

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING December 14, 2010

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 LaBelle, Councilmembers Marceau, Tessness, Folley, and De La Vega. Also present were City Administrator Kohlmann, City Attorney Penberthy, and Public Works Superintendent Kluver.

Mayor LaBelle presented plaques of appreciation to outgoing Councilmembers Folley and Tessness and thanked them for their four years of service to the community.

3. APPROVAL OF AGENDA

De La Vega moved to approve the agenda as amended: add Item 9J, Sign Permit Request for Tonka Village Shopping Center to the agenda. Marceau seconded the motion. Ayes 5. Motion carried.

4. CONSENT AGENDA

Marceau moved to approve the consent agenda as presented approving: A. Worksession Minutes of November 23, 2010; B. Regular Meeting Minutes of November 23, 2010; and C. Accounts Payable. Tessness seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

None

6. SPECIAL BUSINESS

None

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

A. Fee Schedule – Second Reading – Kohlmann stated this is the second

reading of the ordinance amendment for the 2011 fee schedule. He highlighted the changes being proposed. **Marceau moved to adopt:**

RESOLUTION 10-24

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF AN ORDINANCE
OF THE CITY OF TONKA BAY, MINNESOTA**

De La Vega seconded the motion. Ayes – Tessness, Folley, Marceau, LaBelle and De La Vega. Motion carried.

9. NEW BUSINESS

A. Budget and Tax Levy – Public Comment and Approval – Kohlmann reviewed general fund expenses. The majority of the budget is earmarked for Public Safety, Fire, and Public Works. We have made the levy equal to 2010 through the use of reserve funds. He noted that the majority of the general fund revenues (87%) comes from property taxes. There has also been a reduction in investment income. He discussed property tax valuations, rates, and market values. He discussed a breakdown of the city portion of property taxes for each household in Tonka Bay. **Folley moved to adopt:**

RESOLUTION 10-25

**A RESOLUTION APPROVING 2011
BUDGET AND TAX LEVY**

Tessness seconded the motion. Ayes – Tessness, Folley, Marceau, LaBelle and De La Vega. Motion carried.

B. Water Plant Lighting – Kluver reviewed the proposed replacement of lighting in the water plant and discussed savings on electricity as a result. Funding will come from the 2010 Water Operating Fund. He reviewed the two quotes received and noted the low quote was from A-1 Electric, Inc. in the amount of \$6,860. He noted Xcel Energy will reimburse the City for 25% of the installed price of the project once completed, or \$1,715. He noted the work would be completed in January. **Tessness moved to approve the water plant lighting replacement with funding from the 2010 Water Operating Fund. De La Vega seconded the motion. Ayes 5. Motion carried.**

C. Lift Station Control Panel – Kluver reviewed the proposal to replace the control panel in Lift Station 6 with funding from the 2010 Sewer Operating Fund. He noted the existing panel was installed in 1963. He noted the new panel will be similar to

others in the city. He reviewed the two proposals received and noted the low quote was received from Quality Flow Systems, Inc. in the amount of \$13,943 and A-1 Electric in the amount of \$4,951.00 for a total of \$18,894.00. Kluver noted, in response to a question from Marceau, A-1 Electric is very familiar with the lift stations in the city and has done all repair work the last seven years. Marceau suggested getting two quotes on electrical in the future. LaBelle asked if the project would be delayed too long if he went out for additional quotes for electrical. Kluver stated he would select a contractor who has experience in this type of electrical work. Penberthy asked if there are any specs on the electrical portion of the work. Kluver stated there are not. Councilmembers discussed whether specs should be written. Penberthy stated at this stage it is difficult to ask for another quote. **Marceau moved to accept the low quote from Quality Flow Systems, Inc. in the amount of \$13,943 and authorize the City Administrator to enter into the contract and to also accept the low quote from A-1 Electric in the amount of \$4,951 with funding from the 2010 Sewer Fund. De La Vega seconded the motion. Ayes 5. Motion carried.**

D. Liquor License – The Caribbean – Kohlmann stated staff was directed to research the liquor license for The Caribbean and has brought forward pertinent information. LaBelle stated he cannot see why this license should not be approved, and he was in favor of the approval. Marceau stated he also supported the application. Folley asked how future applications should be reviewed. LaBelle stated they should be reviewed on a case-by-case basis. Kohlmann stated the SLMPD has enhanced their background check abilities, and that is why this is coming up this time in the approval process. **Marceau moved to approve the liquor license for The Caribbean. Tessness seconded the motion. Ayes 5. Motion carried.**

E. Municipal Docks – Kohlmann stated the City has received approval for forty new docks from the LMCD. He stated a task force will be created to discuss how docks should be allocated. LaBelle pointed out staff and Joe have done some excellent work in regards to this application. He asked what official motions have already been done. If we are going to start construction in January, we need to move forward. Kohlmann stated specs will be coming to the January 11 meeting, and construction is planned for February. LaBelle stated the dock rental policy needs to be reviewed to address all rental matters. The creation of a task force would allow the ability to discuss the policy, boat measurements, external equipment on boats, etc. Councilmembers discussed boat lengths. Tessness noted it is important for those who are renewing their boat dock to know what the boat length will be. Kohlmann stated we do need to know that and who gets first priority for them. He stated he will meet with the City Engineer on the 15th of December to iron out the specifications. De La Vega stated the draft of the boat should also be a concern. We won't know how big a boat can go there until we know the underwater conditions. De La Vega stated pricing based on boat size is also an

issue for the task force to consider. LaBelle stated wakes along Crabapple Lane and Woodpecker Ridge Road are also an issue for the task force. Councilmembers discussed membership on the task force. Kohlmann stated he would find a couple residents for the task force. Marceau stated he, Tessness, and De La Vega were on the original task force. LaBelle proposed Marceau, De La Vega, Kohlmann, Penberthy, and Marv Bjorlin (115 Crabapple Lane) will be on the task force. LaBelle discussed whether renewal letters should be sent to all with the assumption there are twelve additional slips and whether current renters should have the option to move to the new slips. Councilmembers and staff discussed what the letter should include. Councilmembers also discussed whether those on the waiting list should be notified and how many of them. Kohlmann recommended sending the letter to everyone on the waiting list to tell them what number they are on the waiting list. **De La Vega moved to approve the creation of a Dock Task Force to comprehensively review the dock policy and expansion of current dock facilities and provide for the consideration of the Council recommendations of the policies and programs going forward. Folley seconded the motion. Ayes 5. Motion carried.**

F. City Administrator – Kohlmann stated there was a six-month review period, and he received Council reviews. LaBelle stated we are behind on granting this increase. He recommended the increase be retroactive to July 15. De La Vega supported the recommendation stating he was very satisfied with Kohlmann's performance. **Tessness moved to increase Kohlmann's salary to 75% as outlined in the Administrator's contract retroactive to July 15. De La Vega seconded the motion. Ayes 5. Motion carried.**

G. Public Works Superintendent – Kohlmann stated the Public Works Superintendent is looking for a reduction in his on call hours. One option would be to reduce his on call hours and hire a new employee. The second option would be to keep the on call hours but change to a four day work week when not on call. Kluver stated he would have to find a qualified on-call person to take on his on-call responsibilities. Tessness asked if any of the other Public Works employees would take on more hours. Kluver stated they are not interested in more hours. Tessness asked if they could possibly work 4 ten hour days. Kluver stated it wouldn't work to have them to work those hours. Kluver noted he would still be available by phone to handle any issues when he is not here. Marceau stated this discussion should have taken place during the budget process. LaBelle stated Kluver deserves the additional consideration, but he was concerned about the additional budget liability for the first option. He didn't think the second option would cause any problems with the Public Works employees. De La Vega was concerned about what is being done to prepare for the transition process after Kluver's retirement in two years. De La Vega asked Kluver if he had any candidates in mind for the part-time position. Kluver stated he didn't want to move forward with a

candidate if this wasn't a reality. Folley was concerned about a superintendent not being present for the department. De La Vega stated the alternative request is the most suitable given the budget situation. It would be easier to implement. Tessness stated it would be something that could be tried, and it could be changed back if it did not work out. **De La Vega moved to approve a change in the Public Works Department such that the Public Works Superintendent would work 4 10-hour days (5:30 a.m. to 4:00 p.m.) when not on call and regular hours of 6:00 a.m. to 2:30 p.m. when on call. This schedule would begin on January 1, 2011. Tessness seconded the motion. Ayes 3-2. Folley was opposed to the change, because it does not allow the office staff to change their hours. Marceau favored the first option. Motion carried.**

H. Non-Union Employees – Kohlmann reviewed a proposed increase of 0-1% for the office staff and Public Works Superintendent. De La Vega stated when it is called "COLA", employees expect the increase. He proposed it be merit increases based on performance rather than a cost of living increase. Marceau asked if the Council would be involved with any merit increase determinations. De La Vega stated the City Administrator would make the recommendation based on annual reviews. An amount would be set for budgetary purposes and allocated based on performance. **De La Vega moved to establish a merit-based system where we allocate available funds as deemed by the City Administrator for non-union employees to total not more than one percent as budgeted for in the 2011 budget, and that we continue to move in that direction in subsequent years judging by merit and allocating as deemed appropriate by the City Administrator. Marceau seconded the motion. Ayes 5. Motion carried.**

I. Cancel December 28 City Council Meeting – Folley moved to cancel the December 28 City Council meeting. Tessness seconded the motion. **Ayes 5. Motion carried.**

J. Sign Permit Application – Tonka Village – Kohlmann stated the Tonka Village Shopping Center is looking to place a banner on the fence along Manitou Road beginning December 15 through Christmas. He noted this is the County right-of-way where they want to put it. He requested it be approved pending approval of a right-of-way permit from Hennepin County. Penberthy stated our ordinance states no signs are allowed in the public right-of-way. We will defer to Hennepin County since it is their road. De La Vega asked how long a temporary sign can be in place. LaBelle stated it is ten days in the ordinance. He suggested changing the form to read that temporary signs are only allowed for ten days. **Marceau moved to approve the sign request pending approval of a County right-of-way permit. De La Vega seconded the motion. Ayes 5. Motion carried.**

10. **MATTERS FROM THE FLOOR**

None

11. **REPORTS**

A. **Administrator** – no report

B. **Marceau – Finance, Marinas** – no report

C. **Tessness – Buildings, Building Inspection, Fire Lanes and Municipal Docks** – no report

D. **Folley - Animal Control, LMCC, Technology, and Southshore Senior/Community Center** – no report

E. **De La Vega - EFD, Parks, Sanitation, and LMCD** – no report

F. **Attorney's Report** – no report

G. **LaBelle - Public Works and SLMPD** – no report

12. **ADJOURNMENT**

There being no further business, it was moved by Marceau to adjourn the meeting at 8:47 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk