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NOTE: COMMISSIONERS WILL BE CONTACTED BY STAFF PRIOR TO THE MEETINGS TO ASSESS ATTENDANCE. FAILURE TO RESPOND BY NOON ON THE DAY OF THE SCHEDULED MEETING WILL BE CONSIDERED AN ABSENCE AND MAY RESULT IN CANCELLATION OF THE MEETING DUE TO LACK OF A QUORUM. RSVP: Kevin Kelly @ 952-472-0613 or asc@cityofmound.com

DOCK AND COMMONS COMMISSION
7:00 P.M. Meeting at Mound City Council Chambers
5341 Maywood Road

Thursday, November 17, 2022

AGENDA

	Pages
1. Approval of Agenda	
2. Approval of September 15, 2022 Regular Meeting Minutes	1 - 8
3. Comments and suggestions from citizens present (No more than 3 minutes allowed per speaker)	
4. DCC Commission Interviews of Abutter Candidates A. Jesse Jensen B. Justin Rock C. Christine Valerius D. James Vettel	9 - 10
5. Silent Balloting of Candidates	
6. Action on Candidate Recommendation	
7. Official Dock Map Addendum	11 - 12
8. Reports: <ul style="list-style-type: none">- City Council Representative- Staff- Commissioners	

City Council Meeting Minutes are on line at www.cityofmound.com. If you would like a paper copy, please let us know and we will provide one to you.

MOUND DOCKS AND COMMONS COMMISSION MINUTES
September 15, 2022

The Mound Docks and Commons Commission met on Thursday, September 15, 2022, at 7:00 p.m. in the City Council Chambers of the Centennial Building at 5341 Maywood Road in Mound.

Present: Vice Chair Susan Gardner, Commissioners Heidi Peterson and Dave Olson.

Absent: Chair Linda Muller, Commissioner Derrick Hentz, and Council Representative Paula Larson.

Others Present: Administrative Services Coordinator Kevin Kelly, Debbie Hagberg, Rick Hagberg, Michael Kline, Kelly Kasai, Bob Kasai, John Herzog, Mike Klauda,

Vice Chair Susan Gardner called the meeting to order at 7:01 p.m.

1. Approval of Agenda.

Kelly requested to amend the agenda by adding additional comments to Item 7.

MOTION, by Olson, seconded by Peterson, to approve the amended agenda. All voted in favor. Motion carried.

2. Approval of Meeting Minutes – March 17, 2022

MOTION, by Peterson, seconded by Olson, to approve the minutes from the March 17, 2022 DCC Meeting. All voted in favor. Motion carried.

3. Comments and suggestions from citizens present

No one came forward.

4. DCC Commissioner Abutter Search

Kelly said that Commissioner Gardner has decided to step down as an Abutter representative on the Docks and Commons Commission. Kelly thanked Gardner for her service to the DCC. Kelly added that Gardner has one more meeting to go in her term.

Kelly said there are two applicants already and Docks Administration will be taking applications until October 21st. Kelly added the candidates for the opening will be interviewed at the November DCC meeting and sworn in at the January DCC meeting.

5. Recap of ADMIN-011: City Participation in Lake Management Projects

Kelly said this item was discussed earlier in the year at the March meeting of the DCC. Kelly stated the City Council then took up the policy discussion at their April workshop and passed the policy at the May 10th Council meeting.

Kelly said the City has seen many requests to fund projects out in the lake particularly from residents who live along the Avalon Channel and Denbigh Commons the Black Lake. Kelly said

the City did authorize a formal, engineered study of the Avalon Channel to determine the cause of the buildup of sediment in the Channel. Kelly said the study found some of the buildup was due to runoff through storm water pipes but the great majority of the buildup was due to the process of a wetland returning to its natural condition. Kelly said the City reached out to dredging contractors to inquire as to the cost of dredging and an estimate of \$100-150K for 750 linear feet of the channel was given which staff believe is low.

Kelly added that Jennings Cove is another area in which the City has historically dredged every 20 years and the water has been low in recent years.

Kelly received another request for a dredge at Carlson Park in Black Lake and Kelly reiterated the City is not responsible for navigation of a body of water the City does not own. Kelly said other lake projects have also been requested particularly the removal of aquatic AIS. Kelly said the City pays the LMCD annual fees to take the lead on the work of reducing the impact of AIS. Kelly noted that residents of Mound created the Harrisons Bay Association which is working with the LMCD on this problem.

Kelly said the Lake Management policy spells out that the City is responsible for maintenance of the public land which is at or above the 929.4' Ordinary High Water level set for Lake Minnetonka. Kelly said the maintenance policy ends at the shoreline and does not include dredging or other lake projects related to navigation. Kelly added the City is responsible for the navigation of the Lost Lake Channel as a condition to re-dredging it for redevelopment, noting there aren't specific standards for which the City is required to meet.

Kelly said Hennepin County is responsible for navigation through channels to navigable bays.

Kelly added the City will not be responding to nuisance animal activity unless the activity is interfering with navigation in the Lost Lake Channel.

6. Policy Discussion Rip Rap: Brighton Commons Neighbors

Kelly said the Dock Administration put out an RFQ in 2021 for rip rap of Brighton Commons from Manchester Road to Leslie Road. Kelly said the City found the cost of rip rap had gone up significantly and put the project on hold.

Kelly said the Dock Program has been rating the shoreline of Devon and Brighton Commons periodically over the past few years. Kelly stated the City found Devon Commons rated fairly low (a "2" rating) and conducted a multi-phase rip rap project which ended in 2018. Kelly said low rated rip rap (1 or 2) have exposed roots, smaller rocks, or use red rocks which are not an approved material. Kelly added a "3" rating would be aged, improperly installed rock and miscellaneous material. Kelly said this type of rip rap doesn't include toe boulders which are required now to anchor the rip rap in place. Kelly continued that a "4" rating is smaller, but newer and dense rock and a "5" is rip rap with fabric installed and installed within the last 10 years.

Kelly said there is a group of Brighton Commons residents who are in attendance tonight who would like to discuss a possible cost share for rip rap replacement adjacent to their property.

Kelly gave examples of dock program cost shares in recent years; one was for a new stairway on Pebble Beach Commons for one dock site. Kelly said the sticker shock of the stairway cost prompted the cost share and the stairway was for only one individual dock and license holder who benefited from public expenditure. Kelly added there was a second stairway at Pebble Beach which also was in bad shape but the dock license holder did not want to do a cost share. Kelly said the City decided to shore up that dock as well as it could not and will not conduct further repairs to the stairway.

Kelly said a cost share was offered to three properties on Devon Commons in which the rip rap was “3” rated and wasn’t included in the multi-phase Devon Commons rip rap. Kelly said only one of the three properties took up the offer of the City paying \$105.00 a linear foot for the rip rap. Kelly added that \$105.00 a linear foot was the City cost for the final section of Devon Commons.

Kelly said the most recent cost share was in 2021 for the installation of a four-boat multiple slip at Idlewood which included building a walkway to the shore and the purchase of the new multiple slip. Kelly said the project cost around \$15K and the four license holders at Idlewood are paying \$100.00 a year each, for five years, to offset the cost of adding this site. Kelly added that the Pebble Beach dock holder is also paying \$100.00 a year and has one more payment left while the Idlewood cost share has been in place for two of the five years now.

Kelly said the reason the section of Brighton Commons between Manchester and Leslie was chosen for rip rap in 2021 was due to this section being lowest rated of Brighton Commons.

Kelly said he rated the rip rap on Brighton Commons this spring and rated the 215 feet of rip rap adjacent to the Brighton Group of properties to be a three. Kelly said the improvement of the rip rap of Brighton Commons is in the long-range infrastructure plan as this area does get a lot of wave action. Kelly said the rip rap of this area is not budgeted for 2023 but there is an allocation of \$30K in the dock fund for capital infrastructure projects. Kelly said the dock program will also reach out to the property owners adjacent to the section of the Commons which were slated for rip rap in 2021.

Olson asked if this project request is for stairs or just rip rap? Kelly said it is for rip rap and the City is not going to be building stairs for a small group of license holders.

Olson asked what the length was of the rip rap request on Brighton. Kelly said it is 215 feet for the three properties of the Brighton Group.

Kelly presented photos of the current state of the rip rap on Brighton Commons and noted the water line on the rip rap which showed how low the lake level is currently.

Debbie Hagberg, 2851 Cambridge Lane, said her family owned the property when the red rock rip rap was installed on the Commons. Hagberg pointed out the state of the rip rap which is coming apart. Hagberg noted the quality of rip rap which has been installed at the northern end of Brighton Commons (at 4991 Cambridge Lane) within the last four to five years. Hagberg said the adjacent property owner and non-abutter dock holder at the site went in on the total cost of the rip rap.

Hagberg said the next property south of the new rip rap was done in early 2000's and is just north of the Brighton Group. Hagberg noted this was done in field stone boulders. Hagberg said their section which is part of the Brighton Group is red rock and the terrain is very steep.

Hagberg thinks the Brighton Group section of Commons should be rated as a level "2" instead of the City rating of "3". Hagberg provided photos to the DCC of the rip rap in their area.

Olson asked about the old rip rap and whether it all needs to be ripped out. Discussion occurred that yes some of the old rock could be reused but there must be toe boulders installed.

Hagberg stated she received a bid of \$165K per linear foot for class IV boulders. Hagberg added four contractors came out to the site and said the wave action and especially ice heave on Cook's Bay is a problem.

Peterson asked what the definition of "armored" rip rap is and Hagberg said she thought this was the rip rap which was installed on the Commons at 4991 Cambridge Lane which is the large fitted stones which can be walked on. Hagberg said they were quoted in the area of \$290-\$300K per linear foot for the armored rip rap. Hagberg said the going rate for non-armored is \$165K.

Olson said what are you getting for the lower cost and Hagberg said smaller boulders which are not fitted with the same type of boulder.

Hagberg said she reached out to her neighbors to see if they are interested in going in on a project together. Hagberg said the neighbor to the north, with the early 2000's rip rap, wasn't interested but her two neighbors to the south (the Kasai's and the Schroeder's) are interested in a project. Hagberg said potentially there could be other neighbors who are also interested.

Kelly said the three contiguous property owners are adjacent to the Commons and Hagberg's property abuts up to 40 feet, the Schroeder's have 120 feet and 55 feet for the Kasai's. Kelly Kasai, 2867 Cambridge Lane, said they would be willing to do the cost share for the right of way next to their property as well. Hagberg said the same about the right of way next to their property.

Kelly Kasai said she did fall while walking on the rip rap and is concerned about the safety of children playing along their shore.

Kelly said one of the two Devon Commons abutters who didn't take up the City offer of a cost share in 2018 have gotten bids and are now interested in doing a cost share with the City.

Kelly discussed a photo of the difference in quality of the Leslie right of way rip rap which is rated a "5" which is next to "2" rated rip rap which was part of the proposed 2021 project.

Kelly said he researched the history of the Brighton Commons rip rap which took place in 1990 and included red rock and wasn't completed to the current specifications.

Olson asked how many groups or number of people are going to participate, what is the area covered, and what would be the City participation. Olson said if there are other groups these groups which could go in on a group rate for rip rap. Hagberg said there are six or seven other Brighton Commons neighbors who could be interested in a cost share.

Kelly said the City did the Devon Commons project over a number of years to make sure to maintain budgeting discipline.

Hagberg said this could be on a timeline. Hagberg said they do maintain the commons with plantings and a new stairway to help maintain the bluff and shoreline and the City should have some responsibility for the public land. Hagberg said they do want the rip rap to look good but also to protect for erosion and safety.

Gardner said the City has done rip rap projects in the past and will need to look at cost shares and how much to do each time.

Bob Kasai, 2867 Cambridge Lane, said the Brighton Group properties are contiguous so a good section of shoreline would be completed. Kasai stated that their area of commons is close to the channel and there is a lot of activity through there.

Kelly said Brighton Commons has been noted as the next area for rip rap as the Manchester to Leslie portion was already put out to bid. Kelly said this is why this item is on the agenda because it is in an area of high use. Kelly added he gets rip rap inquiries from other areas of the commons for low use areas and reclaimed marshland which have low ice heave and wave action are not a priority of the Dock Program. Kelly said the watershed district has not approved some rip rap proposals for areas in low land marsh as they are looking for solutions which have the least impact on the lake. Kelly added the watershed district recommends shoreline plantings to shore up the bank.

Hagberg said their group would be 215 feet of shoreline going south and there are other abutters on Brighton Commons who are also interested in a cost share for rip rap and there is the opportunity to do more.

Kelly was asked about other requests for rip rap and said he is receiving them but if they are in low use areas Kelly said he informs those abutters that the Dock Program will not entertain

doing rip rap. Kelly added there is another low use area shoreline which public works is looking at due to significant erosion must likely caused by street run off.

Kelly said the Dock Program will keep the communication open with the Brighton Group.

7. Jennings Cove multiple slip

Kelly said the summer droughts which the metro area has experienced continue. Kelly said the dredge task force visited Jennings Cove in 2021 to view low water areas. Kelly said the drought this year has made this area even more difficult for navigation.

Kelly said the Dock Program is looking for possible other docking alternatives to the continued use of Jennings as even in high water level years boats with low drafts have difficulty navigating to the Jennings multiple slip.

Kelly presented photos and diagrams of the Jennings multiple slip area. Kelly noted the north half of the slip, four slip spots, which are particularly affected by low water. Kelly said even in 2019, a high-water year, a deeper draft boat had difficulty navigating from the northern most slip; which is the letter "H" slip. Kelly said this year he did reach out to the two license holders who took the "G" and "H" spots about the low water level and navigation. Kelly said both license holders had to move off of those two locations during the boating season.

Kelly said he looked at possible areas to move this section of multiple slip particularly in the Three Points area of the City. Kelly said he compiled a list of plausible areas where this could be possible, noting Beachside and Lakeside access toward the end of Three Points might be good options. Kelly said Lakeside has a straight multiple slip which has two boats and Beachside has only one non-abutter dock. Kelly said Beachside once had two docks at that location which was shared by three different license holders. Kelly said Beachside is 60 feet wide and has some off-street parking. Kelly added this area has only one dock user and is an underutilized location. Kelly said change in Beachside would be dependent on the Lake Minnetonka Conservation District approval of either a u-shaped or straight slip with two boats on each side.

Kelly said he looked at Crescent Park as an option but the slip would have to extend 50 to 70 feet through cattails to get out to open water and there is only on-street parking there.

Olson asked about the other options for a move and Kelly said they are okay but not as viable.

Michael Kline, 1630 Dove Lane, said he lives across from the Jennings Cove and has his boat there. Kline added it is getting shallow and the two slips at the north end of the slip are basically unusable.

Kline said he believes a lot of the cause of the low water is the storm water outlet just to the north of the slip. Kline said the drainage (stormwater line) has been vacuumed out because the pipe was clogged and this is the reason why the Jennings Cove area is filling in fast.

Kline said he is on the “C” slip at Jennings Cove, has an inboard motor and pulled his boat out after Labor Day.

Peterson said the boat on the south end of the slip bent their prop and needed help getting their boat off of the slip due too the low water level.

Kline said the area of a potential dredge isn’t huge and there are other private docks which could go in on a cost share for a dredge.

Kline thought if half of the multiple slip was moved to Beachside the slip would have to be a straight dock due to setbacks.

Kline said that if the City did pull out the slip it will probably never be put back and asked for the City to do a cost benefit analysis of a dredge rather than putting in and out the multiple slip.

Peterson said the Jennings slip stays in the water all year but she didn’t think during high water years there was a problem getting to the slip. Peterson said since the City is not going to dredge and if the slip will stay in place and it would be the responsibility of the license holder to take the risk of being licensed at that spot.

Peterson wondered about joining together with the dock sites in the area to do a dredge and share the cost. Kline said he wouldn’t go in for it if he didn’t own the property.

Kline asked what the cost of a dredge would be and Kelly said the City was given a ballpark figure of \$100-150K for the 700 feet of Avalon Channel along Denbigh Commons.

Peterson said she would hate to see the slip leave Jennings Cove and if it was removed there is the possibility of a slip never being there again. Peterson said she would hope that in the future the neighboring docks could protect their investment by doing a dredge in Jennings Cove.

Kelly said something needs to be done if the slip stays there. Kelly said the “G” and “H” slips will need to be addressed in the Dock Map Addendum with a caveat that only a small, low draft boat is allowed in those two spots specifically.

Kelly said the Beachside Access location should also be looked at as an underutilized asset of the dock program and be considered as a spot for more use.

Kelly said the parks crew rehabbed the slip recently so it is in good shape. Kelly said if Jennings Slip is determined to be permanently unusable then at least the northern half of the slip should be moved to another location.

Peterson asked if the length requirements for G and H could be done on a year-to-year basis depending on water depth. Kelly responded that this spring the lake level was nearly at OHW level and now is down 1.5 feet. Kelly said at the next DCC meeting the Dock Map Addendum can address the requirement for a smaller boat in those two spots.

Kline and Peterson discussed how do the private docks on the north of Jennings Cove navigate out to open water. Kline said the homeowners at the time of the last dredge didn't want to take part in cost share so they paid for their own dredge across the cove and not along the shoreline.

8. 2023 Preliminary Budget

Kelly said there will no increase in dock fees this year. Kelly said the dock fund budget has been relatively stable over the past few budget years. Kelly added there is \$30K for capital outlay in expenditures.

Kelly said the Council has been interested in keeping the dock program affordable and not using the Dock Fund as an enterprise fund for tax relief like the municipal liquor fund.

Peterson commented that expenditures have increased since 2019.

Kelly said the preliminary budget will be approved by the Council at the September 27th meeting.

9. Reports

Kelly stated:

- The City Council voted to deny the Northland Mound project
- The DCC upcoming meeting schedule will be November, January and March
- Absentee Voting begins at City Hall on Friday, September 23rd

MOTION, by Olson, seconded by Peterson, to adjourn the meeting at 8:21. All voted in favor. Motion carried.

Respectfully submitted, Kevin Kelly.



MEMORANDUM

Date: November 17, 2022

To: Docks and Commons Commission

From: Kevin Kelly, Administrative Services Coordinator

Subject: Interview for two Abutter Candidate Positions

Docks and Commons Commission Term Expiration and Vacancy. The three-year Docks and Commons Commission terms of Susan Gardner and Derrick Hentz expire at the end of 2022. Derrick Hentz has requested reappointment, but Susan Gardner is retiring after many years serving on this commission, for which the City is forever grateful. Susan Gardner is an abutter in the dock program and will be replaced with an abutter to keep the desired balance of representation on the commission. Linda Muller also notified Staff that she will be moving and suggested using this process to fill another abutter seat for the remainder of her term which expires in 2023. We sincerely thank Linda for her time served as well! Susan and Linda were exemplary in their contributions and their ability to put their personal interests aside and focus on what was best for the entire program.

Docks and Commons Commission Interviews and City Council Attendance. Interviews will take place at Thursday, November 17, 2022 Docks and Commons Commission regular meeting beginning at 7:00 pm.

After the Interviews the DCC will then rank the Candidates. Staff suggest the top ranked Candidate fill the full term position and the second ranked candidate fill the remaining year of the other abutting position in order to stagger the terms.

Four applications have been received and contain some non-public data so will be provided under separate cover electronically. After the interview, Docks and Commons Commissioners and City Council Members will be asked to delete the document or any print-out to preserve the applicants' private information.

A public notice of the interviews was posted on the City Hall bulletin board so that City Council Members, including a quorum of the body, may attend the interviews on November 17th to listen to the interview, discussion and recommendation on the candidate.

Interview Procedure: Commissioners can take turns asking questions from the application. If a Commissioner has another question they want to ask, they should ask both applicants the same question, so please be prepared in advance.

The following is an excerpt from the DCC work rules:

A. THE PROCESS OF INTERVIEWING CANDIDATES FOR DOCKS AND COMMISSION APPOINTMENTS:

1. Resolution #92-136 and Resolution #89-139 have been adopted by the City Council approving a Policy on Appointments and Reappointments to Advisory Commissions.
2. The applicant is to be advised of the interview at least 10 (ten) days prior to the date of the interview.
3. A silent ballot method of voting will be used. The secretary will type the candidate(s) names on the form and the form will be sent to you in the packet.
4. After the ballots have been counted and the results announced a formal motion is required to recommend the candidate(s) to the City Council.

Please let me know if you have any other questions regarding this process at (952) 472-0613 or via email at asc@cityofmound.com.



MEMORANDUM

Date: November 17, 2021

To: Docks and Commons Commission

From: Kevin Kelly, Administrative Services Coordinator

Subject: Dock Map Addendum – Jennings Cove Multiple Slip and Abutting Dock Location at 4841 Island View Drive

Both of the proposed amendments to the Official Dock Map Addendum have been previously discussed by the DCC.

The Jennings Cove Slip location was discussed at the September 2022 meeting as part of the general discussion of the low water level of the lake and particularly in the Jennings Cove area. As was discussed during the meeting the two slip sites at the northernmost point of the slip were essentially not usable for most of the boating season and they have been difficult to access in typical water level years. The DCC was not in favor of moving the northern half of the slip to another location on Three Points.

Staff is proposing to formally write into the Addendum to limit watercraft length to the two slips to no longer than 20' and also warn license holders that only low draft watercraft be allowed in those two locations. The Dock Map Addendum lists the Jennings H location as 22' x 10' and the Jennings G location as 22' x 8.5'

During the November 2019 DCC meeting discussion Dock Administration gave the resident at the abutting property at 4841 Island View Drive (IVD) the option to move off the Amhurst Lane multiple slip to an abutting dock location. In 2020 the abutter decided to move off of the slip and a dock location was assigned within the extended property of 4841 IVD. This action is to acknowledge this change in the Dock Map Addendum.

Rec #	Abutt / Non	Land Type	Commons Name	Site #	Quad Name	Quad #	Abutting Address	Misc Information
13	n	C	Jennings/ Dove Lane Mult	04293 G	TP	1	4626 Kildare Road	Due to shallow conditions only allow watercraft no longer than 20' with a low draft
14	n	C	Jennings/ Dove Lane Mult	04293 H	TP	1	4622 Kildare Road	Due to shallow conditions only allow watercraft no longer than 20' with a low draft
313	a	C	Devon	08168	EIP	5	4841 Island View Drive	Abutting dock location assigned to 4841 IVD in 2021

Staff is seeking a motion to recommend City Council approval of the Dock Map Addendum as it pertains to the Jennings Cove multiple slip and the dock location assigned to 4841 Island View Drive.