Minutes
Silver Lake City Council
Regular Meeting
June 20, 2011

Mayor Bruce Bebo called the meeting to order at 6:30pm.

Members present: Mayor Bruce Bebo; Councilors Nolan Johnson, Eric Nelson, Carol Roquette, and Willie Krohn.

Others present: Kerry Venier, Clerk; Bill Hummel, Police Chief; Dale Kosek, Public Works Supervisor; Jim Zilka, Centerpoint Energy; Ray Bandas, Knights of Columbus; Alyssa Shauer, Silver Lake Leader

*A motion was made by Councilor Johnson seconded by Councilor Nelson to approve the agenda.
Vote for: Unanimous
Motion carried.*

Consent Agenda:

1. Approve minutes of the May 16, 2011 regular meeting.
2. Approve payroll #10, 11, & 12 and May Ambulance
3. Claims to be paid: $ 47,516.48 (6/02/11)
 $ 6,836.89 (5/19/11)
 $ 17,500.00 (5/18/11)
 $ 49,464.61 (6/16/11)

*A motion was made by Councilor Johnson seconded by Councilor Roquette to approve the Consent Agenda.
Vote for: Unanimous
Motion carried.*

\*Mr. Jim Zilka of Centerpoint Energy appeared before the Councilor to present the Fire Department with a Community Partnership grant in the amount of $1,365.00 to be used for the purchase of spectacle kits for the department’s SCBA’s.

\*Mr. Ray Bandas of the Silver Lake Knights of Columbus presented a donation to the City to be used for the Summer Recreation Program.

Old Business:

1. Councilors reviewed a proposal for the demolition of a garage at 216 Oliver Ave. Venier said he only received one proposal from Juul Contracting for $2,460.00; Venier explained that proposal removing the garage, dump fee, hauling, backhoe, sawing and boarding up the house to secure it.
*A motion was made by Councilor Nelson seconded by Councilor Roquette to approve the proposal submitted by Juul Contracting in the amount of $2,460.00 provided the work be completed by July 4, 2011.
Vote for: Unanimous
Motion carried.*

New Business:

1. Councilors reviewed a 1-day gambling application for the Silver Lake Fire Relief Association to be held on August 7, 2011.
*A motion was made by Councilor Johnson seconded by Councilor Roquette to approve a 1-day gambling permit for the Silver Lake Fire Relief Association for August 7, 2011.
Vote for: Unanimous
Motion carried.*
2. Councilors reviewed a 1-day gambling application for the Silver Lake Pool & Parks Organization to be held on August 7, 2011.
*A motion was made by Councilor Johnson seconded by Councilor Krohn to approve a 1-day gambling application for the Silver Lake Pool & Parks Organization for August 7, 2011.
Vote for: Unanimous
Motion carried.*
3. Councilors reviewed two variance applications submitted by Neil Syvertson, the owner of the property located at 315 Summit Ave.
Mayor Bebo asked Clerk Venier to summarize the new legislation that was recently passed defining the City’s authority to grant variances and Venier reviewed a proposed ordinance amending the current zoning code to follow along with the requirements of the new legislation. Venier recommended waiting on approving the proposed ordinance until the City Attorney had given an opinion on the wording, but did say that the resolutions the Council will be considering for Mr. Syvertson’s application were written to comply with the new legislation as the state law supersedes the City Code. Venier explained that the state law has eliminated the hardship language that used to need to be determined when reviewing a variance application and now applicants must show that there are “Practical Difficulties” that prevent them from complying with a City’s zoning requirements; Venier also outlined the five areas which must be considered by a City when a variance request is made:
Is the proposed variance in harmony with the general purpose and intent of the zoning ordinance?
Is the proposed variance consistent with the comprehensive plan?
Is the proposed use reasonable?
Is the need for a variance caused by circumstances unique to the property not created by the landowner?
Will the variance not alter the essential character of the neighborhood?

Mr. Syvertson explained that he would like to replace his existing garage, which is a non-conforming structure, with a new garage and install a paved driveway; in order to do so he would need a variance reducing the side setback from 5’ to 2’ for an accessory building, and he would also need a variance increase the impervious coverage from 40% to 51% for the installation of a paved driveway.
Clerk Venier reported that the Planning Commission held a public hearing on the applications on June 14th at 7:00 pm in the Auditorium and their findings of facts are included in resolutions 11-16 & 11-17 for Council consideration.

*A motion was made by Councilor Nelson seconded by Councilor Johnson to approve Resolution 11-18 adopting findings of fact and reasons for approval for variance application of Neil Syvertson of 315 Summit Ave, Silver Lake, MN.
Vote for: Unanimous
Motion carried.

A motion was made by Councilor Johnson seconded by Councilor Nelson to approve Resolution 11-17 adopting findings of fact and reasons for approval for variance application of Neil Syvertson at 315 Summit Ave, Silver Lake, MN.
Vote for: Unanimous
Motion carried.*
4. Councilors reviewed Resolution 11-16 approving a contract for Fireworks Display on 8/7/11.

*A motion was made by Councilor Krohn seconded by Councilor Roquette to approve Resolution 11-16 approving a contract for Fireworks Display on 8/7/11.
Vote for: Unanimous
Motion carried.*
5. Councilors reviewed a resolution delegating signing authority to the Mayor and City Clerk for FEMA Aid.
*A motion was made by Councilor Roquette seconded by Councilor Nelson to approve Resolution 11-15 delegating signing authority to the Mayor and City Clerk for FEMA Aid.
Vote for: Unanimous
Motion carried.*

Department Business:

1. Liquor Store: Councilor Johnson reported the following:
 Apr ‘11 Apr ‘10 YTD ’11 YTD ‘10
Sales $42,711 $46,973 $211,515 $216,616
Cost of Goods $22,914 (52.7%) $25,873 (53.2%) $114,389 (53.3%)$117,642 (52.8%)
Wages & Benefits $12,552 (28.9%) $12,207 (25.1%) $55,944 (26.1%) $57,611 (25.9%)
Overhead $ 4,806 (9.4%) $ 7,185 (14.8%) $24,857 (11.6%) $33,114 (14.9%)
Net Profit $ 3,926 (9%) $ 3,367 (6.9%) $19,546 ( 9.1%) $14,480 (6.5%)

Councilor Johnson and MLS Manager Quast recommended the approval of the annual review for Jon Jerabek and the hire of Shannon Leppert as a PT Bartender and Zach Kaczmarek as a PT Cleaner at the Auditorium.
*A motion was made by Councilor Johnson seconded by Councilor Nelson to approve the annual review with step increase for Jon Jerabek.
Vote for: Unanimous
Motion carried.

A motion was made by Councilor Johnson seconded by Councilor Roquette to hire Shannon Leppert as a PT Bartender pending a drug test.
Vote for: Unanimous
Motion carried.

A motion was made by Councilor Johnson seconded by Councilor Nelson to approve the hire of Zach Kaczmarek as a PT Cleaner at the Auditorium.
Vote for: Unanimous
Motion carried.*
2. Public Safety: Councilor Roquette and Police Chief Hummel reviewed the following:
	1. Call volume has been typical for the Police Department for the month of June.
	2. Chief Hummel informed Councilors that he would like to utilize the National Child Safety Council to solicit funding for the purchase of public safety brochures for the Department to hand out to residents. Hummel presented sample letters used by the NCSC endorsed by the Cleveland Police Department to solicit funding. Donations would go to the NCSC directly and then 80% of the money would be available to the Silver Lake Police Department to purchase brochures and other crime prevention literature from the NCSC. Some of the materials Chief Hummel would like to get include “internet safety” and “drug prevention” brochures.
	Councilors asked Chief Hummel to present a sample letter at the next meeting.
	3. Chief Hummel requested funds to purchase supplies for a National Night Out on Tuesday, August 2nd. Councilors asked Chief Hummel to see if there were funds available through other sources since it was not included in the budget.
	4. Clerk Venier presented a proposal to increase Ambulance Service fees. Venier reported that Deputy Clerk Mesenbrink had researched the issue and found that the current mileage charge was below the reimbursable amount for Medicare and the base fee was about average for similar type ambulance services; furthermore, Venier said the increase is needed to cover the additional supply costs and labor costs to fund the service.
	*A motion was made by Councilor Johnson seconded by Councilor Roquette to approve Resolution 11-19: Setting Ambulance Base and Mileage Fees.
	Vote for: Unanimous
	Motion carried.*
3. Public Works: Councilor Nelson reported the following:
	1. The pool is up and running and brackets on the diving board were replaced.
	2. Quotes for street repairs were received from Mueller & Sons and Southwest Paving. The quote from Mueller & Sons was $9,703.45 and the quote from Southwest Paving was $8,900.00. Councilors discussed the possible need for fabric in the areas where the damage was the result of frost boils as Southwest paving had included as an add-on for their proposal for an additional $1,100.
	*A motion was made by Councilor Nelson seconded by Councilor Roquette to approve the proposal from Southwest Paving in the amount of $8,900.00 for street repairs and authorize Public Works Supervisor Kosek to add the installation of fabric on the project if he felt it was needed.
	Vote for: Councilors Krohn, Nelson, Roquette, & Johnson
	Against: Mayor Bebo
	Motion carried.*
	3. Catch Basins on Lake Ave and at the corner of Cleveland and Thomas are to be rehabbed.
	4. Curb and Gutter repairs will be done near the South Lift Station.
	5. Repairs were made to an impeller shaft on the South Lift Station.
	6. Pond discharge for May-June passed MPCA limits and By-Pass pumping was reported to MPCA.
	7. Bargen is scheduled to begin crack filling in late June.
4. Community Development: Clerk Venier reported that the pool and summer recreation programs are up and running with the baseball/softball programs having approximately 20 games to be held in Silver Lake. The Pool & Parks Organization has purchased and installed new bleachers at the Baseball Field. Clerk Venier also recognized Gary Kosek, Karl & Kyle Wawrzyniak, Josh Schultz, Brad Lokensgard, and Frank Kaczmarek for their efforts in restoring the ball field at the football field so it could be used for some of the home games for the rec league.
5. Administration: Clerk Venier gave the May’s Treasurer’s Report and also informed Councilors that in the event of a State Government shutdown there is a possibility of a delay in LGA payment from the State. He said that the money has been appropriated but it is not sure that the Department of Revenue will have staff working to issue the payments if there is a shut down. Venier said the delay would not hurt the City immediately as there is enough in reserve to cover a few months of expenditures.
Venier also informed Councilors that there will be a meeting to organize painting efforts for the Auditorium on Monday, June 27 at 7:00 pm in the Auditorium.

Open Discussion:

1. Mayor Bebo encouraged Councilors to get more involved in City affairs. He stressed not trying to do staff’s job but developing a vision for projects they would like to see happen in the City and organize and lead the effort to make it happen.
2. Ms. Sandra Keswick asked Councilors when the City intended to move the Snow Plow truck that was parked behind the City Shop as she said it was blocking her view from her apartment. Mayor Bebo informed her that the truck was parked on City property and it would be moved once County Road 2 was open as the truck was stored at a facility south of the City.
3. Mayor Bebo told Councilors that the Silver Lake Enhancement Assoc. will be conducting a lake shore clean up on Saturday at 8:00 am and encouraged anyone to come and help.

*A motion was made by Councilor Roquette seconded by Councilor Krohn to adjourn this regular meeting of the Silver Lake City Council.
Vote for: Unanimous
Motion carried; meeting adjourned at 9:20 pm.*

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Bruce Bebo, Mayor

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Kerry Venier, Clerk/Treasurer