

CITY OF TONKA BAY ITEM NO. 4B

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING November 23, 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

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

4. CONSENT AGENDA

De La Vega moved to approve Item A. Worksession Meeting Minutes of November 9, 2010. Marceau seconded the motion. Ayes 5. Motion carried. De La Vega moved to approve Item B. Regular Meeting Minutes of November 9, 2010. De La Vega seconded the motion. Ayes 5. Motion carried. Marceau moved to approve Item C. Minutes of Rental Housing Task Force of November 16, 2010. LaBelle seconded the motion. Ayes 5. Motion carried. Marceau moved to approve Item D. Accounts Payable. De La Vega seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

None

6. SPECIAL BUSINESS

None

7. PUBLIC HEARINGS

A. Certification of Delinquent Utilities and General Service Fees – Kohlmann stated that anyone with delinquent utilities or fees is welcome to speak on their behalf this evening. LaBelle opened the public hearing. There were no public comments. LaBelle closed the hearing. **Marceau moved to adopt:**

**RESOLUTION 10-19
A RESOLUTION FOR THE COLLECTION OF DELINQUENT 2010 WATER AND**

**SEWER UTILITY SERVICE CHARGES, GARBAGE AND RECYCLING CHARGES,
STORM DRAINAGE CHARGES, AND GENERAL SERVICE FEES**

De La Vega seconded the motion. Ayes – Tessness, Folley, Marceau, LaBelle and De La Vega. Motion carried.

8. OLD BUSINESS

None

9. NEW BUSINESS

A. Review Proposed 2011 Fee Schedule – Kohlmann discussed highlights to the fee increases for 2011. Marceau asked about the fertilizer application license and who it is for. Kluver explained it is for commercial applications. Councilmembers discussed public hearing fees and possible changes to the procedure for collecting additional escrow funds when needed. This is the first reading of the proposed ordinance amendment.

B. Sewer Lining – Kluver reviewed the proposed lining of 1000 feet of 9-inch clay tile sanitary sewer to correct structural deficiencies. He noted the work can be done in one day. He reviewed the proposals to line 1124.5 feet of 9-inch pipe to be installed by December 31, 2010. The low quote was received from Insituform Technologies USA, Inc. in the amount of \$34,859.00. LaBelle asked what kind of pipe is used in new developments. Kluver stated PVC pipe is now used. He noted clay pipe was popular in the 1960's. **Marceau moved to approve the low bid from Insituform Technologies USA, Inc. in the amount of \$34,859.00 and authorize the City Administrator to enter into the contract for said work. De La Vega seconded the motion. Ayes 5. Motion carried.**

C. Adopt Resolution – Amendment to 2008-2010 Residential Recycling Agreement with Hennepin County – LaBelle stated this is an ongoing agreement with Hennepin County for recycling. Kohlmann stated we report our recycling amounts, and the County provides the City with grant funds. **Marceau moved to adopt:**

RESOLUTION 10-20

**A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO THE
2008-2010 RESIDENTIAL RECYCLING GRANT AGREEMENT
BETWEEN HENNEPIN COUNTY AND THE CITY OF TONKA BAY**

Folley seconded the motion. Ayes – Tessness, Folley, Marceau, De La Vega, and LaBelle. Motion carried.

D. 2011 Liquor License Renewals – Kohlmann stated this is the annual liquor license, cigarette, and electronic amusement renewals for 2011. Some of the

applicants have not supplied the required insurance and the approval should be conditional upon this information being provided. He also noted there is new information on the background checks as the SLMPD has expanded their background search process. De La Vega was concerned about how many people need to be on a liquor license. Kohlmann stated one of the licenses had one or two people but added a third person. Penberthy stated in regard to this specific applicant, he cannot answer any questions as it would be a conflict of interest. He stated the previous licenses were approved without this information being provided, and this license request includes the additional information. The question that needs to be answered is finding out what the information involves, and does it reflect a misdemeanor, felony, or civil matter. We don't have answers to these questions. He recommended holding the license and do not grant it at this time until the information can be cleared up. He believed the applicant is the corporate structure, and all of the officers, directors, and shareholders should be listed. Kohlmann suggested the other licenses could be approved and research can be done on the license in question. **Marceau moved to approve the 2011 liquor license renewals for Country Club Lanes, MGM Liquor, Hazellewood and Joey Nova's subject to submittal of the required insurance. De La Vega seconded the motion. Ayes 5. Motion carried.**

E. County Road 19 Intersection Agreement – Kohlmann stated an agreement has been provided for the County Road 19 intersection agreement with the owners of Tonka Village Shopping Center. Penberthy noted there is an error on the original agreement. The originals will be sent back to the owner for signatures. The important thing now is to get the assessment to the County for payment in 2011. **Marceau moved to authorize the Mayor and City Administrator to enter into the County Road 19 intersection agreement with the owners of Tonka Village Shopping Center. Folley seconded the motion. Ayes 5. Motion carried.**

F. Adopt Resolution – County Road 19 Intersection Agreement – Kohlmann stated staff is looking for formal adoption of the resolution and assessment roll. **Marceau moved to adopt:**

**RESOLUTION 10-21
A RESOLUTION ADOPTING ASSESSMENT –
COUNTY ROAD 19 INTERSECTION IMPROVEMENTS**

De La Vega seconded the motion. Ayes – Tessness, Folley, Marceau, De La Vega, and LaBelle. Motion carried.

G. Adopt Resolutions – Recognizing Ken Folley's and Clayton Tessness' Service to the City of Tonka Bay – LaBelle stated the resolutions provided recognize

the outgoing councilmembers and the service to the City. **De La Vega moved to adopt:**

**RESOLUTION 10-23
A RESOLUTION RECOGNIZING CLAYTON TESSNESS' SERVICE
TO THE CITY OF TONKA BAY**

AND,

**RESOLUTION 10-24
A RESOLUTION RECOGNIZING KEN FOLLEY'S SERVICE
TO THE CITY OF TONKA BAY**

Marceau seconded the motion. Ayes – Tessness, Folley, Marceau, De La Vega, and LaBelle. Motion carried.

10. MATTERS FROM THE FLOOR

None

11. REPORTS

A. Administrator – Kohlmann stated the Rental Housing Task Force met on November 16, and staff has been asked to look into additional information for a tentative meeting scheduled for January 5, 2011.

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 – Folley thanked the Council for the resolution honoring his service. He stated the League workshop is well worthwhile for the incoming councilmembers.

E. De La Vega - EFD, Parks, Sanitation, and LMCD – De La Vega stated an Excelsior Fire District meeting was held on November 17 to discuss the relief fund.

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 7:46 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk