

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING March 24, 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 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:

- A. Regular meeting minutes of March 10, 2015
- C. Financial Report – De La Vega asked if the truck purchase was something previously approved. Kohlmann noted it was for Robin and was previously approved. De La Vega asked about the sales tax amount check. He stated there is not enough detail to know what it is for. Penberthy believed it would be for the sales tax on the truck purchase. He state the tax rule is in flux at the present time. Kohlmann stated he would check into it.

Ansari seconded the motion. Ayes 5. Motion carried.

- B. Resolution No. 15-15, Computer Use Policy

Motion by Anderson to adopt:

**RESOLUTION NO. 15-15
COMPUTER USE POLICY**

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

5. MATTERS FROM THE FLOOR

None

6. SPECIAL BUSINESS

None

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

None

9. NEW BUSINESS

A. Wells Fargo Lake Minnetonka Half Marathon

Kohlmann stated this is an annual request and is the seventh year we have been asked for approval. The correct date is Sunday, May 3.

Anderson moved to approve the Lake Minnetonka Half Marathon on Sunday, May 3. Clapp seconded the motion. Ayes 5. Motion carried.

B. Seal Coat Rock

Bowman reviewed the seal coat rock quotes received. He recommended the quote be awarded to Martin Marietta.

Anderson moved to approve the quote in the amount of \$29.95 per ton from Martin Marietta. Clapp seconded the motion. Ayes 5. Motion carried.

C. Seal Coating

Bowman stated these are the quotes for the seal coating. He stated there was a late quote received. Penberthy stated it cannot be accepted but could be rejected and rebid.

De La Vega asked if the experimental seal coating done on Woodpecker Ridge Road was a success. Clapp noted it is holding up very well and could possibly be held over for another cycle.

Anderson moved to reject all bids and to recast them. Grothe seconded the motion. Ayes 5. Motion carried.

D. Manitou Park – Parking Lot Striping

Bowman stated the Manitou Park parking lot will be seal coated and will need to be restriped. He reviewed quotes received for the job. He recommended the low quote from The Line Guy in the amount of \$450.

Anderson moved to accept the low quote from The Line Guy in the amount of \$450. Grothe seconded the motion. Ayes 5. Motion carried.

E. Roadway Striping

Bowman stated Tonka Bay Road needs to be restriped. He noted it is a heavily traveled road. The double lines will keep drivers off the side of the road. De La Vega asked when it will be seal coated. Bowman noted it would be two years. Clapp noted the price quoted is a very good one.

Anderson moved to accept the quote from Twin City Striping in the amount of 15 cents a foot. Grothe seconded the motion. Ayes 5. Motion carried.

F. Dehumidifier

Bowman stated the dehumidifier quotes reflect very different prices from the different vendors. He discussed the quotes and the option to buy another one of them.

Clapp asked if the current unit can be disposed of in some way. Bowman stated it could be posted on the League site to see if someone would want it.

Anderson moved to accept the quote from Dakota Supply Group in the amount of \$2,984 and encourage them to honor the price should another unit be need in the fall. Clapp seconded the motion. Ayes 5. Motion carried.

G. Lime Pit Sludge Removal

Bowman reviewed the quotes received for the lime sludge removal from the lime pits. He stated it is the same vendor as before.

Grothe asked for clarification of the total amount. De La Vega stated we are most likely approving the rate rather than the total.

Clapp asked how the tonnage would be verified. Bowman stated truckloads are documented.

Anderson moved to accept the quote from Litzau Excavating in the amount of for the removal of lime sludge for the 2015 season. Grothe seconded the motion. Ayes 5. Motion carried.

H. Summer Hours – Public Works Department

Bowman stated city hall staff is on summer hours year round. The Public Works staff would also like to consider this. He noted Public Works needs to be here every day. He discussed options where they would work ½ days on Friday. He stated the union office would provide a letter verifying that overtime would not be paid for the ½ days on Friday. He also discussed possible hours.

De La Vega asked if a letter can be taken as an amendment to a contract. Penberthy stated it would be a question of enforceability and who would object.

De La Vega asked if a formal amendment to the contract would be needed. Penberthy stated the letter would be the amendment. Another way to do it would be to renegotiate the contract and vote on it as the union and City Council. He stated that would be the proper way to do it.

De La Vega stated this is the second year of the contract. He was concerned this would be considered a reopener. Kohlmann stated if they do the trial and support, it would likely get negotiated into the next contract.

De La Vega stated another issue is overtime might need to be redefined. Penberthy stated if the letter states the new hours, there will be no overtime based on the new schedule. Kohlmann asked that the letter be sent to him as soon as possible for the next agenda.

Grothe asked when negotiations would be opened for the new contract. Kohlmann stated there is one more year on the contract.

I. MN Warn

Bowman presented a PowerPoint presentation on the MN Warn program. He explained it is a very good program to participate in. He stated it is an agency response network to support state-wide response to emergency and natural disasters. It is a way to get equipment in case of an emergency. He stated it would be helpful during a windstorm event, as an example. He asked for the Council's interest in moving forward on such a program. He noted there isn't a cost for the program. He stated cities that belong are not obligated to participate if there is an emergency.

Clapp asked if there are any Lake Minnetonka cities that are currently members. Bowman stated he would check that out.

Bowman stated the League and Rural Water Association sponsor this.

De La Vega asked if this would be exempt for overtime pay. Bowman stated if we are interested, he can get more information from the League's website.

Clapp asked if we would loan out our equipment. He stated there would be some liability involved. Bowman stated it would be our liability if something happens.

De La Vega stated he would like to look at it more closely. Anderson stated he would like more information on what cities are members in this area.

J. Wellhead

Bowman stated an inspection will be conducted on Well No. 1. He reviewed possible quotes received for repairs, if any deficiencies are identified. The low quote was received from Keys Well Drilling Co. in an average quoted price of \$48,330.

Anderson moved to approve the low quote from Keys Well Drilling Co. in an average amount of \$48,330. Clapp seconded the motion. Ayes 5. Motion carried.

K. SLMPD Code Enforcement

Kohlmann stated an e-mail has been received from Chief Siitari relating to proactive code enforcement. The Chief is in favor of proactive code enforcement without adding an added expense. Kohlmann stated the City

currently does reactive code enforcement. He discussed possible costs involved with any possible court action.

De La Vega stated this will be an item on a future SLMPD Coordinating Committee agenda. He stated this is the first time we have had a Chief who is willing to do this with current costs. If we should have a special situation, we may be able to get the assistance we want without an additional charge. He stated he likes the idea in concept. He stated no one has ever indicated this is an issue for our City. This will also give the CSOs something to do. He supported it.

Kohlmann stated we were offered to set up a separate contract for speed enforcement when there were complaints on Birch Bluff Road.

De La Vega stated some action will be taken at the Coordinating Committee. Penberthy asked if some kind of allocation of resources could be provided showing what the results of the program might be over a one-year period.

10. MATTERS FROM THE FLOOR

None

11. REPORTS

- A. **Administrator** – Kohlmann stated he received an e-mail from Jim Grube, County Engineer. He is proposing putting up orange fencing along County Road 19 in the area where there were fishing problems in 2014. Clapp stated he is opposed to orange fencing in that area. De La Vega suggested just letting the weeds grow up in that area. He stated we don't have any jurisdiction over what they can and cannot do. Ansari stated she supported the request. It's not attractive, but it is a statement. Clapp stated he would prefer doing what was done last year with signage. Councilmembers discussed the request. Council agreed to the fencing request
- 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 protesters from Black Lives Matter were in Excelsior recently disrupting Sunday brunches at several of the Excelsior restaurants.

12. ADJOURNMENT

There being no further business, it was moved by Anderson to adjourn the meeting at 8:14 p.m. Clapp seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk