

CITY OF TONKA BAY ITEM NO. 4A

MINUTES TONKA BAY CITY COUNCIL REGULAR MEETING October 12, 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, City Attorney Penberthy, and Public Works Superintendent Kluver.

3. APPROVAL OF AGENDA

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

4. CONSENT AGENDA

Marceau moved to approve the consent agenda as presented approving the regular meeting minutes of September 28, 2010. De La Vega seconded the motion. Ayes 5. Motion carried.

5. MATTERS FROM THE FLOOR

None

6. SPECIAL BUSINESS

None

7. PUBLIC HEARINGS

None

8. OLD BUSINESS

A. Lake Minnetonka Communications Commission (LMCC) – Sally Koennecke, LMCC Executive Director was present to discuss the LMCC. She gave an overview of their budget. She also provided information on Channel 19 which is programmed by the Wayzata School District. Programming from the Minnetonka School District is also shown on this channel. A list of all services the studio is providing was also provided as well as the statistics for government programming. She discussed funding and revenues from franchise and PEG fees. She stated fees are received quarterly

which is why they keep a large reserve balance on hand. She discussed the plan to do a residents' survey at a cost of \$30,000 to determine whether residents even want fiber optic capabilities. LaBelle asked for more information on the audit issue and why the LMCC doesn't know how much will be coming in. Koennecke explained funds can come from many sources such as late fees and advertising. Mediacom has taken some subscribers from some cities and has put them in other cities in error. De La Vega asked for clarification of what is included in the monthly bill. Koennecke clarified the fees. De La Vega stated there are no year to year comparisons in the budget, and he asked for that to be provided in future budgets. Koennecke agreed to provide that detail in the future. De La Vega was concerned about the contingency funds. He noted there are only a couple expenses that vary, and he questioned why such a large contingency is needed when the budget has set expenses every year. He was also concerned about why line items continue to increase when the amount budgeted is not spent. In response to a question about the increase in legal fees, Koennecke discussed the need for additional attorney fees when it is time to consider the franchise renewal. De La Vega discussed his concerns about the salaries which is a large part of the budget. Koennecke discussed salaries noting that compared to other similar agencies, they are short-staffed. They serve more cities than other cable commission in the state. LaBelle asked if there are any comparisons of what our residents pay compared to others. Jim Lundberg noted we have the lowest PEG fee in the entire state. Koennecke noted we have 12,000 subscribers which is about 40% penetration. LaBelle asked what would change if Tonka Bay opts-out of the LMCC. Lundberg discussed the government channels 8 and 20 as well as the bulletin board channel. De La Vega asked if there was any data on how many people are watching. Lundberg stated that information is not tracked. We do get information on the streamed meetings. Chris noted channel 12 is wall-to-wall programming. He discussed other programming available on the cable channels. Koennecke stated the joint powers agreement has a process to go through to withdraw from the LMCC. It would be up to the city to determine if that is something they want to do. The Council discussed looking at other options that might be available. LaBelle suggested Koennecke write the City a letter indicating what changes would occur if the City should opt out of the Commission. In response to a question from Folley, Koennecke discussed the status of Mound's decision to join the LMCC. LaBelle stated this is a process going forward that will need to be reviewed and asked Koennecke to write a letter to indicate what will change if Tonka Bay opts out.

B. Rental Housing Task Force – Kohlmann stated landlords and tenants in Tonka Bay were asked to volunteer to be a part of the rental housing task force. A group has been created and he requested the Council to give their input and to set a date for the first task force meeting. Councilmembers made general comments on the makeup of the task force. **Tessness moved to set Tuesday, November 16 at 6:00 p.m. for the first rental housing task force meeting. Marceau seconded the motion. Ayes 5. Motion carried.**

C. Municipal Dock Expansion – Kohlmann stated MFRA has drafted a plan of the lagoon area, and Darren Ellingson, City Engineer, is here to discuss the plan. Questions to be answered include how long the docks should be, whether dredging should be done, and the timing for the LMCD application. **Darren Ellingson, MFRA** reviewed the plan showing the existing and future dock area. The dock expansion area was reviewed. The current plan shows 22' docks. Kohlmann stated dredging is also a topic of discussion. Ellingson noted the current water elevation is 3-1/2 – 5' in depth. Councilmembers and staff discussed dredging. Council concurred dredging should be postponed until later. Kohlmann stated the next step is to determine how long the docks should be. LaBelle proposed making the docks 24' in length. Kohlmann stated the LMCD would like us to exchange the slides we aren't using for dock space, discount shoreline, and throw in non-continuous shore line (fire lanes). Ellingson explained there are several calculations on the plan to account for every shoreline measurement. Councilmembers discussed the measurements. Kohlmann discussed the LMCD application process and shoreline measurements that could or could not be used as part of the application.

9. NEW BUSINESS

A. De-icing Permits – LaBelle stated this is an annual process, and Public Works inspects the permits on a regular basis. **Folley moved to approve the de-icing permit requests. Marceau seconded the motion. Ayes 5. Motion carried.**

B. Schedule Enterprise Worksessions – Kohlmann stated staff is recommending a couple more worksessions be set to review enterprise funds at the next three Council meeting dates, one hour prior to the regular meeting on October 26, November 9, and November 23, if needed. De La Vega suggested the docks be discussed first. **Marceau moved to set the following dates for worksessions: October 26, November 9, and November 23 at 6:00 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.**

10. MATTERS FROM THE FLOOR

None

11. REPORTS

A. Administrator – Kohlmann discussed balances for public hearing fees that are past due. He stated there is a meeting in Deephaven to discuss Lake Minnetonka issues on Wednesday, October 13 that he plans to attend.

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** – LaBelle stated he participated in the ICA food shelf fundraiser at Cub.

12. **ADJOURNMENT**

There being no further business, it was moved by Marceau to adjourn the meeting at 8:51 p.m. De La Vega seconded the motion. Ayes 5. Motion carried.

Attest:

Clerk