

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING March 22, 2011

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

Holscher moved to approve the agenda as submitted. De La Vega seconded the motion. Ayes 5. Motion carried.

4. CONSENT AGENDA

Marceau asked about the uniforms and whether it is included in the union contract. Kohlmann stated they are budgeted items that are not a part of the union contract. Kluver noted staff launders their shirts, and there is a company that launders the pants. Marceau moved to approve the consent agenda as presented approving the regular meeting minutes of March 8, 2011 and Accounts Payable. De La Vega seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

None

6. SPECIAL BUSINESS

A. South Tonka Little League (STLL) Proposal – Kohlmann reviewed a proposal from South Tonka Little League to donate fencing and assorted other items to Manitou Park. Grant Leum, STLL stated the proposal is basically minor modifications to the field to allow it to be used by two different age levels. He noted the field is currently set up to be used by Little League players, and this will allow use of the fields for up to 13-year-olds. The two organizations, South Tonka Little League and the traveling baseball association are working together on the project. He noted STLL put in roughly \$25,000 of improvements to the field in 2010. In response to a question from LaBelle, Leum discussed the improvements which were completed in 2010. He noted the Little League will begin with the spring clean-up in a couple weeks. LaBelle thanked the STLL for the

great work they have accomplished at the park. He didn't have an issue with any of the work that has been done. He asked Kohlmann for clarification of the warning track. Kohlmann stated it is something that was discussed as there is not much of one there now. Leum stated it is basically a strip of ag lime out by the outfield fence. It has become so overgrown due to lack of use. Once cleared, additional ag lime may be all that is required. He noted most Little League fields don't have warning tracks. LaBelle asked about a recommendation for a handicapped accessible satellite at this site. Kohlmann stated the Park Committee brought this up as a possible future improvement because of the increased usage at the park. De La Vega asked if the STLL helps to pay for any satellite use at other parks they are involved with. Leum stated the city typically pays for the rental. De La Vega stated the Committee also raised concern about the location of the satellite and possibly moving it closer to the field. Leum stated it would be helpful to have a satellite closer to the field. De La Vega asked if the League would be willing to share in the cost of the satellite. Leum stated he would find out and let the City know. Kløver stated the problem would be servicing the unit. It would be too difficult for the truck to service it if it is not located next to the parking lot. The relocation suggestion was abandoned. **Marceau moved to adopt:**

Resolution 11-06

A Resolution Authorizing Execution of an Operating Agreement, And Accepting a Gift to the City from the South Tonka Little League

as amended – change warning track to ten feet on the attached Exhibit I. Anderson seconded the motion Ayes – De La Vega, LaBelle, Marceau, Anderson and Holscher. Motion carried.

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

A. Municipal Dock Policy – Kohlmann presented the latest version of the Municipal Dock Policy with comments taken from the City Council and Municipal Dock Task Force. He noted the major changes involved addressing rental to corporations, cleaning propellers, as well as language consistent with the general licensing and permit provisions ordinance. Staff has also included a waiting list portion and permitted boat sizes as an addendum. He asked the City Council for their input. LaBelle stated under the addendum in Section 2 it stated notices are mailed is in the section twice. He also stated "allocated" should be changed to "offered". He believed the finished policy is great. He did have one call relative to the size of the boats. De La Vega stated under "Definitions" under "Length", he believed the last sentence seems to be more specific than necessary. He asked if it could be amended to read: 'boat length will be verified by

city staff when a boat length is in question'. He also said under "Owner", he would like to continue to say 'may not be registered unless they get approval by the City Administrator'. Under "Renter", in the last phrase we are really concerned with watercraft at the docks and not the entire Lagoon Area. Councilmembers discussed the definition of "Lagoon Area". De La Vega stated under Subdivision 3, said permit shall be "revoked" should be changed to "reviewed", because we can't revoke it until we have reviewed it first. Penberthy stated that it a good idea. He indicated what we were trying to do was take the responsibility away from the Administrator so he is not on the front line revoking someone's permit. On the other hand, if the City Council says there is a violation, it would be okay to say "review", but we would need to say something about "revocation" as well. De La Vega stated under the start and termination of the season, the word "after" before May 1 should be removed as it is unlikely there will still be ice in May. De La Vega stated under prohibited activities, under Item d, the last sentence should be a separate item. He didn't believe that Item j can be enforced and should be removed. Anderson stated it is a duplication of Item o. De La Vega stated the last item under violations, the last part of it should be changed from "designated" slip to "assigned" slip. The last part, "renter will be liable for all other expenses for boat removal" is vague and should be rewritten to read "renter also agrees to all other expenses incurred by the City for the boat removal, storage and related costs". Under the Addendum, the last sentence should be removed. LaBelle stated it makes it clear the applicant does not have to renew every year. De La Vega stated Item 3 where it discusses renters of slips 1-3 and 10-15 brings up an issue he wasn't clear about. He asked about what happens when one of those slips is refused and they go to a secondary list the following year – would we go to the secondary list after the regular waiting list names or before. LaBelle stated the intent was to give the secondary list names first priority. Councilmembers discussed the two waiting lists and priority. De La Vega stated the language should be rewritten to make it clear. Kohlmann stated slips 10-15 would have first shot, then slips 1-3, and then the secondary waiting list would be the priority. Marceau suggested slips 1-3 be made more desirable by lowering the price. LaBelle stated it is something that should be discussed next year. De La Vega asked if those who go back to the bottom of the waiting list would retain their start date. LaBelle stated they would start over with a new start date. De La Vega asked if there were any provisions for those on the secondary waiting list to go to the bottom of that list if they are not ready. Marceau stated they should go to the bottom of the original waiting list if they are not ready for a slip for a larger boat. De La Vega stated designated "boat" size limitation in the last item in the Addendum should be amended to read designated "slip" size. De La Vega suggested clarifying the waiting list process. LaBelle stated it would be reworked and brought back to the City Council.

9. NEW BUSINESS

A. Capital Equipment – F-550 Truck – Kluver stated the 2011 Capital Improvement schedule has budgeted for a new F-550 truck and plow equipment. He

stated there will be two proposals – one for the cab and chassis and another for the plow equipment. Once ordered, the truck will be available in fourteen weeks and will then have the equipment installed. The 1995 Chevrolet one-ton truck will be traded in. He reviewed the bids received from Midway Ford in the amount of \$32,933.51 for the cab and chassis and the bid from Aspen Equipment for the plow equipment in the amount of \$33,946.71 for a total of \$66,880.22. Kluver noted the trade-in allowance is \$6,000. De La Vega asked if that is a reasonable amount for the trade-in. Kluver stated it is a reasonable amount. **Marceau moved to accept the state bids from Midway Ford in the amount of \$32,933.51 and Aspen Equipment in the amount of \$33,946.71 with funding from the Capital Improvement fund. De La Vega seconded the motion. Ayes 5. Motion carried.**

10. **MATTERS FROM THE FLOOR**

None

11. **REPORTS**

A. Administrator – Kohlmann stated a Facebook page has been created for the City of Tonka Bay. Only one change that will be made would be to delete the comments section under each topic. He noted a lot of cities currently have Facebook pages. De La Vega stated it is becoming more and more popular. Holscher stated she believed the comment section should be removed in order to not violate the open meeting law. LaBelle stated if we know not to comment, then it shouldn't be a problem. Kohlmann stated the folder for the Local Board of Appeals has been provided for review.

B. Holscher – Buildings, Building Inspections, Fire Lanes - no report

C. Anderson - Animal Control, LMCC, Technology, Southshore Center – no report

D. De La Vega – EFD, Parks, Sanitation, and LMCD – De La Vega stated an EFD meeting will be held March 23 to discuss the year end for 2010.

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

F. Attorney's Report – no report

G. LaBelle - Public Works and SLMPD – no report

12. **ADJOURNMENT**

There being no further business, it was moved by Marceau to adjourn the meeting at 8:10 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk