

CITY COUNCIL

7:00 P.M.

September 17, 2012

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

Lana Fralich, City Administrator
Pete Morris, City Attorney
Kitty Mayo, North Shore Journal
Tammy Francois, Lake County News Chronicle
Deborah Bryant
Jack Swanson

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 Gustafson to approve the minutes of the September 4, 2012 Council meeting and the July 2012 treasurer's report. MOTION CARRIED.

Petitions, Requests and Communications

Certificate of Recognition, Donny Thompson – The Council reviewed a certificate of recognition to Donny Thompson from the Minnesota Ice Arena Managers for 15 years of service.

Information to Residents regarding Ballot Questions – The Council reviewed information that will be published regarding the ballot questions at the November 6 election. Discussion on PA system and who would be taking care of it.

Unattended Fires – The Council reviewed a letter regarding unattended fires within the City, and City Code 540, which addresses this issue. This information will be given to the Safety Committee.

City Administrator

Lake County Letter of Support, Beaver Bay trailhead – The Council reviewed an e-mail from Bonnie Hundrieser, ARDC, requesting a letter of support for the County's application to the DNR Parks and Trails Legacy Grant for the Beaver Bay trailhead. Motion Perfetto, second J. Johnson to allow the Mayor send a letter of support to Rich Sve, Lake County Board of Commissioners.
MOTION CARRIED.

Recertification Training – Motion by Marolt, second Gustafson to approve for James Larson to attend the Commercial Vehicle Inspection Recertification Training in Duluth on October 12, for \$90, plus usual meals and mileage. MOTION CARRIED.

Resolution 2012-41 – The EDA recommends amending a contract with Cedar tree Enterprises to add \$1066.33 for Bruce Carman to attend a conference in Devens, Massachusetts to market the Biofuel / Food Greenhouse facility and the Eco-Industrial Park. Motion by J. Johnson, second Perfetto to adopt Resolution 2012-41 amending the development agreement with Cedar Tree Enterprises Inc. for the conceptual design of a Bio-energy facility / greenhouse, within the Eco-Industrial Park. Discussion on discretion on spending over budgeted amounts.

Member Johnson – aye

Member Perfetto – aye

Member Gustafson – aye

Member Marolt – nay

Mayor Johnson – aye

RESOLUTION 2012-41 WAS ADOPTED. 4 aye, 1 nay

City Attorney

Resolution 2012-42 – The Council reviewed the variance application, two letters from Bryant, the deed for the property, four drawings of the project, draft copies of the September 12 Planning and Zoning Commission public hearing and meeting, and a variance determination. The Planning and Zoning Commission recommends approval of this variance application. Motion by Marolt, second J. Johnson to adopt Resolution 2012-42, authorizing a Variance to Deborah A. Bryant at 268 Outer Drive. Discussion on reason for Planning and Zoning’s recommendation, safety issues, consistency in granting variances and the possibility of changing setback along Outer Drive sometime in the future.

Member Johnson – aye

Member Perfetto – nay

Member Gustafson – aye

Member Marolt – aye

Mayor Johnson – aye

RESOLUTION 2012-42 WAS ADOPTED. 4 aye, 1 nay

Resolution 2012-43 – The Planning and Zoning Commission recommends amending City Code 1280 to require payment of utility charges, delinquent taxes, assessments, penalties and interest to be paid before granting a permit relating to planning and zoning. The Council reviewed Minnesota Statute 462.353 subd. 5 authorizing a municipality to require any applicant making certain planning and zoning requests to certify that “there are no delinquent property taxes, special assessments, penalties, interest and municipal utility fees due on the parcel to which the application relates.” Motion by Perfetto, second Gustafson to adopt Resolution 2012-43, amending City Code 1280, by adding subd. 1280.08, Certified Taxes Paid.

Member Johnson – aye

Member Perfetto – aye

Member Gustafson – aye

Member Marolt – aye

Mayor Johnson – aye

RESOLUTION 2012-43 WAS ADOPTED. 5 aye, 0 nay

OLD BUSINESS – No other old business was presented.

NEW BUSINESS

Land Use Application – The Planning and Zoning Commission recommends requiring that all zoning applications include the County parcel property number as part of the application. Motion Perfetto, second J. Johnson to require that all zoning applications include the Lake County parcel number on all zoning and building permits. MOTION CARRIED.

Claims – Motion by J. Johnson, second Marolt to approve payment of \$76,293.41 in paid claims and \$41,743.51 in unpaid claims. MOTION CARRIED.

Motion by Marolt, second Gustafson to adjourn at 7:35p.m. MOTION CARRIED.

Minutes taken by Lisa Topp

Scott M Johnson, Mayor

Lana Fralich, City Administrator