

## CITY COUNCIL

7:00 P.M.

Monday, October 18, 2021

Present: Richard DeRosier  
Ben Bautch  
Dustin Goutermont  
Shane Hoff

Excused: Mayor Wade LeBlanc

Lana Fralich, City Administrator  
Tim Costley, City Attorney  
Adam Nix, Bolton & Menk, LLC  
Joe Rhein, City Engineer, Bolton & Menk, LLC  
Scott Kochendorfer, Silver Bay Police Chief – left 7:15 p.m.  
Caleb Fischer, Silver Bay Police Officer – left 7:15 p.m.  
Cole Ernest, Silver Bay Police Officer – left 7:15 p.m.  
Sean Bergman, Silver Bay Police Officer – left 7:15 p.m.  
Logan Fischer

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

**Agenda** – Motion by Goutermont, second Hoff to approve the Agenda with additions of Full-time Bartender Hire, Letter of Support – Twin Metals, City Attorney Developmental Fees, Lake County HRA Housing Study, East Lakeview Drive Roadway Alignment. MOTION CARRIED.

**Consent Agenda** – Motion by Goutermont, second Hoff to approve the meeting minutes from the October 4th Regular Meeting. MOTION CARRIED.

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

**Letter of Support – “Build Back Better” NE Regional Program** - Council reviewed information from Range Association of Municipalities & Schools (RAMS) regarding Build Back Better program, which will provide federal funding to spur growth thru more technology-driven investments in regional infrastructure, education and workforce development for the Northern Minnesota region. Due to timing of when letters were to be submitted, Mayor LeBlanc has submitted a letter on behalf of the City, but asking for Council support. Motion by Goutermont, second Hoff supporting letter sent on behalf of City. MOTION CARRIED.

**Letter of Support – Lutsen Resort** – Council reviewed a request from Mayor LeBlanc to send a letter of support related to the Lutsen Mountains expansion. Discussion on Lutsen Mountains being a major employer to many of Silver Bay’s residents, supporting the same tourism customer base as City and how it will also benefit the proposed Trailhead Center. There was discussion on current opposition to Lutsen Mountain expansion and environmental impacts. Motion by Hoff, second Goutermont to send letter of support for the Lutsen Mountain expansion. MOTION CARRIED.

**Letter of Support – Twin Metals** – Council reviewed a letter received from Ida Rukavina, Executive Director of Range Association of Municipalities & Schools requesting a letter of support of Twin Metals be sent to the US Administration allowing Twin Metals to continue the process through environmental review. Motion by Hoff, second Bautch to send letter of support to the US Administration to let the current Twin Metals process continue. MOTION CARRIED.

**City Administrator –**

**FT Police Officer Hirings – Caleb Fischer and James Stracek** – The Personnel Committee is recommending Caleb Fischer, who has completed the conditions for employment be moved from part-time status to full-time status effective October 27<sup>th</sup>, 2021. In addition, the Committee is also recommending hiring James Stracek to a full-time Police Officer position, pending successful completion of pre-employment physical, psychological exam and full background check. Motion by Bautch, second Goutermont to move Caleb Fischer from part-time to full-time Police Officer status, effective October 27, 2021, and hire James Stracek to full-time Police Officer position, pending successful completion of a pre-employment physical, psychological exam, and back ground check, with both employees starting at 80% of full-time Police Officer wages and one-year probation. MOTION CARRIED.

**Oath of Office – PT/FT Police Officer Caleb Fischer** – Acting Mayor DeRosier administered the Oath of Office to Police Officer, Caleb Fischer.

**Resolution 2021 - #33 Caleb Fischer Part-time PERA Police** – Due to the timing of payroll and that Police Officer Caleb Fischer was part-time, a Resolution to allow his part-time Police Officer position be eligible for PERA Police. Motion by Hoff, second Bautch to authorize Caleb Fischer, Police Officer , be included into PERA Police. MOTION CARRIED.

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

Member Goutermont – Aye  
Member DeRosier – Aye

**Parks and Recreation Maintenance and Operation Manager Internal Job Description and Local 49'ers MOU** – With the upcoming retirement of the current Parks Manager, the Personnel Committee reviewed staffing needs within the Parks and Rec Department and the job descriptions of the Parks and Recreation Director, Marina Manager, and Parks Manager. The Personnel Committee recommends changing both the Marina Manager and Parks Manager positions to Parks and Recreation Maintenance and Operation Managers, have two employees with the same title to allow for flexibility and cross-trained staff to assist the Parks and Rec Director in all functions of the Department. Council reviewed the job description changes and a Memorandum of Understanding with the Local 49ers of this change. has recently reviewed the job description and recommending replacing the current job descriptions for both the Marina Manager and Parks Manager and hiring a Parks and Recreation Maintenance and Operation Manager. Motion by Goutermont, second Hoff to approve the Parks and Recreation Maintenance and Operation Manager job description, to move both the Marina Manager and the Parks Manager into the new job description, and authorize the signing of the Memorandum of Understanding for this change with the Local 49'ers Union. MOTION CARRIED.

**Parks and Recreation Maintenance and Operation Manager Internal Job Posting and Advertisement for Hire** – Motion by Goutermont, second Bautch to move forward with internal posting of Parks and Recreation Maintenance and Operation Manager and with external advertisement should there be no internal eligible transfers from the Local 49'ers members. MOTION CARRIED.

**Sawtooth 16, LLC License Agreement** – John Anderson, Sawtooth 16, LLC is requesting permission to identify and mark utility paths, location of property boundaries, to conduct Phase 1 of environmental assessment, and to establish the location of temporary construction facilities and power. Sawtooth 16,

LLC presented initial development plans to EDA and received support from them. Once the details of the Development Agreement are drafted by the City Attorney and reviewed by EDA and Developer, the project will be presented to Council for approval. Motion by Hoff, second Goutermont to accept the License Agreement with Sawtooth 16, LLC. MOTION CARRIED.

**Resolution 2021 - #34 Joint Venture Agreement - ARMER Radio System** – Motion by Goutermont, second Bautch to accept Joint Venture Agreement with Lake County Minnesota ARMER Participation 911 System Radio Plan. MOTION CARRIED.

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

Member Goutermont – Aye  
Member DeRosier – Aye

**Full-time Bartender Hire – Tonya Fultz** – Personnel Committee is recommending moving Tonya Fultz from current part-time Bartender position to the open full-time position at an effective date to be determined. Motion by Hoff, second Goutermont to hire Tonya Fultz as full-time Bartender at 90% of the current full-time Bartender wage and a six-month probation from the effective date of hire. MOTION CARRIED.

#### City Attorney –

**City Attorney Developmental Fees** – The City Attorney discussed the amount of time being spent on development projects that are not part of the monthly retainage and that the Attorney intends to charge for. There was discussion of the extra costs from both the Attorney and the Engineers, that the fees can be recouped from Developers, or the City can cover those costs directly. There was a consensus of the Council that this was fair and acknowledges the extra expenses will be charged. Motion by Hoff, second Goutermont to approve development costs, that are beyond the scope of the retainer for the City Attorney, as outlined in the Attorney contract, and for costs associated with engineering review, on behalf of the city, for development activities, and that these charges may be placed upon the Developer. MOTION CARRIED.

#### OLD BUSINESS –

**Lake County HRA Housing Study** - Councilor DeRosier discussed a misunderstanding relating to his previous request for the City to participate in a housing study with the Lake County HRA to be done by Maxfield Research, and that the costs to perform this function are \$10,800 and not the \$5000 he previously presented to the City for. DeRosier requested that the City contribute 50% of the costs of this study, which would result in an additional \$2900 to the previously approved \$2500 that was already approved, for a total contribution by the City of \$5400. There was further discussion on the costs, the reasons for the study, the impact on funding sources, and the benefits to the City. Motion by Goutermont, second Bautch to share in the cost of a Housing Market Study for the City of Silver Bay, conducted by Lake County HRA, increasing the previously approved \$2500 to a new amount of \$5400. MOTION CARRIED.

Mayor LeBlanc – Absent  
Member Bautch – Aye  
Member Hoff – Nay

Member Goutermont – Aye  
Member DeRosier – Aye

**NEW BUSINESS –**

**East Lakeview Drive Roadway Alignment** – Joe Rhein and Adam Nix, both from Bolton & Menk, LLC presented the proposed conceptual plan for East Lakeview Drive Roadway Alignment project, discussions from a previous meeting with MNDOT, the funding source, and Lake County, the Sponsoring Agency. There was further review of the new Bayview Park, previously approved via Council, and where East Lakeview Drive connects to West Lakeview Drive. There was further discussion on the benefits of changing the connection point, making it a normal two lane road, obtaining approval from Northshore Mining, additional costs relating to making this change, access to the Campground, connection to parking, and that the road would be within the new leased area with Northshore Mining. Motion by Goutermont, second Hoff to support moving forward with Bayview Park Conceptual Plan for East Lakeview Drive Roadway Alignment, pending Northshore Mining is supportive and with Bolton & Menk, LLC providing an updated proposal for engineering and surveying for Council approval at a future meeting. MOTION CARRIED.

**Claims** – Motion by Goutermont, second Bautch to approve payment of \$42,274.95 in unpaid claims, with addition of \$478.11 - Neighborhood Revitalization Grant Reimbursement for 11 Chase Lane and \$76,163.42 in paid claims. MOTION CARRIED.

Motion by Bautch, second Goutermont to adjourn at 8:07 p.m. MOTION CARRIED.

Minutes taken by Lisa Christenson

Attest:



Richard DeRosier, Acting Mayor



Lana Fralich, City Administrator