

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING May 26, 2009

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 Loftus, City Attorney Penberthy, City Planner Gozola, and Public Works Superintendent Kluver.

3. APPROVAL OF AGENDA

Marceau moved to approve the agenda as submitted. Tessness 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 May 12, 2009 as amended: change date of meeting to May 12, 2009 in heading on page one. Tessness seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

None

6. PUBLIC HEARING

A. Comprehensive Plan – Loftus stated in 2008, the Plan was circulated to adjacent communities. We received comments from the MCWD and Met Council and have updated the Plan accordingly. She stated the next step is to hold tonight's public hearing, accept any comments on the Plan, and send it to the Met Council for a formal review. Met Council will notify us in late fall or early winter whether they are approving the Plan or not. It will come back to the Council for final approval and will be effective for the years 2010-2030. LaBelle thanked staff for their hard work and management of costs. LaBelle opened the hearing for public comments on the Comprehensive Plan update. There were none. LaBelle closed the hearing. **Folley moved to give preliminary approval to the preliminary Comprehensive Plan subject to Met Council approval. De La Vega seconded the motion. Ayes 5. Motion carried. Folley moved to authorize submittal of the Comprehensive Plan to the Met Council. Marceau**

seconded the motion. Ayes 5. Motion carried.

7. OLD BUSINESS

A. Lifeguard Services – Loftus stated this is an annual contract with Minnetonka Community Education Services which has previously been discussed at the last two City Council meetings. The Council requested a fifth option be brought back to tonight’s meeting which would be for one lifeguard only at each beach. LaBelle stated he supported the proposed option which will also bring us under budget. He didn’t see any reason to change the language in the contract and urged MCES to renegotiate in 2010. Marceau agreed only one lifeguard should be needed. LaBelle stated we will be able to look at what is going on at the beach with a more critical eye this year. De La Vega stated there is some language regarding the lifeguard chairs not being standard and the need for a new boat. Kluver noted there is a specific height requirement for lifeguard chairs. Tessness stated he viewed both, and they appear to be fine. Kluver stated he would check out the chairs. Loftus noted the season will be shortened by one day, and beaches will open on June 13. **Marceau moved to approve the 2009 contract with MCES, Option E. De La Vega seconded the motion. Ayes 5. Motion carried.**

B. Southshore Center – Loftus stated at the last funding committee meeting, she was asked to put this item on our agenda. They would like Tonka Bay to support the management choice of CRR. Information has been provided from Deephaven and Excelsior on their recent actions, and Shorewood will be discussing another option to run the Center without any cities opting out. An operating agreement would be written with all the cities. There is also a meeting scheduled for June 3 at 8 a.m. Folley stated there are two proposals from CRR and Chart House Management. He recommended the Council move to approve the proposal to have CRR run the Center. De La Vega stated he supported the CRR proposal. LaBelle also supported the CRR proposal. **Folley moved to support the CRR proposal for the management of the Southshore Center. De La Vega seconded the motion. Ayes 5. Motion carried.** LaBelle stated the funding formula makes him nervous. He stated the city is being asked to pay six percent, but six percent of what? He stated this Council would never go for a “blank check”. Folley stated there are three options – opt out, have Shorewood run the Center, or stay the course and pay a percentage. He stated we need to determine what will be the best for Tonka Bay. LaBelle suggested we need to attend the meeting on June 3 and not take any further action tonight. Folley stated he would be leaning toward letting Shorewood run the Center. LaBelle stated there isn’t a proposal to vote on tonight. He suggested a special meeting be called in case the meeting on June 3 takes place to cover our legalities. **LaBelle moved to set a special meeting for June 3 at 8 a.m. at the Southshore Center. Marceau seconded the motion. Ayes 5. Motion carried.** Folley felt the best bet is to let Shorewood run the Center.

8. NEW BUSINESS

A. Variance Extension Request – Lauer, 305 Lakeview Avenue – Penberthy excused himself from the Council table due to a conflict of interest. **Tom Lauer, 315 Lakeview Avenue** stated he has submitted another request to extend the variance and CUP at 305 Lakeview Avenue, because the real estate market is tight right now. LaBelle stated he supported the request for a second extension. Tessness also supported the request. Marceau hoped this would be the last request, and he supported the extension. **Marceau moved to adopt Resolutions 09- and 09- approving the variance and CUP requests. Tessness seconded the motion. Ayes 4-1. Folley voted against the motion. Motion carried.**

B. Hennepin County Assessor – Contract – Loftus stated the Hennepin County Assessor's contract is up for renewal. She asked for a motion to authorize the Mayor and City Administrator to enter into the contract. LaBelle suggested we might need to look into price comparisons. Loftus stated the County has a direct link to the information, and anyone else would likely need to talk to the County. She stated she would look into getting price quotes.

9. MATTERS FROM THE FLOOR

None

10. REPORTS

A. Loftus – Loftus stated the water fountain at Wekota Park has been installed, and it is operational. Shorewood has remodeled their city hall, and there is an opportunity to buy their old audience chairs. She stated there are 35 light purple chairs. LaBelle stated he would prefer not to buy them. LaBelle suggested all permits be reviewed for their expiration dates. He believed an expiration date is needed for sign permits.

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 stated Minnetonka High School is undefeated in lacrosse this year.

E. De La Vega - EFD, Parks, Sanitation, and LMCD – De La Vega stated there is an EFD budget meeting tomorrow night. He stated right now there is a \$120,000 mandatory contribution to the Fire Fighters Relief Fund. To make up this amount, we are proposing a \$40,000 operational cut, a \$40,000 contribution from the general reserve fund, and a \$40,000 contribution from the building fund. The proposed budget is a zero increase. Overall, it is a good situation. The bad news is Tonka Bay is facing an eight percent increase of \$16,600 due to the change in funding formula. He noted there will be a meeting on June 10 for all City Councils to discuss the 2010 budget. Unless the market

changes, we will have to come up with the \$120,000 again in 2011.

F. Attorney's Report – no report

G. LaBelle - Public Works and SLMPD – LaBelle stated there will be a meeting regarding the Southshore Center on June 3 at 8 a.m., and he encouraged the Council to attend.

11. ADJOURNMENT

There being no further business, it was moved by Marceau to adjourn the meeting at 7:52 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk