CITY OF TONKA BAY
ITEM NO. 4A

MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
November 26, 2013

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 was City Administrator Kohlmann.

3. **APPROVAL OF AGENDA**
Clapp moved to approve the agenda as submitted. Anderson seconded the motion. Ayes 5. Motion carried.

4. **CONSENT AGENDA**
Anderson moved to approve the consent agenda as presented approving the regular meeting minutes of November 26, 2013 as written. Ansari seconded the motion. Ayes 5. Motion carried.

5. **MATTERS FROM THE FLOOR**
None

6. **SPECIAL BUSINESS**
None

7. **PUBLIC HEARINGS**
   A. **First Reading – Amend Section 402 – Fee Schedule**
   Kohlmann stated the proposed fee schedule has been provided for review. The major change is to the garbage and recycling fees. The connection charges will be available at the December meeting.

   De La Vega stated he would like Council to look over the revenue side of the budget. The items on the fee schedule are part of the revenue stream. He stated more attention needs to be paid to whether the fee covers the cost of the work done. He noted not much has been done about fees over the last few years.

De La Vega noted the worksession minutes were not listed under the consent agenda.

Anderson moved to approve the worksession minutes of November 26, 2013 as amended: Page 2, change sentence to read: Council concurred with the 5% increase. Ansari seconded the motion. Ayes 5. Motion carried.

B. Certify Utility Bills to Property Taxes

Kohlmann noted this is a public hearing. The unpaid bills are certified to the County at 8% interest.

Clapp asked what the other fees refer to. Kohlmann stated it would refer to anything other than utility fees that needs to be certified. He stated he would find out and send out an e-mail.

Anderson moved to adopt:

RESOLUTION NO. 13-24

A RESOLUTION FOR THE COLLECTION OF DELINQUENT 2013 WATER AND SEWER UTILITY SERVICE CHARGES, GARBAGE AND RECYCLING CHARGES, STORM DRAINAGE CHARGES AND MISCELLANEOUS FEES

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

8. OLD BUSINESS

None

9. NEW BUSINESS

A. Lot Split/Combination

Kohlmann reviewed the request to split 50 West Point Avenue so that the property owners at 40 and 60 West Point Avenue will split the lot into two.

De La Vega invited the applicants to speak to the request.

Tom Noll, 60 West Point Avenue was present to answer any questions.

De La Vega asked about the time frame under which the home at 50 West Point Avenue would be demolished. Noll stated it depends on the

approval by the bank of the purchase offer. He noted they are probably a couple months out and would definitely demo the house by late spring or early summer.

De La Vega stated the final approval would be held up until the purchase is approved. He stated the change to separate property ID numbers must also be handled by the property owners.

De La Vega noted the front footage at the street will now meet Code requirements. The lots will still be undersized.

Kohlmann suggested a date for the demo completion be added to the resolution. De La Vega stated if the date is not met, this issue will be revisited.

Council and the applicant discussed the demo process and timing of road restrictions.

De La Vega asked the applicant to set a date for the demolition. Noll suggested June 15 because of issues which might arise from the short sale process.

Clapp asked what the plans are for the property. Noll stated for the next several years, it will remain as yard. The Sturgeons do not plan to change their property at all.

De La Vega stated the Council is in agreement this request should be approved and a resolution will be approved at the next meeting.

B. <u>LMCC</u>

Kohlmann stated a letter was sent to the LMCC indicating our intention to withdraw. He stated the City has until December 15 to make this a fact. He stated if we do stay in the LMCC, we should approve the JPA amendments which have been reviewed by the City Attorney.

Grothe stated there are eleven cities remaining in the LMCC. He stated we may be one of the last to approve the JPA amendments. He didn't see a lot of the other changes happening. He discussed the issues involved should the City go out on their own.

Grothe stated as the City's representative, he is unsure what the

subscribers want. Council discussed the fact that no one has complained about cable services lately. They also discussed franchise fees.

Grothe noted the resolution to have assets returned to the City was voted down.

De La Vega stated we were supposed to see a legal opinion related to the return of assets and asked what the status is of the request. Grothe explained the LMCC attorney's opinion that money cannot be returned.

Council discussed whether to remain in the LMCC. De La Vega noted if we don't leave now, we will have to wait for two years. Grothe stated if we do go on our own, someone will have to do some level of accounting in order to get a check from Mediacom for subscribers. Any issues must also be resolved. The next step would be to determine what needs to be done to upgrade to provide videotaping of meetings. De La Vega stated if we are going to leave, we need to make the commitment to provide the meetings as a web-based service.

Clapp asked if a motion is needed to withdraw. Kohlmann stated the only action needed is if we want to rescind the withdrawal.

Following discussion, De La Vega stated we should stay as we are with our letter of withdrawal affirmed.

C. **De-icing Permits**

De La Vega stated this is an annual permit request for three locations. Anderson suggested the City also complete one. Kohlmann stated we needed one just once and may not need one this year. He stated we can always come back for one.

Anderson moved to approve the 2013 de-icing permit renewals. Grothe seconded the motion. Ayes 5. Motion carried.

D. **Robin Bowman**

Kohlmann stated Robin Bowman has successfully completed his six month probationary period. He recommended the probationary status be lifted. He will also receive a salary increase.

Anderson moved to lift the probationary status of Robin Bowman. Clapp seconded the motion. Ayes 5. Motion carried.

E. EFD Firefighters Relief Association

Kohlmann outlined the basic mechanics of the EFD Firefighters Relief Association. He noted there are two issues – would we support a $250 increase and resolving long term funding issues.

Ansari stated this is a complicated issue. Salary increases are always major concerns. She stated Council should craft their position on the issues. She stated the request is to provide a $250 per year increase for firefighters. She noted De La Vega has pointed out the pension has reached a funding ratio whereby there is a cushion now in order to protect cities. She stated it is usually self-sustaining. When we make this decision, we are increasing our liability. The pension fund has increased and is based on the market.

De La Vega noted the pension is not vested until a firefighter has been there for twenty years. He noted every time we increase it is, the assets in the stock market have to work harder. The cities guarantee any shortfalls but not participate in how the pension funds are invested. He liked the concept of smaller incremental increases based on the performance of the assets. He is not in agreement it should be a slam dunk deal.

Anderson asked why it has to be retroactive. De La Vega stated it is a State mandate.

De La Vega stated this is a great program for retention but did not believe it was a great program for recruitment.

Clapp asked if there is a need for firefighters right now. De La Vega stated we have 46 and are approved for 50. Ansari stated about half of them are fully vested.

De La Vega asked if the Council has any suggestions to add to how the process is calculated. He explained how the process is currently determined. He noted the most solid numbers are available in July. He would like to set a solid date as part of the process. He also believed the fund should be managed by professionals and not volunteers. He believed this amount of money needs active management. Ansari stated they have interviewed a few companies to move in that direction at some point.

De La Vega stated going forward if the cities have to make up the difference, those monies should be subtracted out of the assets before any percent funding is done. If there is a mandatory contribution, he would recommend an increase not be awarded for at least two years.

Grothe questioned why there should ever be an increase. De La Vega stated the cities are the safety net. He stated this puts the cities at too big of a risk with lack of control.

De La Vega stated he would also like to see a cap and focus on the current income to recruit. He stated being in the top ten is great. He would like to set a ten percent ceiling.

Ansari stated we are pro-firefighter. We are suggesting a more conservative approach than some of the other cities so it does not spin out of control.

De La Vega stated he proposed changes to funding percentages on the chart which would begin at 115% rather than 110%.

De La Vega discussed the goals of the pension fund.

Council discussed inflation and stock value and its relation to the pension fund and where to go from here.

De La Vega suggested implementing an increase only if there is an agreement acceptable to us.

10. MATTERS FROM THE FLOOR

None

11. REPORTS

A. Administrator – Kohlmann stated he talked to the City Attorney about the uniform animal ordinance. He noted adjustments are being made by the other cities, and Tonka Bay will look at it once all their changes have been made. He suggested the City Council talk to pet owners to get their input on current regulations. Council discussed the current ordinance.

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

C. **Ansari – EFD, Sanitation and Recycling, Southshore Community Center** – Ansari asked the Council to complete the Southshore survey at their earliest convenience.

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** – absent

G. **De La Vega - Public Works, SLMPD, Administration** – De La Vega reported he and Kohlmann attended the SLMPD Coordinating Committee. He stated we are on the agenda to get approval for two cities to not approve the budget in order to have it go into default.

12. **ADJOURNMENT**

There being no further business, it was moved by Anderson to adjourn the meeting at 8:45 p.m. Clapp seconded the motion. Ayes 5. Motion carried.

Attest:

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Clerk