

**CITY COUNCIL
PUBLIC HEARING**

7:00 P.M.

Monday, August 5, 2024

Present: Mayor Wade LeBlanc
Richard DeRosier
Ben Bautch
Shane Hoff
Dustin Goutermont

Lana Fralich, City Administrator	
Cole Ernest, Chief of Silver Bay Police	
Debbie Russell	Kelsie Johnson
Mark Ness	Ed & Cindy Maki
Irv Hudyma	Teresa Schultz
Donna Moe	Leanne Buell
Nancy Daley	Jon A. Raerig
Jay Uldrych	Ashley LeBarge
Eric R. Judkins	Andrew LeBarge
Curt Anderson	Catherine Miller
Patrick Miller	Dana Polaski
Hanna Curtis	Pam James
Judy Zupancich	Nathan Stadler
Michelle Stadler	Erik Ollila
Ron & Barb Bautch	Anne Marie Moseman
James Williams	Mark & Wendy Wojchik
Kurt & Bobbi Johnson	Lance & Shannon Williams
Cheryl Hart	Judy & Randy Carlson
Jim FitzGerald	Greg Johnson
Randy Parker	Julie Jensen
Karen Rautio	Chuckie Knudson
Ruth Koepke	Debora M. Johnson
Steve & Cheryl Marolt	Maury & Mary Flanagan
Rick Goutermont	Tina Goutermont
Brooklyn Goutermont	Jenny Bjerken
Nick Bjerken	Bob Sando
Renee A. Pearson	Laurie Larson
Morris Manning	Noreen Carlson
Rick Evans, Northshore Journal	
Paul Jensen	Wendy Jensen
Chasya Goutermont	Randy Goutermont
Jesse Heller	Carrie & Joe Ernest
Roger Koster	Susan Nelson
Dan Timm	Delcie Gubrud
Marc Davey	Rebecca Davey

Jacob Woldstad	Annette Lewis
Cory Wilde	Debbie Ackley
Shelly Rogers	Dean Skalicky
Chuck Rathbone	John Ramons, Duluth Monitor
Camila Ramos	David Talus
Don Saaristo	Ben Larson
Evan & Sarah Wilkins	Steph Pelto
Steve VanHouse	Donna Bloomberg
Robert Calvaly	John Anderson
Scott Rone	Jennifer Skaar
Natalie Goutermont	Taylor Goerd

Mayor LeBlanc called the public hearing to order at 7:00 p.m.

Mayor LeBlanc described the purpose for the hearing which is to receive public comments on a proposed City Code Amendment to Section 550 relating to Weeds, Grass, and Junk, the addition of Section 551- Unsheltered Storage, and a revision to the Fine Schedule.

Mayor LeBlanc explained that the Council will open the hearing for public comments, take comments, and then adjourn the Public Hearing. The regular City Council meeting will immediately follow the Public Hearing at which time the City Council will accept, deny, or table the adoption of the proposed City Code Amendment of Section 550 relating to Weeds, Grass, and Junk, the addition of Section 551- Unsheltered Storage, and revision to the Fine Schedule.

Proposed City Code Amendment of Section 550 relating to Weeds, Grass, and Junk, the addition of Section 551- Unsheltered Storage, and revision to the Fine Schedule-

The Mayor called for comments.

Steve VanHouse stated he has served on the Planning & Zoning Commission for 34 years, 30 years as Chair and residents expressed concerns regarding blight in the City for many years and he feels that, even though it isn't really a zoning problem, Planning & Zoning could have worked harder to take care of the problem. He stated the police department was not going to arrest people but asked residents to be respectful to their neighbors by cleaning up their property and the City.

Patrick Miller, 34 Aiken, stated he has a messy yard but feels it is his yard that he pays taxes on, he doesn't tell his neighbor what they can have in their yard. He cannot find any other city that have ordinances this strict except in Beijing, China, feels laws are too vague and Council is acting like Communist Dictators. He stated he received a ticket to clean up his yard, took care of the problem right away and received another ticket, he feels police department is not doing their job.

Jesse Heller, 31 Field, provided bible quotes in reference to Council having too much authority, their purpose should be for the people, and calls for Council to repent. He expressed his concern the proposed ordinance is unjust and oppressive, vague, based on judgement of neighbors and the language is conducive to tyranny.

Irv Hudyma, 279 Outer, stated that he was part of a similar clean up in Beaver Bay, he feels that residents have limited amount of space to store items and recommends Council use clear and specific wording. Council Member DeRosier asked what outcome was in Beaver Bay and was an ordinance passed. Mr. Hudyma replied there was an officer who let homeowners know their yard needed to be cleaned up, held a community cleanup day, and city went by State codes.

Jake Wolstad, 29 Edison, expressed his concern that the lack of specificity is causing concern and lack of clarity is causing fear in people. He asked the Council to take into consideration neighbors judging each other. Residents cannot afford to build a garage or storage building for some used boats they use to get away from the stress of things happening in their lives.

Eric Judkins expressed that he grew up with clutter, hoarders get overwhelmed and have a hard time cleaning up. He also expressed that community should work together and clean up the city.

Debbie Russell, 30 Marks, expressed that she feels the Council has the best interest of the city in mind and thanked them for trying to clean up the city. She feels the unsheltered code is too broad, vague and unnecessary, would like the current policy enforced.

Anne Marie Moseman, 63 Garden, asked Council to also look at the properties that are continuous remodeling and never finished.

Morris Manning, 109 Hays, stated he appreciates the city-wide brush pickup. He has previous management experience and seen many ordinances, he feels the proposed unsheltered storage is too broad and encourages Council to reconsider. He also asked that the grass section of code excludes flower and rain gardens.

Chuck Rathbone, 24 Law, stated he served on the Planning & Zoning Commission for many years and has brought concerns and pictures of problem yards to the board many times and there was never action taken. He feels it is time for the current council to take action.

Steve Marolt, 54 Arthur, expressed he was a former council member and feels proposed code is too vague and needs to be narrowed down. When he was on council there was a group of mayor, council members, and police that could check for nuisance properties and if that group is still available then why change the code. He question whose responsibility it is to maintain the boulevards and put sod down when yards are damaged by sidewalk plows. He feels the proposed codes put neighbor against neighbor and

reminded Council that is how Hitler began. He suggested Council think about what police department needs to do.

Sarah Wilkens, 20 Drake, is new to the city but expressed concern regarding the proposed language by leaving enforcement to the police department if giving them too much power. She feels residents find sanctuary in their yards.

Nancy Daley, 22 Hays, stated that she has lived by a nuisance property for nine years. The family that owns it has batteries, old cars, snowmobile trailers in the yard and would like the Council to start dealing with the blight properties. Ms. Daley takes pride in her home ownership and would like people to have decency and respect for their neighbors.

Jenny Bjerken, 71 Adams, reminded citizens that the proposed code changes are currently redline draft only and she supports the changes. She expressed that blight spreads and encourages crime, negatively affecting neighborhoods, feels that it is the community's responsibility to help each other and there have been ordinances relating to grass, weeds, and junk in place for many years and to call the Council Communists and Hitler is wrong.

Randy Parker, 73 Hays, expressed concern that some properties are too small to put storage buildings on, placing fines or jail time is too much especially on the older folks who cannot afford to have grass mowed and are doing what they can. He encouraged the Council to think thru the proposed codes.

Dana Polaski, 55 Adams, expressed her concern that she loves her home, her lupine garden, and doing the best she can. She asked Council to not make her leave her home.

Renee Pearson, 65 Burk, stated that there is a steep hill in her back yard that she cannot mow, is very nervous about the curfew violation and bicycle rule that does not allow them to ride on sidewalks or roads.

Andrew LeBarge, 14 Ives, expressed he is unable to mow the grass in backyard due to water from neighbors drainage so his grass is over the 8" rule. He is also concerned about the proposed unsheltered ordinance, he has his deceased friends' property in his yard and tinkers with things, and he asked the council to consider the reason why people here have boats in their yards.

Donna Bloomberg, 48 Davis, is concerned with the old furniture, appliances that are in yards near her home. She state the proposed code changes have been blown out of proportion and the Council is not talking about controlling people.

Catherine Miller, 34 Aiken, asked who decides what personal property is and if there wasn't a public hearing would the community have known about proposed changes.

Laurie Larson, 50 Burk, expressed she loves Silver Bay, feels 95% of residents take pride in their yards, and the ones that don't should be dealt with. She is concerned the proposed

code changes will put neighbor against neighbor, and about bicyclists will have nowhere to ride.

Lisa Tibbetts, 18 Banks, asked who will re-write the proposed code changes and will there be a vote on it. She suggested the codes be clear, honest and easy to understand by the public.

City Administrator Fralich and Mayor LeBlanc explained that changes will be addressed by City Council prior to passing, it will then be published in local paper. Residents will have a clear understanding of the codes.

Bob Sando, 11 Law, moved to Silver Bay in 1956 as Chief of Police and he would measure lawns with a piece of yarn sewn to his pant leg, if grass was too long the homeowner would mow. He feels that now there is no enforcement and questioned who was allowing this. Ordinances will not do anything if there is no enforcement and he feels there is no need to change current ordinances.

Barb Jonson, 43 Nelson, stated her husband was a past Chief and feels current law enforcement needs to do a better job, she calls every week regarding problem yards and nothing is done, the current codes are enough and someone needs to be held accountable for not doing their job. She feels the proposed unsheltered storage is too vague and the garages full of garbage need to be addressed as well.

Stephi Pelto, 22 Drake, expressed her point of view from a mom standpoint, she feel feels that personal property is too vague and doesn't want to be forced to get rid of her kids' pool and trampoline.

Leanne Buell, 55 Burk, is concerned about the bicycle code, not allowed on streets or sidewalks and would like to see classes on safety and helmet use.

Mayor LeBlanc explained that was an old code and will be looked at.

Morris Manning, 109 Hays, suggested the city have a code enforcement officer who is a non-city resident.

Mayor LeBlanc called for any additional public comments.

Delcie Gubrud, 43 Evans, stated the proposed codes were too vague, many properties do not have space to build another storage building and would like the current laws enforced.

Debbie Russell, 30 Marks, presented the Council a signed petition with 31 signatures.

Mayor LeBlanc asked if there were any other written or verbal comments received.

Written comment received from David Samuel, supporting the proposed code changes.

Written comment received from Jon and Chris Mattila, supporting the proposed code changes.

Mayor LeBlanc called again for any public comments. There were no further comments.

Mayor LeBlanc stated the current city codes have been in the books for a long time but things have changed since 1956 and the codes need to be altered and changed to reflect current times. He thanked everyone for attending.

Council Member DeRosier expressed appreciation for all that attended the public hearing. He addressed the inaccuracies, accusations against council, and the panic that has spread through the community on social media. Residents have come to board meetings and requested blight be addressed, current codes were reviewed by the City Attorney for the proposed changes. The Council knows they will need to change the wording regarding unsheltered storage, law enforcement is not to blame for the proposed changes. Law enforcement contacts homeowner and asks them to clean property up, if homeowner does not comply then a ticket is issued. Regarding the proposed code changes, wording needs to be changed, toys and bikes are not going to be taken away, large fine or jail time is not realistic, the bicycle ordinance will be fixed, and council will be using common sense dealing with the issues. The council has been accused of not fixing the problem, now they are addressing the issue and the public hearing is the first meeting that has been done to discuss proposed changes.

Patrick Miller, 34 Aiken, stated the council are Communists if the draft goes thru as written, he questioned the homes that are used for small businesses and what happens if they are unable to have anything in their yards. He feels law enforcement doesn't enforce the current laws.

Chief Ernest spoke regarding the enforcement his department is doing regarding blight. A citation is given based on cleanup process, he has been pushing for abatement for those who are unable to afford to cleanup or pay for fines. Currently there are three properties under criminal process. While his department is being blamed for not doing their job, he has a large stack of reports from their department just relating to blight properties calls and contacts. There is one officer to enforce the blight properties and sometimes the chief has to make a decision regarding citations. The public is welcome to contact Chief Ernest at any time to discuss problems.

Mayor LeBlanc called for a final time any other comments. Hearing none he requested a motion to close the Public Hearing.

Motion by Goutermont, second Bautch to adjourn the public hearing at 8:22 p.m. MOTION CARRIED.

Minutes taken by Lisa Christenson

Attest:

Wade LeBlanc, Mayor

Lana Fralich, City Administrator