

**CITY COUNCIL**

7:00 P.M.

December 20, 2010

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

Lana Fralich, City Administrator  
Pete Morris, City Attorney  
Terri Rannetsberger

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

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

**Consent Agenda** – Motion by J Johnson, second Perfetto to approve the minutes of the December 6, 2010 Budget Workshop, the December 6, 2010 regular meeting, the December 10, 2010 special meeting, and the November 2010 Treasurer's Report.  
MOTION CARRIED.

**PETITIONS, REQUESTS and COMMUNICATIONS**

**East Lake Clinic District Appointment** – The Council reviewed a letter asking for City representation on this organization's board of directors. Motion by Marolt, second J Johnson to appoint Mark Pemble as the City's representative to the East Lake Clinic District Board of Directors. MOTION CARRIED.

**Lake County Perimeter Ditching** – It was noted that the County is doing ditching work to alleviate storm water concerns on Hays Circle and Garden Drive.

**CITY ADMINISTRATOR**

**Conditional Use Permit, Rannetsberger** – The Council reviewed the public hearing of December 8 for this permit, and noted that the Planning and Zoning Commission recommends issuing this permit. Motion by J Johnson, second Marolt to approve the Conditional Use Permit for Terri Rannetsberger, Heavy Duty Designs, LLC at the Mary MacDonald Building located at 99 Edison. MOTION CARRIED.

**Home Use Occupation Renewals** – The Council reviewed the renewal permits for Nathan and Lisa Skoglund, Skoglund Technical Services, 16 Edison, Crystal Lampton, Wolf Works Embroidery, 19 Marks, Christine Mattila, Lake Co. Appraisal, 45 Nelson, Mark Mensing, Mark's Small Engine Repair, 25 Arthur, Ken Pellett, metal fabrication

and machine work, 38 Adams, Wesley Hawkinson, Hawk Archery, 100 Hays, Tessie Huset, dog sitting, 82 Banks, Julie Jensen, Stitches sewing and upholstery, 20 Hays, and noted that the City has received no complaints for any of these businesses. The Planning and Zoning Commission recommends the issuing of these permits. Motion by J Johnson, second Marolt to approve, in whole, the Home Use Occupation renewals presented, for a period of three years. MOTION CARRIED.

**2011 Council Meeting dates and Holidays** – A list of 2011 City Council meeting dates and 2011 City Holidays was presented. The 2011 City Council meetings will be held on January 4, January 18, February 7, February 22, March 7, March 21, April 4, April 18, May 2, May 16, June 6, June 20, July 5, July 18, August 1, August 15, September 6, September 19, October 3, October 17, November 7, November 21, December 5 and December 19. The 2011 City Holidays will be January 3, January 17, February 21, May 30, July 4, September 5, October 10, November 11, November 24, December 23, and December 26. Motion by Perfetto, second J Johnson to approve the 2011 Council meeting dates and 2011 City Holidays, as presented. MOTION CARRIED

**2011 Cigarette and Beer Licenses** – Motion by Marolt, second Perfetto to issue Cigarette Licenses to Silver Bay Spur, 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 Sunday on-sale liquor license to Silver Bay Municipal Lounge. MOTION CARRIED.

**Custodial Contracts** – The Council reviewed a contract between the City and June Talus for custodial services at the City Hall and animal pound, a contract between the City and June Talus for custodial services at the Municipal Liquor Store, and a contract between the City and Bill Ylatupa for custodial services at the Fire Hall. It was noted that there were no changes in the terms of these contracts. Motion by Perfetto, second J Johnson to enter into contract with June Talus for custodial services at the City Hall, the animal pound, and the Municipal Liquor Store; and to enter into contract with Bill Ylatupa for custodial services at the Fire Hall. MOTION CARRIED.

**Resolution 2010-65** – There was discussion about the boiler feed system for the old and new boilers, the mechanical details of this change order, grant money available for this project, and the use of reserve money for this change order. There was a question as to why the project engineers, S.E.H., did not foresee this need, and the Administrator will contact them about this issue. The Mary MacDonald Committee recommends approval of this contract amendment. Motion by Marolt, second J Johnson to adopt Resolution 2010-65, authorizing to amend the contract to Klamm Mechanical Contractors, Inc. for the boiler rehabilitation project at the Mary MacDonald Business Center.

Member Marolt – aye  
 Member Perfetto – aye  
 Member Gustafson – absent

Member Johnson – aye  
 Mayor Johnson – aye

RESOLUTION 2010-65 was ADOPTED. 4 aye, 0 nay, 1 absent

**Amendment to the Joint Powers Agreement, Lake County Fiber Optic Project –**

The Council reviewed the amended agreement that was submitted by the County. The attorney has reviewed this amended agreement. Motion by Perfetto, second Marolt to accept the amended agreement with Lake County for the Lake County Fiber Optic Project. MOTION CARRIED.

Gustafson arrived at 7:15p.m.

**OSHA Workplace Inspection –** The Safety Committee recommends these inspections, which help to identify needed repairs and are separate from enforcement visits. There is no cost to have the inspection and no citations given. There was discussion about the procedure to fix any potential violations as part of a capital plan being developed. Motion by J Johnson, second Perfetto to allow OSHA workplace inspections to take place. MOTION CARRIED.

**2011 Vehicle and Equipment Purchases –** The Council reviewed the 2011 vehicle and equipment list and replacement schedule. It was noted that a police vehicle was recently totaled while responding to a call, and will need to be replaced in 2011; it was scheduled to be replaced in 2012. It was further noted that two work trucks, one for the Public Works Dept. and one for the Park/Rec. Dept. are scheduled for replacement in 2011. There was discussion about the City Administrative vehicle, the safety concern of the present vehicle, if there is a need for an administrative vehicle, whether to purchase a new or used vehicle, and trading in the old vehicle. The administrator was instructed to look into the purchase of four vehicles, and this issue was tabled.

CITY ATTORNEY

**Resolution 2010-66 Amendment of Code 1280.05 –** Morris reported on the work of the Planning and Zoning Commission to clarify the City Code in regard to enforcement of nuisance issues in Chapters 5 and 12, by amending certain provisions of Chapter 12 so that the Police Dept. would be responsible for enforcement of these issues. The Planning and Zoning Commission, Police Chief Jonson and Zoning Administrator Thomson have reviewed this Code amendment and recommend its approval. The Council thanked the attorney and the Planning and Zoning Commission for their work on this issue. Motion by Perfetto, second Marolt to adopt Resolution 2010-66 enacting an amendment Silver Bay City Code, Chapter 12, section 1280.05 Enforcement of the Code by defining enforcement authority of certain provisions of Chapter 12.

Member Marolt – aye

Member Johnson – aye

Member Perfetto – aye

Member Gustafson – aye

Mayor Johnson – aye

RESOLUTION 2010-66 was ADOPTED. 5 aye, 0 nay

**OLD BUSINESS**

Perfetto reported that the Liquor Control Commission has reviewed the hours of operation for the bar and liquor store, and has decided not to make any changes.

**NEW BUSINESS**

**Review of 2010** – Fralich reviewed the major events of 2010, which included; the completion of the Airport A/D building, the completion of the Spectrum Assisted Living Center, the completion of tree planting from the 2009 ice storm, the paving project at Bayside Park, the funds awarded to the Eco-Industrial Greenhouse project and the Mary MacDonald boiler project, the purchase of a new loader for the street dept., the conversion to the administrative check writing system, the new union agreements, personnel policy, health insurance and post retirement benefits, the junior league baseball game with a team from Japan, and the reelection of Mayor Johnson and Councilors Marolt, Gustafson and Johnson. A thanks was given to Mayor Johnson, to Councilors Perfetto, Johnson, Marolt and Gustafson for their service on the Council, 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.

**Claims** – Motion by Perfetto, second J Johnson to approve payment of \$31,656.08 paid claims and \$25,844.24 in unpaid claims. MOTION CARRIED.

Motion by Perfetto, second Marolt to adjourn at 7:38p.m. MOTION CARRIED.

Minutes taken by Lance K Beachem

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Scott M. Johnson, Mayor

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Lana Fralich, City Administrator