

CITY OF TONKA BAY
AGENDA
July 14, 2015
7:00 p.m.

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. CONSENT AGENDA

All matters listed within the Consent Agenda are considered to be routine items to be enacted upon by one motion by the City Council. Items on the Consent Agenda are reviewed in total by the City Council and may be approved through one motion with no further discussion by the Council. Any item may be removed by any Council Member, staff member or person from the public for separate consideration.

- A. Regular Meeting Minutes of June 23, 2015
- B. Summer Hours
- C. Mediacom Letter

5. MATTERS FROM THE FLOOR **Maximum time of five minutes per person***

6. SPECIAL BUSINESS

- A. Senator Osmek

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

- A. Speed Trailer Update
- B. City Hall Fence
- C. Monument Signs

9. NEW BUSINESS

- A. 2016 Budget Timeline
- B. Trespass Notice

10. MATTERS FROM THE FLOOR **Maximum time of five minutes per person***

11. REPORTS

- A. Administrator's Report
- B. Jeff Anderson - Finance, Fire Lanes and Public Access, Technology
- C. Elli Ansari – EFD, Sanitation and Recycling, Southshore Community Center
- D. Jonathan Grothe – Building Inspection, Municipal Buildings and Grounds, LMCC
- E. Jeff Clapp - Parks and Playgrounds, LMCD, Commercial Marinas, Municipal Docks
- F. Attorney's Report
- G. De La Vega - Public Works, SLMPD, Administration

13. ADJOURNMENT

***For individuals who wish to address the Council on subjects which are not a part of the meeting agenda. Typically, the Council will not take action on items presented at this time but will refer them to staff for review, action and/or recommendation for future Council action.**

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING June 23, 2015

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 Crawford and City Attorney Penberthy.

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:

A. Regular Meeting Minutes of June 9, 2015 – Item B, De La Vega stated we should monitor the planner’s performance closely. Page 5 of 8, second sentence, remove the sentence, “De La Vega stated the Shorewood option might be a violation of buffers”.

B. Public Works Summer Hours – moved to Old Business, Item 8C.

C. Financial Report

Ansari seconded the motion. Ayes 5. Motion carried.

5. **MATTERS FROM THE FLOOR**

None

6. **SPECIAL BUSINESS**

A. **LMCD Update, 2016 Budget**

Gregg Thomas, LMCD Representative, gave an update on recent LMCD activities. His report included the following: denial of a request for a quiet water area, Save the Lake boater safety education for 12-17 year olds, AIS inspections, annual financial audit, addition of a dedicated Hennepin County Water Patrol officer during the summer, and results of a survey of

stakeholders regarding satisfaction with the LMCD. He indicated the findings will be rolled into the strategic plan to address issues.

Clapp asked for clarification of the non-intoxicating malt liquor license for the pedal boat approval. Nybeck stated it is for 3.2% sales which are required in order for people to bring their own alcohol.

Thomas stated the 2016 budget is proposed to be 10.4% lower than 2015. This will result in a levy decrease for Tonka Bay.

Greg Nybeck, Executive Director discussed program changes to watercraft inspection and a reduction in the milfoil harvesting program.

Council discussed LMCD salary adjustments.

Anderson moved to adopt:

**RESOLUTION NO. 15-10
A RESOLUTION ADOPTING 2016 LMCD BUDGET**

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

B. Tour de Tonka

A representative of Tour de Tonka presented the plans for this year's event and highlighted the success of the 2014 event.

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

A. MnWARN Membership

Crawford stated this is a follow-up from the June 9th meeting relating to insurance. A resolution is provided for adoption.

Anderson moved to adopt:

**RESOLUTION NO. 15-11
A RESOLUTION AUTHORIZING TONKA BAY TO BE A PARTY
TO MINNESOTA WATER AGENCY RESPONSE NETWORK (MnWARN)**

Grothe seconded the motion. Grothe asked Penberthy if there are any legal ramifications. Councilmembers discussed how other cities would be reimbursed. Penberthy stated he didn't see any outstanding issues. The important thing for Tonka Bay is to make sure we are covered by LMCIT. Ayes – De La Vega, Ansari, Anderson, Clapp and Grothe. Motion carried.

B. Deer Feeding – Additional Information

Crawford stated additional information has been provided from other cities on deer feeding from the cities of Duluth, Oakdale and St. Cloud.

Ansari stated Shorewood writes a letter to a resident in violation stating there is a \$300 fine. They rely on resident complaints to make them aware of those residents who are violating the ordinance.

Council members and Penberthy discussed wetland ordinance prohibitions which would relate to deer feeding. Penalties and the use of mediation as an alternative were also discussed.

De La Vega suggested the first step would be to enforce the current wetland ordinance and continue to move forward on crafting language for administrative procedures in order to get a global ordinance in place.

De La Vega suggested the ordinances provided be reviewed for language. Penberthy suggested the administrative procedure used by Shorewood also be reviewed.

Dean Pierson, West Point Court asked if Shorewood has taken any deer issues to court. Ansari stated it didn't appear that has ever been done.

Pierson asked how you determine where the wetland area is located. Penberthy stated the only way to find out is to have a wetland delineator. That is the kind of opposition the City will face if the property owner does nothing.

Crawford stated she will need the address of the property in order to do a site inspection.

C. Public Works Summer Hours

Crawford stated this item was presented at the last Council meeting to change hours from five days a week to four 9-hour days and one 4-hour day. Anything over 9 hours would be overtime through Labor Day this summer. She stated there is some concern about staff using comp time on Fridays as had been originally discussed. She stated the way the policy is currently written, comp time could potentially be used every Friday.

Penberthy suggested that under no circumstances would the employee be allowed to determine the comp time. The Public Works Superintendent would not allow comp time to be used on Fridays and would only allow it to be used after the overtime is earned. This could be done on a staff level in order to ensure there will be someone working on Fridays.

De La Vega stated he understood a motion to reconsider this item could be made. A second motion would be to bring a policy to the next meeting.

Clapp moved to reconsider last meeting's motion to clarify comp time in the motion for Public Works summer hours. Grothe seconded the motion. Grothe asked for clarification of the overtime and comp time. Council members and staff discussed the designations. Ayes 5. Motion carried.

Clapp moved to bring this item back to the next Council meeting with a proposed policy. Grothe seconded the motion. Ayes 5. Motion carried.

9. NEW BUSINESS

A. City Hall Fence

Crawford stated Clapp has asked that this item be placed on the meeting agenda so Council can discuss replacing the fence around the lime ponds at City Hall with something more attractive, durable and secure.

Clapp stated he is looking to replace the yellow area and the gate along County Road 19. He stated this will go a long way to making the City look better.

De La Vega stated he didn't know what kind of wooden gate would allow trucks to drive through. He asked if we are looking for something similar to what Excelsior currently has.

Clapp stated a little higher than the currently than what exists would work. He stated he would be okay with what Excelsior has done.

Clapp stated he could get some quotes for a fence. Crawford stated Bowman has been gathering information on prices already. She also indicated the gate installation was around \$2,000.

Staff will gather information on this item.

10. **MATTERS FROM THE FLOOR**

None

11. **REPORTS**

- A. **Administrator** – Crawford stated it is time to think about the budget and updating the Comprehensive Plan. She asked the Council to start thinking about any community engagement we might want to do. The plan needs to be updated in 2018 and will extend through 2040. De La Vega asked if an entire rework is proposed. Crawford stated that is up to the City Council. She indicated she has also talked to WSB about an update. She will be attending an Emergency Management meeting in Corcoran. Interviews of applicants for the Police Chief begin next week.
- B. **Anderson – Finance, Fire Lanes and Public Access, Technology** – no report
- C. **Ansari – EFD, Sanitation and Recycling, Southshore Community Center** – Ansari attended an EFD budget meeting. De La Vega stated he attended the meeting as well and had many of his questions answered.
- D. **Grothe – Building Inspection, Municipal Buildings and Grounds, LMCC** – no report
- E. **Clapp – Parks and Playgrounds, LMCD, Commercial Marinas, Municipal Docks** – Clapp stated information was sent out about the MCWD this week. Tonka Bay is not a member of the Advisory Committee, and he asked Crawford to check into it. They indicated there is room available for a representative for Tonka Bay. He indicated he was interested but believed the Council should discuss. Clapp agreed to participate.
- F. **Attorney's Report** – no report
- G. **De La Vega – Public Works, SLMPD, Administration** – De La Vega stated an SLMPD budget meeting will be held on the 8th of July.

12. **CLOSED SESSION**

De La Vega stated we will now close this meeting because the matters to be discussed constitute the purchase of real property under Minnesota Statutes. No further City Council business will be conducted after the closed meeting other than to adjourn.

The following persons will be in attendance at the closed meeting: Mayor De La Vega, Councilmembers Anderson, Ansari, Clapp, and Grothe, City Administrator Crawford, and City Attorney Penberthy. Members of the audience were dismissed.

Anderson moved to go into closed session at 8:48 p.m. Grothe seconded the motion Ayes 5. Motion carried.

13. ADJOURNMENT

Following the closed session, it was moved by to adjourn the meeting at 9:20 p.m. seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk



CITY OF TONKA BAY
4901 Manitou Road
Tonka Bay MN 55331
Phone: 952-474-7994
www.cityoftonkabay.net

ITEM NO. 4B

Memo

To: Mayor and City Council
From: Robin Bowman, Public Works Superintendent and
Lindy Crawford, City Administrator
Date: July 14, 2015
Re: Summer Hours for Public Works, Comp. Time Clarification

The City Administrator and I have collaborated to clarify the use of comp. time during the approved summer hours for the Public Works Union.

The summer hours will run Memorial Day through Labor Day in 2015 and 2016. The summer hours will consist of 4 days at 9 hours Monday-Thursday and then a 4-hour day on Friday. Hours over 8 hours of actual time worked will have one hour overtime per 9 hour day. Vacation and sick leave hours are paid at straight time. Holidays are paid at 8 hours of straight time. **No comp. time shall be used on Fridays during the summer hours.**

JPMorgan Chase Bank, N.A.
Global Trade Services
131 South Dearborn, 5th Floor
Mail Code: IL1-0236
Chicago, IL 60603-5506

JUN 22, 2015
OUR L/C NO.: TFTS-915167

BENEFICIARY:
CITY OF TONKA BAY
4901 MANITOU RD.
EXCELSIOR, MN 55331

APPLICANT:
MEDIACOM MINNESOTA LLC
ONE MEDIACOM WAY
MEDIACOM PARK, NY 10918

DATE AND PLACE OF EXPIRY: DECEMBER 31, 2015
AT OUR COUNTERS

AMOUNT: USD10,000.00

AVAILABLE WITH: JPMORGAN CHASE BANK, N.A.
BY PAYMENT

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT NO.
TFTS-915167 (THE 'LETTER OF CREDIT') IN THE AMOUNT OF USD10,000.00 (TEN
THOUSAND AND 00/100 UNITED STATES DOLLARS) WHICH IS AVAILABLE BY PAYMENT
UPON PRESENTATION OF THE FOLLOWING DOCUMENTS:

1. A DRAFT ON US AT SIGHT MARKED 'DRAWN UNDER JPMORGAN CHASE BANK, N.A.
STANDBY LETTER OF CREDIT TFTS-915167.'
2. THE ORIGINAL LETTER OF CREDIT AND ANY AMENDMENTS ATTACHED THERETO.
3. A DATED STATEMENT ISSUED ON THE LETTERHEAD OF THE BENEFICIARY AND
PURPORTEDLY SIGNED BY AN AUTHORIZED CITY OFFICIAL STATED AS FOLLOWS:

'WE HEREBY CERTIFY THAT A DEFAULT HAS OCCURED AND IS CONTINUING UNDER THE
FRANCHISE AGREEMENT TO THE CITY OF TONKA BAY AS MEDIACOM MINNESOTA LLC HAS
DEFAULTED UNDER THE PROCEDURES OF SECTION 8 OF THE FRANCHISE AGREEMENT
HAVE NOT BEEN COMPLIED WITH IN PAYMENT FOR LIQUIDATED DAMAGES CHARGED
PURSUANT TO THIS SECTION, IN PAYMENT FOR MONIES OWED BY MEDIACOM MINNESOTA
LLC PURSUANT TO ITS OBLIGATIONS UNDER THIS FRANCHISE, OR IN PAYMENT FOR
ANY DAMAGE INCURRED AS A RESULT OF ANY ACTS OR OMISSIONS BY MEDIACOM

JPMorgan Chase Bank, N.A.
Global Trade Services
131 South Dearborn, 5th Floor
Mail Code: IL1-0236
Chicago, IL 60603-5506

JUN 22, 2015
OUR L/C NO.: TFTS-915167

MINNESOTA LLC PURSUANT TO THIS FRANCHISE. ''

OR

''WE HEREBY CERTIFY THAT THE CITY OF TONKA BAY HAS RECEIVED A NOTIFICATION FROM JPMORGAN CHASE BANK, N.A. THAT THIS LETTER OF CREDIT WILL NOT BE EXTENDED PAST ITS EXPIRATION DATE AND THAT AS OF THE DATE OF THIS STATEMENT, IT HAS NOT RECEIVED A LETTER OF CREDIT OR OTHER INSTRUMENT ACCEPTABLE TO IT AS A REPLACEMENT AND MEDIACOM MINNESOTA LLC HAS NOT BEEN RELEASED FROM ITS OBLIGATIONS. ''

THIS LETTER OF CREDIT SHALL EXPIRE ON DECEMBER 31, 2015. HOWEVER, THIS LETTER OF CREDIT SHALL BE CONSIDERED TO BE AUTOMATICALLY EXTENDED FOR A TWELVE (12) MONTH PERIOD FROM THE PRESENT OR ANY FUTURE EXPIRY DATE UNLESS WE SEND NOTICE TO YOU IN WRITING BY REGISTERED MAIL OR OVERNIGHT COURIER AT LEAST NINETY (90) DAYS PRIOR TO SAID EXPIRY DATE THAT WE ELECT NOT TO EXTEND THE CREDIT FOR AN ADDITIONAL PERIOD OF TWELVE (12) MONTHS HOWEVER IN NO EVENT SHALL THIS LETTER OF CREDIT BE AUTOMATICALLY EXTENDED BEYOND THE FINAL EXPIRY DATE OF DECEMBER 31, 2028.

THIS LETTER OF CREDIT SETS FORTH IN FULL THE TERMS OF OUR UNDERTAKING AND SUCH UNDERTAKING SHALL NOT IN ANY WAY BE MODIFIED, AMENDED OR AMPLIFIED BY REFERENCE TO ANY NOTE, DOCUMENT, INSTRUMENT OR AGREEMENT REFERRED TO HEREIN OR IN WHICH THIS LETTER OF CREDIT IS REFERRED TO OR TO WHICH THIS LETTER OF CREDIT RELATES, AND ANY SUCH REFERENCE SHALL NOT BE DEEMED TO INCORPORATE HEREIN BY REFERENCE ANY SUCH NOTE, DOCUMENT, INSTRUMENT OR AGREEMENT.

WE HEREBY AGREE WITH YOU THAT DRAFT(S) DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS LETTER OF CREDIT THAT THE SAME SHALL BE DULY HONORED UPON PRESENTATION AT OUR COUNTERS, ON OR BEFORE THE EXPIRY DATE.

PLEASE ADDRESS ALL CORRESPONDENCE AND ANY DRAWINGS HEREUNDER TO JPMORGAN CHASE BANK, N.A., C/O JPMORGAN TREASURY SERVICES, ATTN: STANDBY LETTER OF CREDIT DEPARTMENT, 10420 HIGHLAND MANOR DRIVE, 4TH FLOOR, TAMPA, FL 33610, BEING SURE TO REFERENCE THE ABOVE MENTIONED LETTER OF CREDIT NUMBER. FOR ASSISTANCE, PLEASE CONTACT THE STANDBY CLIENT SERVICE UNIT AT 1-800-634-1969, SELECT OPTION 1, OR E-MAIL AT

JPMorgan Chase Bank, N.A.
Global Trade Services
131 South Dearborn, 5th Floor
Mail Code: IL1-0236
Chicago, IL 60603-5506

JUN 22, 2015
OUR L/C NO.: TFTS-915167

GTS.CLIENT.SERVICES@JPMCHASE.COM. PLEASE HAVE OUR REFERENCE NUMBER
AVAILABLE WHEN YOU CONTACT US.

EXCEPT AS OTHERWISE EXPRESSLY STATED HEREIN, THIS STANDBY LETTER OF CREDIT
IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES (''ISP98''),
INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 590.



AUTHORIZED SIGNATURE



CITY OF TONKA BAY
4901 Manitou Road
Tonka Bay MN 55331
Phone: 952-474-7994
www.cityoftonkabay.net

ITEM NO. 6A

Memo

To: Mayor and City Council
From: Lindy Crawford, City Administrator
Date: July 14, 2015
Re: Senator David Osmek

Senator David Osmek will be in attendance to give the City Council an update on this year's Legislative session.



CITY OF TONKA BAY
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ITEM NO. 8A

Memo

To: Mayor and City Council
From: Lindy Crawford, City Administrator
Date: July 14, 2015
Re: Speed Trailer Update

The results from the speed trailer placed on Pleasant Avenue and Birch Bluff Road have come back.

The speed trailer was placed on Birch Bluff Road in the southwest direction from May 5th through May 17th, and in the northeast direction from May 17th to May 27th. The speed trailer was then placed on Pleasant Avenue in the west direction from May 27th through June 4th, and in the east direction from June 4th through June 15th.

Attached are graphs showing speed/ volume as well as speed/ time/ volume for each placement. You will notice only one set of graphs for both placements on Birch Bluff Road. There was a glitch in how that street was recorded, so we have a culmination of the directions for data. Council may request that the speed trailer be placed on Birch Bluff again if the data is found to be skewed.

Council Action

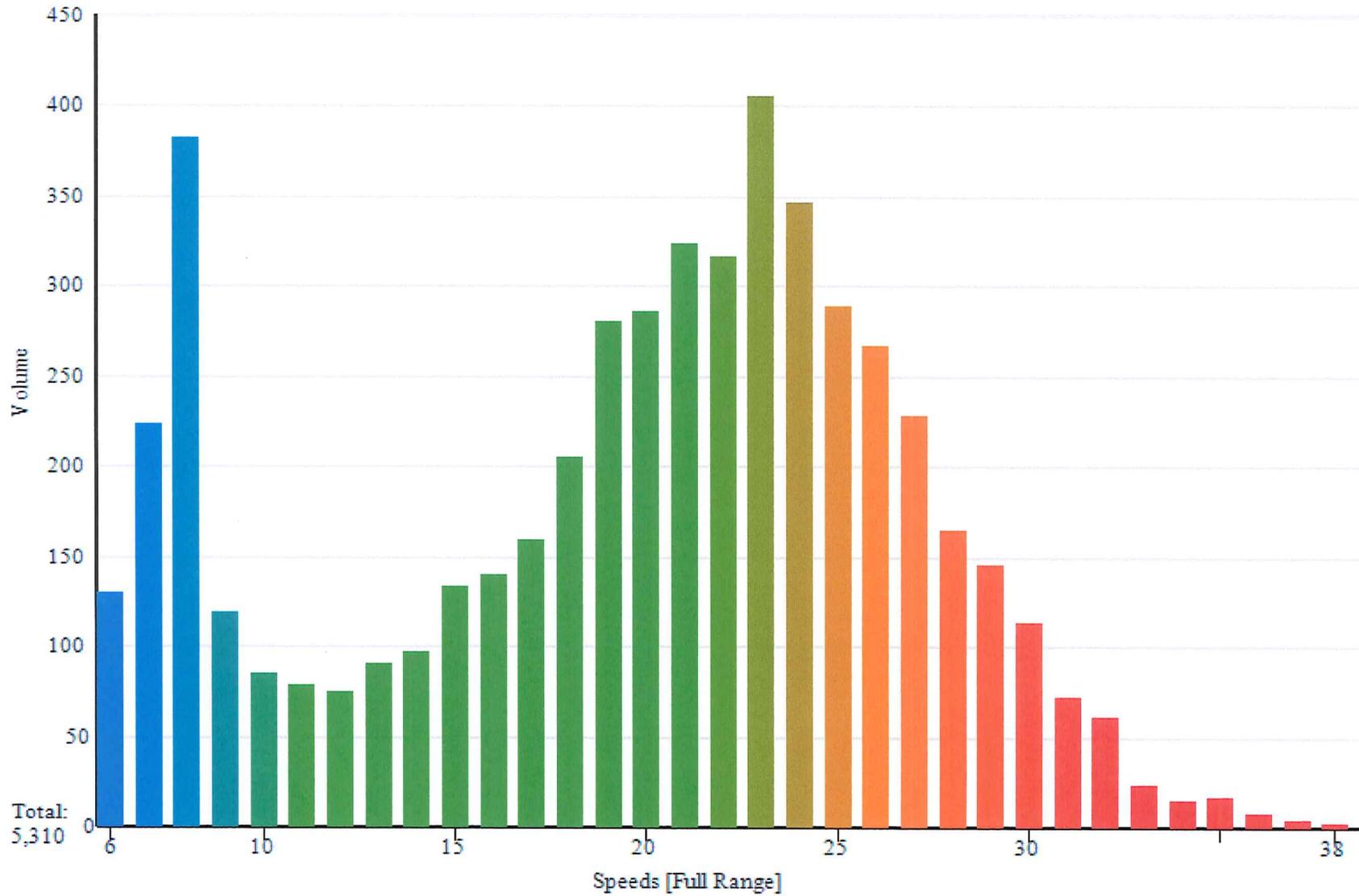
Discuss and direct staff for further action.

Place Currently Not Set
Speed/Volume Graph

Location: Birch Bluff Road
Dates: 05-08-2015 to 05-27-2015

Zone: Residential
Speed Limit: 20 MPH

Travel Direction: ~~SW~~ AND NE
COMBINED

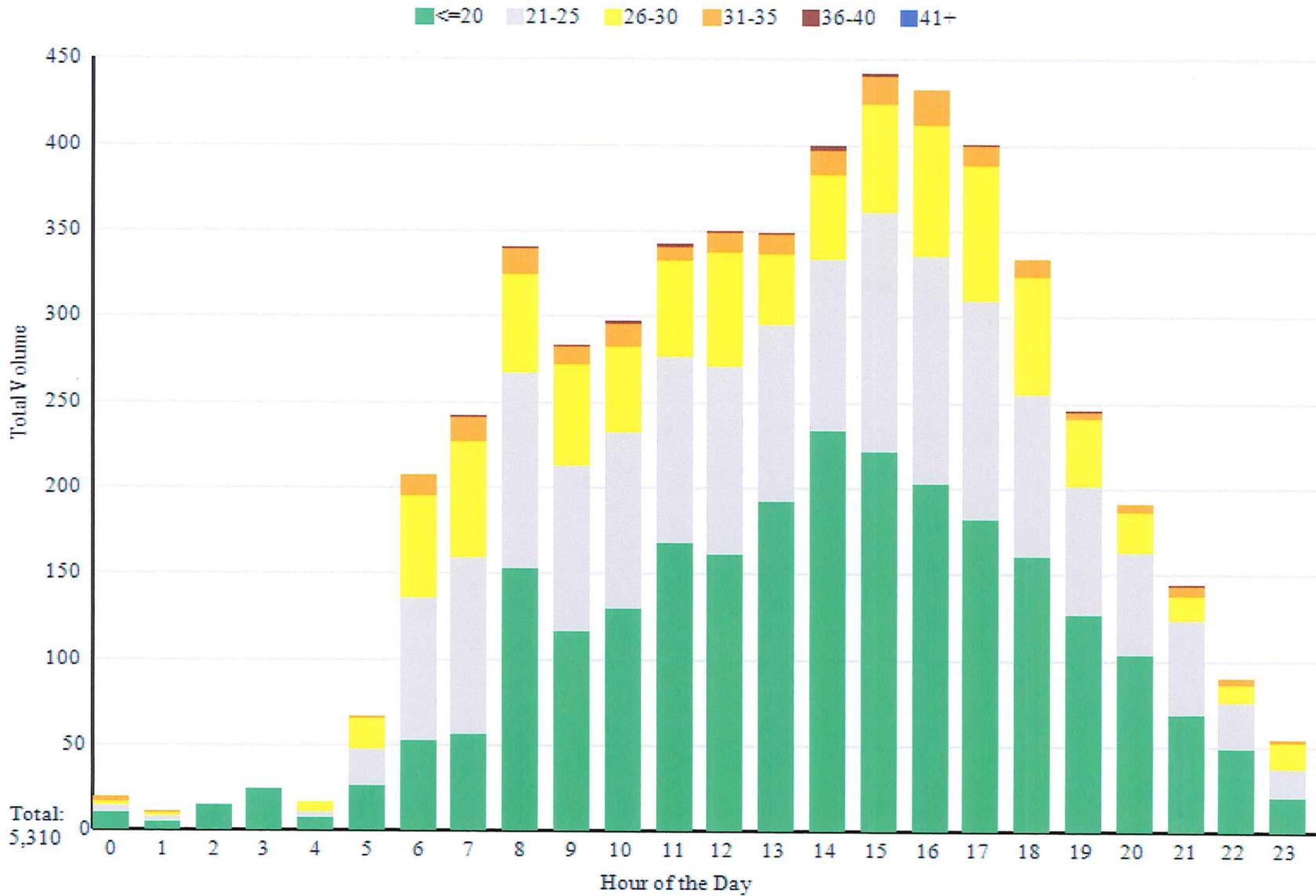


Place Currently Not Set
Speed/Time/Volume Graph

Location: Birch Bluff Road
Dates: 05-08-2015 to 05-27-2015

Zone: Residential
Speed Limit: 20 MPH

Travel Direction: SW + NE
COMBINED



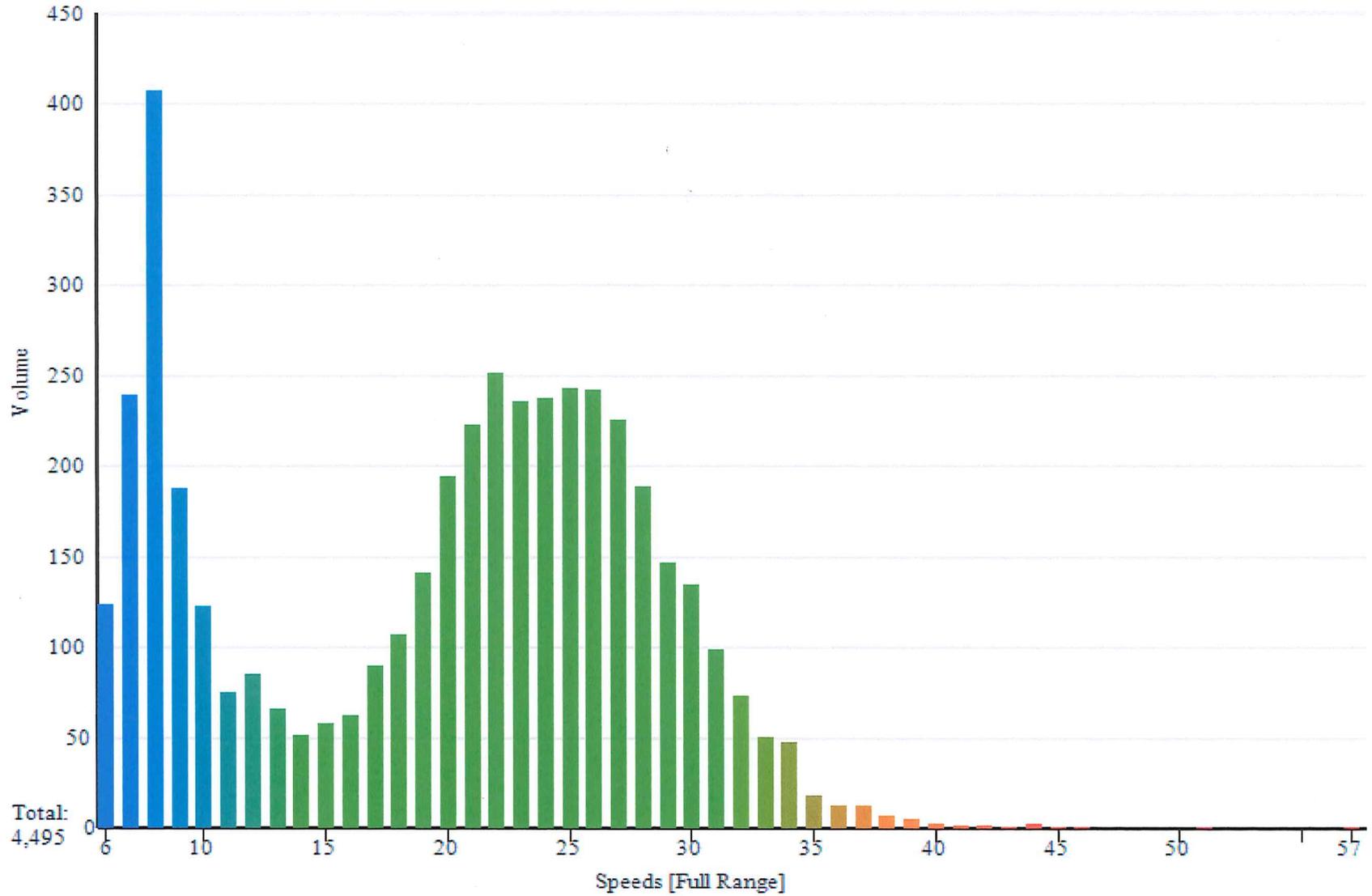
East Band

Place Currently Not Set
Speed/Volume Graph

Location: Pleasant Avenue
Dates: 06-04-2015 to 06-15-2015

Zone: Residential
Speed Limit: 20 MPH

Travel Direction: E



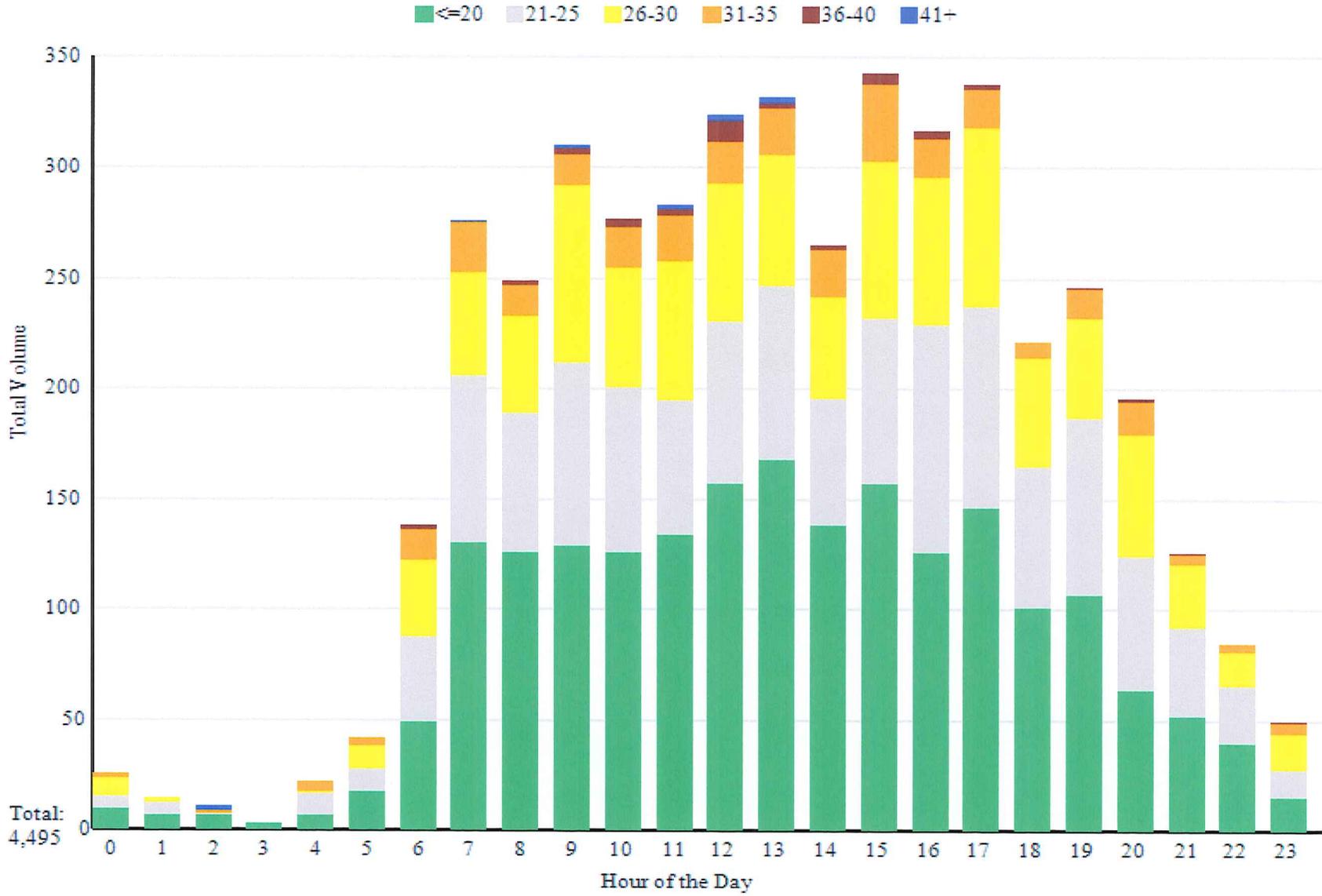
East bound

Place Currently Not Set Speed/Time/Volume Graph

Location: Pleasant Avenue
Dates: 06-04-2015 to 06-15-2015

Zone: Residential
Speed Limit: 20 MPH

Travel Direction: E

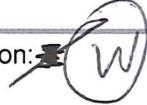


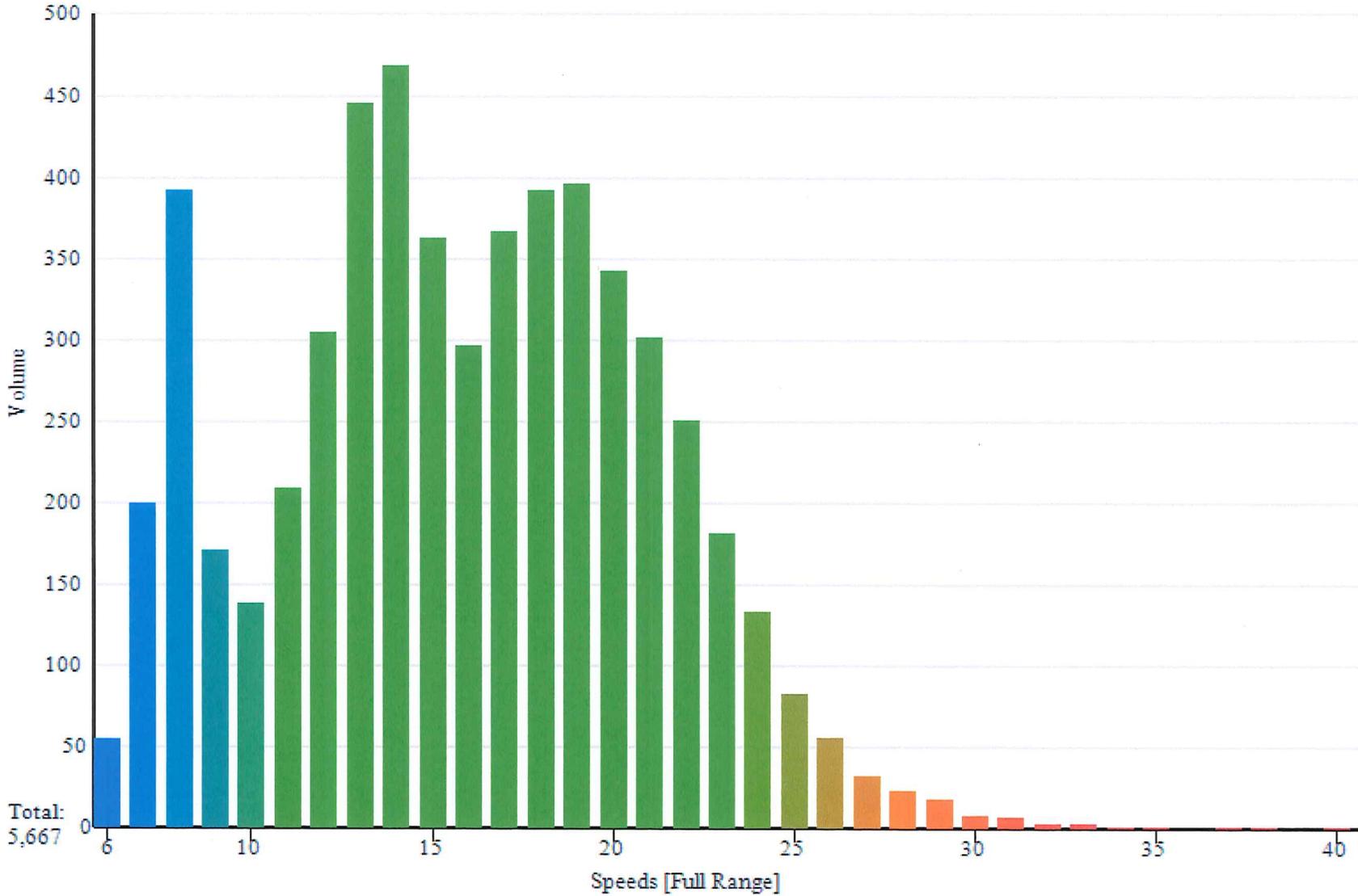
PLEASANT AVE West bound

Place Currently Not Set
Speed/Volume Graph

Location:
Dates: 05-27-2015 to 06-04-2015

Zone: Residential
Speed Limit: 20 MPH

Travel Direction: 

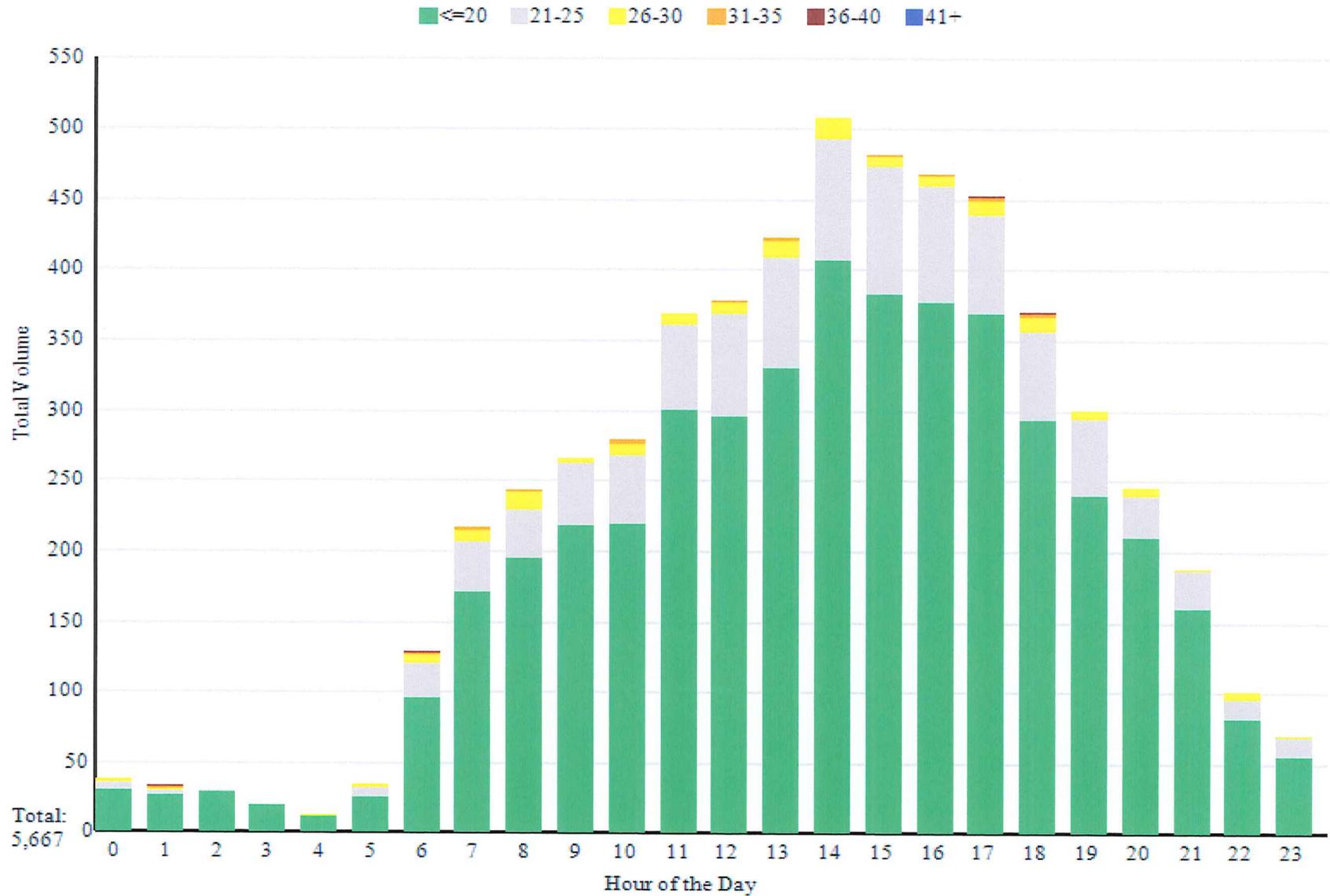


Place Currently Not Set
Speed/Time/Volume Graph

Location: *Pleasant Ave West bound*
Dates: 05-27-2015 to 06-04-2015

Zone: Residential
Speed Limit: 20 MPH

Travel Direction: *W*





CITY OF TONKA BAY
4901 Manitou Road
Tonka Bay MN 55331
Phone: 952-474-7994
www.cityoftonkabay.net

ITEM NO. 8B

Memo

To: Mayor and City Council
From: Robin Bowman, Public Works Superintendent
Lindy Crawford, City Administrator
Date: July 14, 2015
Re: City Hall Fence

At the last City Council meeting staff was directed to look into what the City of Excelsior did with their fence. Public Works Superintendent Bowman was told the Excelsior fence materials were purchased for just under \$2,000 with a 10% discount because theirs was an Eagle Scout project. Their fence is 192 feet while ours is 95 feet.

Bowman estimates that we should be able to purchase the materials for less than \$1,000 and install the fence ourselves. We are also looking into the option of having an Eagle Scout assist with this project.

Council Action

Discuss and make a motion to purchase the City Hall fence materials.



CITY OF TONKA BAY
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Tonka Bay MN 55331
Phone: 952-474-7994
www.cityoftonkabay.net

ITEM NO. 8C

Memo

To: Mayor and City Council
From: Lindy Crawford, City Administrator
Date: July 14, 2015
Re: Monument Signs

Staff would like to discuss and move forward with the entrance monument sign project proposed in 2012. This project could jumpstart a larger-scale cityscape project which could include city parks. A brief history of the project thus far:

In 2012 staff met with Rich Ed from Elements, Inc. to draft three different designs for the monument signs. The three designs are attached.

Staff also received a proposal from WSB regarding survey work for the project. The estimate in 2012 was \$1,498. To date, the City has not had the survey work completed.

In 2013 staff completed a permit application with Hennepin County for the sign site along Cty. Rd. 19. We will need to reapply for this permit again.

Staff is proposing that the City Hall sign also be reconstructed at the same time of the monument signs.

Council member Grothe provided recommendations for monument sign locations as well as a design for the signs. They are attached for your review

Next steps:

1. Determine placements for the signs and get a survey for both sites.
2. Find an acceptable monument sign design.
3. Obtain quotes on the construction.

(see next page)

Capital improvement funding for the monument sign project was approved by Council as follows:

2012:	\$8,000
2013:	\$8,000
2014:	\$6,000
2015:	\$6,000
2016:	\$6,000
2017:	\$6,000
Total Funds:	\$40,000

Council Action

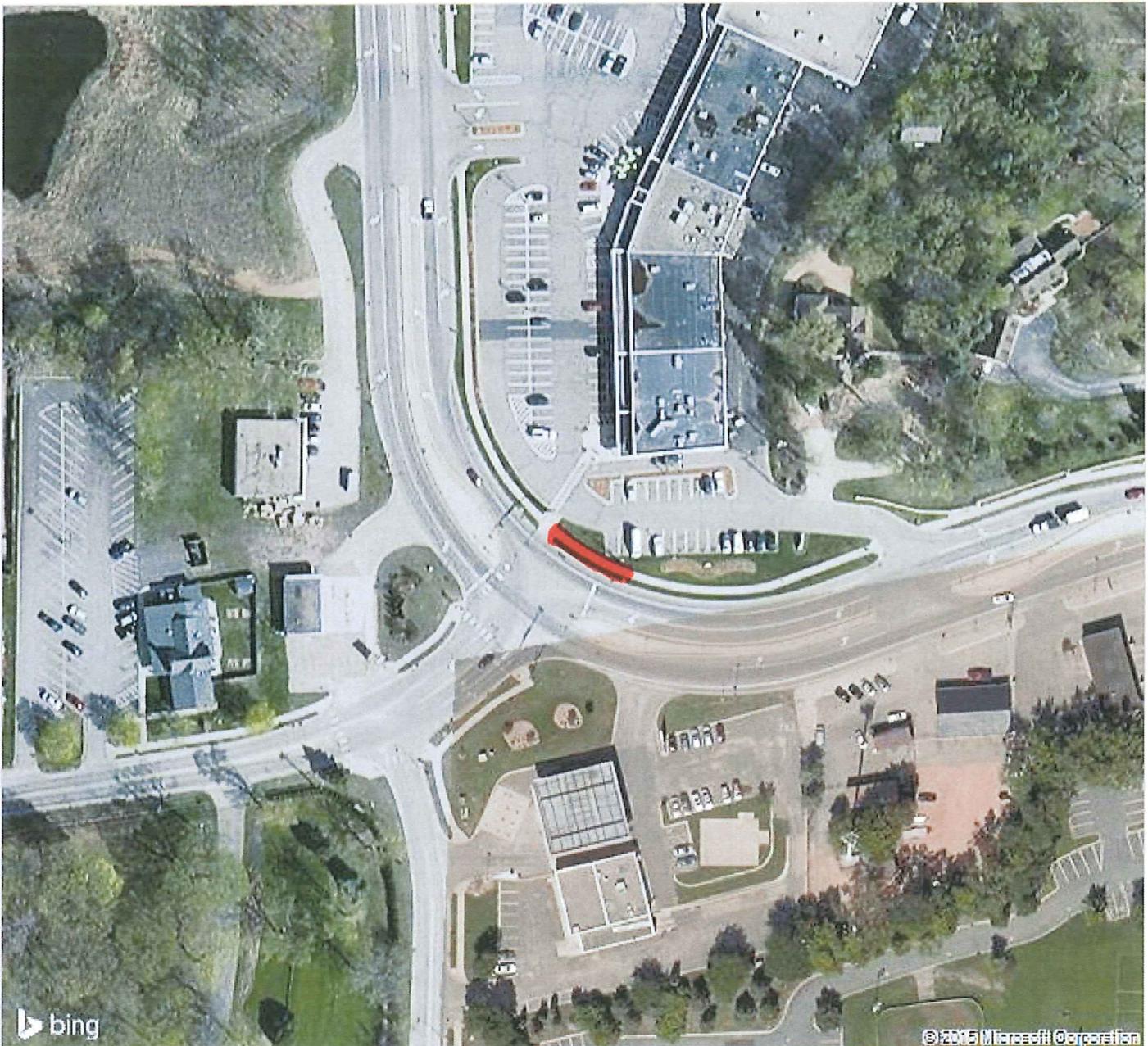
Discuss and direct staff for further action.



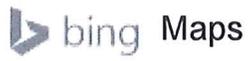
My Notes



On the go? Use m.bing.com to find maps, directions, businesses, and more



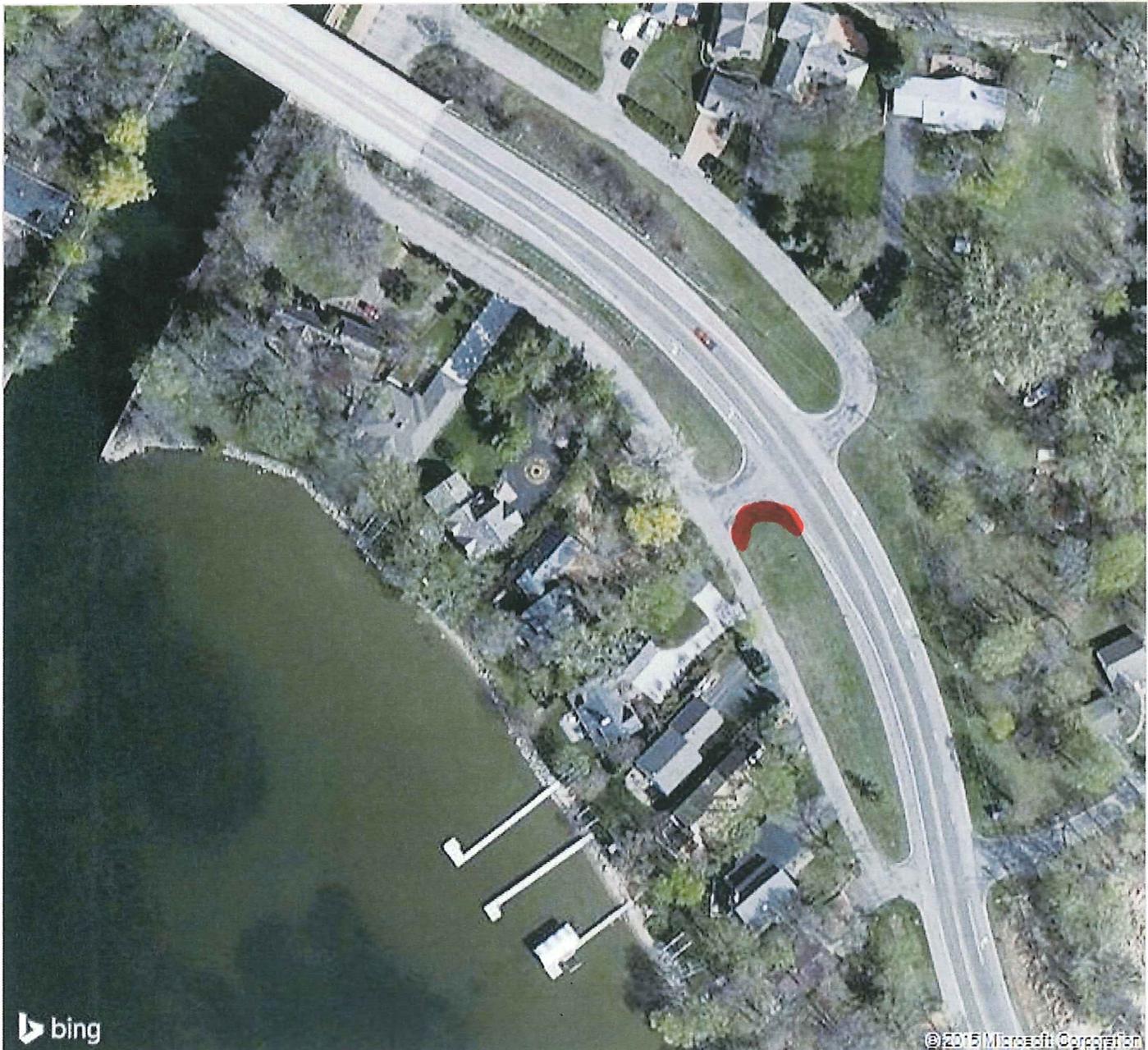
Bird's eye view maps can't be printed, so another map view has been substituted.



My Notes



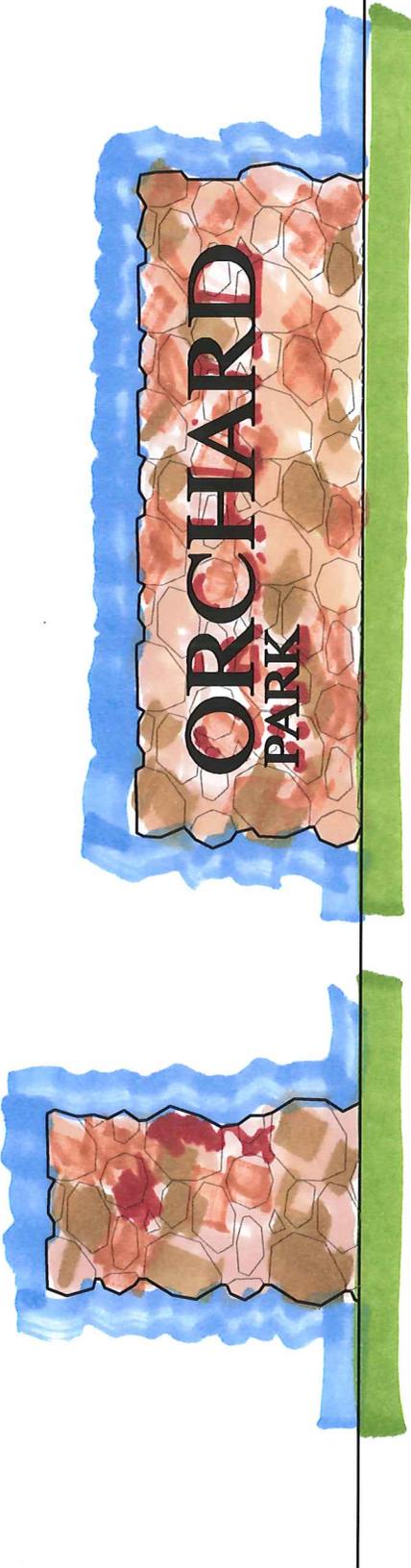
On the go? Use m.bing.com to find maps, directions, businesses, and more



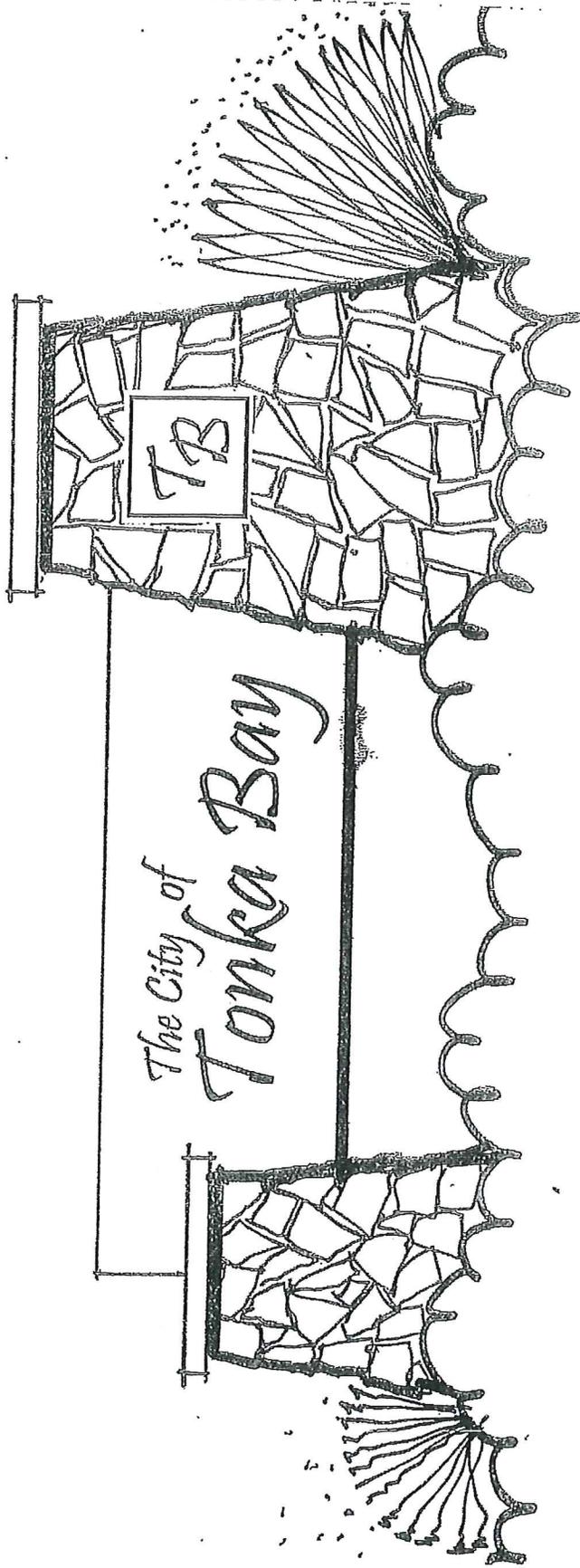
Bird's eye view maps can't be printed, so another map view has been substituted.



City of **TONKA BAY**



*Color is approximate and for placement only as each computer monitor may display color differently. Please refer to actual material samples for precise color representations.



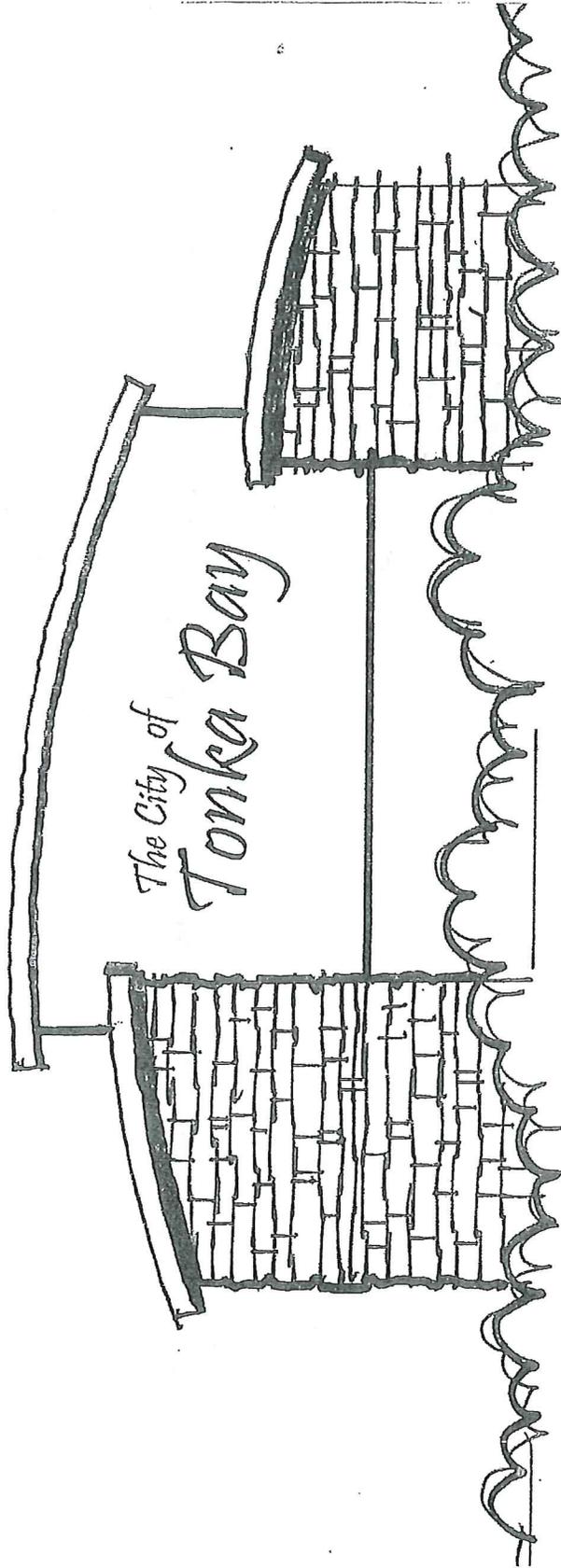
Scale: 1/2" = 1'
Option 1

REVISED: _____
T# OF PROPOSAL: _____
SIGNED APPROVAL: _____
1-800-223-2788 • (763) 210-7747 • FAX (763) 210-7750 • elementsincc.com

Elementsincc
Elements, Inc. • 10044 Flanders CT NE, #100 • Minneapolis, MN 55449

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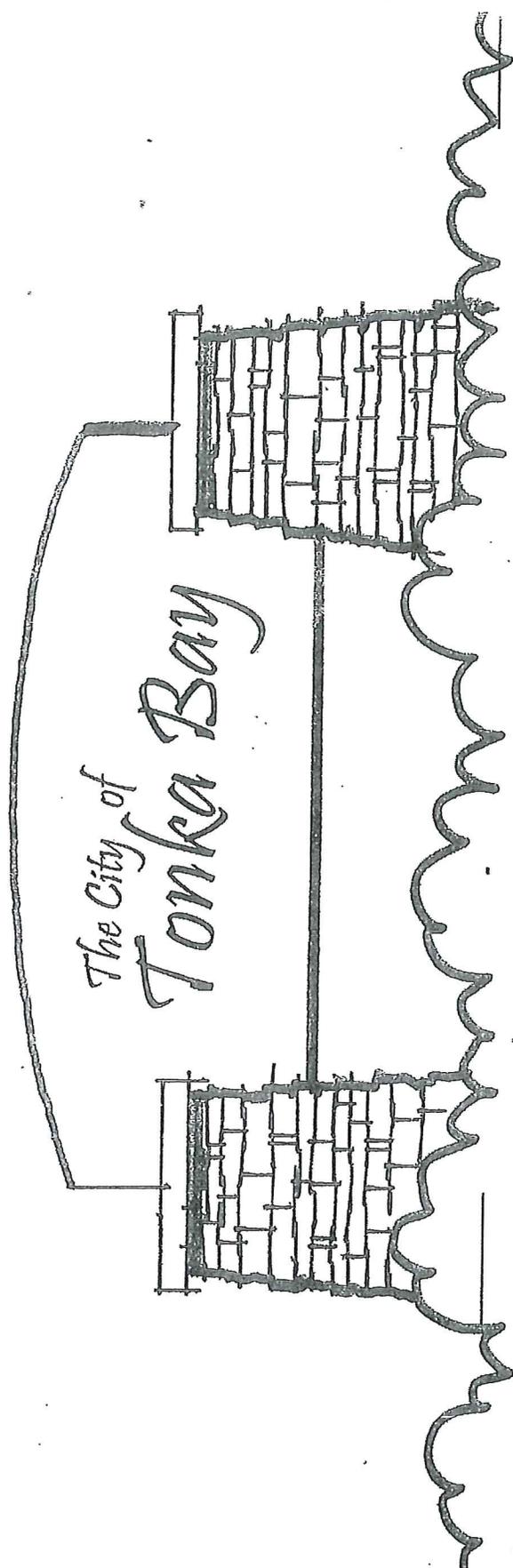
Scale: 1/2" = 1'
Option 2

REVISED: _____
T# OF PROPOSAL: _____
SIGNED APPROVAL: _____
1-800-223-2788 • (763) 210-7747 • FAX (763) 210-7750 • elementsinc.com

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Scale: 1/2" = 1'
Option 3.1

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T# OF PROPOSAL: _____
SIGNED APPROVAL: _____
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Elements, Inc. • 10044 Flanders CT NE, #100 • Minneapolis, MN 55449



CITY OF TONKA BAY

4901 Manitou Road
Tonka Bay MN 55331
Phone: 952-474-7994
www.cityoftonkabay.net

ITEM NO. 9A

Memo

To: Mayor and City Council
From: Lindy Crawford, City Administrator
Date: July 14, 2015
Re: 2016 City Budget Timeline

Staff would like to establish a timeline for the 2016 budget process. Please consider the following:

August 13 th at 6pm (THURSDAY)	Council budget work session.
August 25 th at 6pm	Council budget work session, before regular Council meeting.
September 8 th Regular meeting (work session at 6pm if needed)	Adopt resolution for proposed budget and levy to meet September 15 th deadline to certify <i>maximum</i> levy to the County. Set the truth in taxation hearing for November.
November 10 th 6pm	Enterprise fund & fee schedule budget work session, before regular Council meeting.
November 24 th Regular Meeting	Approve fee schedule.
Late November- early December	Hold truth in taxation hearing.
December 8 th Regular Meeting	Approve final budget and levy.

Council Action Requested:

A motion scheduling the following four (September 8th, if needed) budget work sessions:

1. August 13th; 6pm (THURSDAY)
2. August 25th; 6pm
3. September 8th; 6pm
4. November 10th; 6pm

TNT Summary Chart for Taxes Payable 2016

Date	Action
On or before Sept. 15	Special taxing districts (EDAs, HRAs, port authorities, etc.) must adopt any proposed property tax levy and certify the proposed levy to the County Auditor.
On or before Sept. 30	At one meeting, the City Council adopts the proposed property tax levy and announces the time and place of a future City Council meeting at which the budget and levy will be discussed and public input allowed, prior to final budget and levy determination.
On or before Sept. 30	Cities must provide the County Auditor with the following information: <ul style="list-style-type: none"> • The time and place of the meeting at which the budget and levy will be discussed and public input allowed. • A phone number that city tax payers may call if they have questions related to the auditor's property tax notice; this does not require listing a private phone number. • An address where comments will be received by mail; this does not require listing a private address.
Nov. 11 to Nov. 24	County Auditor prepares and sends parcels specific notices.
Nov. 25 to Dec. 29	Cities of population greater than 500 hold meeting to discuss the budget and property tax levy and, before a final determination, allows public input (Truth in Taxation Hearing).
On or before Dec. 29	Cities must also file the certificate of compliance with the Department of Revenue by Dec. 29, 2015.



CITY OF TONKA BAY

4901 Manitou Road
Tonka Bay MN 55331
Phone: 952-474-7994
www.cityoftonkabay.net

ITEM NO. 9B

Memo

To: Mayor and City Council
From: Lindy Crawford, City Administrator
Date: July 14, 2015
Re: Trespass Notice

The SLMPD has had a few incidents happen lately in the Excelsior Commons Park that has caused them to think more about developing a process for trespassing people from city property. One incident involved physical contact and the other involving illegal drugs. SLMPD is looking at how to best protect all of the people that live in or come to our area.

Detective Mike O'Keefe spoke with Attorney Ken Potts regarding this, and he was in support of developing a process as long as there was sufficient information to support the trespass notice. The two scenarios for how the SLMPD could handle future issues are below.

- 1) When a Patrol Officer deals with an individual on a call that they believe would meet the criteria for being trespassed from the property, they will handle the call as normal and complete a report. A copy of the report will be submitted to the City Administrator or their predetermined designee to review the report and make a determination if they believe the persons conduct warrants them to be formally trespassed from the property. They would then need to advise the SLMPD if they wanted the person trespassed or not and we will handle completing the form and mailing it to them certified mail. This will result in the SLMPD having a copy of the record on file in their record management system for quick access out in the field. If the person violates the notice, they are then able to force them to leave or make an arrest if needed.
- 2) City Council could grant the SLMPD preapproval for issuing the trespass notices immediately in person at the time of the call. The notices could only be issued by sworn personnel, and they would need to exercise their best judgment on how best to apply this tool in dealing with individuals. A copy of the report and

trespass notice could then be submitted to the City Administrator or their predetermined designee for review or reference.

The SLMPD is open to further discussion on the matter, and if possible would like to have a uniform approach on how to handle these situations across our entire service area.

Council Action

Discuss for further action.

Trespass Notice Form

YOU ARE HEARBY REQUESTED TO DEPART
FROM THIS LAND AND NOT TO RETURN FOR ONE YEAR.

State and local laws, Minnesota Statute § 609.605 and/or Tonka Bay Ordinance § 710.02, provide that no person shall intentionally trespass on the land of another and refuse to depart from that land, without a legal basis, when a demand to do so is made by the lawful possessor or his/her agent. Such demand may be spoken or written. No person who has received a demand to stay off such land shall reenter it within 1 (one) year from the date of the demand without the written permission of the lawful possessor or the agent who provided the demand. Violators may be subject to imprisonment for up to 90 (ninety) days or to a payment of up to \$1000 dollars, or both. Violators who qualify for enhanced penalties under Minn. Stat § 609.153 may be subject to imprisonment for up to 365 (three hundred sixty-five) days or to a payment of up to \$3000 dollars, or both.

It shall be noted on this date _____ (month/date/year), you were advised of the above statute. This trespass notice form constitutes a written demand to depart from the premises by the lawful possessor or an agent of the lawful possessor. This demand to depart is due to your disruptive, harassing, threatening, and/or non-conforming behavior.

I, the lawful possessor or agent thereof, will file a police report; therefore, I have not described your conduct on this notice.

I, the lawful possessor or agent thereof, will NOT be completing a police report; therefore, I have briefly described your conduct below:

Address of place from which party is trespassed: _____

Name of party being trespassed and DOB: _____

Name of lawful possessor or agent: _____

Signature of party receiving notice: _____

Officer / Badge # / Case Number # _____