

CITY COUNCIL

7:00 P.M.

November 16, 2009

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

One Seat Vacant

Lana Fralich, City Administrator
 Gerald Morris, City Attorney

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

Agenda – Bay Days Celebration was added to New Business. Motion by Perfetto, second Gustafson to approve the agenda as amended. MOTION CARRIED.

Consent Agenda – Motion by Perfetto, second Marolt to approve the minutes of the November 2, 2009 Council meeting. MOTION CARRIED.

Petitions, Requests and Communications – No communications were brought forward.

City Administrator

Resolution 2009-58 Authorizing Community Charities of MN to conduct pull-tab sales at Silver Bowl – This issue was previously discussed at the September 21, 2009 Council meeting. Motion by Perfetto, second Gustafson to adopt Resolution 2009-58 authorizing Community Charities of Minnesota to conduct pull-tab sales at the Silver Bowl in the City of Silver Bay, County of Lake, State of Minnesota.

Member Perfetto – aye

Member Gustafson – aye

Member Marolt – aye

Mayor Johnson – aye

THE RESOLUTION WAS ADOPTED. 4 aye, 0 nay, one seat vacant

Joint Powers Agreement with State of MN, Dept. of Vet. Affairs – A joint powers agreement between the City and the Veterans Home has been in place for use of the ball field and playground at Campton field in return for snow removal and lawn care. Because of remodeling and expansion at the Veteran's Home, the field and playground are no longer usable, and the playground equipment has been moved to the park near the arena. Because of this, the City and Veteran's Home have mutually agreed to terminate the lease earlier than was originally agreed upon. Motion by Gustafson, second Marolt to accept the joint powers agreement cancellation from the Minnesota Veterans Home, effective December 6, 2009. MOTION CARRIED.

ICC Upper Great Plains Training, Gary Thompson – Thompson is requesting to attend a Residential Plan Review training in Brooklyn Park on February 8-9, as an

educational requirement as the Zoning Administrator. Motion by Gustafson, second Perfetto to approve Gary Thompson to attend the ICC Upper Great Plains Residential Plan Review training in Brooklyn Park on February 8-9 for \$236, plus \$105 per night lodging, plus mileage and meal expenses. MOTION CARRIED.

Marina winter, in water, boat storage – There was discussion on the agreement, which the attorney has reviewed. There was also discussion about the maintenance and expenses that is involved in winter-in water storage, and about the review of all of the agreements that the Marina is involved in. Ms. Fralich will have the Marina Manager monitor the expenses to make sure the increase in electricity expenses are covered. Fralich reported that she, the Park and Recreation Director, and the Marina Manager will be meeting with the DNR to discuss the review of the seasonal agreement along with other Marina items in December. Motion by Perfetto, second Marolt to accept the agreement for winter-in water boat storage at the Marina on a trial basis for the 2009 – 2010 season. MOTION CARRIED.

City Attorney

Feeding of Wild Animals in City Limits – The Council reviewed section 610 of the City Code. The attorney gave his opinion that because the Code does not specifically mention deer, there is no way to determine that this would specifically apply to the feeding of deer to the extent that it could be a prosecutable offense. Morris referred to Codes from other Cities that give specific guidelines prohibiting the feeding of deer. There was a consensus that section 610 generally refers to the raising and enclosure of animals, including wild animals. It was noted that the DNR and many Deer Hunter Associations do not want people to feed deer because of harmful effects to the health of the deer, traffic / safety problems and the destruction of property they cause. There was discussion on the feeding of other wild animals and birds, and to what extent these issues need to be addressed. This subject was tabled to the next meeting.

OLD BUSINESS – No other old business was presented.

NEW BUSINESS

Council Interviews – There was discussion on whether to screen the number of applicants down before the interviews. After discussion, there was consensus that all of the applicants should be interviewed, but that the interviews should be limited to a 15-20 minute time frame. Motion by Perfetto, second Marolt to hold the interviews for the vacant Council seat on Monday, November 30, starting at 1:00p.m. MOTION CARRIED Mayor Johnson thanked those who have applied for the vacant Council position.

Bay Days Celebration – Gustafson announced that the Silver-Beaver Bay Days Celebration will be held on July 23-25, 2010. There was discussion about having the Rocky Taconite Softball Tournament, the Salmon Fishing Classic and the Golf Tournament on the same days as the Bay Days Celebration.

Claims – Motion by Gustafson, second Perfetto to approve payment of \$79,986.44 paid claims and \$97,264.35 in unpaid claims. MOTION CARRIED.

Motion by Gustafson, second Perfetto to adjourn at 7:37p.m. MOTION CARRIED.

Minutes taken by Lance K Beachem

Scott M. Johnson, Mayor

Lana Fralich, City Administrator