

CITY COUNCIL

7:00 P.M.

Monday, March 1, 2021

Present: Mayor Wade LeBlanc
Shane Hoff – Via ZOOM
Richard DeRosier
Ben Bautch

Excused: Dustin Goutermont

Lana Fralich, City Administrator
Tim Costley, City Attorney – Via ZOOM
Scott Kochendorfer, Police Chief
Nick O'Toole, Police Officer
Kitty Mayo, North Shore Journal – Via ZOOM
John Sprung, MN ATV Riders – Via ZOOM (*left the meeting at 7:31*)
Dean Schliek, MN ATV Riders – Via ZOOM (*joined at 7:15 and left the meeting at 7:31*)

The Meeting will be conducted in person with option for ZOOM so all votes will be roll call.

Mayor LeBlanc called the meeting to order at 7:06 p.m.

Agenda – Motion by Bautch, second DeRosier to approve the agenda as presented. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Consent Agenda – Motion by Bautch, second DeRosier to approve the meeting minutes from the February 16th Regular meeting. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Petitions, Requests, and Communications

MN ATV Association – Dean Schliek and John Sprung discussed their proposed 4th Annual North Shore Ride that the MN ATV Riders are hosting on June 26th. This ride raises funds for the Silver Bay Veteran's Home, while promoting safe and responsible ATV riding. They plan to make this a larger event, with sponsors. They are requesting the use of the open field in the Business Park. The City Attorney recommended specifying areas of use. Motion DeRosier, second Bautch to approve the MN ATV Riders use of areas within the Business Park that will be specified in an agreement between the City and the MN ATV Riders. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Letter from Eva Judkins – Council reviewed a letter from Eva Judkins commending the City on the State-of-the-Art upgrades to the wastewater systems. Council thanks Eva Judkins for the kind words and Kitty Mayo for writing the article issued in the North Shore Journal.

League of MN Cities Application for Awards – The League of MN Cities is accepting applications for the City of Excellence Award, the C.C. Ludwig Award for Elected Officials, the James F. Miller Leadership Award for appointed city officials, in addition the sustainability city award. It was noted applications are due April 19, 2021 for anyone interested in submitting an application.

City Administrator

Capitol Days/Lobbying Activities – A virtual meeting has been set up with Legislators on Wednesday, March 3, 2021 at 10:00 a.m. The City will focus on getting a bill written for the Lodging Tax Special Use change, support for LRIP and SPRA funding for the road to Black Beach, and the City's application to LCCMR, IRRR, DNR, and 2nd round of bonding for the Multi-Modal Trailhead Center. There was discussion on the use of a lobbyist to aid in obtaining the funds. Motion Bautch, second DeRosier to prioritize our legislative request to the Lodging Tax Special Use change, support for LRIP and SPRA funding for the road to Black Beach, and the City's application to LCCMR, IRRR, DNR, and 2nd round of bonding for the Multi-Modal Trailhead Center. Council thanks the City Administrator for coordinating the meetings and putting the information together. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

AWAIR Manual Update – The Safety Committee updated the AWAIR (A Workplace Accident and Injury Reduction) manual for the City using the current city manual, the League of MN Cities recommended template, the OSHA template, and the MN Municipal Utilities Association guidance. The Safety Committee is recommending the adoption of the updated manual. Motion DeRosier, second Bautch to adopt the updated AWAIR Manual as presented. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Resolution 2021-#4a Revised Board and Commission Appointments – It was recently noted that the City Code reflects that the Mayor cannot serve on the Library Board, therefore another member of Council will be required to serve on this Board. Member Bautch volunteered. Motion DeRosier, second Hoff to appoint Member Bautch to serve on the Library Board. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Resolution 2021-#13 LCCMR Grant Application Funding for Multi-Modal Trailhead Center – Motion DeRosier, second Bautch to resubmit an application to LCCMR to obtain funding for the Multi-Modal Trailhead Center. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Member Hoff – Aye

Resolution 2021-#14 LRIP Funding – Motion Bautch, second DeRosier to resubmit an application to MnDOT's Local Road Improvement Program to obtain funding to make improvements to East Lakeview Drive – the dirt road to Black Beach. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Liquor Store Manager Job Description – Council reviewed an updated job description for the Liquor Store Manager position. There was discussion about the updates to the job description since it was last approved. The personnel committee recommends Council approval. Motion Bautch, second DeRosier to approve the updated job description for the Liquor Store Manager position as presented. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Liquor Store Manager Advertisement for Hire – Motion DeRosier, second Bautch to advertise for the hiring of the Liquor Store Manager Position that will be left vacant on June 4, 2021 upon Tom Byrnes retirement. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Liquor Store PT Bartender Advertisement for Hire – The Liquor Store is in need of additional PT Bartenders and would like to move forward with advertising. Motion DeRosier, second Bautch to advertise for the hiring of a PT Bartender(s). MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Devon Monteith Resignation – Devon Monteith emailed her letter of resignation from the Confidential Secretary position effective February 23, 2021. Motion Bautch, second DeRosier to accept the resignation of Devon Monteith. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Confidential Secretary Hiring – Motion DeRosier, second Bautch to advertise for hiring of the Confidential Secretary position. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Seasonal Employment Hiring – Council reviewed the summer seasonal employment advertisement. There was discussion on departmental needs, adjustments for 16+ hiring for mowing, campground needs, and wage adjustments for evening and weekend work. Motion Bautch, second DeRosier to advertise for summer seasonal employment as presented. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Campground Manager/Host RFP – Motion DeRosier, second Bautch to advertise for a Campground Manager/Host based upon the RFP presented. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Campground Firewood RFP – Motion DeRosier, second Bautch to advertise for Campground Firewood Supplier based upon the RFP presented with an option for signing a 1-3-year agreement with the supplier. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Training for Jason Roswold – Jason Roswold requested to attend a Collection and Wastewater virtual conference on March 16-17, 2021. The cost of the training is \$225 and will not require hotels, meals, or mileage. This type of training is required to maintain licensure. Motion DeRosier, second Bautch to approve Jason Roswold to attend the Collection and Wastewater virtual conference with a cost of \$225 as presented. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Training and Testing for Ted Czaplicki – Ted Czaplicki requested to attend training and testing in order to obtain his Class D wastewater licensure, which is as a condition of employment. The cost of the course is \$260, exam fee of \$55, hotel of \$135/night plus tax for two nights, and normal meals and mileage reimbursement. Motion Bautch, second DeRosier to approve Ted Czaplicki to attend and take the exam to obtain his Class D wastewater licensure as presented. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Harbor Freight Gift Card Donation – The Police Department received notice of a \$100 gift card donation to help buy some emergency responder equipment for the department. Motion DeRosier, second Bautch to accept the Harbor Freight \$100 gift card donation for the Police Department to purchase emergency responder equipment. MOTION CARRIED.

Mayor LeBlanc – Aye
 Member Bautch – Aye
 Member Hoff – Aye

Member Goutermont – Absent
 Member DeRosier – Aye

Resolution 2021-#15 Amendment to Hovland Inc. Contract for Daycare Drop off Zone – Council reviewed an amendment to Hovland Construction Contract for the day care drop off zone at the school. The costs of the changes are covered under the IRRR grant. The costs are related to changes made for reinforcement, the stoop, and remobilization for this summer to complete the project is \$37,988 for a total amended contract amount of \$264,188. Motion DeRosier, second Bautch to amend Resolution 2021-#15 Amendment to Hovland Inc. Contract for Daycare Drop off Zone as presented. MOTION CARRIED.

Mayor LeBlanc – Aye
 Member Bautch – Aye
 Member Hoff – Aye

Member Goutermont – Absent
 Member DeRosier – Aye

RESOLUTION 2021 - 15 WAS ADOPTED: 4 aye, 0 nay, 1 excused

Resolution 2021-#16 LHB Contract for Daycare Drop off Zone – Council reviewed a contract with LHB for their work performed for the daycare drop off zone project at the school in the amount of \$18,000 for services plus \$6,009 for testing and surveying for a total cost of \$24,009. The costs are covered by the IRRR grants. Motion Bautch, second DeRosier to approve Resolution 2021-#16 LHB Contract for Daycare Drop off Zone as presented. MOTION CARRIED.

Mayor LeBlanc – Aye
 Member Bautch – Aye
 Member Hoff – Aye

Member Goutermont – Absent
 Member DeRosier – Aye

RESOLUTION 2021 - 16 WAS ADOPTED: 4 aye, 0 nay, 1 excused

USI Consulting Group, Inc (formerly Hildi, Inc.) Renewal Agreement – Council reviewed a renewal contract for the actuarial study required for the City Audit. It is required to conduct the study on the Fire Relief Association Pension Investment account to be compliant for the City Audit. The costs are in a two-year cycle with the full study at \$2,600 and the second year a lessor review at \$1,100 for a total contract of \$3,700. Motion Bautch, second DeRosier to approve the renewal agreement with USI Consulting Group as presented. MOTION CARRIED.

Mayor LeBlanc – Aye
 Member Bautch – Aye
 Member Hoff – Aye

Member Goutermont – Absent
 Member DeRosier – Aye

City Attorney

Procedures for Weeds, Grass, and Junk – The City Attorney addressed procedure options for dealing with weeds, grass, and junk in the City ordinance. Scott Kochendorfer, Chief of Police, discussed the situation officers are incurring when dealing with the current procedure of handling Administrative Citations for Weeds, Grass, and Junk. Motion DeRosier, second Hoff follow procedures of the City

Code 550.06. Abatement Enforcement Procedure and City Code 550.07. Recovery of Cost. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Procedures for Administrative Citations – The City Attorney addressed changes to the procedure of how the City is handling Administrative Citations. The city will no longer send late notice letters, as a courtesy, to individuals cited with Administrative Citations.

OLD BUSINESS

Shoen vs. City of Silver Bay – Per the League of MN Cities, the City has been dismissed from this lawsuit.

NEW BUSINESS

Nels Coleman Board Resignation – Nels Coleman emailed his letter of resignation from the Public Utilities Commission and Public Works Commission effective immediately. Motion by DeRosier, second Bautch to accept Nels Coleman's resignation from the Public Utilities Commission and the Public Works Commission with regrets. Council thanks Nels for his service on the Commissions. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Library Board Appointment – The Library Board is recommending the appointment of Patti Paulson to serve in the vacant Library Board position. Motion Bautch, second DeRosier to appoint Patti Paulson to serve in the vacant Library Board position. MOTION CARRIED.

Business Park Advisory Board – The Business Park Board discussed both the past and future purpose of the Board, the activity of the Board, and if the Board should have an active role in development, or is it considered another layer of government process. After review of the past discussion from multiple planning workshops for how the city looks at moving forward, guidance from David Drown, and analyzing the effectiveness of this Board, the Business Park Board recommends the Council should disband the Business Park Advisory Board, move all economic development functions of the business park to the Economic Development Authority, and remove the Business Park Board language from the City Code. Motion DeRosier, second Bautch to disband the Business Park Advisory Board, move all economic development functions of the Business Park Board to the EDA, and have the City Attorney remove the Business Park Board language from the City Code. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

The City Attorney would make those as part of the full City Code changes for final future approval.

Library Construction Proposal – The MN Dept. of Education has allocated funding in this year for construction improvements to libraries. There was discussion on past discussions for improvements to the library including the need for a new roof, improving accessibility, repairing basement water issues, flooring, programming and public meeting space, outdoor seating area, and make some improvements to the electric/tech/organizational outlay. The Librarian received recommendation from other Libraries and to use architectural services from Sara Weiner from Gensler as she is familiar with the funding program, eligibility requirements, and has a specialty in libraries. The Council reviewed the proposal from Gensler and discussed that costs are broken out for each section of improvement, the timing of grant applications to the Dept of Education due April 2nd, that the grant is for 50%, and that the conceptual planning costs were reasonable and can be used for future applications. Motion DeRosier, second Bautch to approve the proposal from Gensler with the cost of \$5,200 for conceptual planning with multiple options. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Claims – Motion by DeRosier, second Bautch to approve payment of \$64,138.61 in unpaid claims and \$149,515.38 in paid claims. MOTION CARRIED.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Motion by DeRosier, second Bautch to adjourn at 8:20 p.m.

Mayor LeBlanc – Aye
Member Bautch – Aye
Member Hoff – Aye

Member Goutermont – Absent
Member DeRosier – Aye

Minutes taken by: Lindsey Klemmer

Attest:



Wade LeBlanc, Mayor



Lana Fralich, City Administrator