

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING July 27, 2010

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 Kohlmann and City Attorney Penberthy.

3. APPROVAL OF AGENDA

Folley moved to approve the agenda as submitted. Tessness seconded the motion. Ayes 5. Motion carried.

4. CONSENT AGENDA

Tessness moved to approve the consent agenda as presented approving the regular meeting minutes of July 13, 2010 and Accounts Payable. Marceau seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

None

6. PUBLIC HEARING

A. Continued Public Hearing – Variance Requests – Tonka Village Shopping Center, 5609 Manitou Road – Kohlmann stated the applicants have requested a continuance to an unknown date. LaBelle opened the hearing for public comments. There were no comments. LaBelle closed the public portion of the hearing. No date was set for a continuance at the request of the applicants. **Marceau moved to continue the public hearing to a future date. De La Vega seconded the motion. Ayes 5. Motion carried.**

B. Public Hearing – Variance Requests – 70 West Point Place (Continued to August 24)

7. OLD BUSINESS

None

8. NEW BUSINESS

A. Liability Waiver – Kohlmann stated that every year the City must decide whether or not to waive tort liability limits to comply with the LMCIT insurance requirements. The recommendation is to not waive the limits. This is what the City has done over the past several years. **Marceau moved to authorize the City Administrator to sign the form to not waive the tort liability limits. Folley seconded the motion. Ayes 5. Motion carried.**

B. 2011 EFD Budget – De La Vega stated the 2011 EFD budget shows a 2.02% increase over the previous year's approved budget. A large portion of the increase is the deficit in the expected payment for the Relief Association's mandatory contribution. We are expecting it to be about \$80,000 with \$62,000 carried over from last year. A building maintenance fund is being established in the amount of \$25,000. The funding will be ½ from reserves and ½ from city contributions. He stated there aren't any fundamental changes in operations or personnel proposed for 2011. He recommended approval of the proposed budget as presented. **De La Vega moved to adopt:**

**Resolution 10-14
A Resolution Approving the 2011 Excelsior Fire District Budget
And Capital Equipment Plan**

Marceau seconded the motion. Ayes – Folley, Tessness, Marceau, LaBelle and De La Vega. Motion carried.

C. 2011 LMCD Budget – Kohlmann reviewed the 2011 LMCD budget. He noted there is a slight increase from the previous year or 3% more than the previous year for Tonka Bay's portion. De La Vega stated Tonka Bay's share is increasing because of the ad valorem funding calculation process. He believed the LMCD is doing a good job maintaining their budget levels. **Marceau moved to adopt:**

**Resolution 10-15
Resolution Adopting 2011 LMCD Budget**

De La Vega seconded the motion. Ayes – Folley, Tessness, Marceau, LaBelle and De La Vega. Motion carried.

D. Council Salaries – Kohlmann stated staff has received notification that if Council desires to increase their salaries, they would have to do so before the General Election. This is on the agenda this evening for discussion. LaBelle stated he would not be in favor of an increase. He stated money is not why we are here.

E. City Assessor Contract – Kohlmann reviewed the changes to the assessor contract based on discussion at the July 13 meeting. The amount paid, the addition of a termination clause, and pro-rated payment based on such a termination have all be clarified in the contract. The Council discussed what would happen if the

assessor resigned prior to the Board of Review meeting or before all his work was done. Penberthy noted he is required by law to complete the work before the Board of Review meeting. The language could be tightened up somewhat if the Council wished. De La Vega noted on paragraph four, a date is needed. Penberthy stated some reformatting also needs to be done without changing the content. **De La Vega moved to approve the contract. Marceau seconded the motion. Ayes 5. Motion carried.**

F. City Hall Landscaping – LaBelle stated he has received a few complaints about the bushes at city hall. Tessness agreed changes are needed. LaBelle stated once we have a plan, staff can do some of the landscaping. De La Vega removed himself from the vote as he has a business relationship with the landscaper. **Marceau moved to approve the quote for the landscape plan from George Norling not to exceed \$600. Folley seconded the motion. Ayes 4-0-1. De La Vega abstained from voting. Motion carried.**

G. Municipal Dock Expansion – Kohlmann stated the next step in the municipal dock expansion process is to have engineering work completed. Measurements and a survey of the lagoon area would also be needed. Docks could be installed as early as next winter. Staff has identified three possible outcomes which were discussed. He stated we could apply for a conforming dock license through the LMCD. If the Board did not approve it, they would work with us on a special density license. Marceau asked if we would want to limit how much we spend on the license approval. LaBelle stated the timeline appeared to be very realistic. Kohlmann stated the one thing that might take time is the Environmental Assessment Worksheet; otherwise, the timeline is feasible. **Tessness moved to approve an engineering quote from MFRA in the amount of \$14,930 to begin assessment and application materials for the municipal dock expansion. De La Vega seconded the motion. Ayes 5. Motion carried.**

9. MATTERS FROM THE FLOOR

None

10. REPORTS

A. Administrator – Kohlmann stated we received 27 responses out of 59 letters. 21 are confirmed rental properties. He even had a couple calls about joining the task force.

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 – Folley stated he really liked the Week in Review and noted Shorewood Councilmembers all have laptops and everything is electronic. LaBelle stated he would be in favor of receiving items electronically.

E. De La Vega - EFD, Parks, Sanitation, and LMCD – De La Vega stated he attended a meeting to discuss the future of the LMCD. The proposal did not pass through the Legislature this year. It could be presented again next year. The purpose of the meeting was to educate people on what the LMCD does and to garner support. Future meetings with the 14 lake communities will be held with Senator Gen Olson. Marceau asked what the consensus is around the lake from the various cities. De La Vega stated there are good and bad comments. There are always discussions about the overlap among other organizations.

F. Attorney's Report – no report

G. LaBelle - Public Works and SLMPD – LaBelle stated there was a watermain break on Saturday, and the entire city was without water. He stated a pager system is needed for the water tower which is much like the lift station warning system. He reported the SLMPD Coordinating Committee is reviewing the budget, and Chief Litsey will come to a meeting to discuss it on August 9. The proposed increase is non-discretionary.

11. ADJOURNMENT

There being no further business, it was moved by Marceau to adjourn the meeting at 7:45 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk