

**CITY COUNCIL**

7:00 P.M.

November 19, 2018

Present: Carlene Perfetto  
Shane Hoff  
Richard DeRosier

Excused: Scott M. Johnson  
Dustin Goutermont

Lana Fralich, City Administrator  
Tim Costley, City Attorney  
Teri Cadeau, Lake County News Chronicle

Acting Mayor DeRosier called the meeting to order at 7:04 p.m.

**Agenda** – Motion Hoff, second Perfetto to approve the agenda. MOTION CARRIED.

**Consent Agenda** – Motion Perfetto, second Hoff to approve the November 5<sup>th</sup>, 2018 Regular Council Meeting minutes, the November 13<sup>th</sup>, 2018 Special Canvassing Meeting minutes with the correction of the called to order time, the November 13<sup>th</sup>, 2018 Special Meeting, and the August 2018 Treasurer's Report. MOTION CARRIED.

### **Petitions, Requests and Communications**

**2017 Water Fluoridation Quality Award** – The City was recognized for outstanding performance in fluoridation management. Congratulations to Mike Miller and his team for the award.

**2019 Capital Days** – Capital Days are scheduled for February 19 – 21, 2019 in St. Paul.

### **City Administrator**

**Resolution 2018 - #38 Purchase and Development Agreement – Sophiale, LLC. – North Shore Adventure Park** – The Purchase and Development Agreement is for the sale of City Parcel #'s 22-7401-32375 and 22-7401-32376 for the appraised value amount of \$12,000, along with the reconveyance of the MnDOT property C.S. 3807 (61=001)903 parcel 20, conveyance #2017-0016 in the amount of \$8,900, for a total amount of \$20,900. The agreement secures a 40' wide ATV trail and utility easement on the property, provides for compliance by new owner with MnDOT conditions, and has a revert clause if the property is not developed by 36 months. The revert clause is on vacant land because the restrictions on development are no longer in place as previously advised to the Council by the City Attorney. The Planning and Zoning Commission previously determined the sale was in compliance with the Comprehensive Plan. The Economic Development Authority recommends the approval of the Agreement and closing is set for on or before November 28<sup>th</sup>, 2018. Motion Hoff, second Perfetto to adopt the Resolution 2018 – 38, Purchase and Development Agreement with Sophiale, LLC for the sale of City Parcel # 22-7401-32375 and 22-7401-32376 and the MnDOT Parcel 20 for a total amount of \$20,900.

Member Hoff – Aye  
 Member Perfetto – Nay  
 Mayor Johnson – Absent

Member Goutermont – Absent  
 Member DeRosier – Aye

RESOLUTION 2018-38 WAS ADOPTED: 2 aye, 1 nay, 2 absent

**Resolution 2018 - #39 MN DNR Cooperative Agreement – Silver Bay Marina** – The funding aid in the Agreement will remain the same on an annual basis of \$53,000 per year and will be effective from January 1, 2019 through December 31, 2024. The agreement has been reviewed by the City Attorney, and the Parks and Rec Board is recommending approval to execute the Cooperative Agreement with the MN DNR for the management of the Silver Bay Marina. Motion Hoff, second Perfetto to adopt the Resolution 2018–#39, MN DNR Cooperative Agreement.

Member Hoff – Aye  
 Member Perfetto – Nay  
 Mayor Johnson – Absent

Member Goutermont – Absent  
 Member DeRosier – Aye

RESOLUTION 2018-39 WAS ADOPTED: 2 aye, 1 nay, 2 absent

#### City Attorney

#### OLD BUSINESS

**Resolution 2018 - #40 MN Municipal Beverage Association** – The Resolution is in support of the MN Municipal Beverage Association opposing the sale of strong beer, wine, and spirits within City grocery and convenient stores for off-premise consumption. The Liquor Commission and Liquor Manager recommends supporting this position. Motion Perfetto, second Hoff to adopt the resolution 2018–#40, MN Municipal Beverage Association opposing the sale of strong beer, wine, and spirits within grocery and convenient stores for off-premise consumption.

Member Hoff – Aye  
 Member Perfetto – Aye  
 Mayor Johnson – Absent

Member Goutermont – Absent  
 Member DeRosier – Aye

RESOLUTION 2018-40 WAS ADOPTED: 3 aye, 0 nay, 2 absent

**Resolution 2018 - #41 DEED Special Appropriation Infrastructure Application – Black Beach Municipal Campground** – The City Council authorizes submission of the DEED Special Appropriation Infrastructure Application and to accept funds of \$1,765,000 for Black Beach Municipal Campground. The City also commits the remaining funds of \$604,400 needed to construct the campground as stated during the bonding solicitation. The \$604,400 based on initial bonding application, will come from reserves, a loan, or a combination thereof; however, for the application they will be planned inter-governmental loan from the General Fund to the 251 Parks and Recreation Fund. Any funds received

from IRRRB or other granting sources will be used to lower the \$604,400. Motion Hoff, second Perfetto to adopt the resolution 2018 – 41, DEED Special Appropriation Infrastructure Application – Black Beach Municipal Campground.

Member Hoff – Aye  
Member Perfetto – Nay  
Mayor Johnson – Absent

Member Goutermont – Absent  
Member DeRosier – Aye

RESOLUTION 2018-41 WAS ADOPTED: 2 aye, 1 nay, 2 absent

#### NEW BUSINESS


**Home Use Occupation Permit – 156 Edison Boulevard** – A Home Use Occupation Permit renewal application for 156 Edison Boulevard for the sale of Watkins was offered for approval. Motion Hoff, second DeRosier to approve a Home Use Occupation Renewal for 156 Edison Boulevard. Member Hoff, Member DeRosier voting Aye, Member Perfetto abstain. MOTION CARRIED.

**Mary MacDonald Management Contract Renewal** – Mary MacDonald Committee recommends approval of Mary MacDonald Management Contract Renewal with Juel Salveson as there are no changes from the previous year. Motion Hoff, second Perfetto to approve the contract renewal with Juel Salveson for the Mary MacDonald Management. MOTION CARRIED.

**Claims** – Motion Perfetto, second DeRosier to approve payment of \$178,386.42 unpaid claims and \$79,797.93 in paid claims. MOTION CARRIED.

Motion Perfetto, second Hoff to adjourn at 7:20 p.m. MOTION CARRIED.

Minutes taken by Amy Nelson

  
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Scott M Johnson, Mayor

  
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Lana Fralich, City Administrator