

**CITY OF TONKA
BAY
ITEM NO. 4A**

**MINUTES
TONKA BAY CITY COUNCIL
REGULAR MEETING
December 8, 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, and Public Works Superintendent Kluver.

3. APPROVAL OF AGENDA

Marceau moved to approve the agenda as amended: pull Items 4B and 4H. De La Vega seconded the motion. Ayes 5. Motion carried.

4. CONSENT AGENDA

Marceau moved to approve the consent agenda as presented approving Items 4A, the worksession meeting minutes of November 24, 2009; 4C, Accounts Payable; 4D, 4E, 4F, Resolutions Authorizing creation of the Southshore Community Center fund (09-21), approving transfer of funds from liquor fund to CIP fund (09-22), amending Resolution 07-04 regarding liquor fund balance (09-23); and 4G, amendment to Municipal Dock Policy (09-24). Tessness seconded the motion. Ayes 5-0. Motion carried. Marceau moved to approve Items 4B, regular meeting minutes of November 24, 2009 and 4H, conditional use permit resolution for 325 Lakeview Avenue. Tessness seconded the motion. Ayes – 4-0-1. De La Vega abstained from voting. Motion carried.

5. MATTERS FROM THE FLOOR

None

6. PUBLIC HEARING

None

7. OLD BUSINESS

A. Fee Schedule – Loftus stated this is the second reading of the 2010 fee ordinance. She discussed changes proposed to the fee schedule. **Marceau moved to**

approve Ordinance 2009-2 amending Section 402 and adopt Resolution 09-25 approving ordinance summary publication. De La Vega seconded the motion. Ayes – LaBelle, De La Vega, Folley, Marceau and Tessness. Motion carried.

8. NEW BUSINESS

A. Talley Variance Extension – Loftus noted the Talley received a variance and CUP in December of 2008. They are requesting a one-year extension given the current financial climate. A resolution has been provided for adoption. Mr. Talley is present to answer any questions. LaBelle stated he didn't have a problem with approving this request and asked for comments from the Council. De La Vega suggested looking at the impact of similar decision on future Councilmembers. LaBelle stated future Councils are often bound to decisions made by previous Councils. **Tessness moved to adopt Resolution 09-26 approving the variance and CUP extension for John and Carol Talley, 50 West Point Avenue through December 9, 2010. Marceau seconded the motion. Ayes – LaBelle, De La Vega, Marceau and Tessness. Nays – Folley. Folley noted he voted against the original approval. Motion carried.**

B. Budget and Tax Levy – Public Comment and Approval – Loftus reviewed the general fund expenses and revenues for 2010. She noted revenue loses in LGA, court costs, and interest income for 2010. She asked the Council for their input. LaBelle opened the floor to public comments on the budget. **John Davis, 55 Willow Woods Drive** asked what would happen if the Governor cuts more appropriations. LaBelle stated we have budgeted for no money from the State. Davis stated the proposed budget is outstanding. He asked why Council publishing is increasing so much when only \$400 is spent in the first six months. LaBelle stated the increase is because it will be an election year and used for all mandatory publications. He noted the amount budgeted for 2010 isn't necessarily spent. Davis also noted computer expenses are increased. LaBelle noted it is a new line item. Loftus stated it is based on software contract renewals and the repair bills for our technology needs. Council and staff discussed the fire department budget increase and its impact on Tonka Bay's proposed budget. De La Vega noted the 2011 fire budget funding formula would be the same percentage. Loftus noted Tonka Bay's portion increase because of the city's property values. Davis discussed his concerns about the recycling fee remaining the same when Allied is picking it up bi-weekly. A member of the audience told the Council they are doing a great job. **Marceau moved to adopt Resolution 09-27 approving the 2010 budget and tax levy. De La Vega seconded the motion. Ayes – LaBelle, De La Vega, Folley, Marceau and Tessness. Motion carried.**

C. 2010 Licenses – Loftus stated the SLMPD has completed background checks for next year's licenses for Country Club Lanes, Hazellewood, Joey Nova's, and MGM. **De La Vega moved to approve the 2010 licenses as submitted. Marceau seconded the motion. Ayes 5. Motion carried.**

D. City Administrator Recruitment – LaBelle stated Loftus has provided us

with a recruitment timeline. We have received eighteen applications to date, and we have some qualified applicants. He requested a worksession on December 22 at 5:00 p.m. to interview applicants. De La Vega asked for input on the interview process. Marceau noted the previous recruitment they had narrowed down applicants to only three candidates. LaBelle proposed copies of applications be available for all the Council members to review and comment. The decision on who to interview would need to be made right after the 16th of December application deadline. It would expedite the process if the Mayor and one Councilmember decide who will be interviewed on the 22nd. LaBelle discussed the possibility of having two interview dates given the time of year. Marceau stated he would still like to have the option to look at all the applications. LaBelle asked if there would be any regular business for the December 22 meeting. Loftus stated there would not be any regular business. **Marceau moved to cancel the regular meeting of December 22, 2009 and set December 22 at 5:00 p.m. for a worksession. De La Vega seconded the motion. Ayes 5. Motion carried.** LaBelle stated we also need to discuss the City Administrator transition plan. Tessness asked if we hired someone who already knows the lay of the land if the contract with Loftus would be binding. LaBelle stated this would be binding, and we don't have an opportunity to approve a contract with a new City Administrator until the first meeting in January. Loftus suggested the 0-8 hours office hours and remote access could be amended to read "as needed". De La Vega discussed his concerns about Loftus' availability during maternity leave. LaBelle noted the most intensive time Loftus would be needed is after February 1. In response to questions from De La Vega, Loftus clarified the vacation and sick leave use through March 31, 2010. **Marceau moved to accept the resignation of the City Administrator effective March 31, 2010 and approve Option 2 of the transition plan. De La Vega seconded the motion. Ayes 5. Motion carried.**

9. MATTERS FROM THE FLOOR

None

10. REPORTS

A. Loftus – Loftus stated a draft of a letter of support for the Gideon's Bay milfoil project has been provided for Council input. Councilmembers discussed the letter and the fact the \$5,000 is reserved for use for the project. Loftus stated the 2010 calendar for meetings has been provided. There is also a League bulletin.

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 – no report

G. LaBelle - Public Works and SLMPD – no report

11. ADJOURNMENT

There being no further business, it was moved by Marceau to adjourn the meeting at 8:00 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk