

CITY COUNCIL

7:00 P.M.

December 17, 2012

Present: Scott M. Johnson
David Gustafson
Joanne Johnson
Carlene Perfetto

Steven Marolt – excused

Lana Fralich, City Administrator
Kitty Mayo, North Shore Journal
Tammy Francois, Lake County News Chronicle
Mike Johnson, Mya Boman

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

Agenda – Motion by Gustafson, second Perfetto to approve the agenda as presented.
MOTION CARRIED.

Consent Agenda – Motion by J Johnson, second Gustafson to approve the minutes of the December 3, 2012 regular Council meeting, and the November 2012 Treasurer’s Report.
MOTION CARRIED.

Petitions, Requests and Communications

Kelley High School Donation – The Council reviewed a request for a donation from the high school band and choir, and it was noted that donations are not in the 2012 budget and that the Council has not approved similar requests. There was discussion on the importance of this program. Motion by Perfetto, second J Johnson to deny the request for a donation to the Kelley high school band and choir. MOTION CARRIED.

Lake Superior Coastal Program – The Council reviewed a request for a Lake County representative on this organization’s board.

Local Government Innovation Award – The board reviewed an award from this organization for the City’s innovation in the greenhouse project. It was noted that this is one of 6 awards, statewide, and that there will be a reception on Minneapolis on January 16. Motion by Perfetto, second Gustafson to approve for Fralich, J Johnson, Perfetto, Wade LeBlanc and Bruce Carman to attend the Local Government Innovation Award ceremony in Minneapolis on January 16. MOTION CARRIED.

City Administrator

Cigarette / Beer License Renewals – Motion by Perfetto, second J Johnson to issue Cigarette Licenses to Bri-Esa’s Convenience Store, Zupancich Brothers, Inc., and Silver Bay Municipal Liquor Store; to issue Beer on-sale licenses to Silver Bowl and Silver Bay Golf Course; to issue on-sale and off-sale, Monday through Saturday liquor license to Silver Bay Municipal Lounge;

to issue on-sale, Monday through Saturday liquor license to the Reunion Hall; and to issue on-sale Sunday liquor license to Silver Bay Municipal Lounge. MOTION CARRIED.

2013 Council Meeting dates and Holidays – The Council reviewed the list of 2013 City Council meeting dates. The 2013 City Council meetings will be held on January 7, January 22, February 4, February 19, March 4, March 18, April 1, April 15, May 6, May 20, June 3, June 17, July 1, July 15, August 5, August 19, September 3, September 16, October 7, October 21, November 4, November 18, December 2 and December 16 at 7:00p.m. at City Hall. The 2012 City Holidays will be January 1, January 21, February 18, May 27, July 4, September 2, October 14, November 11, November 28, December 24 and December 25. Motion by J Johnson, second Perfetto to approve the 2013 Council meeting dates and 2013 City Holidays, as presented. MOTION CARRIED

Home Use Occupation Permit Renewals – The Planning and Zoning Commission recommends approval of two home application renewals that expire on December 31, 2012. Motion by Gustafson, second J Johnson to renew the Home Use Occupation permits to Carlene Perfetto at 156 Edison Blvd. and to Jenny Cook at 11 Nelson Drive. Gustafson, J Johnson and Mayor Johnson voted aye, Perfetto abstained. MOTION CARRIED.

Annual Contract Renewals – The Council reviewed the contracts with Gary Thompson for building official services, Bill Ylatupa for Fire Hall custodial services, and Jones Cleaning Service for custodial services at the City Hall, animal pound and Liquor Store. It was noted that there were no changes from the 2012 contracts. Motion by Perfetto, second Gustafson to approve the 2013 contracts with Gary Thompson for building official, Bill Ylatupa for Fire Hall custodial services, and Jones Cleaning Service for custodial services at the City Hall, animal pound and Liquor Store. MOTION CARRIED.

Fire Administration Contract – The Council reviewed the Fire Administrator's contract. There was discussion about the fees for services, it was noted that this is a contract for independent services, and there was further discussion about the payroll for fire dept. members and officers. Motion by J Johnson, second Perfetto to approve the contract for fire administrator, Mike Rowlee. MOTION CARRIED.

Computers for Police Vehicles – It was noted that the City is eligible for grant money obtained by the County to purchase computers for the police vehicles, that the timeline for this funding required ordering the equipment by December 14, and that the Administrator received the Mayor's approval for this order. There was discussion about safety concerns of using the computer while driving and about the timeline of this funding. Motion by Perfetto, second J Johnson to approve the purchase of computers for the police vehicles. MOTION CARRIED.

Day at the Capitol – The Council reviewed the costs and brochures for this event. It was noted that the legislative dinner and breakfast exceed the amount of the meal reimbursement policy. Motion by Perfetto, second J Johnson to approve for \$625 for brochures, and for Fralich, Perfetto, J Johnson, and Councilor elect Goutermont to attend the Day at the Capital event in St. Paul on February 12-14, including mileage, motels, and the actual cost of the meals. MOTION CARRIED.

Resolution 2012- 50 – The Parks and Recreation Board recommends approval of an amended agreement with the MN DNR for the management of the Marina. It was noted that this agreement increases the annual fee to compensate for past shortfalls, includes training for the Marina manager, and includes annual funds for future budget shortfalls. Motion by Perfetto, second Gustafson to adopt Resolution 2012-50, authorizing to amend the Minnesota Department of Natural Resources cooperative agreement for Marina management.

Member Gustafson – aye

Member Johnson – aye

Member Perfetto – aye

Mayor Johnson – aye

Member Marolt – absent

RESOLUTION 2012-50 was ADOPTED. 4 aye, 0 nay, 1 absent

Home Use Occupation Permit – The Council reviewed a home use occupation application from Mike Johnson of 41 Hays Circle for a small engine repair business; a letter from M. Johnson addressing the issues of junk, hours of operation, the kind of work to be performed and noise levels; the deed for the property; an e-mail from Anna McMenemy of 42 Hays Circle opposing the application; a hearing notice marked with “NO” from Audrey Bahr of 32 Hays Circle; and a letter opposing the application from Robert and Betsy Myers of 40 Hays Circle, Steve and Nancy Haga of 44 Hays Circle, Dennis and Vernie Mellesmoen of 36 Hays Circle, Craig Seastrom of 38 Hays Circle, Herman Radeck of 43 Hays Circle, Ruth Koepke of 45 Hays Circle, Vern and Armida Thompson of 37 Hays Circle, and Steve and Christina Jonson of 39 Hays Circle; and minutes of the Planning and Zoning Commission November 14 and December 12 public hearings and meetings, and it was noted that the Commission recommends approval of this application, and placed conditions on the hours of operation being from 8:00a.m. until 7:00p.m. Monday through Saturday, with no business being conducted on New Year’s Day, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas. Gustafson and J Johnson reviewed the discussion and research done by the Commission, and noted that the concerns of the neighbors were considered, and are addressed in the current City Code guidelines. Gustafson left at this time, due to a prior engagement.

Motion by J Johnson, second Perfetto to approve a home use occupation permit to Mike Johnson of 41 Hays Circle for a small engine repair business. MOTION CARRIED.

Lake Superior Coastal Grant, Education Cluster – The Council reviewed the Program Statement for the Educational Cluster, and the educational curriculums proposed in the Statement. The EDA recommends approval of this Statement. Motion by J Johnson, second Perfetto to approve the Silver Bay Eco-Park Program Statement for the Educational Cluster. MOTION CARRIED.

City Attorney – The attorney was unable to attend, and no business was presented on his behalf.

OLD BUSINESS – No old business was presented.

NEW BUSINESS

2012 Year in Review – Fralich reviewed the major events of 2012, which included; construction and operation of the bio-energy greenhouse, rezoning of the business park and a Code change creating the Eco-Park Advisory board, completion of the Gitchi-Gami bike trail from Beaver Bay to Silver Bay, renovations to the Outer Drive picnic area, Marina, and the Mary

MacDonald ball field and playground, the development of the North Shore Hockey teams and a hockey web site, building renovations and technology upgrades at the Library, which saw a record level of usage in 2012, the June 19-20 flooding event, the Mary MacDonald door replacement project, increased drug related arrests by the Police Dept., new radars and computers for the police vehicles, the water stabilization project and sewer clarifier replacement by the Public Utilities Dept, the ATV parade, Bay Days celebration, the 35th anniversary of the tree lighting ceremony, and the election of Joanne Johnson as Mayor and Dustin Goutermont as Councilor. Thanks was given to Mayor Johnson, to Councilors Perfetto, Johnson, Marolt and Gustafson for their service on the Council, to John Fredrickson for his years of service to the Fire Dept., to all of the volunteers on each of the City Boards and Commissions, to the Administrator and the Department heads, to each City employee, and to the citizens for their support of the City.

Claims – Motion by Perfetto, second J Johnson to approve payment of \$90,818.47 in paid claims and \$32,776.25 in unpaid claims. MOTION CARRIED.

Mayor Johnson recapped his years of service to the City, thanked the citizens for their encouragement, thanked the past and present Councilors for their service, and wished Mayor elect Joanne Johnson well during her term.

Motion by Perfetto, second J Johnson to adjourn at 7:44p.m. MOTION CARRIED.

Minutes taken by Lance K Beachem

Scott M. Johnson, Mayor

Lana Fralich, City Administrator