

CITY COUNCIL

7:00 P.M.

Monday, April 20, 2020

Present: Mayor Scott Johnson
Carlene Perfetto
Dustin Goutermont (via ZOOM video conference)
Richard DeRosier
Shane Hoff (via ZOOM video conference)

Lana Fralich – City Administrator
Tim Costley – City Attorney (via ZOOM video conference)
Joe Rhein – Bolten & Menk (via ZOOM video conference)
John Graupman – Bolten & Menk (via ZOOM video conference)
DeWayne Wollack – IRN (via ZOOM video conference)
Teri Cadeau – Lake County News Chronicle (via ZOOM video conference)

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

Mayor's Declaration for Electronic Meetings – Motion by DeRosier, second Perfetto to approve the mayor's declaration for electronic meetings via telephone or other electronic means related to the COVID-19. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

Agenda – Motion by DeRosier, second Perfetto to approve the agenda as presented. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

Consent Agenda – Motion by Goutermont, second Hoff to approve the minutes from the March 16, 2020 Regular Council meeting and the March 23, 2020 Special Emergency Council meeting. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

Petitions, Requests and Communications

Cliffs Northshore Mining Letter: The City received a letter from Cleveland-Cliffs-Northshore Mining relating to the temporary idling of its mining operations due to the economic fallout of the COVID-19 pandemic.

Thank You Note from Maggie King: The City received a thank you note from Maggie King for the City's work during this pandemic. The City Council thanks her for her kind words.

Lake County Emergency Response Team Thank You: Lake County's Emergency Response Team sent a letter thanking the public for their compliance with the Governor's Stay at Home Executive Order.

Census 2020: The City thanks those that have submitted their Census and reminds those that have not, to please submit their Census.

City Administrator

COVID-19 City Operations: The Mayor and City Administrator recapped what the City has been doing with operations and workforce during the COVID-19 pandemic. The Mayor acknowledged the good work of the staff in being adaptable, understanding, and supportive during this time. There was discussion on staff scheduling, Paid Administrative Leave, and Furloughs of two part-time Library employees to honor the Governor's Executive Order "Stay at Home". The City has also waived the \$15 late fee for the first quarter city utilities that are past due and at this time water shut-offs will not be issued for first quarter delinquent accounts. Motion Perfetto, second DeRosier to ratify Paid Administrative Leave, the Families First Corona Emergency Paid Leave, the furloughing of two part-time library employees, the waiving of first quarter city utility late fees and water shut-off orders, reduced hours for the part-time liquor store employees, and allow employees to work remotely when available. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

Black Beach Campground Wireless Communication Proposal: As part of the campground and solar system construction, internet/Wi-Fi needs to be connected. The City received one proposal from IRN out of Hibbing to install Wi-Fi for the entire campground for a total of \$11,684.85, with the option to add two cameras for an additional \$2,166.00. The camera system is designed to add additional cameras in the future one at a time. DeWayne Wollack provided information on IRN's business, wireless capability, and fiber installation, for the campground project. Motion Hoff, second Goutermont to accept IRN's proposal to install Wi-Fi for the entire campground in the amount of \$11,684.85 that includes hardware and install, does not include shipping costs and forego the additional \$2166 camera proposal at this time. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

DeWayne Wollack left the meeting.

Wastewater's Primary Clarifier Advertisement for Bids: John Graupman from Bolten and Menk completed the engineering work for the Primary Clarifier project that is being funded through IRRR. This project will have to be coordinated with the Preliminary Treatment project. The next phase is to advertise for bids. There was discussion to allow for electronic bidding due to the COVID-19 pandemic. Motion Perfetto, second DeRosier to approve the Wastewater's Primary Clarifier advertisement for electronic bids as presented. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

John Graupman left the meeting.

Resolution 2020-#29 Amendment to Bougalis and Sons Construction Contract: The contract with Bougalis and Sons for the Sanitary Sewer Improvement Project needs to extend the completion date of the project to finish some outstanding work. There is no financial adjustment for this change order to the contract to date, but the City has the ability to go for damages. Motion by DeRosier, second Perfetto to adopt Resolution 2020-#29 approving Change Order #2 for the extension of the completion date, which is open ended with the intention the contractor will complete as soon as conditions allow. MOTION CARRIED.

Mayor Johnson - Aye
Member Perfetto - Aye
Member Hoff - Aye

Member Goutermont - Aye
Member DeRosier - Aye

RESOLUTION 2020 - 29 WAS ADOPTED: 5 aye, 0 nay, 0 excused

Resolution 2020-#30 Amendment to Fourstar Construction Contract: The overall amendment to the Phase II portion of the Black Beach Campground project with Fourstar Construction is a reduction in the contract in the amount of \$3,667.16. Change Order #1 constitutes an extension of the substantial completion date to May 15, 2020. Change Order #2 constitutes changes in the contract which include the following: Addition of an access panel for \$299.65; additional electrical service connection for \$626.79; a credit for \$7,800.00 for civil work that did not need to be performed by Fourstar; a credit for \$500 for Radon piping not needed to be installed; an additional \$297.34 for painting of the drip cap to match the building; and addition for \$1,474.06 for premium window and door color chosen; changes to custom color match for soffit and fascia in the amount of \$1,000.00; no cost change for exterior lights and outlets mounting blocks; and \$935.00 to make the front door frame to be compliant. Motion by Goutermont, second Hoff to adopt Resolution 2020-#30 2020 approving Change Order #1 and Change Order #2 resulting in a reduction of \$3,667.16 and a total amended contract of \$660,332.84 as presented. MOTION CARRIED.

Mayor Johnson - Aye
Member Perfetto - Aye
Member Hoff - Aye

Member Goutermont - Aye
Member DeRosier - Aye

RESOLUTION 2020 - 30 WAS ADOPTED: 5 aye, 0 nay, 0 excused

Joe Rhein left the meeting.

Black Beach Campground Firewood Contract: Two proposals were received for firewood providers. One proposal met the needs of the campground with firewood being pre-bundled. The other proposal was for bulk delivery. The Parks and Recreation Director recommends the proposal from Goutermont Logging of Silver Bay, Minnesota be accepted at a cost of \$3.00/bundle for the 2020 campground season and enter into the contract for their services. The firewood will be sold for \$5.00/bundle to campground users only. Motion by DeRosier, second Hoff to award the contract to Goutermont Logging as presented. Ayes-DeRosier, Hoff, Goutermont, Johnson; Nayas-Perfetto MOTION CARRIED.

Letter of Retirement for Julie Billings: Julie Billings submitted her letter of resignation from the Library Director position with a retirement date of September 21, 2020. Motion Perfetto, second DeRosier to accept the resignation of Julie Billings. The Council thanks her for her 32 years of service, dedication, leadership, and for making the Silver Bay Library a staple in our community. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

Librarian Job Description: The Library Board of Trustees has updated the Librarian job description and offers it for approval. Motion Goutermont, second Perfetto to adopt the updated Librarian job description. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

Advertising for Librarian Position: The Library Board of Trustees recommends advertising for the hiring of the new Library Director. Motion Perfetto, second DeRosier to approve the advertising for Librarian Director Position as presented. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

City Branding/Logo Proposal: Jordyn Allen Design provided a proposal for updating the City Logo and branding for the City. She created the Black Beach Campground logo in a timely fashion and at an affordable cost. Option 1 of the proposal is offered for approval in the amount of \$1,750 for just the City logo creation. The updated logo needs to be completed before the Outer Drive Beautification Project's wayfinding signs can be ordered. Motion Hoff, second Perfetto to accept Jordyn Allen Design proposal in the amount of \$1,750 to create a new City logo. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

Fireworks Contract: The City has received \$1,900 in donations towards the 2020 Fireworks display. Due to COVID-19, J&M Displays has a limited inventory of fireworks. The City needed to enter into an agreement earlier than normal to secure the fireworks display. There is a full refund if the event is canceled due to COVID-19. Motion Perfetto, second Goutermont to enter into an agreement with J&M Displays for \$3,350. Aye – DeRosier, Perfetto, Hoff, Goutermont, Johnson. MOTION CARRIED.

City Attorney

OLD BUSINESS

NEW BUSINESS

Silver Bowl Rent Forgiveness Request: The Silver Bowl submitted a letter requesting rent forgiveness for the months of April, May, June, July, and August. The current monthly rent is \$550. They are asking for a total of \$2,750 be forgiven due to the COVID-19 and Governor Walz's Executive Order issuing the closures of Bowling Allies. The Council sited the importance of keeping this service available in our community. Motion Goutermont, second Perfetto to approve the forgiveness of the Silver Bowl's monthly rents for April and May only and that rent forgiveness for June, July, and August could be reviewed on a month to month basis as alternate funding assistance may be available. MOTION CARRIED.

Dilly Dally Rent Forgiveness Request: The Dilly Dally submitted an email requesting rent forgiveness for the month of May in the total of \$1,110 due to the COVID-19 pandemic and Governor Walz's Executive Order Stay at Home. The Council sited the importance of keeping this service available in our community. Motion Goutermont, second Perfetto to approve the forgiveness of the Dilly Dally's monthly rent for May in the total amount of \$1,110. MOTION CARRIED.

North Shore Management Board Membership Discussion: Mayor Johnson provided an update on the North Shore Management Board and membership. The Board was conceived by the legislature in 1969 as a cooperative effort between the Department of Natural Resources and local units of government. The program was funded through legislative commission of Minnesota Resources that identified Lake Superior as a distinctive management unit not adequately addressed by existing statewide shore land management program recommendations. If the local government units did not vote for this joint powers board it was likely that these standards would have come in from some other entity and at the time local jurisdictions wanted to assert more of their input as opposed to having some federal mandate. The Board is made up of elected officials from Duluth Township all the way up to Grand Portage. Some of the jurisdictions are sending staff and appointing staff as

board members. The Board will be reviewing and revising the bylaws. The Mayor is requesting Council make a recommendation at the next Regular Council meeting whether they'd like to see a staff member or a Councilmember be appointed to the North Shore Management Board on behalf of the City of Silver Bay.

Letter from the Town of Silver Creek Regarding the Silver Bay Airport: There was discussion on the Town of Silver Creek's request to take over sponsorship of the airport and their request for the City to make a financial contribution of \$50,000 per year for four years if they were to take over the airport. There was further discussion on the payback to the FAA if the airport closes permanently. There was a consensus of the Council that they would like to work with the Town of Silver Creek to take over the sponsorship but they are not interested in the proposal as it is written that requires the City to pay \$50,000 annually for four years. The Mayor will send a response and work on negotiating something different.

Claims – Motion by Goutermont, second Perfetto to approve payment of \$8,901.79 in unpaid claims and \$693,142.58 in paid claims. MOTION CARRIED.

Motion by Perfetto, second DeRosier to adjourn at 8:28 P.M. MOTION CARRIED.

Minutes taken by Lindsey Klemmer

Attest:



Scott M Johnson, Mayor



Lana Fralich, City Administrator