

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING December 9, 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 and City Attorney Penberthy.

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:

- A. Work session Meeting Minutes of November 25, 2014
- B. Regular Meeting Minutes of November 25, 2014 – page 6 of 6, the date for Chief Litsey's retirement party is December 1, not December 8.
- C. Financial Report

Clapp seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

- A. John Peirsol, 70 West Point Avenue – he stated it seems to be an annual trek for him regarding 55 West Point Avenue. He stated the request is currently for a garage. He discussed the other properties that are all garages that are 3' from the street. Not one of them suffered any inundation of flooding this past year. He stated common sense should be used. He stated this area of Tonka Bay is historic and is very unique. He stated they are all small homes, and some of them still exist. He urged the Council to address through a group meeting the groups that want to come in and enforce one law fits all. He stated this is a very simple request. He would be willing to serve on such a committee.

6. **SPECIAL BUSINESS**
None

7. **PUBLIC HEARINGS**
A. **55 West Point Avenue**

Kohlmann stated the public hearing should be opened, comments heard, and then continued to the first meeting in January.

Clapp asked that the elevation of the street be added to the survey. Grothe noted it is 930.9' which is basically the street level. Council members discussed the variance requested for the garage elevation.

Penberthy stated this is problematic as they just want to build a garage. He reviewed the DNR Rules which the City has adopted. The only option is to allow a conditional use permit for a flow through situation. He stated we have been struggling with this request. He stated the latest issue is the FEMA flood insurance rate map which zones the entire City as Zone X. The City has not adopted this Zone in their floodplain ordinance and, therefore, it does not apply. He stated the grade is also shown at ten percent which we do not allow – a variance would be required.

De La Vega opened the public hearing.

Anderson moved to continue the public hearing to the January 13, 2015 meeting. Grothe seconded the motion. Ayes 5. Motion carried.

B. **Amend Section 402 – Fee Schedule – Second Reading**

Kohlmann stated there is a new handout with up-to-date changes on the fee schedule for sewer and water connection charges.

Anderson moved to adopt:

RESOLUTION NO. 14-42

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION
OF AN ORDINANCE
OF THE CITY OF TONKA BAY, MINNESOTA
SECTION 402 – FEE SCHEDULE**

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

8. OLD BUSINESS

None

9. NEW BUSINESS

A. 2015 Tax Levy – Public Comment and Approval

Kohlmann gave a presentation on the proposed tax levy for the 2015 General Fund budget and proprietary funds. He noted the General Fund is funded by property taxes. He explained the largest expense items are for Public Safety followed by Public Works.

Kohlmann stated our dependence on property taxes has decreased over the last five years. He discussed actual dollar amounts through a visual presentation. The 2015 CIP purchases will be for a skid loader and a backhoe. He reviewed how property taxes are broken down by household, by month.

Anderson moved to adopt:

RESOLUTION NO. 14-43

**A RESOLUTION APPROVING 2015
BUDGET AND TAX LEVY**

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

B. Joey Nova's Resolution

Kohlmann stated the owner of Joey Nova's has indicated he agrees with the resolution and will sign it as proposed.

Clapp moved to adopt:

RESOLUTION NO. 14-44

RESOLUTION, FINDINGS AND ORDER IMPOSING CIVIL

PENALTY ON PARS FOOD SERVICE DBA JOEY NOVA'S PIZZERIA

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

C. De-icing Permits

Anderson moved to approve the de-icing permits. Clapp seconded the motion. Ayes 5. Motion carried.

D. Liquor License Approvals

Kohlmann stated the annual license renewals for 2015 have been provided for review.

Anderson moved to move the license renewals for 2015 as proposed. Grothe seconded the motion. Grothe stated the fees seem fairly low and suggested they might be raised for 2016. Ayes 5. Motion carried.

E. Staff COLA

De La Vega stated non-union staff increase is proposed at two percent effective January 1, 2015.

Anderson moved to approve the cost of living increase at two percent for non-union staff members for 2015. Clapp seconded the motion. Ayes 5. Motion carried.

F. Administrator Review

De La Vega stated he and Clapp reviewed Kohlmann through a form and noted he met or exceeded requirements. He recommended approval of the increase which is three percent more than what was approved in the previous item.

Anderson moved to approve the increase of five percent total for Joe Kohlmann. Clapp seconded the motion. Ayes 5. Motion carried.

G. Cancel December 23rd Meeting

Anderson moved to cancel the December 23rd meeting. Grothe

seconded the motion. Ayes 5. Motion carried.

10. **MATTERS FROM THE FLOOR**

- A. **Dean Pearson, West Point Court** stated the neighbors have been asking what has been happening with the animals. He asked if an ordinance is proposed.

11. **REPORTS**

- A. **Administrator** – Kohlmann stated a survey is going to all residents in the newsletter and via e-mail regarding animals.
- 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 stated a Coordinating Committee will be held to discuss the replacement of Chief Litsey on the 10th of December.

12. **ADJOURNMENT**

There being no further business, it was moved by Anderson to adjourn the meeting at 7:35 p.m. Clapp seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk