

***CITY OF GRAND MARAIS***  
***MINUTES***  
***May 12, 2010***

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

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

Members absent: None

Staff present: Mike Roth, Kim Dunsmoor and Chris Hood by telephone

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.

Ron Lund submitted a letter in opposition to the Nichols/Van den Berg Conditional Use Permit. Another fitness center has a lot of cars. This CUP request goes further than a home occupation. What can be done if a problem arises?

**Motion by Costello, seconded by Lenz to approve the Agenda with additions of Dilapidated Buildings and Highway 61 Traffic Control; April 28, 2010, Worksession Minutes; April 28, 2010, Minutes and Payment of Bills. Approved unanimously.**

Ben Silence, Fire Chief, presented the Firefighter Job Description and discussed the need to recruit and hire 5 firefighters. The department has 19 current firefighters and will bring the 6 first responders under the firefighter description with the same duties and benefits as firefighters. We anticipate 4 retirements in the next 5 years. Our optimum number of firefighters is 30. We would like to conduct interviews in the next couple weeks and recommend hires at the next council meeting.

**Motion by Kennedy, seconded by Lenz to approve the Firefighter Job Description. Approved unanimously.**

Mayor Hakes recused herself from the meeting due to a conflict of interest on the Conditional Use Permit as she could benefit financially from the decision. Vice-Mayor Sivertson conducted this portion of the meeting.

The Planning Commission held a public hearing on May 5, 2010, at 4:00 p.m. to take comments on the Nichols/Van den Berg Conditional Use Permit. The Planning Commission found that the proposed building would meet the height and setback requirements, is compatible with the neighborhood because most of the time they work with one or two clients at a time, the use will not impede the normal and orderly development of the neighborhood and is consistent with a desirable pattern of development for the area with conditions to limit the size of the signage to 6 square feet and no classes after 7:30 p.m. The council discussed the Nichols/Van den Berg Conditional Use Permit. This request has generated a notable amount of comments both for and against the use. A fitness studio does not have general stop in traffic, it is by appointment. Currently, the maximum class is 8 people, the ideal class size is 4-6, but 8 clients would make

the business more viable. Currently, classes are held 3 times per day, 3 times per week and one of the classes also meets 2 other days. Hours of operation are Monday – Friday 6 am – 6 pm. There is ample parking for 3 cars in the driveway. Neighbors are concerned about parking and the additional traffic. Signs are already limited to 4 square feet. The request asks for up to 10 clients per class and hours of operation 6am – 9pm Monday – Saturday to allow for more flexibility to grow the business. . The business has been denied time and space at two local fitness centers. In order to regulate the business, conditions must be stated in the permit to reduce impact to the neighborhood. Regulating parking is harder than regulating participants. We rely on complaints to enforce permits. The bakery conditional use permit was not allowed to do retail business; therefore, eliminating traffic and parking issues. Other home businesses such as B&B's and the Art Colony were discussed and noted that they are in different zones. This zone is strictly residential. The council proposed the following conditions:

- 1) No outside employees conducting the classes.
- 2) Maximum class size of 8 people.
- 3) Maximum parking: 3 cars in driveway & 3 cars on street.
- 4) Classes are limited to 3 hours per day.
- 5) No classes held after 7:30 p.m. Individual clients allowed until 9:00 p.m.
- 6) Approve the Planning Commission's findings with change to maximum allowed signage 4 square feet.

**Motion by Kennedy, seconded by Sivertson to direct staff to bring a resolution consistent with the council direction of the Nichols/Van den Berg Conditional Use Permit request to the next meeting including the amended Planning Commission findings.**

**Ayes: Sivertson, Kennedy, Costello, and Lenz**

**Abstain: Hakes**

Mayor Hakes rejoined the meeting.

**Motion by Kennedy, seconded by Costello to approve the Grand Marais Garden Club request for \$1,000 to do the annual town planting. Approved unanimously.**

Cook County is requesting our approval of a resolution formalizing our participation in the Cook County Hazard Mitigation Plan. The plan has already been developed, with City participation, and is currently being updated. We rely on the county for Emergency Preparedness Preparation. Jim Wiinanen will attend the next council meeting to discuss the Hazard Mitigation Plan and request approval of the plan.

**Motion by Costello, seconded by Lenz to approve Resolution 2010-03 Authorizing Participation in Planning Process for an All Hazard Mitigation Plan. Approved unanimously.**

The council discussed dilapidated buildings and treating property owners respectfully and diplomatically. At the last meeting, the condition of the old theater building was discussed as well as the plans by the Grand Marais Playhouse to do some nice advertising of their 40<sup>th</sup> Anniversary in the window and entryway of the old theater building. If the building is deemed unsafe, the Playhouse will make other plans. Roth and Hood will discuss the issue and talk about options at the next meeting.

The council discussed Highway 61 Traffic Control. Last year we painted a new crosswalk and talked with MNDOT about a “Your Speed Is” Sign. We can now purchase a sign and install it with MNDOT’s okay. We have borrowed MNDOT’s “Event Congestion Signs”. We will discuss the potential of moving the crosswalk to the west side of 5<sup>th</sup> Avenue West when we contact MNDOT to install the sign.

City Administrator Roth’s Report:

- 1) Attended the County & City Manager’s Association Meeting in Nisswa. It was a well attended meeting and a good place to network with other managers. One training focused on what you can do to help other people and appreciate them while another focused on the most valuable commodity of trust and how hard it is to get and how easy it is to lose.
- 2) IRR has money available and we would like to ask for \$20,000 to create a brochure for the marina project based upon the requirements already in place.

**Motion by Hakes, seconded by Lenz to approve application to IRR for Preliminary Marina Design in the amount of \$20,000. Approved unanimously.**

- 3) The Great Lakes Initiative will have a grant application later this summer. We would like to apply for \$250,000 for a full scale design of the marina/safe harbor.

Councilor Lenz’ Report:

- 1) The Community Garden is in the process of being built. The area is cleaned up and looks nice. Dirt will be added to the garden and then the fence will be installed.
- 2) The Park Board decided to create one waiting list for seasonal camping spaces, rather than a waiting list for each site. Campers who use sites where the future park office may be built will be notified that they may lose the site to future development.
- 3) The marina setup went very smoothly and quickly this year.

Finance Director Dunsmoor’s Report:

- 1) The auditor’s were here Monday – Wednesday this week. The audit went well.

Councilor Sivertson’s Report:

- 1) Attended the North Shore Management Board meeting. They approved a company from St. Paul to develop a plan that would put the environment first by creating a map that would show where environmentally sensitive areas are to use as a tool for development. This tool would show areas that are better for development than others.

Mayor Hakes’ Report:

- 1) Attended the Northeast Service Cooperative Middle Mile Project Meeting. This is a project that focuses on connecting fiber between government entities. The plans include building redundancy fiber to ensure continued access if one line is severed – except for Cook County. For us, they would create one fiber extension and use the Qwest fiber as the redundancy loop. Half of the project is grant and half of the project is loan. Some private companies may provide funding. Cook County is a challenge because of the topography and it is 25% of the cost for 10% of the customers.

- 2) Received a Certificate of Commendation for the Waste Water Treatment Facility recognizing the work of Tom Nelson and his staff.

The Joint County/City/School/Tribe meeting will be held in Grand Portage on May 27<sup>th</sup> at 4:00 p.m.

The next worksession will include the Capital Improvement Plan and Budget.

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

There being no further business, the meeting adjourned at 6:43 p.m.