

# CITY OF TONKA BAY ITEM NO. 4A

## MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING May 11, 2010

### 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, Tessness, Folley, and De La Vega. Also present were City Administrator Kohlmann, City Attorney Penberthy, and Public Works Superintendent Kluver.

### 3. APPROVAL OF AGENDA

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

### 4. CONSENT AGENDA

**Folley moved to approve the consent agenda as presented approving the regular meeting minutes of April 27, 2010. De La Vega seconded the motion. Ayes 5. Motion carried.**

### 5. MATTERS FROM THE FLOOR

None

### 6. PUBLIC HEARING

**A. SWPPP Annual Review** – Kluver gave a short presentation on the city's Stormwater Pollution Prevention Plan. The city is required to hold a public hearing each year to gather public input on the adequacy of the plan. The report is then submitted to the MPCA by June 30 of every year. The Plan outlines the city's approach to meeting permit requirements for several storm water management areas. The permit is good for five years. During this period, the city will implement best management practices to address the areas outlined in the Plan. LaBelle asked if there was anything new or extraordinary that needs to be addressed. Kluver stated the Plan expires in 2011, and staff is looking at how the new rules will impact Tonka Bay. Staff will report back to the Council on how Tonka Bay will be impacted. Tessness asked if there were any goals set in 2004 that have not been met. Kluver reported that all goals have been achieved. LaBelle opened the hearing for public comments. There were none. **Marceau moved to**

**accept the annual SWPPP report. De La Vega seconded the motion. Ayes 5. Motion carried.**

**7. OLD BUSINESS**

**A. South Tonka Little League** – Kohlmann stated staff has met with Grant Leum from South Tonka Little League to discuss maintenance concerns and installation procedures. An agreement is outlined in the packet, and the format will be similar to one that the STLL currently uses with the city of Shorewood. He stated Tonka Bay would use a similar agreement. Kohlmann stated it is important to note the costs outlined at the previous meeting of \$1460 for water costs, maintenance, and mowing. STLL will take care of the water costs, maintain the sprinkler system including winterizing, and the City will mow one time per week. LaBelle asked Leum if he had any additional questions. Leum believed it is a very good plan, and they are getting ready to start the construction at the park once the rain finally stops. De La Vega stated it seems all the expenses identified will be taken care of and there won't be any additional cost to the parks budget. Kohlmann stated the only open issue is the color of the scoreboard. Leum stated they are leaning towards blue. **Tessness moved to accept the donations and authorize staff to enter into the agreement with South Tonka Little League. De La Vega seconded the motion.** Penberthy stated the agreement will be brought back to the next meeting for review. Leum stated they have begun working on what was approved at the April 24 meeting. There are permits that must be pulled as well. Penberthy recommended the agreement be reviewed at the next meeting. Tessness stated he would be comfortable with the Mayor and City Administrator signing off on the maintenance agreement. Penberthy asked if Leum would define what needs to be approved that they would like to start work on. Leum stated they would like to start work on the sprinkler system and scoreboard. The maintenance agreement talks more about field usage and the fall maintenance on the sprinkler system. De La Vega agreed we need to see the formal document. **Tessness moved to authorize installation of the sprinkler system and scoreboard and to authorize staff to create a draft maintenance agreement to be brought back to the next meeting. De La Vega seconded the motion. Ayes 5. Motion carried.**

**8. NEW BUSINESS**

**A. Outdoor Seasonal Sales Permit – Severs** – Kohlmann stated this is a request from Severs Farm Market for a sale of produce at the same location as last year beginning on June 25 and ending August 29. The season is for one week shorter. **Marceau moved to approve the outdoor seasonal sales permit for Severs from June 25 through August 29. De La Vega seconded the motion. Ayes 5. Motion carried.**

**B. 2010 Skidster** – Kluver stated the replacement equipment is identified in the CIP budget. He reviewed the two quotes received. The current equipment has cost the city \$4 a day to operate based on the trade-in allowed. He stated they would like to

purchase a 72" snow blower attachment for the new skidster. The low bid was from Lano Equipment in an amount of \$25,695 minus a trade-in of \$15,195 for a total of \$11,221.88. The snow blower at \$3,986.00 would make the total cost \$15,207.88. The delivery would be between sixty and ninety days. LaBelle asked how the snow blower can be twice as much from another vendor. Kluver noted it depends on the type of snow blower being proposed. De La Vega asked how the money in the budget left over is reapportioned. Kluver noted it would stay in the capital improvement fund. There is another piece of equipment being purchased this year, and the money allotted for the dump truck may not be enough. **Marceau moved to approve the low bid from Lano Equipment for a 2010 New Holland Model LS170 Skidster in the amount of \$11,221.88 and snow blower for \$3,986.00 for a total cost of \$15,207.88. Folley seconded the motion. Ayes 5. Motion carried.**

**C. First Reading – Amend Section 330 – Sign Ordinance** – Kohlmann stated the sign and outdoor advertising has been reviewed to add new technology language. Language allowing electronic changeable copy signs has been added as a permitted use in commercially zoned districts. LaBelle asked where the language came from. Kohlmann stated a lot of the language came from the City of Minnetonka's ordinance. De La Vega asked if we are in violation of any state laws. LaBelle stated we could allow the signs but not control what is on the signs. Kohlmann noted the location of the sign needs to be addressed. Marceau asked if a sign changing only twice a day is reasonable. He suggested looking at this closer. Folley stated if it changed once an hour, it wouldn't be noticeable. Marceau stated the key is we don't want the sign to be constantly flashing and changing. Tessness stated it isn't in anyone's best interest to restrict the sign. Penberthy stated any reasonable standard can be set. Councilmembers discussed how many times the sign should change in an hour's time. **Marceau moved to approve the first reading as amended: Section 330.07, Subd. 2(f)(2), change the language to read: An Electronic Changeable Copy Sign may not change or move more often than once an hour..." De La Vega seconded the motion. Ayes 5. Motion carried.**

**9. MATTERS FROM THE FLOOR**

None

**10. REPORTS**

**A. Administrator** – no report

**B. Marceau – Finance, Marinas** – no report

**C. Tessness – Buildings, Building Inspection, Fire Lanes and Municipal**

**Docks** – no report

**D. Folley - Animal Control, LMCC, Technology, and Southshore Senior/Community Center** – no report

**E. De La Vega - EFD, Parks, Sanitation, and LMCD** – no report

F. **Attorney's Report** – no report

G. **LaBelle - Public Works and SLMPD** – LaBelle reported a Coordinating Committee was held and work begins on the SLMPD budget.

11. **ADJOURNMENT**

**There being no further business, it was moved by Marceau to adjourn the meeting at 7:40 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.**

Attest:

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Clerk