

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING June 26, 2012

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, De La Vega, Anderson and Holscher. Also present were City Administrator Kohlmann and City Attorney Penberthy.

3. APPROVAL OF AGENDA

Marceau moved to approve the agenda as amended: add Item 9F, City Hall Monument Lighting. Holscher seconded the motion. Ayes 5. Motion carried.

4. CONSENT AGENDA

De La Vega moved to approve the consent agenda as presented approving the regular meeting minutes of June 12, 2012 as written. Holscher seconded the motion. Ayes 5. Motion carried. Holscher questioned the payment to Metropolitan Council and if it is taxpayer money. Kohlmann stated it is included in the quarterly utility bills. Holscher stated she is unhappy with the lack of maintenance happening given the recent spill in June. Marceau approved the Accounts Payable as submitted. De La Vega seconded the motion. Ayes 5. Motion carried. De La Vega moved to approve Resolution 12-16, Gammill Variance Request and Resolution 12-17, Root-Heinemann Variance Requests. Marceau seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

A. Kathy Aanenson, 120 Lakeview Avenue requested the City to enforce any ordinances for the business that is running on the fire lane near the Caribbean. She stated it operated there about ten years ago. She noted there are problems with public urination, indecent exposure, traffic, parking, and boat trailers.

B. Mr. Kincaid, Marina Employee discussed his concerns about not being able to access his rental space at the Caribbean because of the business. He stated the business owner has threatened people, and they tie up the boat launch area. He stated he has contacted SLMPD, and they don't get there in time.

C. **Steve Jones, 130 Lakeview Avenue** stated there have been multiple complaints to the police. He confronted Mr. Pittel several weeks ago and was told the business would be operated all summer long. He then proceeded to threaten Mr. Jones.

D. **Andrea Jones, 130 Lakeview Avenue** asked if this is even allowed on the fire lane. She wasn't clear if the City received any financial compensation from the business operation. LaBelle stated there is no financial compensation. He stated it is not as easy to restrict access on this fire lane. He noted this issue came up before, and Mr. Pittel was asked to do the training somewhere else. He stated this will be turned over to staff and the legal counsel to see if there are any options to regulate this operation.

Mr. Kincaid was concerned about what liability Mr. Pittel would have in the case of an accident. Holscher asked that SLMPD be asked to send a plain clothes police officer to the site. A member of the audience stated the SLMPD is understaffed and has three officers on duty on Saturday afternoons. Holscher stated she sympathized with the residents and hoped that the Council and staff could come up with solutions. Councilmembers and members of the audience discussed fire lane usage. LaBelle directed staff and the City Attorney to look into this to see if it can be regulated to some degree. He asked those present to contact the City Administrator with any questions.

6. **SPECIAL BUSINESS**

None

7. **PUBLIC HEARINGS**

None

8. **OLD BUSINESS**

None

9. **NEW BUSINESS**

A. **Renew Assessing Contract** – Kohlmann reviewed a 2-year assessing contract renewal with William Davy and asked for a motion to allow the Mayor and City Administrator to enter into said contract renewal. De La Vega stated he would support renewing the contract as Mr. Davy has been doing a good job. **Marceau moved to authorize the Mayor and City Administrator to enter into a contract for 2-year renewal with William Davy. De La Vega seconded the motion. Ayes 5. Motion carried.**

B. **Budget Timeline – Schedule Worksessions** – Kohlmann reviewed proposed dates to review the proposed 2013 budget and enterprise funds. **Marceau moved to approve the budget timeline and schedule the following worksession**

dates at 6 p.m.: August 15 and 28, September 11 (if needed), and November 13. Holscher seconded the motion. Ayes 5. Motion carried.

C. Antenna Leases – Kohlmann stated we have received the reassignments from current lessees. He stated a history of the antenna leases has been provided for review, anticipated revenue, and revenue proposed by the reassigned lease company. Kohlmann asked if the City should continue pursuing the reassignment opportunity and prepare a lease agreement. Holscher asked what needed to be firmed up. Penberthy stated his memo spells out the details of elements that will still need to be addressed. Marceau stated we need a contract that gives up some “wiggle” room and spells out actual amounts. The second issue is whether this is something we even want to do. LaBelle stated he favored selling it, but he didn’t know if it was the right dollar amount. De La Vega stated he liked monetizing it and being out of that business. He was concerned, however, about the changing technology. LaBelle suggested going back to see what the next version will look like. He stated he would like to see more money up front.

D. Investments – Kohlmann stated the investment policy has been amended to change percentages. Some of the major issues to consider are general obligation bonds and revenue bonds. De La Vega questioned whether high risk investments should be included in the resolution. Kohlmann stated they are restricted in a manner that they are almost impossible to be investments the City could use. In response to a question from LaBelle, Kohlmann discussed the highlights of the investment policy. De La Vega asked what the total percentage of our proposed investments will be. Kohlmann stated it would be \$1.3 million today. Councilmembers discussed options. Marceau stated the investment policy is much stricter than what state statute allows. He stated a decision needs to be made. The funds need to go somewhere. Following discussion, Council concurred they would be comfortable with no more than \$500,000 be allocated to general obligation and revenue bonds. **Holscher moved to adopt:**

**RESOLUTION NO. 12-19
A RESOLUTION ESTABLISHING INVESTMENT PROCEDURES AND
INVESTMENT POLICY**

De La Vega seconded the motion. Ayes – LaBelle, Holscher, Anderson, Marceau and De La Vega. Motion carried.

De La Vega moved to commit no more than \$500,000 toward general obligation bonds, revenue bonds, and new types of investments other than CDs. Holscher seconded the motion. Ayes 5. Motion carried.

E. Adopt Resolution Accepting Donation – Larry Murray – Kohlmann stated after review, Kluver is recommending a certain amount of routine maintenance be done and the donation not be accepted. Marceau stated it is important to honor staff's recommendation. De La Vega stated Murray would like the strip of road to be more open like it used to be and stated there is damage being done to the road by the trees tipping over. He stated Murray's intent is to not have any other residents pay for it. De La Vega stated if someone wants to give us money to improve the City, we ought to accept it. He suggested a letter be sent to Murray asking to what extent he would like to help financially. Holscher stated she is not in favor of doing a clear cut, and she opposed the donation. Marceau stated he prefers to go with staff's recommendation. Councilmembers discussed the wording of the letter to Mr. Murray. **Marceau moved to not accept the \$500 gift. Holscher seconded the motion. Ayes – 4-1. De La Vega voted against the motion. Motion carried.**

F. City Hall Monument Lighting – Kohlmann reviewed two light fixtures proposed for the monuments at City Hall. De La Vega discussed the design details for the various fixtures and prices. Councilmembers discussed fixture choices. De La Vega stated it would take 4-5 weeks to get the fixtures. **Marceau moved to approve the \$294.80 cost for each light. Holscher seconded the motion. Ayes 5. Motion carried.**

10. MATTERS FROM THE FLOOR

None

11. REPORTS

A. Administrator – no report

B. Holscher – Building Inspections, Municipal Buildings and Grounds, LMCC, Southshore Senior/Community Center - Holscher stated she attended an executive meeting with LMCC and would like the program director to feature the sport court and the new lights at City Hall.

C. Anderson - Technology, Fire Lanes and Public Access – no report

D. De La Vega – EFD Board, Parks and Playgrounds, Sanitation and Recycling, LMCD – no report

E. Marceau – Finance, Commercial Marinas, Municipal Docks – no report

F. Attorney's Report – no report

G. LaBelle - Public Works, SLMPD Coordinating Committee, Administration – LaBelle reported on the recent SLMPD Coordinating Committee meeting and review of a proposed budget.

12. **ADJOURNMENT**

There being no further business, it was moved by Marceau to adjourn the meeting at 8:15 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk