

**MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
August 26, 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. by Acting Mayor Marceau.

2. ROLL CALL

Members present: Councilmembers Marceau (Acting Mayor), Tessness, Folley, and De La Vega. Mayor LaBelle was absent. Also present were City Administrator Loftus and City Attorney Penberthy.

3. APPROVAL OF AGENDA

De La Vega moved to approve the agenda as submitted. Folley seconded the motion. Ayes 4. Motion carried.

4. CONSENT AGENDA

Tessness moved to approve the consent agenda as presented approving the minutes of the worksession and regular meetings of August 12, 2008. De La Vega seconded the motion. Ayes 4. Motion carried.

5. MATTERS FROM THE FLOOR

A. Shawn Weinand, 15 Mound Avenue – Weinand stated he was on the agenda two weeks ago and was unable to be at the meeting. He asked the Council to consider revisiting the item as it was denied at the meeting. Marceau asked Penberthy for clarification of what action the Council could take. Penberthy stated the city follows Robert's Rules of Orders, and the winning side (one of the three who voted for the item) would have to ask for reconsideration of the item. He recommended if that would happen it could be reconsidered at a future meeting. As it stands right now, it is a non-issue. Marceau would recommend Mr. Weinand find out how the vote went and find if any of the three would reconsider. Tessness asked Weinand if he had any information now he could offer to those who voted against the motion. Marceau stated the Mayor is absent tonight. At this point, Weinand would have to talk to the three who are in favor of the item. Loftus stated one of those who voted for the item could make the motion tonight. De La Vega stated he would still like to have the Mayor in attendance. Folley stated he would not be in favor of changing his position. De La Vega stated he would have to hear something extraordinarily important that he didn't hear already. Weinand stated he has additional information to provide. Marceau suggested Weinand contact the Councilmembers who did not support his request.

6. **PUBLIC HEARING**

None

7. **OLD BUSINESS**

None

8. **NEW BUSINESS**

A. LRT Trail – Winter Use Permit – Loftus stated this is an annual request from Three Rivers Park District who has the authority over the LRT Trail, a short portion of which is in Tonka Bay. De La Vega stated he was surprised at how much responsibility the city has for the trail. Loftus stated we don't have any signage on Tonka Bay's portion of the trail. Marceau noted every city has different uses for their portion of the trail. Loftus noted snowmobiling is no longer allowed on any section of the trail. She noted some cities choose to groom their portion of the trail for winter sports. **De La Vega moved to authorize Greg Kliver to execute the permit application. Folley seconded the motion. Ayes 4. Motion carried.**

B. Residential Recycling Grant Agreement – Loftus stated Hennepin County has an incentive program whereby the city receives money every year as part of a recycling grant. This agreement is for the years 2008 – 2010. De La Vega stated there are goals that must be met in order to not be in default. Penberthy stated if there is a finding of default, the County's remedy is to cancel the agreement. Funds would not have to be repaid, but future funds would not be paid. **Folley moved to adopt Resolution 08-19 authorizing the City Administrator to execute the residential recycling grant agreement with Hennepin County. Tessness seconded the motion. Ayes – Marceau, De La Vega, Folley and Tessness. Motion carried.**

9. **MATTERS FROM THE FLOOR**

None

10. **REPORTS**

A. Loftus – Loftus reminded the Council the next meeting would be on Wednesday, September 10.

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 – no report

F. Attorney's Report – no report

G. LaBelle - Public Works and SLMPD – absent

11. **ADJOURNMENT**

There being no further business, it was moved by Tessness to adjourn the meeting at 7:15 p.m. Folley seconded the motion. Ayes 4. Motion carried.

Attest:

Clerk