

## CITY COUNCIL

7:00 P.M.

June 2, 2008

Present: Scott M. Johnson  
David Gustafson  
Pat Kelley  
Steven Marolt  
Amber Dow

Lana Fralich, City Administrator  
Wayne G. Johnson, City Attorney

Also attending: Carlene Perfetto, Harold Koepp, Forrest Johnson

Mayor Johnson called the meeting to order at 7:03 p.m. He welcomed City Administrator Lana Fralich.

CONSENT AGENDA – Motion Kelley, second Gustafson to approve the Consent Agenda item 3 (minutes of May 19, 2008, Special Council Meeting and May 19, 2008, Council Meeting). THE MOTION CARRIED

PETITIONS, REQUESTS, & COMMUNICATIONS – Notices of June 12 meeting of Coalition of Greater MN Cities and August 18-20 MN Municipal Utilities Association training in Alexandria, MN.

### DEPARTMENTS

### CITY ADMINISTRATOR

APPROVE LAKE BANK SIGNATORIES – Motion Dow, second Kelley to adopt **Resolution 2008-#21, Approve Lake Bank Signatories** Lana Fralich, Cheryl Marolt, Leondra Morris, Scott M. Johnson, Thomas Byrnes and Kerry Danielson.

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

THE RESOLUTION WAS ADOPTED

MUNICIPAL CLERKS & FINANCE OFFICERS ASSOCIATION OF MN APPLICATION FORM – Motion Kelley, second Dow to approve the application form for the memberships of Lana Fralich and Cheryl Marolt in the Municipal Clerks and Finance Officers Association of Minnesota at a total cost of \$70. THE MOTION CARRIED

MMCI TRAINING FOR L. FRALICH – Motion Marolt, second Kelley to authorize Lana Fralich to attend the MN Municipal Clerks Institute July 7-11, 2008 in Brooklyn Center, Minnesota, with usual expenses paid. THE MOTION CARRIED The approximately \$1300 cost will come out of the city administrator's budget.

MEMO OF UNDERSTANDING WITH UNION – Motion Gustafson, second Marolt to approve the Memorandum of Understanding (MOU) with the Local #49 Union which replaces the MOU dated 5/19/06; this MOU authorizes the Seasonal Marina Aide I and Seasonal Groundskeeper and Cemetery Caretaker positions into the existing Labor Agreement.

Council members approved the wages for the positions as set forth in the MOU but raised concerns regarding the 67-day rule and wage increases given to other union members. **The motion was tabled** pending further research.

AIRPORT FEDERAL GRANT OFFER – Motion Gustafson, second Kelley to adopt **Resolution 2008-#22, Authorizing Execution of Federal Grant Offer #3-27-0090-04-08 in the amount of \$40,375 for Design Engineering for Construction of the General Aviation Arrival Departure Building.**

Roll call vote: Member Dow, - aye  
Member Marolt – aye  
Mayor Johnson - aye

Member Kelley – aye  
Member Gustafson – aye

THE RESOLUTION WAS ADOPTED

AIRPORT STATE AGREEMENT – Motion Kelley, second Marolt to adopt **Resolution 2008-#23, Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Improvement Excluding Land Acquisition, Grant Agreement No. 92945.**

Roll call vote: Member Dow, - aye  
Member Marolt – aye  
Mayor Johnson - aye

Member Kelley – aye  
Member Gustafson – aye

THE RESOLUTION WAS ADOPTED

APPROVE ATTENDANCE AT PAY EQUITY MEETING - Mrs. Fralich reported the city was out of compliance for a pay equity report. She stated she had therefore attended a pay equity meeting on May 30 in Crosby and would be making completion of the city pay equity report a priority. The City has received a 30-day extension for completion of the report.

Motion Marolt, second Dow to approve the attendance of the city administrator at the May 30, 2008, pay equity meeting in Crosby, Minnesota, and to reimburse her for expenses incurred. THE MOTION CARRIED

COMPENSATION FOR MEETING ATTENDANCE – Mayor Johnson suggested the city compensate Mrs. Fralich for time she spent attending the May 21 IRR meeting, which occurred before her employment contract began with the city.

Motion Marolt, second Kelley to allow Lana Fralich to take comp time for her attendance at the IRR meeting on May 21, 2008, before her employment contract started. THE MOTION CARRIED

CITY ATTORNEY – PUBLIC UTILITIES COMMISSION POWERS AND DUTIES – Council discussed Atty. Johnson’s opinion regarding the powers and duties of the Public Utilities

Commission and whether or not the City Code was in conflict with State Statutes. Atty. Johnson noted the Commission could not delegate away its powers although it had the authority to delegate purely administrative tasks. It could therefore delegate the Council or its personnel committee to test and interview candidates for employment but the Commission would have to do the actual hiring. Atty. Johnson said the Commission could work cooperatively with the City in regard to setting wages and could be part of negotiating the contract between the City and the Labor Union.

AMENDMENTS TO SECTION 820.02 OF CITY CODE (ADDRESS NUMBERS) - Atty. Johnson stated the Code already allowed for address numbers to be placed on mailboxes or posts. No amendment was needed.

NUISANCE PROPERTIES—VERBAL REPORT – Atty. Johnson reported the police chief had sent warnings to the nuisance properties that were not in compliance with the Code. Each property had been inspected at least twice. All properties were abated except for one, which was issued a citation. The property at 34 Aiken was given additional time to remove items because of wet conditions on the yard. Atty. Johnson will draft a procedure on how to handle repeat offenders.

#### OLD BUSINESS

MARY MACDONALD CENTER – Mayor Johnson reported the Iron Range Resources Board had approved a \$120,000 grant for water and road extension and site and building improvements at Mary MacDonald. In addition, legislation was included in the taconite tax portion of the 2008 tax bill to provide for \$580,000 to be allocated for improvements to MacDonald. SEH will be preparing a proposal for their services to develop specifications for the project.

NHED MEETING – The city will not be sending a representative to this meeting on June 5.

REQUEST TO RESEARCH 4-YEAR MAYORAL TERM – Member Kelley asked Atty. Johnson to research the possibility of a 4-year mayoral term.

HELICOPTER RIDES DURING JUNE ATV EVENT – Member Dow was expressed concern about helicopter rides during the ATV event because no site had been identified. Atty. Johnson said the city would not have any liability since an independent operator would be conducting the helicopter rides. He said he had asked that the City be named as an additional insured on the ATV group's insurance policy for the June event and would ask them to furnish a copy of the policy to insure the city was protected.

#### NEW BUSINESS

The Lake County Solid Waste Department requests approval to hold a hazardous waste materials collection in Silver Bay this summer. Council asked the city administrator to contact the street superintendent regarding the location and to ask the county if the collection could be conducted on a Saturday or after normal workday hours. NEXT AGENDA

CLAIMS – Motion Gustafson, second Marolt to approve payment of \$27,387.37 unpaid claims and \$63,069.84 paid claims as presented.

Atty. Johnson answered questions regarding attorney bills for such things as plat work, which were in addition to the monthly retainer. Since it appears to be the trend to pass costs for plat work to developers, Council asked that Atty. Johnson provide them with information on that.

THE MOTION CARRIED

Motion Kelley, second Marolt to approve payment of a claim for \$11,126.62 to LHB Engineering. THE MOTION CARRIED

Motion Kelley, second Marolt to adjourn at 8:13 p.m. THE MOTION CARRIED

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Scott M. Johnson, Mayor

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Lana Fralich, City Administrator