

CITY COUNCIL

7:00 P.M.

March 3, 2008

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

Absent: Amber Dow
Gary Brumberg,
City Administrator

Wayne G. Johnson, City Attorney

Also attending: Lee and Tina Davis, Marie Kaiser, Bill Ylatupa, Tim Bjella, Tom Porter, Kim and Pete Lenski, Marcus D. Huss, Dave Mealy, Jack Swanson, Wayne Billings

Mayor Johnson called the meeting to order at 7:00 p.m.

CONSENT AGENDA – Motion S. Marolt, second P. Kelley to approve the consent agenda. THE MOTION CARRIED

PETITIONS, REQUESTS & COMMUNICATIONS –

Board of Appeal & Equalization, April 23, 2008 – Meeting will be held at the County Assessor's Office.

Gary Weimar, Intent to Retire – Motion D. Gustafson, second P. Kelley to accept the letter of intent to retire from Gary Weimar with regrets and wishes for a happy retirement. THE MOTION CARRIED

Silver Trail Riders Club, Bill Ylatupa – The MN Legislative (2007-2008) is in session. A bill, S.F. No. 3087, has been introduced which will remove off-road refunded gas tax. It was drafted by Minnesotans for Responsible Recreation (MRR), whose goal is to eliminate snow mobiling, 4-wheeler and other motorized recreation. It would deprive clubs of funds, divert gas tax money paid by snow mobile riders to other purposes, delay or prohibit development of new trails and lead to closure of some existing trails. B. Ylatupa plans to attend a Legislators' Reception in St. Paul on Mar 19 and requests Silver Bay's backing to defeat this legislation. The community impact that recreational vehicles has on our community was discussed. Resolution will be completed early next week.

Motion D. Gustafson, second S. Marolt to adopt **Resolution 2008-16, Support MnUSA in the defeat of S.F. No. 3087.**

Roll call vote: Member Gustafson – aye; Member Kelley – aye.
Member Marolt – aye; Mayor Johnson – aye.

Absent for vote – Member Dow

THE RESOLUTION WAS ADOPTED

Information and maps for the World's Longest ATV Parade, Saturday, June 14 will be available soon.

DEPARTMENTS – CITY ADMINISTRATOR –CITY ATTORNEY –

POLICE DEPARTMENT, W. Billings – Request made for recruitment of a full time police officer to replace the vacancy created by a retirement. It was requested that council approve a 10-day in-house recruitment in accordance with existing personnel policy; additional approval is requested to initiate a full recruitment should the in-house recruitment fail to generate an applicant. Motion S. Marolt; second P. Kelly to initiate recruitment for a full time police officer. THE MOTION CARRIED

OLD BUSINESS –

SILVER BAY WAYNE JOHNSON AIRPORT - A replacement Arrival/Departure (AD) building has been identified on the capital improvement fund for a couple of years. The existing AD building does not meet code and a continued concern is a future demand by FAA to remove it with no financial assistance to do so. The building location penetrates the inside slope of the 7-1 zone, which is non-compliant with code. Additionally, the wastewater holding tank requires frequent pumping and the drinking water is unsafe.

The new “turn-key” 20’X30” building project is estimated to cost \$250-\$300 K including site preparation, engineering and architectural costs and would be located closer to the wooded area. It can be constructed with 95/5 matching funds with a 20year commitment for continued operation of the airport. The cost to the city to move forward with this project would be \$10-\$15K; the cost of removal of the existing building and demolition site work for the well and holding tank would be more.

Major improvements have been made in the last few years with matching funds. This would be the last of the major improvements to the airport for many years to come.

“Friends of North Shore Aviation”, a non-profit (501(c) 3) has been established to enable fund raising with businesses and individuals who benefit from having an airport in the region. Support from the City of Silver Bay is needed in order to initiate an effective fund raising campaign for this project.

The deadline for grant application is May 1. There is a lot of work that needs to be done within the limited available time to meet the deadline for this fiscal year.

Future anticipated changes to grants with matching funds are a 90/10 split and an eligibility requirement of 10 home based aircraft. There are currently 3 local pilots within a 20-mile radius. It should be noted, however, that this airport is a safe harbor for aircraft in flight; it is used for general aviation requirements, and Cirrus uses it daily.

Decision was tabled until Special City Council Meeting on 2:30, Monday, March 10.

NORTHERN LAKE COUNTY ARTS BOARD (NLCAB)REQUEST FOR DONATION - M. Tarlton provided information on donation request . NLCAB brings cultural programs to the city, and provides the only enhancement to the elementary school art program since the school district’s funding cuts. Motion D. Gustafson; second S. Marolt to donate \$500 to the Northern Lake County Arts Board. THE MOTION CARRIED. The possibility of

including this type of funding as a line item in the Parks and Recreation budget in future years was favorably discussed.

TOURISM MARKETING THREE-WAY AGREEMENT – The lodging agreement has been signed by Cook County; Mayor will sign agreement this week and forward to W. Johnson.

TRACY JACOBSON LEASE – Request was made to extend the lease until the end of the year with the same terms included in the principle lease (manufacture and sale of specialty foods- use 10 days a month). Definition of “specialty foods” was discussed. No action required; the Mayor and City Administrator will sign the lease.

NEW BUSINESS

CITY VEHICLE USE POLICY, -Emergency Snow Removal – Taking snow emergency vehicle home in anticipation of emergency use was discussed. Motion P. Kelley, second S. Marolt to adopt the Personnel Policy amendment to Section 13, Employee Transportation, as presented.

Roll call vote: Member Gustafson – aye; Member Kelley – aye.

Member Marolt – aye; Mayor Johnson – aye.

Absent for vote – Member Dow

THE MOTION CARRIED

VETERAN’S MEMORIAL GARDEN, VFW – D. Mealy requested permission for the VFW to construct a raised garden for a Veteran’s Memorial, subject to availability of VFW funds. The suggested location would be in front of the Bay Area Historical Building; the plan has been discussed with the Garden Club. Council concurred.

AFTER PROM EVENT, April 26, MARY MACDONALD CENTER GYM - After Prom Event Committee stated that the diverted use of the Re-union Hall during the Municipal Liquor Store project has resulted in narrowing the location choices for this event. Two days are needed to set-up, as well as time for the event and for clean up. The event provides a healthy and safe atmosphere for approximately 100 paying students. The event is too large for the Country Club; availability of the gym or cafeteria cannot provide enough time for set up. Security risk for businesses; number of parent chaperones; procedures and number of exits were discussed. P, Kelly stated that there has not been a history of destructive behavior at this event; M. Huss concurred that it has been a success for many years. . Motion P. Kelley, second S. Marolt to grant permission to the After Prom Committee to use the gym at the Mary MacDonald Center for set up, the event, and clean up the day after. **THE MOTION CARRIED**

VFW RESOLUTION 2008-#15, AUTHORIZING LAWFUL GAMBLING LEASE FOR ALLAN MACDONALD VFW POST 6204 AT TEMPORARY LOCATION – 97 OUTER DRIVE.

Roll call vote: Member Gustafson – aye; Member Kelley – aye.

Member Marolt – aye; Mayor Johnson – aye.

Absent for vote – Member Dow

THE RESOLUTION WAS ADOPTED

CITY ADMINISTRATOR POSITION - The City Council has interviewed, and scored the applicants. Motion P. Kelley; second S. Marolt to offer the position to John Foschi, conditional upon background investigation results. THE MOTION CARRIED. The Mayor and Interim City Administrator will call references, and initiate background investigation. W. Johnson, G. Brumberg and S. Johnson will present prepared contract and available start date to council.

CLAIMS – Motion P. Kelley, second S. Marolt to approve payment of \$173,887.23 unpaid claims and \$56,786.78 paid claims as presented. THE MOTION CARRIED

ADJOURNMENT - Motion S. Marolt, second D. Gustafson to adjourn at 8:30 p.m. THE MOTION CARRIED

Minutes taken by Mabel Tarlton

Scott M. Johnson, Mayor

Gary Brumberg, Interim City Administrator