

CITY OF GRAND MARAIS
MINUTES
May 31, 2006

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

Members present: Mark Sandbo, Kay Costello, Bob Spry and Tim Kennedy

Members absent: Edward Bolstad

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

Mayor Sandbo 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.

Molly Hoffman, Harbor Friends, urged the council to look at marina options, specifically the Harbor Friends proposal sighting lack of funds for the DNR Safe Harbor project. She believes that the Harbor Friends proposal should be pursued; however, development is dependent upon Army Corp of Engineer funding which would need to be requested while James Oberstar is in office.

Motion by Spry, seconded by Kennedy to approve the Agenda; May 10, 2006, Minutes; May 10, 2006, Worksession Minutes; May 11, 2006, Public Hearing Minutes; Payment of Bills; and the American Legion Application for Exempt Permit for Bingo. Approved unanimously.

The sale of My Sister's Place is pending. They would like to transfer the Beer and Wine License to the new owner with the sale of the business. The prospective new owner has applied for the Beer and Wine License, passed a background check and has paid necessary fees.

Motion by Spry, seconded by Kennedy to transfer My Sister's Place Beer and Wine License from Anna Hamilton to Paul Sporn contingent upon the sale of My Sister's Place. Approved unanimously.

The council reviewed the Draft Cooperative Agreement with the Department of Natural Resources for the proposed Safe Harbor and Marina Design Consultant and Draft Request for Proposals. The council questioned the cost share and timing for the Phase II Environmental Investigation and will seek clarification of this issue. The city attorney questioned the cancellation options available to the DNR, but not to the city. Also questioned was language regarding excavation and alteration and clean up of any contamination. The council will discuss these documents further in the June 14, 2006, Worksession.

Teresa Sterns, East Bay Suites, addressed the council in regard to their entrance handicap accessible ramp that was constructed on the city right-of-way without permission and requires relocation of a streetlight. Gunflint Gals apologize for the lateness of this request and did not construct the ramp with malicious intent. Gunflint Gals are requesting to leave the handicap accessible ramp in the current location because they feel relocating the ramp would require handicapped customers to use a special entrance that would be less safe, would hinder other operations and would cost in excess of \$36,000. In order to have the sidewalk be compliant with ADA, bollards could be constructed at the curb to keep the sidewalk width at least 37" wide. They would pay for the relocation of the streetlight. The Beaver House had requested a handicap accessible ramp during the streetscape construction and was denied because of the same issues at the East Bay Suites. Gunflint Gals feel that their situation is different because they are located at the end of the street where they are the destination, it is a safer entry compared to the alley entrance and an alley entrance would treat disabled people as second-class citizens. The alley already has a loading area. Gunflint Gals would be willing to accept the liability of the ramp.

City Attorney Davison stated that the city used federal funds during the Downtown Project. Federal guidelines require ADA and ABA compliance. ABA guidelines require 10' sidewalks and a variance would need to be granted to allow the ramp. The council questioned the width of all sidewalks in the downtown. There is a streetlight base at the end of the street and additional lighting could be placed on the exterior of the building to make sure that the light output meets guidelines.

Motion by Spry, seconded by Costello to require Gunflint Gals / East Bay Suites to remove the light base and restore the sidewalk, compensate the city for the light base, move the streetlight to the end of the street, construct bollards to maintain ADA Compliance of the sidewalk and complete all necessary paperwork and processes to relieve the city of any liability of the ramp contingent upon meeting all legal requirements of ADA and ABA and successful variance request through USDA. Approved unanimously.

The Economic Development Authority has been working with Como Oil and Propane to join the Cedar Grove Business Development Plat. Como Oil and Propane is concerned about the screening requirements and would like 18 months to comply with those provisions and give them time to evaluate their options. The Planning Commission felt that it is reasonable to grant Como Oil and Propane 18 months to comply because the business park will reasonably take a similar amount of time to complete.

Motion by Kennedy, seconded by Costello to approve Como Oil and Propane's request to have 18 months to comply with the screening requirements. Approved unanimously.

Mayor Sandbo's Report:

- 1) Senator Coleman will meet with Mayor, Grand Portage Tribal Chair, EDA Chair, Planning and Zoning Chair, and a local business leader to discuss the

Western Hemisphere Travel Initiative. The press will be invited: however, it is not a public meeting.

- 2) The Joint County, City, School, Tribe meeting focused on Homeland Security, passports and the impact on tourism.

Councilor Kennedy's Report:

- 1) The Harbor Friends Marina Study Oversight Committee met with the consultant and reviewed the first draft of the study. The report appears to be representative of the western Lake Superior Shores and is in tune to deliver factual information on marinas. The Blandin Foundation is the core of the funding for the study and appears to be objective information that a marina consultant could use.

Councilor Costello's Report:

- 1) The Community Center will present their final design proposal soon.
- 2) The WTIP broadcast on growth with Michael Kinsley will be rebroadcast on Monday 6-7 p.m.
- 3) Questioned action on the information center letter. None was taken.

City Administrator Roth's Report:

- 1) Recommended hires:

Motion by Spry, seconded by Kennedy to hire Tasha Johnson as pool attendant. Approved unanimously.

Motion by Costello, seconded by Kennedy to hire Martina Mellang as park office clerk. Approved unanimously.

Motion by Costello, seconded by Kennedy to hire Dana Johnson as seasonal full-time liquor store clerk. Approved unanimously.

Motion by Kennedy, seconded by Costello to hire Terry Walton as part-time liquor store clerk. Approved unanimously.

- 2) Concrete will be poured in Harbor Park tomorrow.
- 3) Downtown Visioning Planning Meeting in June conflicts with the Community Center Meetings. The timing will be worked out as soon as the consultant is back in the country.
- 4) Recommend dismissal:
Motion by Spry, seconded by Costello to dismiss Adam Goering from park employment. Approved unanimously.
- 5) The Department of Labor and Industry gave us some names to follow up for building inspection. Several recommendations were not available. There is a person in Silver Bay we will try to contact for building inspection. If we do decide to adopt the building code, we will need to amend our fee structure with anything out of the ordinary requiring additional fees.

Motion by Kennedy, seconded by Spry to adjourn the meeting. Approved unanimously.

There being no further business, the meeting adjourned at 5:49 p.m.