

CITY COUNCIL

7:00 P.M.

October 20, 2008

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

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

Also attending: Nathan Skoglund, Forrest Johnson;
Steve Preckel, Trevor Norenberg, Jessica Volkmann (representatives from AFLAC)

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

CONSENT AGENDA – Motion Gustafson, second Kelley to approve the Consent Agenda item 3 (Minutes of October 6, 2008, Council Meeting) and item 4 (February 2008 Treasurer's Report). THE MOTION CARRIED

PUBLIC PRESENTATION: AFLAC – Trevor Norenberg, a representative of AFLAC, explained the supplemental insurance benefits his company could provide for City employees. There would be no cost to the City for this insurance and employee participation would be voluntary. Council asked the Administrator to determine if there were other companies that offered this type of insurance.

PETITIONS, REQUESTS, & COMMUNICATIONS

NORTHSHORE AREA PARTNERS – Request for \$100 donation. Council discussed restricting donations to the 3 they had agreed to during 2009 budget discussions. Members Kelley and Gustafson felt Northshore Area Partners was an asset to the community and the past practice of donating to the group should be continued. Discussion followed.

Motion Kelley, second Gustafson to make a \$100 donation to Northshore Area Partners Living at Home/Block Nurse Program. THE MOTION CARRIED

Ms. Fralich will check with the IRB to confirm that the City's application for a grant for assisted living will be considered at the IRB December meeting.

Mayor Johnson reported he had been attending meetings to set priorities for requests for transportation projects in the area.

DEPARTMENTS

CITY ADMINISTRATOR

HOME OCCUPATION PERMIT—NATHAN SKOGLUND – Ms. Fralich reported Planning and Zoning had held a public hearing at which Mr. Skoglund agreed to comply with all the conditions of the City Code in regard to his request for a home occupation permit. Planning and Zoning had recommended approval of the permit.

Motion Gustafson, second Dow to approve a home occupation permit for Nathan Skoglund to operate a computer repair, network installation, consulting business at 16 Edison Boulevard. THE MOTION CARRIED

RESOLUTION—SALARIES FOR MAYOR AND COUNCIL - Motion Kelley, second Gustafson to adopt Resolution 2008-#36, A Resolution to establish salaries of the Mayor and Council Members at \$450/month and \$350/month, respectively, effective January 1, 2009.

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

THE RESOLUTION WAS ADOPTED, 4 aye, 1 naye

LEASE ADDENDUM—WILDERNESS FAMILY NATURALS – Wilderness Family Naturals has asked to rent three additional rooms in Mary MacDonald beginning November 1, 2008. This will increase their rent to \$5,325 per month.

Motion Dow, second Marolt to approve the lease addendum for Wilderness Family Naturals to add suites 108, 109, and 118 at Mary MacDonald Center, effective November 1, 2008. THE MOTION CARRIED

RESOLUTION—IDENTITY THEFT PREVENTION PROGRAM – Ms. Fralich explained the the City was now required to have an identity theft prevention program in place before November 1 because it bills and collects for utilities. She recommended Council approve the program she had developed with assistance from the MN Municipal Utilities Association.

Motion Kelley, second Marolt to adopt **Resolution 2008-#37, Authorizing Approval of Identity Theft Prevention Program** pending approval by the Public Utilities Commission.

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

THE RESOLUTION WAS ADOPTED

ASSISTANT CHIEF OF POLICE JOB DESCRIPTION – Ms. Fralich reviewed the changes made to the job description.

Motion Marolt, second Kelley to approve the revised Assistant Police Chief Job Description and authorize posting the position. THE MOTION CARRIED Member Dow abstained.

INDEPENDENT CONTRACTS – Motion Kelley, second Marolt to approve a contract with June A. Talus (June’s Cleaning Service) to provide custodial services to the Silver Bay City Hall at a sum of \$425 per month commencing October 23, 2008. THE MOTION CARRIED

Council agreed that independent contractor agreements should be brought before Council for approval.

CITY ATTORNEY – PLANNING AND ZONING REQUEST FOR CODE UPDATE – Atty. Morris reviewed the draft of the amendment to City Code Section 550.02 Waste and Junk, which had been requested by the Planning and Zoning Commission to eliminate problems of items and dumpsters left on boulevards for long periods of time. A question was raised regarding the definition of short term in the draft amendment. Atty. Morris explained the intent of the amendment was to restrict items on boulevards to those placed there for Wednesday trash collection and Thursday recycling plus dumpsters used for remodeling projects. The police would provide enforcement; penalties would be \$80 first offense and \$200 second offense.

Motion Kelley, second Marolt to accept the recommendation of the Planning and Zoning Commission to amend the City Code Section 550.02 Waste and Junk and to ask the Asst. City Attorney to prepare a Resolution to adopt the amendment. THE MOTION CARRIED

OLD BUSINESS

MARY MACDONALD BUILDING – Ms. Fralich reported an analysis by the engineer shows the flooring in MacDonald will support the weight of the pallets and forklifts and the ceiling tiles do not require asbestos abatement. SEH Engineering will make a presentation at the next meeting.

SALMON CLASSIC FISHING CONTEST – The Silver Bay Yacht Club has agreed to take on the management of the Salmon Classic Fishing Contest.

NEW BUSINESS

DEED APPLICATION – Ms. Fralich explained the next step in the Phase studies to clean up the boneyard site at the water treatment plant would be to make application to DEED’s contamination investigation and Response Action Plan Development which would help offset costs for investigation & development of a plan to clean up the site if contamination is found. The grant, if received, would cover 75% of the initial cost estimate of \$52,611.

Council set a Special Council Meeting for Monday, October 27, 2008, at 5:00 p.m. to discuss the DEED application.

CLAIMS – Motion Gustafson, second Marolt to approve payment of \$49,383.46 paid claims and \$99,144.32 unpaid claims as presented. THE MOTION CARRIED

Motion Kelley, second Marolt to adjourn at 8:08 p.m. THE MOTION CARRIED

Scott M. Johnson, Mayor

Lana Fralich, City Administrator