

CITY OF TONKA BAY ITEM NO. 4B

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING August 11, 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 and Public Works Superintendent Kluver.

3. **APPROVAL OF AGENDA**

Marceau 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 July 28, 2009 as written. Tessness seconded the motion. Ayes 5. Motion carried.

5. **MATTERS FROM THE FLOOR**

None

6. **PUBLIC HEARING**

None

7. **OLD BUSINESS**

A. **Surface Water Management Plan** – Loftus stated David Poggi was present from Bolton & Menk to discuss the Surface Water Management Plan draft. **David Poggi** stated the plan is required by State statute. The draft plan incorporates all the requirements, and it is a planning document for the City. He reviewed the various sections of the plan. He noted the City goes above and beyond what is required in their current SWPPP plan. He discussed the need for phosphorus reduction over the next ten years and noted the City is currently working on reduction methods through the annual street sweeping. Tessness asked if it was true there are no private wells in the city. Poggi noted that the section will be amended to note there are ten private wells in the city still in use. **Folley moved to approve the Surface Water Management Plan as**

amended. Marceau seconded the motion. Ayes 5. Motion carried.

B. Warming House Replacement – Kluver reviewed cost estimates received to replace the existing warming house with a new structure. Options are to either build the structure on-site (Option 1), or build it off-site (Option 2). Both options include electrical work including the disconnection and reconnection of the electrical service. He noted staff and the Parks & Trails Committee have reviewed both options and prefer Option 2. Folley asked if gutters are required. Kluver stated gutters have never been needed before. LaBelle asked if there is anything else available at the cost. He did not like the look of either of the structures. Tessness agreed and suggested steel siding and/or a steel roof. Kluver stated the options with steel siding were not within the budget. Kluver stated the process would have to start all over again if any changes are made at this point. Folley noted this warming house is only used a few months out of the year. Kluver suggested painting the structure to make it look more aesthetically pleasing. He noted windows would be removed except for a Plexiglas 3' x 6' window facing the rink. **De La Vega moved to approve the purchase of a pre-built 12' x 28' cabin-style building from Kim-Built Industries, Inc. at a cost of \$10,642.72 with funding from the Park Fund.** Folley asked Kluver to check to see if another door is required under the Building Code. **Marceau seconded the motion. Ayes 5. Motion carried.**

C. Accident Insurance Policy – De La Vega stated he is still concerned that the policy isn't representative of the risk that this would cover. He stated it was unclear how the insurance could cover the Councilmembers' salaries for their regular jobs. Councilmembers discussed the policy. LaBelle believed we need more information before a decision can be made, and staff was directed to return with additional information at the next meeting.

D. Woodpecker Ridge Road Final Payment – LaBelle stated the asphalt company has completed all the work, and the City Engineer is recommending final payment be made for the Woodpecker Ridge Road project. **Marceau moved to accept the Engineer's letter and the completion of the Woodpecker Ridge Road project. Folley seconded the motion. Ayes 5. Motion carried.**

9. NEW BUSINESS

A. SLMPD 2010 Budget – **Bryan Litsey, SLMPD Police Chief** reviewed the SLMPD's proposed budget for 2010 and discussed the process leading up to the Coordinating Committee's recommendation for approval. He discussed the loss of revenue in investment income and Peace Officer funding. He noted union negotiations for 2010 have not begun. He discussed the need for new technology and replacement vehicles. He stated there are issues with the building maintenance that also need to be addressed at some point. He discussed the grant application for a part time police officer.

He noted the department has applied for half a million in grants in 2009. LaBelle recommended approval of the proposed budget. De La Vega stated there is a lot of effort put into managing the variety of influences on costs and revenues. He didn't see the efforts planned to save additional funds in terms of operational efficiencies and streamlining. He stated we need to look at what it takes to run the department and whether all the programs are needed in a suburban community. De La Vega asked if the amount spent on overtime is to cover those who are on vacation or for additional duties at Maynard's and Bayview. Litsey noted the department is reimbursed for the additional duties at Maynard's and Bayview. Much of the overtime is due to discretionary items. De La Vega asked if it is economical to maintain the shooting range or rent space somewhere else. Litsey stated the majority of the cost is in the infrastructure which is already in place. The plan is to parallel what other ranges do and charge a membership fee for other police departments rather than an hourly rate. De La Vega stated that moving forward, he would like to see more cost-saving strategies. **LaBelle moved to adopt Resolution 09-13 approving funding for the 2010 SLMPD budget in the amount of \$370,784 (\$283,785 – operating budget and \$86,999 – debt service). De La Vega seconded the motion. Ayes – Marceau, De La Vega, Folley, LaBelle and Tessness. Motion carried.**

10. MATTERS FROM THE FLOOR

None

11. REPORTS

A. Loftus – Loftus gave a follow-up report to the July 28 meeting under Matters from the Floor when Dan Freier discussed his concerns about the hardcover at his neighbor's property. She stated we did work with the property owner there. They had put crushed lime down and have since removed it and replaced it with permeable fabric with landscaping rock. The neighbors never had any intention of putting down asphalt. She noted we do consider crushed lime as hardcover while permeable fabric is not. Freier also indicated the neighbors rip rapped without a permit. Contrary to that statement, we have a permit on file for the rip rapping from MCWD. Freier's third point of concern was the existing driveway and the fact that it doesn't meet hardcover percentages and parking setbacks. She stated the addition of new hardcover is resolved as first noted, and she didn't recommend pursuing the existing non-conformity which would involve legal action to remove part of it to meet setbacks. She had no evidence suggesting that the existing driveway is new. As far as she knew, it was a legal non-conformity. She stated she informed Freier of her position, and he felt the Council should pursue a legal opinion on the property. She discussed this with the City Attorney, and they do not recommend to the Council that this be pursued unless the Council directs them to do so. If not, she considers the issue closed. The Council concurred.

- 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** – absent
- 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 8:38 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk