

**MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
August 28, 2007**

1. CALL TO ORDER

The regular semi-monthly meeting of the Tonka Bay City Council was called to order at 7:10 p.m.

2. ROLL CALL

Members present: Mayor LaBelle, Councilmembers Marceau, Tessness, Folley, and De La Vega. Also present were City Administrator Sandin and City Attorney Penberthy.

3. APPROVAL OF AGENDA

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

4. APPROVAL OF MINUTES – Worksession and Regular Meeting – August 14, 2007

Folley moved to approve the minutes of the worksession and regular meeting of August 14, 2007 as amended: Under Item 6B, regular meeting of August 14, add sentence to read: LaBelle stated there are also other requirements such as proof of ownership. Marceau seconded the motion. Ayes 5. Motion carried.

5. CONSENT AGENDA – Resolutions 07-37 and 07-38

Marceau moved to approve the consent agenda as presented. De La Vega seconded the motion. Ayes 5. Motion carried.

6. MATTERS FROM THE FLOOR

None

7. PUBLIC HEARING

None

8. OLD BUSINESS

None

9. NEW BUSINESS

A. Resolution Adopting Proposed Budget and Certifying Proposed 2008 Levy – LaBelle noted the levy amount can still be reduced prior to final certification in December. Marceau moved to adopt Resolution 07-42 adopting proposed budget and certifying proposed 2008 levy. De La Vega seconded the motion. Ayes – Marceau, LaBelle, Tessness, De La Vega and Folley. Motion carried.

B. Truth-in-Taxation Meeting Date – LaBelle stated staff is recommending

the November 27 meeting be moved to November 29 and the Truth-in-Taxation hearing be held the same night at 6:00 p.m. **Marceau moved to set the Truth-in-Taxation hearing for Thursday, November 29 at 6:00 p.m. and to move the November 27 City Council meeting to the same date at 7:00 p.m. De La Vega seconded the motion. Ayes – 5. Motion carried.**

C. Letter of Support from Orono and Shorewood – Sandin stated that she and Greg Quirk recently met with Michael Gaffron, Orono Assistant City Administrator to discuss the trail north of The Narrows bridge. Mr. Gaffron has suggested that Tonka Bay request a letter of support from the Orono City Council. Future funding applications are considered favorably when adjacent communities support such a request. **De La Vega moved to direct staff to send letters requesting support of the proposed trail from the city councils of Orono and Shorewood. Marceau seconded the motion. Ayes – 5. Motion carried.**

D. Winter Use Permit – LRT Trail – LaBelle stated this is an annual request. He noted very little of the trail is in Tonka Bay. **Marceau moved to authorize Greg Kløver to execute the annual LRT trail winter use permit. De La Vega seconded the motion. Ayes – 5. Motion carried.**

E. Resolution Allowing Partial Pre-payment of Special Assessments – LaBelle stated this is the resolution discussed at the worksession held earlier this evening. De La Vega suggested increasing the percentage from five to ten percent. LaBelle stated the City Council could also specify a dollar amount. Councilmembers discussed changing it from a percentage to \$1000. **Tessness moved to adopt Resolution 07-43 allowing partial pre-payment of special assessments as amended: change amount from 5% to \$1000. De La Vega seconded the motion. Ayes – Tessness, Folley, Marceau, LaBelle and De La Vega. Motion carried.**

10. MATTERS FROM THE FLOOR

A. Judd Brackett, 125 Woodpecker Ridge Road – Mr. Brackett discussed his concerns about the fence wall structure constructed at 145 Woodpecker Ridge Road. He believed the gas lines installed constitute a health and safety issue. He stated the wall structure must be removed as it is on the Brackett's property.

11. REPORTS

A. Sandin – Sandin stated copies of a survey from the Lake Minnetonka Association have been provided for the Council.

B. Marceau – Finance, Marinas, - Marceau stated Tonka Bay has agreed to participate in the south lake winter event, Arctic Fever. He and Sandin have attended planning events.

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

D. Folley - Animal Control, LMCC, Technology – Folley stated the response

from the LMCC to customer calls has been totally unacceptable.

E. De La Vega - EFD, Parks, Sanitation, and Southshore Senior/Community Center – De La Vega stated Shorewood has voted not to amend the senior center agreement. He will keep the Council updated on what is happening with the center.

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 7:50 p.m. Folley seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk