OFFICIAL MINUTES

MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
April 8, 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. Clapp 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 March 25, 2014 and Resolution 14-06, 140 Brentwood Avenue. Clapp seconded the motion. De La Vega made a change to the minutes on page 4, first sentence, as follows "we should address access to the LMCC programming". Ayes 5. Motion carried.

5. **MATTERS FROM THE FLOOR**
None

6. **SPECIAL BUSINESS**
None

7. **PUBLIC HEARINGS**
None

8. **OLD BUSINESS**
   A. **LRT Trail Bridge**
   Kohlmann stated staff has received an updated agreement from the Three Rivers Park District relating to the bridge construction. He noted updated information has also been received from the property owners in the vicinity of the bridge. He stated an updated access map has also been received showing a different temporary crossing. He noted the crossing is based on a recommendation from Hennepin County.

De La Vega opened the floor to comments from those in the audience. There were no comments. He invited the Council to comment. There were none.

Matt Midboe, MJM Enterprises spoke in support of the project and addressed safety issues.

Alex Meyer, Three Rivers Park District discussed the easement required from Midboe's property, the former All American Recreation site.

De La Vega stated in terms of the easement agreement, the former All American Recreation site is satisfied.

Meyer stated appraisals were done of the Lan-de-Con property and we have not received an acceptance or counter offer from them. He understood they have contacted an attorney. He stated our intent to pursue an agreement without going to court is the preference. He stated if an agreement is not reached, the next step is eminent domain proceedings. He stated there are deadlines that have to be met, and they will continue to try and reach an agreement.

Todd Laberee, representing Lan-de-Con stated in general, they are in favor of the bridge. He stated they can come to an agreement for the temporary easement. Their concern is how they might use their property. He stated the parking will be impacted and their property will be de-valued. He stated they have been leasing property from the Hennepin County Railroad Authority. If the trail had remained on the trail, there wouldn't have been a concern. The bridge had been shifted closer to their property. The major issue is the long term impact on their property.

Mark Laberee, J & L Development stated he leases property to Lan-de-Con and others. He discussed the need to place construction equipment in a specific area. He was also concerned about parking.

De La Vega stated it appears the bridge is not as wide as indicated on the map. Councilmembers and staff discussed the easement required.

Penberthy stated there could possibly be a special use permit amendment required as part of this process.

De La Vega asked what kind of deadlines are proposed. Meyer stated

everything needs to be resolved by June 1 in order to move forward. If not, we will have to go back to the State to ask for an exception in order to move forward with bidding out the project.

De La Vega stated the staging area doesn't seem to be in question. He urged Three Rivers to meet with all parties to come to a resolution as quickly as possible.

De La Vega asked the landowners if there is something in particular that is keeping this from resolution. Laberee stated the attorneys are working to resolve the issues.

De La Vega reviewed the three options for the crossing that will be in place until construction is completed. One option is south of Northrup in the area of the skating rink. He asked for the rationale behind changing the crossing.

Meyer discussed the history of the three options. He stated the third option did not come to play until discussions with Hennepin County Transportation. One option was having all the bicycle traffic come off the trail and cross into the park by the hockey rink. It was disrupting the Danberry Building's access. The second option was taking people off Brentwood Avenue down to cross southbound traffic into the park. The third option was to get a second easement from MJM Enterprises and move approach further to the north.

Grothe stated he believed the third option is the best one. He stated the smaller nature of it makes it less confusing for bikers and walkers. He was concerned about the confusion coming from the Brentwood side. He stated the less amount of barriers, the better the flow.

Ansari asked if there would be any opportunities to signal drivers to slow down. Meyer stated there is still striping that will show up to bring traffic around the refuge island. He stated nothing will be done to slow down traffic. De La Vega suggested a temporary construction traffic sign be posted. Meyer stated they would work with the County for the placement of additional traffic and public education. He stated work is scheduled until August so pedestrian traffic should be lighter than the rest of the summer.

De La Vega stated he didn't have any major issues with option three except the increased number of barriers.

A member of the audience asked if vehicles would be able to see over the barriers at the intersections. It was noted they will be 2-3' high. De La Vega stated they will take this into consideration.

De La Vega stated the agreement as presented is acceptable. He did have a small concern with maintenance. Kohlmann stated the agreement also will address the authority to do a permanent acquisition of the property which the City would support.

Anderson moved to authorize the Mayor and City Administrator to execute the agreement between the City and the Three Rivers Park District. Ansari seconded the motion. Ayes 5. Motion carried.

9. **NEW BUSINESS**

A. **Accept Plans and Specifications and Order Advertisement for Bids – 2014 Sanitary Sewer Improvement Project**

Kohlmann introduced Justin Messner, City Engineer to present this item. He noted the revised resolution has been included in tonight's folder.

Justin Messner, City Engineer stated this is a joint project with the City of Excelsior. Bids will be brought back to the May 13th City Council for approval. He reviewed the proposed sanitary sewer projects proposed for 2014.

De La Vega noted the proposed cost is $30,500. He noted there is still a lot of work to do in the City. He assumed the sewers have been televised and are selected by priority. Kohlmann noted 5,000 feet of sewer are televised every year.

Council and staff discussed the possibility of doing more work than is in the specs. Messner explained the contract is written to give staff the authority to add or subtract from the project.

Anderson moved to adopt:

RESOLUTION 14-07

A RESOLUTION ACCEPTING THE

2014 SANITARY SEWER IMPROVEMENT PROJECT PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS

Clapp seconded the motion. Ayes – Anderson, Ansari, Clapp, De La Vega and Grothe. Motion carried.

B. **WSB Proposal – Engineering Services for Wellhead Protection Plan Part 2**

Kohlmann stated money has been set aside in the budget for this project

Justin Messner, City Engineer stated Part 1 of the Wellhead Projection Plan has already been completed. He stated Part 2 is more in depth and will look at and identify and categorize drinking water supplies.

Council and staff discussed the measurements taken by the Watershed District. Messner indicated their measurements are for surface water.

Messner noted a draft would be created by the end of June. Public comments will follow, and the final report is due to the state by September.

Grothe asked if there is an implementation plan. Messner stated the plan will consist of items that staff can take care of themselves.

De La Vega asked if this is a budget item. Kohlmann stated it is not budgeted for in 2014 although it has carried over from previous years. De La Vega recommended the proposal be a "not to exceed" amount.

Anderson moved to accept the WSB proposal for engineering services in an amount not to exceed $7500. Ansari seconded the motion. Ayes 5. Motion carried.

C. **Air Dryer – Water Plant**

Kohlmann stated an update is needed for the water plant.

Robin Bowman, Public Works Superintendent discussed the need for a new air dryer. He stated when the weather is cold like it has been this past year, the air can freeze when it leaves the building because of moisture content. He stated the new system will eliminate this issue. He reviewed quotes received.

De La Vega asked if other parts or pieces will need replacing. Bowman stated this should solve any problems, and no additional parts/pieces will be required.

De La Vega stated there are two options to pay for this which includes a CIP line item.

Anderson moved to Air Compressor Inc. in the amount of $2,789.84. Clapp seconded the motion. Ayes 5. Motion carried.

D. **Street Sweeping**

Kohlmann stated Bowman has collected a number of proposals to enter into a three-year street sweeping proposal.

Bowman stated the street sweeping has been done on a year-to-year basis. The new proposal is to have a 3-year contract. He reviewed quotes received to provide the service. He recommended going with Reliakor for $77/hour.

De La Vega asked if there are any options to have someone do this quicker. Bowman stated they now have faster equipment which sweeps the streets.

Clapp asked if the Reliakor quote is for three years. Bowman stated it is and he will get verification of that.

Clapp moved to accept the Reliakor quote for $77/hour for the next three years. Ansari seconded the motion. Ayes 5. Motion carried.

E. **EFD Salaries**

Kohlmann stated at the last EFD meeting, the attached proposal was considered by the EFD Board which they would now like the respective City Councils to review. The plan outlines firm salaries for all the employees.

Ansari noted it is a compilation of what other cities are paying their fire personnel. She stated steps are created for all staff members. In response to a question from De La Vega, Ansari commented on what the various positions are and the uniqueness of the Fire Inspector position. She stated the Fire Chief and Administrative Assistant positions are within their respective ranges while the Fire Inspector is not.

Anderson asked if this is a done deal. De La Vega stated this is a proposal and not a done deal. It is an ongoing issue.

De La Vega stated he doesn't see the whole budget yet. Before he can approve parts of the budget, he needs to see the entire budget. He stated this proposal is not the right approach. He stated he is not approving anything that would increase the budget. He also discussed his concerns about comparing Fire Marshal and Fire Inspector positions.

Ansari discussed how the Fire Inspector salary was researched based on her current responsibilities.

De La Vega believed the decision on the salary is more of an emotional decision. He stated we have to be somewhat conservative about using taxpayer dollars. He stated we've made adjustments to the pension and to these positions without any adjustment to the firefighters. He questioned when it would be the firefighters' turn. He believed they all need to look at all the positions at the same time.

Councilmembers discussed the proposed increases.

10. MATTERS FROM THE FLOOR

None

11. REPORTS

A. **Administrator** – Kohlmann stated the last dock will be rented out in the near future.

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** – no report

12. ADJOURNMENT

There being no further business, it was moved by Anderson to adjourn the meeting at 8:27 p.m. Clapp seconded the motion. Ayes 5. Motion carried.

Attest:

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Clerk