

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING January 11, 2011

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, De La Vega, Anderson and Holscher. Also present were City Administrator Kohlmann, City Attorney Penberthy, and Public Works Superintendent Kluver.

3. **OATHS OF OFFICE** – Kohlmann swore in new Councilmembers Jeff Anderson and Loretta Holscher by administering the Oath of Office.

4. **APPROVAL OF AGENDA**

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

5. **CONSENT AGENDA**

A. De La Vega moved to approve the Regular Meeting Minutes of December 14, 2010. Marceau seconded the motion. Ayes 3-0-2. Anderson and Holscher abstained from voting. Motion carried.

B. Marceau moved to approve the Dock Task Force Minutes of January 4, 2011. De La Vega seconded the motion. Ayes 3-0-2. Anderson and LaBelle abstained from voting. Motion carried.

C. LaBelle discussed the various Council appointments for the year and explained what each would involve. **Anderson moved to adopt:**

Resolution 11-01 A Resolution Adopting 2011 Official City Appointments

De La Vega seconded the motion. Ayes – De La Vega, LaBelle, Marceau, Anderson and Holscher. Motion carried.

D. Kohlmann stated the water and sewer connection charges are updated every year based on the construction cost index. Holscher asked if anyone who builds a new home would pay these charges. Kohlmann noted these fees would apply for someone who is getting new connections. **Marceau moved to adopt:**

**Resolution 11-02
A Resolution Adopting 2011 Water and Sewer Connection Charges**

De La Vega seconded the motion. Ayes De La Vega, LaBelle, Marceau, Anderson and Holscher. Motion carried.

6. MATTERS FROM THE FLOOR

None

7. SPECIAL BUSINESS

None

8. PUBLIC HEARINGS

A. Comprehensive Plan – Rezoning – Kohlmann stated this is a public hearing, and the City Planner will give a presentation. Following the Council's comments, the hearing will be open to the public for comments. **Ben Gozola, MFRA** stated there are 41 properties that need to be rezoned in order to conform to the recently approved Comprehensive Plan. He reviewed the land use map that was approved as part of the Comprehensive Plan. He recommended approval of the rezonings to match the Plan. Holscher asked what prompted the rezoning of the properties on Wildhurst Road to R-2A. Gozola stated some of the rezonings should have occurred in the past as the current zoning map is inconsistent with the Plan. He noted the designated rezonings match the current uses. LaBelle opened the hearing for public comments. There were none, and the hearing was closed. **Marceau moved to approve Ordinance 2011-1. De La Vega seconded the motion. Ayes 5. Motion carried. Marceau moved to adopt:**

**RESOLUTION 11-3
A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF AN ORDINANCE OF
THE CITY OF TONKA BAY, MINNESOTA
(ORDINANCE 2011-1 – SECTION 1016.03, ZONING MAP)**

De La Vega seconded the motion. Ayes - De La Vega, LaBelle, Marceau, Anderson and Holscher. Motion carried.

9. OLD BUSINESS

A. Municipal Docks – Kohlmann stated a timeline for dock construction was

provided in the packet. The plans and specifications have been prepared for Council's review. If approved, we will go out for bids on January 12. LaBelle asked the City Engineer to comment on any changes to the plans. **Darrin Ellingson, MRFA** stated they are similar in construction to the 1994 dock construction. He discussed minor changes to the construction to use updated materials, such as screws instead of nails. De La Vega asked how the construction would be accomplished. Ellingson stated the work is done from the ice. Kliver noted all the nails have been replaced on existing docks. Kohlmann stated the task force has discussed boat lengths of up to 26'. He discussed notifying the current dock renters to make them aware of the new requirements in the new section. Kohlmann explained how boats are measured and that the registration has the information for review when the resident applies for a space. Councilmembers discussed boat measurements. De La Vega stated the conclusion at the task force meeting was to go with the DNR measurement rather than the LMCD measurement process. LaBelle stated we will need to have language in the application that outlines how boats are measured. Councilmembers continued discussion of how long a boat should be for a space. Allowing a 24' boat was discussed. LaBelle stated the standards for boat measurement need to be specific. Penberthy stated a standard can be developed. Kohlmann suggested that more information can be brought back to the January 25 meeting. De La Vega stated the intent was to offer the new spaces to the existing renters. LaBelle stated that can be done without knowing how large the boats have to be for the new spaces. De La Vega stated boat depth is also a concern as some boats are deeper than others. Holscher stated another meeting is in order to discuss making the rules clearer. LaBelle suggested moving forward with the current rental process with the decision that there will be changes coming. Marceau suggested asking those renewing whether they would be interested in moving to a slip. LaBelle stated we don't know what it will cost. **De La Vega moved to approve the plans and specifications and direct MFRA to proceed with the bidding process. Holscher seconded the motion. Ayes 5. Motion carried.** The determination was made that we will proceed with the current rental process. Staff was directed to inform renters that the Council will develop a means to create parameters for larger boats and to stand by for further information. We are not in a position to tell them how big right now.

10. **NEW BUSINESS**

A. Establish Local Board of Appeals Meeting Date – Kohlmann stated we have been notified of a potential date for the Board of Appeals date on Wednesday, April 13. **De La Vega moved to approve the date of Wednesday, April 13 at 6:30 p.m. for the Board of Appeals meeting. Marceau seconded the motion. Ayes – Marceau, LaBelle, Holscher, Anderson and De La Vega. Motion carried.**

B. Hennepin County Multi-Jurisdictional All-Hazards Mitigation Plan – LaBelle explained the need for approving the attached resolution. **Marceau moved to**

adopt:

**RESOLUTION 11-04
A RESOLUTION ADOPTING THE HENNEPIN COUNTY
ALL-HAZARD MITIGATION PLAN**

Anderson seconded the motion. Ayes – De La Vega, LaBelle, Marceau, Anderson, and Holscher. Motion carried.

C. Hennepin County – Renew EPDB Conditional Use License – De La Vega moved to adopt:

**RESOLUTION 11-05
A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR
TO RENEW AN AGREEMENT WITH HENNEPIN COUNTY
TO ALLOW ACCESS TO ELECTRONIC DATA**

Marceau seconded the motion. Ayes – Marceau, LaBelle, Holscher, Anderson and De La Vega. Motion carried.

D. 2011 COLA – Kohlmann stated he conducted annual reviews for all non-union employees since the last meeting. He stated goals were set should a merit based system of pay be established in the future. He stated all the non-union employees qualify for the 1% COLA for 2011. Kohlmann stated he has received a sample policy for merit based pay increases. De La Vega encouraged staff to move into that direction in 2012. **De La Vega moved to approve the 1% 2011 COLA increase for all non-union employees. Marceau seconded the motion. Ayes 5. Motion carried.**

E. City Administrator Annual Review – Kohlmann stated he gets annual reviews according to his employment agreement. He asked for input on how to proceed with his annual review. De La Vega stated he stated we need to have some measurable goals and objectives, and we need to set expectations going forward. He didn't think the form provided was the right form to use. Holscher stated it is important for the Council to develop what their expectations are from the City Administrator. LaBelle stated in his discussions with Kohlmann, it was recommended Kohlmann ask the Councilmembers what their expectations are from the Administrator.

F. 2011 Goals and Objectives – Kohlmann presented a list provided in 2010 and reported on the progress to date. He also reviewed his 2011 goals and objectives, some of which have been carried over from 2010. He asked the Council for their input.

11. MATTERS FROM THE FLOOR

None

12. REPORTS

A. Administrator – Kohlmann stated the Rental Housing Task Force meeting is scheduled for January 19. He also discussed the website annual review.

B. Marceau – Finance, Marinas and Municipal Docks – Marceau stated Arctic Fever is scheduled for Saturday, January 15 from noon to 4 p.m. at Manitou Park. Other activities are planned in Excelsior and Shorewood.

C. Holscher – Buildings, Building Inspection, and Fire Lanes – no report

D. Anderson - Animal Control, LMCC, Technology, and Southshore Senior/ Community Center – no report

E. De La Vega - EFD, Parks, Sanitation, and LMCD – De La Vega stated the EFD will be meeting on January 26.

F. Attorney's Report – Penberthy thanked the Council for reappointing him as city attorney.

G. LaBelle - Public Works and SLMPD – no report

13. CLOSED SESSION (LABOR AGREEMENT)

Mayor LaBelle stated: We will now close this meeting because the matters to be discussed constitute labor negotiations under Minnesota Statutes. No further City Council business will be conducted after the closed meeting other than to adjourn.

The following persons will be in attendance at the closed meeting:

Councilmember Anthony Marceau

Gerry De La Vega

Loretta Holscher

Jeff Anderson

Mayor Bill LaBelle

City Attorney Jim Penberthy, and

City Administrator Joe Kohlmann

The subject matter of the meeting will be labor negotiations involving Teamsters Local 320 & the City of Tonka Bay.

Following the Closed Session, the regular meeting was reconvened.

14. ADJOURNMENT

There being no further business, it was moved by Marceau to adjourn the meeting at 8:52 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk