

# CITY OF TONKA BAY

## ITEM NO. 4C

### MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING June 24, 2008

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, 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**

Marceau moved to approve the consent agenda as presented approving the minutes of the June 10 worksession and the regular meeting of June 10. Tessness seconded the motion. Ayes 5. Motion carried.

5. **MATTERS FROM THE FLOOR**

None

6. **PUBLIC HEARING**

None

7. **OLD BUSINESS**

None

8. **NEW BUSINESS**

**A. Waiver on Tort Liability Limits for the LMCIT** – De La Vega stated there are occasions when these amounts are not suitable, and the city could be faced with a catastrophic event and not have protection. He stated the handouts Loftus provided indicate excess coverage is an option for added protection. He believed staff should evaluate the cost of excess coverage to determine whether we should buy it and what our options are for excess coverage. Penberthy asked if we're talking about dollars as far as premium coverage or are we talking about liability. De La Vega stated he would like to know if it would cover instances where the liability limits would not cover it. **Marceau moved to authorize the City Administrator to execute the waiver on tort liability limits and to research the cost of excess coverage. De La Vega seconded the**

**motion. Ayes 5. Motion carried.**

**B. Swing Set Replacement at Old Orchard Park** – Loftus stated a vehicle damaged the swing set at Old Orchard Park earlier this year. A letter is included in the packet from the prosecuting attorney indicating he is attempting to get full restitution for the cost of replacement. The estimate for the full replacement is \$3,700. In the meantime, a claim was submitted to the insurance company. A check in the amount of \$1,850 has been received. It is recommended the balance come from the park fund. De La Vega stated it is our intent to replace the structure. The question is where it will go and what will go there. He stated the space the swing set occupies is not wide enough. LaBelle stated there needs to be 16' in each direction from the swing. Marceau stated he would like the Parks & Trails Committee to comment on the replacement. He also indicated the landscape would change with the proposed mitigation. He thought the focus on the park might change given the mitigation plans. De La Vega stated there are other equipment pieces that could possibly go there as well. He stated the path of the potential trail may also change after mitigation is completed. Marceau stated it may be that the swings aren't needed any more. LaBelle stated this is a perfect example of why the park fund was created. De La Vega stated the next meeting of the Parks & Trails Committee is in August. Tessness asked if there were any way to make the swing set functional right now. It was noted there was not. The Council referred the issue to the Parks & Trail Committee to review at their August meeting.

**9. MATTERS FROM THE FLOOR**

None

**10. REPORTS**

**A. Loftus** – Loftus stated the proposed LMCD 2009 budget was reduced from an 18.3% increase to a 5.8% increase. It will be brought to a meeting in July for approval. De La Vega stated the contingency fund has a proposed \$10,000. He stated if we continue to allow that large amount, it will continue to be spent. He didn't like contingency funds and believed if you have an expense, you should budget accordingly. Loftus stated the quarterly meeting with the school superintendent was recently held. Minnewashta Elementary is constructing an addition, and the front of the high school will be getting a "face lift". Loftus stated the consultant for the trail on County Road 19 has been chosen. Meetings continue to be held to get the feasibility report created, and the process should take about five months.

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

**C. Tessness – Buildings, Building Inspection, LMCD, Fire Lanes and Municipal Docks** – no report

**D. Folley - Animal Control, LMCC, Technology** – no report

**E. De La Vega - EFD, Parks, Sanitation, and Southshore Senior/Community Center** – De La Vega reported RFPs were received for new tenants at the

Southshore Center. The EFD board will review recommendations made relating to the budget on June 26.

**F. Attorney's Report** – no report

**G. LaBelle - Public Works and SLMPD** – LaBelle stated there is a SLMPD coordinating committee scheduled for June 25.

**11. ADJOURNMENT**

There being no further business, it was moved by Marceau to adjourn the meeting at 7:24 p.m. Folley seconded the motion. Ayes 5. Motion carried.

Attest:

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Clerk