

**MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
March 8, 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 and City Attorney Penberthy.

3. APPROVAL OF AGENDA

De La Vega moved to approve the agenda as submitted. Marceau 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 February 22, 2011. Marceau seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

None

6. PUBLIC HEARING

None

7. SPECIAL BUSINESS

None

8. OLD BUSINESS

None

9. NEW BUSINESS

A. Linder's Temporary-Seasonal Sales Permit – Kohlmann stated staff contacted Linder's regarding their permit request as directed at the last City Council meeting. Since that time, the applicant has spoken to the adjacent property owner and is in attendance tonight. They feel they will be able to work out an agreement. The site plan has not been modified from the last meeting, but they believe they will scale down the site plan and add some hay along the site. **Ciao Cella, Linder's Greenhouses** stated they will try to contain the drainage as much as they can so they don't drain to the bowling alley site. **Marceau moved to approve the temporary-seasonal sales permit for Linder's Greenhouses as submitted. De La Vega seconded the motion. Ayes 5.**

Motion carried.

B. Commercial Marina Licenses – Kohlmann reviewed the three renewal applications for commercial marina licenses. Staff did a site inspection and was unable to locate any alterations from the previous year's applications and recommended approval of the licenses. De La Vega stated the site map for Lindbo Landing is not up-to-date as far as the parking, entrance, and exit are located. He would like to have an updated site plan for the record. He noted the parking, entrance, and exit as noted are no longer in existence. Holscher stated she also has questions about the relevancy of this plan and would like to see something more up-to-date. Kohlmann stated he can look back and verify the site plan with what is out there today. If it is out-of-date, staff can request a new site plan be provided. Penberthy stated it is up to the Council to determine whether a site plan would be required. Holscher stated an up-to-date site plan would take care of what the Council is looking for. **Marceau moved to approve the commercial marina license renewals and request Lindbo Landing to provide an up-to-date site plan. Holscher seconded the motion. Ayes 5. Motion carried.**

C. Municipal Dock Policy – Kohlmann stated a draft version of the municipal dock policy is in the packet for Council review. Staff is looking for approval of sizes for the boats. The task force is recommending a length of 27' overall with a registration showing no greater than 26' long and a fraction no higher than 26' 11". He noted slips 11-15 would remain at 24'4". Those are subject to change once the area is surveyed. One through three would remain at 21', and #10 would be 26'. He noted of the five in spaces 11-15, four of them want to remain where they are. LaBelle stated we need to determine if a slip becomes available during the year if those in slips 1-3 are offered the space or does it go to the waiting list. De La Vega stated based on the current policy, the current renters are given the first option. LaBelle stated there also needs to be a way for someone who is offered 1, 2, or 3 and has a boat that is too large can hold their position on the top of the waiting list. De La Vega stated he and Kohlmann talked about the fact that the City maintains the right to assign slips. He suggested setting up a separate waiting list for those unique cases. LaBelle stated now is the time to anticipate any instance and rewrite the policy right. He suggested adding in the policy that you have the right to reject spaces 1, 2, or 3 and remain at the top of the list. Penberthy asked what about making that motion at the Council level. LaBelle stated he would rather defer that decision. Marceau suggested sending an e-mail to all the task force members to get their input. LaBelle asked if a motion should be made on the boat sizes. Kohlmann indicated there are a couple of renters who are waiting to hear how large a boat they can have. LaBelle suggested giving staff the direction they are looking for regarding boat sizes. We should take time to review the dock policy and get comments back to staff. The Dock Task Force should also be contacted for their input. Councilmembers discussed the boat size for space #10 and determined it should be 26'. LaBelle stated protrusions on boats should also not be allowed. Penberthy stated it should be in the policy and will be added if not. He noted Kohlmann was showing off with his word processor. LaBelle stated

when the Council meets again in two weeks; we should have a dock policy to vote on. LaBelle stated he has a list of things he would like in the policy. Holscher suggested the list be provided to the Dock Task Force. De La Vega stated the issue with larger boats is that they are more expensive, and a situation may arise where a group of people may own it under an LLC. Another instance may arise where a boat is out of service, and another boat is brought in that is owned by an LLC. No conclusions were reached. Marceau stated a boat could also be put into an estate which would not be allowed under our current policy. Penberthy stated if a boat breaks down and someone wants to bring in another one, Council could give staff the power for administrative approval of the new boat. They would have to meet all the requirements the next boating season. Council suggested a waiver provision be added to the dock policy. **Marceau moved to set the following boat size restrictions: 1-3 – 21'; 10 – 26' in the box; 11-15 – 24'.4" in the box; 4-9 and 16-49 – 27' in the box with a watercraft registration showing less than 27'. De La Vega seconded the motion. Ayes 5. Motion carried.**

10. MATTERS FROM THE FLOOR

None

11. REPORTS

A. Administrator – Kohlmann stated staff is looking in creating a Facebook page for the City. Many cities have them, and we are looking to promote the City in a similar fashion.

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, LMCD – no report

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

F. Attorney's Report – no report

G. LaBelle – Public Works, SLMPD, Administration – no report

12. CLOSED SESSION

LaBelle stated we will now close this meeting because the matters to be discussed constitute labor negotiations under Minnesota Statutes. No further City Council business will be conducted after the closed meeting other than to adjourn.

The following persons will be in attendance at the closed meeting:

Councilmember Anthony Marceau

Gerry De La Vega

Loretta Holscher

Jeff Anderson

Mayor Bill LaBelle

City Attorney Jim Penberthy, and

City Administrator Joe Kohlmann

The subject matter of the meeting will be labor negotiations involving Teamsters Local 320 & the City of Tonka Bay.

13. **ADJOURNMENT**

There being no further business, it was moved by Marceau to adjourn the meeting at 7:55 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk