	\$1,625.28	07/15/21
5788	Nelson, Jennifer J.	\$1,640.43	7/15/2021
5790	Nelson, Jennifer J. (retro wage increase after probation period ending 6/30/21)	\$2,224.55	7/15/2021
5789	Tolsma, Daniel J.	\$3,071.67	7/15/2021
	Sub Total	\$8,561.93	
	Chase, Mark		
	Hoffman, Jeff		
	Horton, Pam		
	Hughes, Gary		
	Rockvam, Jerry		
	Sub Total	\$0.00	
	Electronic Misc. Disbursements		
EFT#30691	PERA Employer Payroll Payment for 7/15/21	\$1,691.76	7/19/2021
EFT#30690	FICA Employee/Employer Payroll Withholding Taxes for 7/15/21	\$3,095.27	7/16/2021
EFT#30687	MN Dept.of Labor & Treasury, 2nd Qtr.21' Building Surcharge	\$71.05	7/13/2021
EFT#30688	Sales & Use Taxes, Collected from 1st Qtr.2021 Utility Billing	\$2.00	7/13/2021
EFT#30689	Jennifer Nelson HSA payment (retro after probation period endin 06/30/21)	\$1,800.00	7/12/2021
	Sub Total	\$6,660.08	
	Claims:	\$0.00	
	TOTALS	\$15,222.01	