

ITEM NO. 5B

APPROVED MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING December 10, 2019

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: Councilmembers Ansari, LaBelle, Jennings and Anderson. Also present were City Administrator Laur and City Attorney Biggerstaff. Absent: Mayor De La Vega.

3. **APPROVAL OF AGENDA**

Laur noted 9E could be removed from the agenda and a new item could be added as 9G regarding a change order to the water plant improvement project. Laur also noted that public hearings item A should have a 2020 date instead of 2019.

LaBelle moved to approve the agenda with changes. Ansari seconded the motion. Ayes 4. Motion carried.

4. **CONSENT AGENDA**

- A. Enterprise Budget Work Session Meeting Minutes of November 12, 2019**
- B. Enterprise Budget Work Session Meeting Minutes of November 26, 2019**
- C. Resolution 19-58 – Approving the 2040 Comp Plan**
- D. Resolution 19-59 – Approving 2020 Polling Location**

Jennings moved to approve the consent agenda items. Ansari seconded the motion. Ayes 5. Motion carried.

5. **MATTERS FROM THE FLOOR**

None.

6. **SPECIAL BUSINESS**

None.

7. **PUBLIC HEARINGS**

A. 2020 Truth-in-Taxation Hearing/Approve 2020 Budget and Levy

Laur noted that budget workshops were held to review the proposed budget and the Council adopted a property tax levy for 2020. The City Council adopted a proposed property tax levy for the 2020 General Fund of \$1,125,454.00 and a proposed levy

for the 2020 Capital Improvement Plan of \$70,349.00. The total proposed 2020 budget and tax levy is \$1,195,803.00. This is an increase in the property tax levy of \$22,800 or 1.91% over last year's budget.

Anderson opened the public hearing.

Anderson closed the public hearing.

Jennings noted his support for the budget and levy.

Jennings moved to adopt Resolution 19-64 approving the 2020 budget and tax levy in the amount of \$1,195,803.00. Ansari seconded the motion. Ayes: LaBelle, Jennings, Anderson, Ansari. Absent: De La Vega. Motion carried.

8. OLD BUSINESS

A. Tony Kuechle- Doran Companies, Tonka Village Redevelopment Project
Kuechle provided background regarding the project. Kuechle noted that the City of Shorewood denied the easement vacation request. Kuechle explained that he attended the meeting to have a discussion surrounding the project and that his plan for next steps was to fine tune new concept plans using his notes from previous meetings and then return to council in a workshop session.

LaBelle, Kuechle, Priesler and Biggerstaff discussed Shorewood's utilities.

Erin Perdu, WSB, explained previous proposals surrounding the project were approved in June. Perdu detailed that the concept and general development plan could be completed at the same time if Doran would be submitting an alternative.

LaBelle, Anderson and Laur discussed the project.

B. Labor Agreement

Laur explained that Staff caught a few changes that needed to be made prior to signature on the labor agreement. Laur detailed the changes made and noted staff recommended acceptance of the labor agreement.

LaBelle moved to approve the Labor Agreement between the City of Tonka Bay and the Minnesota Teamsters Public and Law Enforcement Employees' Union, Local No. 320. Jennings seconded the motion. Ayes 4. Motion carried.

9. **NEW BUSINESS**

A. Approve 2020 Liquor and Electronic Amusement Licenses Renewals

Laur explained that the annual liquor license renewal applications were received. Laur detailed that staff was recommending approval for all submissions.

Jennings moved to adopt resolution 19-62 Approving the 2020 Liquor and Electronic Amusement License Renewals for Country Club Lanes, Hazellewood Gril & Tap Room, Joey Nova's and the Caribbean Restaurant, contingent upon remaining background checks. Ayes: LaBelle, Jennings, Anderson and Ansari. Absent: De La Vega. Motion carried.

B. Proposed Ordinance 19-08 Reduction of Clear Water in the Sanitary Sewer System

Laur explained the ordinance was in regard to the reduction of clear water in the sanitary sewer system. Laur detailed that the Metropolitan Council required the City submit an adopted ordinance that requires disconnection of identified prohibited discharges of clearwater (stormwater and groundwater) into the regional sewer system. Laur noted the city already prohibited this but an ordinance was required to require disconnection of any such connections. The ordinance would complete the submissions still needed for the finalized 2040 Comp. Plan.

Jennings and Laur discussed the requirements in the ordinance.

Jennings moved to go forward with Proposed Ordinance 19-08 Adopting Section 850 of the Tonka Bay City Code Related to the Reduction of Clear Water in the Sanitary Sewer System. Ansari seconded. Ayes: 4.

Laur, Biggerstaff and Jennings discussed the process and ordinance.

Jennings amended his motion to waive the second reading and move forward with Proposed Ordinance 19-08 Adopting Section 850 of the Tonka Bay City Code Related to the Reduction of Clear Water in the Sanitary Sewer System. Ansari seconded. Ayes: 4. Motion carried.

C. Proposed Amendment to the Personnel Policy

Laur explained that the personnel policy is out of date. Laur noted some of the policy was not accurate including the hours of work and that the parental leave policy and sexual harassment needed updating.

LaBelle, Biggerstaff, Jennings and Laur discussed the appointing authority, referring to working hours versus working days and whether to require a signed copy of the

policy and maternity leave options.

LaBelle requested moving the policy to the January 14 agenda and revisit.

D. Shorewood Retention Pond Project

Laur provided background on the Shorewood retention pond project, noting the City of Shorewood accepted a feasibility report for street and utility improvements south of the LRT trail. The project proposes to add a storm sewer system for runoff. Laur detailed the current runoff directed to Manitou Park that runs overland and into a culvert underneath the trail and then flows overland again. Laur noted any changes would need to be approved by multiple agencies to get a permit and prior to any permits an archeological investigation would need to be completed and the project wouldn't start until 2021 as a best-case scenario.

Jennings, Anderson, Preisler and LaBelle discussed the pond location.

E. Grant Agreement for the Tonka Bay Sanitary Sewer Project

Removed from agenda.

F. Proposed Ordinance for Administrative Citations

Laur explained that City Staff does not have a way to enforce ordinance violations and explained the current process for ordinance violations, noting there were no means of enforcement beyond letters. Laur explained that most residents complied with the letters, but a few were not.

Biggerstaff, Jennings, Anderson, LaBelle, Laur and Ansari discussed the legal perspective, fines and discretion.

The Council requested the ordinance proposal be reviewed again on January 14.

G. Project Update and Change Order No. 2

a. Resolution 19-65

Jon Christensen, Project Engineer with WSB, provided an update on the water plant, detailing items replaced since his prior update such as the roofing, generator and hydropneumatic tank.

Jennings and Christensen discussed the project completion dates, the work orders and the overall budget.

Christenson detailed change order 2 related to the natural gas supply to the new standby generator that will provide backup power to the water plant and lift station

with a cost of around \$15,000.

LaBelle, Ansari, Jennings, Anderson, Preisler and Christenson discussed the work order, completion dates, and the PFA loan contingency.

Jennings moved to approve Resolution 19-65 Approving Change Order No. 2 for the Water Treatment Plant Improvements Project will increase the project construction costs in the amount of \$14,761.00 from the Change Order No. 1 contract amount of \$1,571,716.57 to \$1,586,477.57 and add two days to the substantial completion date from the Change Order No. 1 contract date of 1/10/2020 to 1/12/2020; and will add 2 days to the final completion date from the Change Order No. 1 contract date of 2/7/2020 to 2/9/2020. Ansari seconded. Ayes: LaBelle, Jennings, Anderson and Ansari. Motion carried.

10. MATTERS FROM THE FLOOR

None.

11. REPORTS

A. Administrator's Report –

1. Public Works Job Description

Laur explained the background on the Public Works job description lifting requirement noting it had been in effect since 2017. Laur noted Public Works agreed that 100 lbs is a fair requirement. Staff recommended that nothing needs to be changed at this time.

LaBelle, Laur and Jennings briefly discussed the description.

2. Dock Payment Structure

Laur asked if it was the desire of the Council to stick with a two-payment structure.

Jennings noted his support of a one-payment structure.

LaBelle, Jennings, Ansari and Laur discussed the payment structure and agreed on a one-payment structure.

B. Jeff Anderson – Finance, Fire Lanes and Public Access, Technology –
No report.

C. Elli Ansari – Parks and Playgrounds, LMCD, Sanitation and Recycling –
Ansari noted the Tree Lighting was a great event. Jennings commended Olaf for doing a great job.

D. Adam Jennings – EFD, Commercial Marinas, Municipal Docks –

Jennings noted that the excess of water main breaks and noted his preference to start on the streets study.

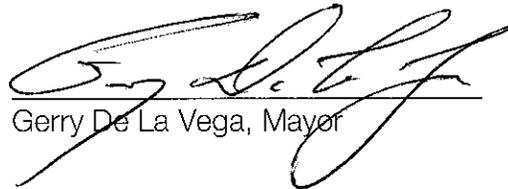
Preisler, LaBelle and Jennings discussed the water mains, why the breaks may be happening, some of the options to fix them and an overall study and plan to fix the water mains.

Preisler agreed to bring the scope of the project to the January 14 meeting.

- E. Bill LaBelle – Building Inspection, Municipal Buildings and Grounds – No report.
- F. Attorney's Report – No report.
- G. Gerry De La Vega –SLMPD, Administration, Public Works – Absent.

12. ADJOURNMENT

There being no further business, LaBelle moved by to adjourn the meeting at 7:42 p.m. Jennings seconded the motion. Ayes 4. Motion carried.



Gerry De La Vega, Mayor

Attest:



Kathy Laur, City Administrator