

# CITY OF TONKA BAY ITEM NO. 4B

## MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING August 15, 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, City Attorney Penberthy, and Public Works Superintendent Kluver.

### 3. APPROVAL OF AGENDA

**Marceau moved to approve the agenda as submitted. Holscher seconded the motion. Ayes 5. Motion carried.**

### 4. CONSENT AGENDA

**Marceau moved to approve the consent agenda as presented approving the regular meeting minutes of July 24, 2012 as written. Holscher seconded the motion. Ayes 4-0-1. De La Vega abstained from the vote due to absence from the meeting. Motion carried.**

### 5. MATTERS FROM THE FLOOR

None

### 6. SPECIAL BUSINESS

**A. SLMPD Budget** – Chief Litsey was present to review the proposed SLMPD budget for 2013. He highlighted the following: discussion of the budget process with the Coordinating Committee, the new ability to track the budget process on the SLMPD website, determining what will sustain current operations in order to create a budget, majority of the increases being market driven (cost of gasoline, utility costs, etc.), labor costs and union contract for 2012-2013, transitioning to a new records management program, declining revenue sources and increasing personnel costs. Litsey explained the budget was approved at the Coordinating Committee level, and Tonka Bay's share will increase a little over two percent. He stated three of the member cities have approved the budget. Holscher questioned the jump in insurance rates. Litsey stated they are not contributing additional amounts for insurance increases for employees. De La Vega asked if there is something in the union contract to allow employees to take comp time or overtime pay. Litsey explained the current policy which gives staff members an option in

some cases. **Marceau moved to adopt:**

**RESOLUTION NO. 12-22  
A RESOLUTION APPROVING FUNDING AMOUNT  
FOR THE 2013 SOUTH LAKE MINNETONKA  
POLICE DEPARTMENT BUDGET**

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

**B. SLMPD – Capital Facilities Plan** – Chief Litsey stated the creation of a Capital Facilities Plan has been an ongoing effort by the Coordinating Committee. He stated the official name is now the Capital Replacement Fund to avoid confusion. He stated a proposal was presented in July which outlined future needs and how these needs would be dealt with. He noted this only deals with the SLMPD portion of the building. He discussed how each City would be funded. He explained the money would go into a special fund that would only be used for building needs. He stated \$10,000 has been suggested which was approved by Excelsior and Shorewood at their City Council meetings who felt the debt service formula was the best way to calculate contributions. LaBelle stated when the building was constructed, no one wanted to bring up the subject of a CIP. He stated this is the first step toward getting the ball rolling. He suggested this be carried over to the first meeting in September to allow time to consider the fund and submit questions to the City Administrator.

**C. Bureau of Criminal Apprehension – JPA Amendment** – Kohlmann stated we were notified by the BCA that a resolution needs to be adopted to allow the SLMPD and prosecuting attorney to file motions electronically. Any minimal costs have been covered by the prosecuting attorney. Litsey noted the BCA will not enter into any agreements with the attorneys and have mandated that the cities enter into the agreements. He explained how the programs work and discussed time saving capabilities. He stated it will free up staff time and reduce paperwork. De La Vega stated the agreement notes the City will pay the cost of the network connection. Litsey noted the cost has been paid by the prosecuting attorney at this point. He explained the reason why the city is indicated as responsible party for payment. De La Vega questioned the language in the resolutions. Litsey explained why the contact persons are different in the SLMPD resolution. De La Vega asked if the SLMPD has calculated how many hours will be saved as a result of the e-charging capabilities. Litsey stated an actual review has not been done although just eliminating trips downtown is worthwhile. In response to a question from Holscher, Litsey discussed any additional fees. He noted training has been provided at no cost at this point. He stated the system will also tie into their new records management program. **Marceau moved to adopt:**

**RESOLUTION NO. 12-23**  
**A RESOLUTION APPROVING STATE OF MINNESOTA**  
**JOINT POWERS AGREEMENTS WITH**  
**THE CITY OF TONKA BAY ON BEHALF OF ITS**  
**PROSECUTING ATTORNEY AND POLICE DEPARTMENT**

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

**7. PUBLIC HEARINGS**

None

**8. OLD BUSINESS**

**A. North Waseca Fire Lane** – Kohlmann reviewed maintenance costs of the North Waseca fire lane. He stated a legal opinion has been provided by the City Attorney on what can and cannot be done at the fire lane. He reviewed the major issues which are the lack of restroom facilities and use by commercial operations. LaBelle stated this is a very complicated issue as this is considered a public street. Marceau stated it is complicated and suggested a committee be created to try to hash out some sort of resolution to the issue. De La Vega agreed. He believed the group could meet and find solutions for the issues raised. He stated compromise is necessary. Marceau stated he would be willing to be on the committee. De La Vega stated he would also volunteer to be on the committee. LaBelle stated he preferred the term “task force” and suggested a time limit be set as well to solve the issues. De La Vega stated it isn’t clear what can and cannot be done on a fire lane. LaBelle stated it appears that pedestrian traffic is not allowed on the fire lane. Holscher stated she also liked the idea of a task force. Kathy Aanenson offered to represent the neighborhood. Ken Pittel also agreed to be on the committee. **Marceau moved to create a task force consisting of himself, De La Vega, Ken Pittel and Kathy Aanenson. De La Vega seconded the motion. Ayes 5. Motion carried.**

**9. NEW BUSINESS**

**A. EFD Budget** – Kohlmann stated Tonka Bay’s share of the EFD budget for 2013 will decrease. De La Vega stated the decrease will be approximately \$5,000. He discussed the fire fighters pension fund which must be 100% funded every year. He noted there were funds within the department to cover those expenses this year. He noted costs are being held down, resources are improving, and personnel are being kept. He recommended the budget be approved. **De La Vega moved to adopt:**

**RESOLUTION NO. 12-24**

**A RESOLUTION APPROVING 2013  
EXCELSIOR FIRE DISTRICT BUDGET  
AND CAPITAL EQUIPMENT PLAN**

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

**B. Tort Liability** – Kohlmann stated this is an annual request. The City has always chosen to not waive tort liability statutory limits. **De La Vega moved to authorize the City Administrator to execute the form stating the City does not waive tort liability statutory limits. Marceau seconded the motion. Ayes 5. Motion carried.**

**C. Public Information Policy** – Kohlmann stated the State of Minnesota has mandated that cities adopt data access policies. He noted there will be a procedure to follow when someone asks for information from the City. **Marceau moved to adopt:**

**RESOLUTION NO. 12-25  
A RESOLUTION ADOPTING DATA ACCESS POLICIES  
FOR DATA SUBJECTS AND MEMBERS OF THE PUBLIC**

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

**D. City Hall Brick Repair** – Kluver reviewed the request for brick repair on the city hall building which was identified by the company who did recent repairs to the exterior site. He reviewed estimates to complete the work. He recommended the low bid from Mohler Chimney be approved for a cost not to exceed \$3500. **Marceau moved to approve the low bid from Mohler Chimney in the amount of \$3500 with funding from the General Fund building account. Holscher seconded the motion. Ayes 5. Motion carried.**

**E. Satisfaction of Repayment Agreement** – Kohlmann stated this is a request from Hennepin County for execution of a satisfaction of repayment agreement. **De La Vega moved to authorize the Mayor and City Administrator to execute the satisfaction of repayment agreement for a Tonka Bay residence. 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 a meeting of the LMCC and recommended the sport court be filmed. LaBelle noted he was interviewed recently.
- 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 – no report

12. ADJOURNMENT

There being no further business, it was moved by Marceau to adjourn the meeting at 8:07 p.m. Holscher seconded the motion. Ayes 5. Motion carried.

Attest:

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Clerk