

CITY OF GRAND MARAIS
MINUTES
March 11, 2009

Mayor Hakes called the meeting to order at 4:30 p.m.

Members present: Sue Hakes, Tim Kennedy, William Lenz, Jan Sivertson and Kay Costello

Members absent: None

Staff present: Mike Roth, Don Davison, and Kim Dunsmoor

Mayor Hakes invited the public to speak during a period of open forum. Open Forum is limited to one half-hour. No person may speak more than 5 minutes or more than once.

John McClure questioned the interpretation of Ordinance 2004-01 regarding removal from boards and commissions for absenteeism. If a person was automatically removed from a board or commission, but attended a later meeting and voted, would the action taken still be legal and affect title opinions. On the budget cuts, John urged the council to look at the law enforcement contract with the county. City residents are county residents that pay taxes for law enforcement. Are we getting that much extra? John also said that when the pool was built, the understanding was that the county, city and school would pay 1/3 each for the shortages: however, since there was no written agreement, the city was stuck with it.

Motion by Costello, seconded by Lenz to approve the Agenda with additional items of law enforcement under budget discussions, selecting a working group with the county to work on the details of a pool agreement; February 25, 2009, Worksession Minutes; February 24, 2009, Minutes; March 2, 2009, Worksession Minutes; Payment of Bills; Violence Prevention Center Street Permit for "Take Back the Night"; and 2009 Tobacco Licenses. Approved unanimously.

Harley and Shele Toftey request a variance from the shoreline setback to construct a new fish processing facility in the DW District. This new facility is proposed to be 20' from the high water level on Government Lot 1, Section 20, Village Plat, PID#80-020-4110. The commercial zoned property located between Highway 61 and the harbor is the location of the Dockside Fish Market and various other commercial buildings and a shed. The property is used to support a commercial fishing and fish processing operation. A public hearing was held March 4, 2009. Commissioners Backlund, Carlson, Kennedy and Schulte were present. There were no comments from the public. City Hall received one comment of support from the Angry Trout, but they asked for aesthetic considerations due to the change from wood to metal siding. The planning commission found that the proposed use already exists on the site, setback variances have been granted to both neighbors, setback variances may be appropriate here due to the protection provided by the inner breakwall and the historic use of the site for commercial

fishing includes buildings closer to the shore than currently allowed. The commission recommends approval of the variance by a 4-0 vote.

Wood is not realistic for the fish processing application.

Motion by Kennedy, seconded by Lenz to approve the Harley and Shele Toftey Variance. Approved unanimously.

Under the current Ordinance 2004-01, we have 2 boards with attendance issues. John McClure missed 5 of 10 planning commission meetings and 6 of 11 park board meetings. Craig Schulte missed 3 of 10 planning commission meetings. Currently, there are two planning commission openings and three applicants: Jim Shinners, John McClure, and Craig Schulte.

Motion by Costello, seconded by Lenz to appoint Craig Schulte to the Planning Commission. Approved unanimously.

Motion by Kennedy, seconded by Sivertson to appoint Jim Shinners to the Planning Commission. Approved unanimously.

Ordinance 2004-01 was discussed. Boards and commissions will need to have an attendance sheet in order to keep closer tabs on attendance. Boards do not have the authority to remove a person; the ordinance removes the person. All boards and commissions make recommendations to the council; the council makes the decision whether variances or conditional use permits are granted. There would not be any legal problems with title opinions due to this problem. City Administrator Roth and City Attorney Davison will research other city ordinances to see if there is a better example of an ordinance.

We received seven qualified applicants for the part-time property maintenance worker position, including recently retired Property Maintenance Supervisor, Bob Mattson. Given his extensive experience in the department, we recommend appointing Bob Mattson to the part-time position.

Motion by Kennedy, seconded by Lenz to hire Robert Mattson as part-time Property Maintenance Worker. Approved unanimously.

Council discussed the proposed agenda for the March 17, 2009, 9:00 a.m. – noon meeting with the DNR for the Small Craft Harbor and Marina Worksession based upon the 2007-05 Resolution for a Safe Harbor Marina Project and to figure out how we move forward and answer the letter from Jim Oberstar.

Council discussed the Animal Advocates dog pound. This is another joint project with the county. Councilor Lenz is working with Commissioner Sobanja on costs of a new facility. It was questioned whether Animal Advocates is a non-profit organization and if they have applied for grants from the Cook County Community Foundation.

The county and city are forming a Pool Committee working group with the county. Two city council members will need to be appointed to this working group.

Motion by Hakes, seconded by Costello to appoint Bill Lenz and Jan Sivertson to the Pool Committee Working Group with Cook County. Approved unanimously.

Councilor Kennedy's Report:

- 1) 1% Sales Tax Committee will meet on Tuesday.

Councilor Sivertson's Report:

- 1) The EDA is looking for direction from the county and the city. Current projects include putting together an EDA owned/government leased multi-garage facility, housing project, Cedar Grove Business Park, and paving cart paths at Superior National Golf Course.

Council felt they needed a better understanding of the Economic Development Authority mission and asked for a joint worksession with the E.D.A Director and city representatives on March 25, 2009, at 3:30 p.m.

Councilor Lenz' Report:

- 1) The 2nd Annual Radio Waves Event will be held in the park September 12, 2009.
- 2) The pool will be closed for maintenance March 31 – April 10 for maintenance.
- 3) Park Master plan worksession planning will be held March 17, 2009, at 3:30 p.m. and they will have maps for people to write on.

City Attorney Davison's Report:

- 1) Looking into diversion programs for offenders.

City Administrator's Report:

- 1) Park Board Meeting next Tuesday, March 17, 2009, at 3:30 p.m.
- 2) School Board Meeting next Monday to present the Joint Maintenance Facility project idea.

Motion by Costello, seconded by Lenz to adjourn the meeting. Approved unanimously.

There being no further business, the meeting adjourned at 5:38 p.m.