

CITY COUNCIL

7:00 P.M.

May 17, 2010

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

Lana Fralich, City Administrator
 Pete Morris, City Attorney
 Matt Suoja, Lake County News Chronicle
 Jon Monacelli, Spectrum Health
 George Pope

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

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

Consent Agenda – Motion by Perfetto, second J Johnson to approve the minutes of the May 3, 2010 Regular Council meeting, and the March 2010 Financial Report.
MOTION CARRIED.

PETITIONS, REQUESTS and COMMUNICATIONS – No communications were presented.

CITY ADMINISTRATOR

Resolution 2010-26 Spectrum Community Health, Inc. Variance – The minutes of the May 12 Planning and Zoning Commission public hearing and regular meeting were reviewed, including the criteria for recommendation of this variance. The Planning and Zoning Commission recommends approval of this variance. Motion by Gustafson, second Marolt to adopt Resolution 2010-26 authorizing a variance to Spectrum Community Health, Inc.

Member Marolt – aye

Member Johnson – aye

Member Gustafson – aye

Member Perfetto – aye

Mayor Johnson – aye

RESOLUTION 2010-26 was ADOPTED. 5 aye, 0 nay

Resolution 2010-27 Spectrum Community Health, Inc. Conditional Use – The minutes of the May 12 Planning and Zoning Commission public hearing and regular meeting were reviewed, including the criteria for recommendation of this conditional use. The Planning and Zoning Commission recommends approval of this conditional use. Motion by Marolt, second J Johnson to adopt Resolution 2010-27 authorizing a

Conditional Use Permit, with the addition, in the first sentence, stating what the conditional use is.

Member Marolt – aye

Member Johnson – aye

Member Gustafson – aye

Member Perfetto – aye

Mayor Johnson – aye

RESOLUTION 2010-27 was ADOPTED. 5 aye, 0 nay

Resolution 2010-28 Spectrum Community Health, Inc. Development Agreement –

The criteria for granting this agreement was reviewed, and it was found that Spectrum Community Health, Inc. has met all of these criteria. The Economic Development Authority recommends approval of this development agreement. Motion by Perfetto, second Marolt to adopt Resolution 2010-28 authorizing to execute the development agreement with Spectrum Community Health, Inc., a Minnesota Corporation, for the development of an assisted living center.

Member Marolt – aye

Member Johnson – aye

Member Gustafson – aye

Member Perfetto – aye

Mayor Johnson – aye

RESOLUTION 2010-28 was ADOPTED. 5 aye, 0 nay

Monacelli thanked the City for the cooperation on this project, and invited the Council to the ground breaking ceremony for the assisted living center on May 24.

Seasonal Employment – A revised list of employees recommended by the Personnel Committee to fill the seasonal employment positions was presented to the Council for approval. Motion by J Johnson, second Gustafson to approve the revised seasonal employment hiring list. MOTION CARRIED.

Land Use Application, City of Silver Bay – UMD has set up wind funnel testing structures on City land within the business park, as part of the Eco-Industrial Park development. The Zoning Administrator has recommended that a land use permit be obtained by the City for these structures. The Economic Development Authority recommends approval of this land use application, and a waiver of the fee. Motion by Gustafson, second Marolt to approve the land use application to allow UMD to conduct wind funnel testing and to waive the application fee. MOTION CARRIED

Lake County Lease Addendum – It was noted that the County has moved out of room 118, and moved into room 116. The Mary MacDonald Committee recommends approval of this lease addendum. Motion by Perfetto, second Marolt to approve the lease addendum with Lake County for leased space at the Mary MacDonald Center. MOTION CARRIED.

Mary MacDonald Building Manager Contract – The Council reviewed the contract with Juel Salvesson. It was noted that the terms of the contract are unchanged. The Mary MacDonald Committee recommends approval of this contract. Motion by

J Johnson second Gustafson to approve the Mary MacDonald Building Manager Contract with Juel Salvesson. MOTION CARRIED.

Resolution 2010-29 – The City has been approved for a \$100,000 grant through the MN Office of Energy Securities - Energy Efficiency Community Block Grant program for the replacement of a boiler, doors, and windows. The Council reviewed a proposal from SEH Engineering, totaling \$9,800, for preparing documentation and engineering of this project. The Mary Mac Committee recommends the approval of the contract. Motion by J Johnson, second Marolt to adopt Resolution 2010-29 authorizing to accept and execute a proposal from SEH Engineering for bidding and construction of the Minnesota Office of Energy Securities – Energy Efficiency Community Block Grant funding for the Mary MacDonald Rehabilitation Project.

Member Marolt – aye

Member Johnson – aye

Member Gustafson – aye

Member Perfetto – aye

Mayor Johnson – aye

RESOLUTION 2010-29 was ADOPTED. 5 aye, 0 nay

CITY ATTORNEY

Resolution 2010-30 Amend Chapter 10 of City Code – Upon recommendation by the Police Chief, the attorney presented a Code change prohibiting vehicles from being parked in the wrong direction on City streets. It was noted that this is already an offense under State Statute, and that this Code change would allow this matter to be handled with an administrative citation. Motion by Perfetto, second J Johnson to adopt resolution 2010-30 amending Chapter 10, section 1000.05, subdivision 6 of the Silver Bay City Code.

Member Marolt – aye

Member Johnson – aye

Member Gustafson – aye

Member Perfetto – aye

Mayor Johnson – aye

RESOLUTION 2010-30 was ADOPTED. 5 aye, 0 nay

OLD BUSINESS – No other old business was presented.

NEW BUSINESS

Claims – Motion by Perfetto, second J Johnson to approve payment of \$60,162.68 paid claims, and \$62,364.14 in unpaid claims. MOTION CARRIED.

Motion by Perfetto, second J Johnson to adjourn at 7:25p.m. MOTION CARRIED.

Minutes taken by Lance K Beachem

Scott M. Johnson, Mayor

Lana Fralich, City Administrator