

CITY COUNCIL

7:00 P.M.

July 21, 2008

Present: Scott M. Johnson  
David Gustafson  
Pat Kelley  
Steve Marolt

Absent: Amber Dow, excused

Lana Fralich, City Administrator  
Gerald Morris, Asst. City Attorney

Also attending: Harold Koepp, James Larson, Chris Mattila, John Harrison, Ken Hertz, Bill Ylatupa, Carol Youngber, Elwood Youngberg, Jack Swanson

Mayor Johnson called the meeting to order at 7:01 p.m.

CONSENT AGENDA – Motion Kelly, second Marolt to approve the Consent Agenda (minutes of July 7, 2008, Council Meeting). THE MOTION CARRIED

PUBLIC PRESENTATION—ATVAM—Bill Ylatupa was present regarding the request from ATVAM to hold an ATV parade in Silver Bay again in 2009.

Motion Gustafson, second Kelley to approve the request of the ATVAM to come to Silver Bay on June 13, 2009, to attempt to set the record for the world's longest ATV parade. CARRIED

Mayor Johnson noted this motion inferred that department heads would cooperate at the same level as they had during the June 2008 event. L. Schermerhorn of ATVAM would like to meet with city organizers on October 17-18, 2008.

BYWAY TASK FORCE MEETING - Motion Kelley, second Marolt to allow any member of the City Council to attend the July 30 Superior National Forest Scenic Byway Task Force Meeting in Hoyt Lakes with usual expenses paid. THE MOTION CARRIED

SONJA SMERUD LETTER – High school junior Sonja Smerud asks if the city would donate pins to use as an exchange item during her one-year abroad as a Rotary Youth Exchange study in Bavaria, Germany. NEXT AGENDA

BAY DAYS PARADE – Carol Youngberg asked that a member of the Council drive the city float in the upcoming Bay Days Parade. Council agreed one of them would do this.

DEPARTMENTS – CITY ADMINISTRATOR

RESOLUTION 2008-#31, HARRISON VARIANCE – Because of an oversight by the owner, the city's building inspectors, and the builder at the time the garage at 51 Marks was built, the garage is in violation of the 20 foot sideyard setback. A recent examination of the plat map shows a dedicated but unopened street 10 feet from this garage. A public hearing was held on July 14. There was no opposition to granting a variance at this hearing.

Motion Marolt, second Gustafson to adopt **Resolution 2008-#31, Authorizing A Variance to John R. Harrison and Carol B. Harrison at 51 Marks Drive, Silver Bay, Minnesota** for the sideyard setback for their garage.

Roll call vote: Member Gustafson - aye,      Member Kelley - aye,  
                         Member Marolt – aye      Mayor Johnson – aye  
Absent for vote: Member Dow

THE RESOLUTION WAS ADOPTED

LIQUOR STORE PROJECT CHANGE ORDER #1 – Mrs. Fralich reviewed the additions and deletions to the contract in the Change Order. She said LHB Engineering had agreed to reimburse the City for the \$1779 charge to cut an opening in a masonry wall.

Motion Gustafson to approve Change Order #1 contingent upon LHB paying the \$1779 item in the Order for cutting an opening in a masonry wall. Discussion followed. Council agreed the City should have something in writing from LHB regarding the reimbursement. Member Gustafson withdrew his motion. NEXT AGENDA

NORTHEAST SERVICE COOPERATIVE MEETING - Motion Kelley, second Marolt to allow the City Administrator to attend the August 18, 2008, Northeast Service cooperative Meeting in Mt. Iron with usual expenses paid. THE MOTION CARRIED

DOG CATCHER POSITION – Mrs. Fralich reported the humane society was not sure when they might hire someone for this area. She said the City, however, needed someone to handle and transport animals now. The police chief supported having a contract situation which would pay \$243.75 per month plus \$25 for each impound plus travel expenses. The person would report to the police chief.

Motion Kelley, second Gustafson to advertise for the position of dog catcher with some rewording of the current contract to indicate the position is accountable to the Police Chief.

Discussion followed regarding a vehicle for the dogcatcher. Member Gustafson suggested use of a containment trailer for transporting animals.

THE MOTION CARRIED

MARY MAC LEASE ADDENDUM—WILDERNESS FAMILY NATURALS – An Addendum has been prepared for the additional space Wilderness Family Naturals has requested.

Motion Kelley, second Marolt to approve the Addendum to the lease of Wilderness Natural Foods to rent additional space, specifically Suite 107, in Mary MacDonald Center for an additional cost of \$325 per month effective August 1 through September 30, 2008. THE MOTION CARRIED

AIRPORT HANGAR RENTAL RATES – The Airport Commission will be making hangar space for transient pilots available and has recommended rates of \$20 per day and \$75 per week. Members Kelley and Marolt felt rates should be lower to encourage pilots to use the airport.

Motion Kelley, second Marolt to set a rate of \$10 per day and \$50 per week for transient pilots.

Members Kelley and Marolt voted aye. Member Gustafson and Mayor Johnson voted naye. The Motion Failed

Motion Marolt, second Kelley to set a rate of \$15 per day and \$60 per week for transient pilots at the Wayne Johnson Airport. THE MOTION CARRIED

MINIMUM WAGE RATES – The IRS has raised minimum wage rates to \$6.55 per hour effective July 24, 2008, and \$7.25 per hour effective July 24, 2009.

Motion Kelley, second Marolt to increase the wages of those city employees who are currently below the new minimum wage amounts contained in the Fair Labor Standards Act, effective July 24, 2008. THE MOTION CARRIED

IRS MILEAGE RATES – The IRS has increased the optional standard mileage rates to 58.5 cents per mile effective July 1 through December 31, 2008. Mrs. Fralich said the city would therefore reimburse 58.5 cents per mile to people when the city car was not available and 29 cents per mile when the car was available. She noted reimbursement for a trip she had taken July 7 would be under the old rate.

Motion Marolt, second Gustafson to increase mileage reimbursement retroactive to July 1, 2008 as follows: 58.5 cents/mile when the city car is not available and 29 cents/mile when the city car is available. THE MOTION CARRIED

PERA REQUEST FOR ADDITIONAL LANGUAGE FOR RESOLUTION 2008-#25 --  
TABLED

CITY ATTORNEY – MAYORAL TERM – Council decision was to leave the term as it currently is—a two year term.

UNDELIVERED GOODS - Motion Kelley, second Marolt to authorize the City Attorney's Office to pay the \$65 filing fee and proceed to conciliation court to recoup an expenditure made for liquor store bar stools which have not been delivered. THE MOTION CARRIED

OLD BUSINESS – MARY MACDONALD BUILDING REHABILITATION UPDATE – Mrs. Fralich reported on the timeline for rehabilitation projects at Mary MacDonald. She noted the engineering firm felt it would be better to install a sprinkling system in the entire building rather than trying to section off parts that might not require it.

PERSONNEL COMMITTEE – Mayor Johnson asked that either Member Dow or Member Kelley take his place during the process to interview applicants for the position in the city office.

CITY CAR REQUESTS – Motion Kelley, second Marolt that the City Administrator approve all requests from department heads for use of the city car and that the Mayor approve the City Administrator's request for use of the city car. THE MOTION CARRIED

NEW BUSINESS – MARY MACDONALD SIGNS – Member Gustafson suggested it was time to proceed to get a sign listing Mary MacDonald businesses. This was approved by Council some time ago. Member Gustafson will get a sketch of the sign to the City Administrator

CITY FLOAT IN BAY DAYS PARADE – Motion Kelley, second Marolt to approve use of the city float and a city vehicle to pull it in the Silver-Beaver Days Parade July 26 and also to approve purchasing up to \$100 of candy for the parade. THE MOTION CARRIED

CLAIMS – Motion Gustafson, second Marolt to approve payment of \$65,230.69 paid claims and \$67,844.01 unpaid claims as presented. THE MOTION CARRIED

Motion Marolt, second Kelley to approve including a claim from Amber Dow for reimbursement of \$66.11 in the unpaid claims list. THE MOTION CARRIED

Motion Kelley, second Marolt to adjourn at 8:17 p.m. THE MOTION CARRIED

Minutes taken by Betty Oslund

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Scott M. Johnson, Mayor

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Lana Fralich, City Administrator