

CITY COUNCIL

7:00 P.M.

November 2, 2009

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

Lana Fralich, City Administrator
Gerald Morris, City Attorney
Bruce Carman
Rob Otterblad

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

Agenda –The ATV Parade was added to Communications, and ARDC Board Nomination was added to New Business. Motion by Perfetto, second Marolt to approve the agenda as amended. MOTION CARRIED.

Consent Agenda – Motion by Gustafson, second Perfetto to approve the minutes of the October 19, 2009 Council meeting, and the September 2009 Financial Report. MOTION CARRIED.

Petitions, Requests and Communications

Rob Otterblad – Mr. Otterblad presented his concerns about the feeding of deer within the City. He stated that there are so many deer that they cause damage to his property, and he felt that nearby, nightly feeding of deer greatly increases this problem. He was also concerned that feeding corn to deer in the winter disrupts their natural eating cycles. There was discussion on past actions by the Council on this issue. The Council reviewed City Code Section 610. There was discussion about whether or not this section includes this subject, and the subjects of feeding seagulls and residential bird feeders. The attorney will research the legal aspects of this issue, and the subject was tabled to the next meeting.

ATV Parade – Fralich reported that the City has received notice from the Guinness Book of World Records that the ATV parade of June 13 has officially set a world record for the longest ATV parade.

City Administrator

BCAP Application Submittal and establish Eco-Industrial Energy Creation – Carman presented information about the Eco-Industrial Park project, and the BCAP program, through the USDA, which provides an incentive to loggers for the clearing of biomass. There was discussion that this project would include biomass, wind energy,

and bio diesel. Motion by Marolt, second Perfetto to adopt Resolution 2009-57, authorizing the City of Silver Bay to make application to the U.S. Dept. of Agriculture for Biomass Crop Assistance Program for the purpose of providing financial assistance to producers who deliver eligible material to biomass conversion facilities and financial assistance to collect, harvest, store and transport eligible materials.

Member Perfetto – aye

Member Gustafson – aye

Member Marolt – aye

Mayor Johnson – aye

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

The EDA has recommended to the Council to adopt the use of a name for this project, and for any future entity that it might produce. Motion by Perfetto, second Marolt to name this project “Silver Bay Eco-Park Renewable Energy”. MOTION CARRIED.

Resolution 2009-55 Resignation of Council member Kelly and declare vacancy – Council member Kelley submitted a letter of resignation, as of October 31, because he and his family will be moving out of the City. The Council thanked Kelley for his many years of public service. Motion by Gustafson, second Marolt to adopt Resolution 2009-55 accepting Council member Kelley’s resignation and declaring vacancy in Council member’s position.

Member Perfetto – aye

Member Gustafson – aye

Member Marolt – aye

Mayor Johnson – aye

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

City Hall Closing on November 27, 2009 – Fralich reported that the City Hall staff is requesting that City Hall be closed on November 27, the day after Thanksgiving. Staff members will be required to use comp time or vacation time on this day. It was noted that this has been the practice for a number of years. Motion by Perfetto, second Gustafson to approve that City Hall be closed on Friday, November 27, 2009. MOTION CARRIED.

Arena Part-time Seasonal Hire – Every year the Park/Recreation Department hires seasonal employees to work at the Arena. There are two positions that will be hired effective November 1, 2009 through March 31, 2010. Motion by Perfetto, second Marolt to hire Mason DeRosier and Jessalyn Rowlee effective November 1, 2009 through March 31, 2010. MOTION CARRIED. Mayor Johnson requested that the Personnel Committee review the seasonal hire procedure before the next hiring cycle.

Mary MacDonald Fire Suppression System, Great Lakes Alarm Agreement – The attorney has reviewed the agreement. It requires using USA Central Monitoring Station as a third party, which would contact the Lake County dispatch whenever the alarm would go off. There was consensus that the Council did not like the terms of the agreement, but because all alarm system monitoring now works in this way, and because Great Lakes Alarm was unwilling to change the agreement, the City does not have a viable alternative to monitor the alarm system, as required by the Fire Marshall. Motion by Perfetto, second Marolt to enter into contract with Great Lakes Alarm for a Fire Alarm System at the Mary MacDonald Center, for a period of three years. MOTION CARRIED.

Marina winter, in water, boat storage – The final draft of this agreement has not been completed, so the issue was tabled to the next meeting.

City Attorney – No further business was presented by the attorney.

OLD BUSINESS – No other old business was presented.

NEW BUSINESS

ARDC Board Nomination – Mayor Johnson has received a notice asking that the City appoint a nominee to the ARDC Board. Motion by Marolt, second Gustafson to appoint Carlene Perfetto as a nominee to the ARDC Board. Marolt, Gustafson and Johnson voted aye. Perfetto abstained. MOTION CARRIED. Johnson thanked Perfetto for being willing to serve in this volunteer position.

Claims –Motion by Gustafson, second Perfetto to approve payment of \$151,718.17 paid claims and \$55,287.27 in unpaid claims. MOTION CARRIED.

Motion by Perfetto, second Gustafson to adjourn at 7:40p.m. MOTION CARRIED.

Minutes taken by Lance K Beachem

Scott M. Johnson, Mayor

Lana Fralich, City Administrator