

# CITY OF TONKA BAY ITEM NO. 4A

## MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING May 25, 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

**Marceau moved to approve the agenda as amended: move item 9A to before Item 6A. Folley seconded the motion. Ayes 5. Motion carried.**

### 4. CONSENT AGENDA

**Tessness moved to approve the consent agenda as presented approving the regular meeting minutes of May 11, 2010 and Accounts Payable. De La Vega seconded the motion. Ayes 5. Motion carried.**

### 5. MATTERS FROM THE FLOOR

None

### 6. SPECIAL BUSINESS

**A. 4<sup>th</sup> of July Request – Linda Murrell, Chamber Director was present to update the Council on the plans for this year's event. She noted the Minnesota Orchestra will return to perform again this year. She stated they have added text messaging as a way to solicit donations for the fireworks this year. She indicated she would be pleased if Tonka Bay would donate a similar amount to 2009's donation. LaBelle noted \$1500 was identified in this year's budget. **Marceau moved to approve the \$1500 expenditure from the miscellaneous general fund for police patrol services. Tessness seconded the motion. Ayes 5. Motion carried.****

**B. 2009 Audit – Stuart Bonniwell, Auditor reviewed the 2009 city audit and noted the financial report was broken down into three sections. He explained there are three fund types for the city. The prior operating fund is the general fund which is currently carrying 42% of the operating funds for the city. He stated there are also special revenue and capital project funds, such as the antenna fund. Interest rates on investment**

funds will not be as high in future years, so that income cannot be guaranteed. Bonniwell reviewed the financial statement notes, deposits, and investments. He noted most of the investments are short term. He also reviewed the comparison of budget and actual receipts, disbursements and changes in general fund balance for 2008 vs. 2009. He also reviewed the same comparison for the special revenue funds and capital project funds. Marceau stated the investments have been laddered out so they mature on a regular basis. He discussed the lower rates available now and questioned other avenues the city has to purchase funds. Bonniwell stated the only other option is government securities.

## 7. PUBLIC HEARINGS

None

## 8. OLD BUSINESS

**A. South Tonka Little League – Operating Agreement** – Kohlmann stated staff has worked with STLL to develop an operating agreement which is a formalization of what was discussed at the last meeting. One minor change is on Item 9, change to Manitou Park. He noted it would be contingent upon the STLL re-filing with the State for non-profit status. Kohlmann stated the resolution should be amended to change “maintenance” agreement to “operating” agreement. He also reviewed other changes to the resolution. **De La Vega moved to adopt Resolution 10-09. Marceau seconded the motion. Ayes – Tessness, Folley, Marceau, De La Vega and LaBelle. Motion carried.** Leum noted improvements have already begun. He stated there is an issue with the depth of the hookup for the sprinkler system. It is buried at 9-1/2 feet deep. An outside contractor would cost approximately \$3500 to do the work. He asked if the city could help with the work. Kluver stated this is the first he has heard about this. He stated we have the equipment to complete the job. Leum stated they would like to do the work within the next two weeks. LaBelle stated we would need to have Kluver provide an estimate of the cost. Kluver stated it would take a day to a day-and-a-half to complete the work followed by field restoration. Leum stated they would handle the field restoration. Equipment rental is the major expense. Kluver stated we would need a connection purchased and a curb box that STLL could purchase. **Tessness moved to allow city staff to use city equipment and staff time at Manitou Park to help with the hookup for the sprinkler system. Folley seconded the motion. Ayes 5. Motion carried.**

**B. Signs and Outdoor Advertising – Second Reading; Summary** – Kohlmann stated the current signs and outdoor advertising ordinance has been changed to allow electronic changeable copy signage. The language has been changed so that the copy would change once per hour as recommended at the first reading. **Marceau moved to approve Ordinance 2010-1 and adopt Resolution 10-10 authorizing the summary of said ordinance. Folley seconded the motion. Ayes – Tessness, Folley, Marceau, LaBelle and De La Vega. Motion carried.**

9. **NEW BUSINESS**

**A. Abatement – Diseased Trees** – Kluver stated fifteen diseased elm trees have been identified on a lot on West Point Road. The property owner has been notified. The lot is landlocked, and it is necessary to proceed to the lot through another abutting lot. Staff has identified an access site from 220 West Point Drive, and a license agreement has been approved and signed by the property owner and City Attorney. Quotes were received from three tree service companies. Kluver reviewed the quotes with the low quote received from Amberwood Tree Service in Mound in the amount of \$1,367.76. Kluver noted this is the first time we have had this type of abatement in all the years he has been here. Marceau asked if there is a certain amount of time where they do not respond and it is sold for taxes. Penberthy stated we would get paid when it closes if it is sold. **Folley moved to adopt Resolution 10-11 ordering the abatement of the diseased trees on parcel #22-117-23-33-0007 in the West Point Drive/Road area. Marceau seconded the motion. Ayes – Tessness, Folley, Marceau, LaBelle and De La Vega. Motion carried. Folley moved to accept the low quote from Amberwood Tree Service in the amount of \$1,367.76. Marceau seconded the motion. Ayes 5. Motion carried.**

**B. Seal Coat Rock Quotes** – Kluver reviewed the seal coat rock quotes received. Two quotes were received, and the low quote was received from Martin Marietta in the amount of \$41,800 with Tonka Bay's share of \$11,000 plus tax. This year's budget identifies \$63,900 for the seal coat rock and seal coat application in 2010. **Folley moved to approve the low quote from Martin Marietta in the amount of \$41,800 with \$11,000 plus tax for Tonka Bay's portion. De La Vega seconded the motion. Ayes – 5. Motion carried.**

**C. Seal Coat Project Bids** – Kluver reviewed the bids received for the seal coat project. Two bids were received, and the low bidder was Allied Blacktop Company in the amount of \$164,980. Tonka Bay's share of the cost would be \$40,430. As in previous years, we share the project with the city of Shorewood. **De La Vega moved to adopt Resolution 10-12 accepting and awarding the low bid from Allied Blacktop Company in the amount of \$164,980 subject to approval by the City of Shorewood. Marceau seconded the motion. Ayes – Tessness, Folley, Marceau, De La Vega and LaBelle. Motion carried.**

**D. Basswood Tree Removal** – Kluver noted a twin basswood in front of city hall experienced storm damage recently. He contacted two companies who have indicated the tree should be removed. He received two quotes to drop the tree, chip the brush and grind the stump. Crew members would haul away the wood and repair the lawn where the stump was ground out. Councilmembers agreed the tree should be removed. The low quote was for \$700 from Amberwood Tree Service. **Folley moved to approve removal of the basswood tree in front of city hall and the quote from Amberwood Tree Service in the amount of \$700. Marceau seconded the motion. Ayes – 5. Motion carried.**

**E. Sanitary Sewer and Root Control** – Kluver stated the 2010 budget calls for the television inspection and root treatment of 5000 feet of sanitary sewer as well as up to five house sewer laterals identified with possible inflow and infiltration problems will be televised. He reviewed two quotes received with the low quote from Pipe Services Corporation in the amount of \$10,500. Marceau asked if the five properties are aware they have problems. Kluver stated three services were identified in the manhole during televising this year. We won't know until televising has been completed whether root treatment will be needed. Penberthy asked if root treatment can be deleted if it is not needed. Kluver identified that it can be removed if it is not needed. Councilmembers and staff discussed root treatment and the impact of roots on the sewer lines. **Marceau moved to approve the low quote from Pipe Services Corporation in the amount of \$10,500. Folley seconded the motion. Ayes – 5. Motion carried.**

**10. MATTERS FROM THE FLOOR**

**11. REPORTS**

**A. Administrator** – Kohlmann stated the City has received a packet of information from a resident that prepared a two year review of police reports from certain rental properties. She is suggesting that the city send a letter to Section 8 housing and prepare a rental housing ordinance. He noted this is an isolated complaint. Folley asked what a license in Minneapolis is for rental properties. Marceau believed the resident isn't asking for a rental license. The reports indicated that some pretty troubling things could be going on at rental properties in the city. He believed there should be a discussion of the rental properties. He didn't know what authority we would have, whether the police are in contact with Section 8 housing, etc. Tessness noted there is not contact. Enacting an ordinance would make it easier for landlords to evict their tenants. LaBelle stated Kohlmann is an excellent resource as he administered a similar program in South St. Paul. Kohlmann stated he can contact the concerned resident. He could return to a future meeting with additional information that would be applicable to Tonka Bay. LaBelle stated that would be a great way to begin the process.

**B. Marceau – Finance, Marinas** – Marceau was troubled by the return on our investments and concerned this may continue in the near future.

**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 stated the SLMPD Coordinating Committee met, and the budget will be reviewed at the next meeting in June.

12. **ADJOURNMENT**

**There being no further business, it was moved by Marceau to adjourn the meeting at 8:30 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.**

Attest:

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Clerk