OFFICIAL MINUTES

MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
February 25, 2014

1. **CALL TO ORDER**
The regular semi-monthly meeting of the Tonka Bay City Council was called to order at 7:00 p.m.

2. **ROLL CALL**
Members present: Mayor De La Vega, Councilmembers Anderson, Ansari, Clapp and Grothe. Also present were City Administrator Kohlmann, City Attorney Penberthy, and Public Works Superintendent Bowman.

3. **APPROVAL OF AGENDA**
Anderson moved to approve the agenda as submitted. Ansari seconded the motion. Ayes 5. Motion carried.

4. **CONSENT AGENDA**
Anderson moved to approve the consent agenda as presented approving the regular meeting minutes of February 11, 2014; Resolution 14-04 – Schultz Variance, 4330 Manitou Road; and Accounts Payable. Clapp seconded the motion. Ayes 5. Motion carried.

5. **MATTERS FROM THE FLOOR**
None

6. **SPECIAL BUSINESS**
None

7. **PUBLIC HEARINGS**
   A. **Variance Request – Thoele, 40 Interlachen Lane**

Kohlmann reviewed the public hearing process for the benefit of those in the audience.

Kelsey Johnson, City Planner reviewed the request for a variance to construct a swimming pool in the front yard. Johnson provided photographs of the property and outlined the request by the applicants. She provided an overview of the request in relation to the criteria the application needs to meet. There was some discussion about moving the pool. Johnson stated the applicant was receptive to move the pool if necessary. However, the applicant was not in attendance at the meeting. There was discussion

about pools being located on the street side in general.

Anderson moved to direct staff to prepare a resolution approving the variance request for 40 Interlachen Lane with the conditions listed on the staff report. Clapp seconded the motion. Ayes 5. Motion carried.

8. OLD BUSINESS

A. Videotaping

Kohlmann presented the proposal from WNAV, inc. He noted that WNAV was receptive to a verbal agreement. He also noted that there was a slight increase in the cost of a SD card because the camera the City is looking to purchase would require WNAV to have two SD cards. There was then discussion about possession of the SD cards. It was noted that the SD cards should not leave the City's possession if they are to be used as the official record of the meetings. Staff noted that they would look into it and try to provide a solution for the working relationship with WNAV.

Anderson moved to accept the proposal from WNAV, Inc. Clapp seconded the motion. Ayes 5. Motion carried.

B. Mediacom Franchise Agreement

Grothe stated we should look at where we are now and then look into the possibility of changing fees in the future. De La Vega noted they would need to be negotiated with Mediacom. Penberthy suggested putting flexible language in the ordinance so that it does not have to be amended whenever we want to negotiate with Mediacom.

De La Vega suggested this be tabled to one more meeting to allow more review time. Anderson suggested the Tonka Bay version be made available. De La Vega stated our agreement will be very similar to what Victoria already has in place.

C. IT Services

Kohlmann stated the agreement has been modified to reflect a 12-month term.

De La Vega discussed the early termination clause in the agreement which requires a 30-day notice. The issue that concerned him was that we would be liable for the balance if we pull out of the agreement early. He believed some language should be included that if we terminate for cause, the balance of the agreement would not be paid. Penberthy suggested

"termination" be changed to "breach". Councilmembers discussed the terms of the agreement.

De La Vega stated he was not in favor of the automatic renewal and 15% renewal. Penberthy stated staff could terminate every year and renegotiate. Kohlmann stated that shouldn't be a problem for staff.

Anderson moved to direct the Mayor and City Administrator to enter into a 12-month agreement with DTS for IT Services. Clapp seconded the motion. Ayes 5. Motion carried.

9. NEW BUSINESS

A. Piling

Kohlmann reviewed a quote to replace two broken pilings at the City docks. Clapp asked if it would be done before the ice is out. Kohlmann stated that is the plan.

Anderson moved to accept the proposal from THN Enterprises to replace pilings for $1200. Clapp seconded the motion. Ayes 5. Motion carried.

B. Municipal Docks

Kohlmann stated there are five slips available at the municipal marina. We have exhausted the resident and non-resident waiting lists.

Councilmembers discussed options for notifying residents of the availability. De La Vega stated e-mail notifications can be sent and a mailing to those who do not have e-mail. He also noted slip #1 would probably not be available once the new gate is installed.

Grothe suggested the marinas in the city be notified we have spaces available. Ansari suggested other cities be made aware of the availability. The final direction was to sending out and email to all subscribers, send out a post card mailing, notify neighboring cities for a potential e-mail to their residents, and a write up in the city newsletter.

C. Pavement/Seal coating

Kohlmann stated staff would like to do the seal coating project in house beginning this year and proposed a 5-year cycle. He discussed changes and reasoning behind changing to the specific 5-year plan.

Grothe suggested revising the map so the seal coating is not done in the area where the bridge construction will be occurring in 2014. He suggested 2015 be changed to 2014.

De La Vega stated he liked the concept. Bowman stated this is a good year to begin the change.

Anderson asked if we will be taking over the seal coating of Woodpecker Ridge Road. Kohlmann stated he hasn't heard from the residents about what will be done there.

Anderson believed the change to a 5-year cycle is a good plan. Clapp stated it is not a good idea to seal coat over the application that was placed on Woodpecker Ridge Road at this time. He suggested it be removed from this year's plan and switched with Pleasant Avenue.

In response to a question from De La Vega, Bowman explained the cost savings associated with getting quotes just for Tonka Bay rather than going in on the process with another city and/or using WSB.

Staff was directed to move forward with the quote process and 5-year cycle as amended.

D. <u>Sewer Televising</u>

Bowman reviewed proposals received for this year's sewer televising project. He suggested a 3-year contract be awarded rather than just one year. He noted Pipe Services is the low proposal. He noted they have worked in Tonka Bay before.

Anderson asked if the sewer lines that are relined ever need televising again. Bowman indicated they do need to be redone at some point.

Anderson moved to approve the low quote from Pipe Services for the next three years. Clapp seconded the motion. Ayes 5. Motion carried.

E. <u>Worksession – March 11, 2014 – Southshore Center presentation</u>

Kohlmann stated Deb Kind has requested a worksession to present the proposal she and Elli Ansari completed. The committee reviewed what could be done with the Southshore Center.

Ansari discussed the need for a worksession. She stated it is the next step

following the work done by the Vantage Group.

Clapp suggested a contest be held to rename the Center. This will help to make people more aware of the Center's existence.

The council scheduled a worksession for 3/11/14 at 6:00 p.m.

10. MATTERS FROM THE FLOOR
None

11. REPORTS

A. Administrator – Kohlmann passed along the changes proposed on the LRT trail bridge including the location of the temporary crossing. He stated a preconstruction meeting will be held on March 11 that he and Bowman would be attending. Councilmembers discussed changes.

B. Anderson - Finance, Fire Lanes and Public Access, Technology – no report

C. Ansari – EFD, Sanitation and Recycling, Southshore Community Center – no report

D. Grothe – Building Inspection, Municipal Buildings and Grounds, LMCC – no report

E. Clapp - Parks and Playgrounds, LMCD, Commercial Marinas, Municipal Docks – no report

F. Attorney's Report – no report

G. De La Vega - Public Works, SLMPD, Administration – De La Vega reported there would be a SLMPD Coordinating Committee on February 26.

12. ADJOURNMENT
There being no further business, it was moved by Clapp to adjourn the meeting at 9:00 p.m. Grothe seconded the motion. Ayes 5. Motion carried.

Attest:

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Clerk