

***CITY OF GRAND MARAIS***  
***MINUTES***  
***April 11, 2012***

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

Members present: Larry Carlson, Jan Sivertson, Bob Spry, Tim Kennedy and Bill Lenz

Members absent: None

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

Mayor Carlson 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.

Julie Carlson, Joynes Inc., addressed the council regarding peddler permits. Joynes pays the maintenance, taxes and insurance on the parking lot on the corner of 1<sup>st</sup> Ave East and Wisconsin Street. During the summer, spaces in the parking lot are rented to peddlers/vendors who purchase a peddler's permit from the city. A few apply for and receive the annual permit which allows them to set up any day they desire January 1<sup>st</sup> – December 31<sup>st</sup>. When the city gives permission to groups holding festivals, the festival board has been collecting additional fees from annual peddlers in the Joynes parking lot. We have at least nine festival-type weekends each year, will each group be collecting an additional fee? Should peddlers who have purchased an annual permit and set up on private property be subjected to further fees?

City Administrator Roth responded that the festival boards have been given permission in the past to charge fees for vendors set up on public lands as granted in their permit and should not be charging fees to vendors set up on private property. Any questions by festival boards or peddlers may be referred to speak with Roth.

**Motion by Spry, seconded by Lenz to approve the Agenda; Minutes with clarification of the "City Revolving Loan"; Payment of Bills; Arrowhead Chapter of MN Deer Hunters Association Raffle Permit; and First Congregational UCC Raffle Permit. Approved unanimously.**

A public hearing was held at 4:40 p.m. to discuss an Animal Ordinance Update. Three letters were submitted in support of allowing horses overnight in the business park. Two letters were submitted requesting allowing chickens in the city limits. Sara Metis is asking for an exception to allow her to leave horses in the business park overnight because it is hard on her horses to trailer them in and out every day. Ideas discussed included variances, conditional use permits, zone changes and changing the animal ordinance. The only way to make allow horses overnight is to change the animal ordinance. There are conditions in the animal ordinance that are not enforced.

**Motion by Kennedy, seconded by Lenz to prepare an amended animal ordinance that would allow horses overnight in the business park for discussion at the next regularly scheduled meeting. Approved unanimously.**

Our animal ordinance does not specifically prohibit chickens: therefore, chickens are allowed. If chickens become a problem, the nuisance ordinance could be used. Guidance for the amended animal ordinance included specific language for chickens: no roosters, minimum size of lot, minimum set back, screening, limiting the number of chickens to 6 and requiring the neighbor's permission. Domesticated dogs would be limited to 3.

Arrowhead Animal Rescue is looking for property with water and sewer and would like to know if the property between the fire hall and the recycling center is still available for an animal shelter.

**Motion by Sivertson, seconded by Spry to allow Arrowhead Animal Rescue to look into building a new shelter using the property between the fire hall and the recycling center. Approved unanimously.**

George Wilkes, Angry Trout Café, is requesting a variance from the shoreline setback to construct a detached public restroom facility on his property zoned DW Downtown Waterfront Commercial and legally described as part of Government Lot 5, Section 21, Township 61N PID#80-021-3210. A public hearing was held April 4, 2012. No members of the public spoke. One comment was received wondering about the obstruction of the view, but after understanding the project did not have any comment.

**Motion by Sivertson, seconded by Kennedy to approve Resolution 2012-02 A Resolution of the City Council of the City of Grand Marais, Minnesota Approving the Request for Variance to allow the Angry Trout Addition. Approved unanimously.**

Matt Geretschlaeger DBA Superior Zip Lines LLC, requests that the City of Grand Marais enter into a market rate lease and/or purchase option for the 20 acre parcel located on the Gunflint Trail drafted by the city attorney. There is a statutory requirement that the Planning Commission reviews the sale and report whether this use is consistent with the comprehensive plan or make a motion to dispense with this requirement. The council may want to hold a public hearing.

**Motion by Spry, seconded by Kennedy to order an appraisal of the 20 acre parcel and seek reimbursement from the developer and proceed from there. Approved unanimously.**

**Motion by Kennedy, seconded by Spry to enter into negotiations for a purchase agreement for the 20 acres parcel with Matt Geretschlaeger DBA Superior Zip Lines LLC after the appraisal is completed. Approved unanimously.**

The meeting was recessed for an Annexation Hearing at 5:52 p.m.

The meeting was continued at 5:54 p.m.

City Administrator Roth will communicate with the owners to see if they wish to be annexed or wish to withdraw the request.

Staff recommends the purchase of a new copier for city hall a Toshiba 3540c with color and scanning capabilities in the amount of \$7,914.

**Motion by Carlson, seconded by Spry to approve the purchase of a Toshiba 3540c in the amount of \$7,914. Approved unanimously.**

**Motion by Kennedy, seconded by Sivertson to adopt the Revised Records Retention Schedule dated March 2011. Approved unanimously.**

Mayor Carlson congratulated City Administrator Roth's ICMA Credentialed Manager status.

Councilor Lenz' Report:

- 1) The Park's unofficial opening is April 15, with an official opening of May 1<sup>st</sup>. May 21<sup>st</sup> will be Harbor Park Clean-up Day.
- 2) When the pool was drained, a delamination problem was discovered and corrected, but it doesn't look good. Plastering of the entire pool vessel will be expensive.

Councilor Spry's Report:

- 1) Approval of the Fireworks Display Permit is needed for the 4<sup>th</sup> of July and Fisherman's Picnic.

**Motion by Kennedy, seconded by Lenz to approve the Fireworks Display Permit for 4<sup>th</sup> of July and Fisherman's Picnic.**

**Ayes: Carlson, Kennedy, Lenz, Sivertson      Abstain: Spry (in charge of fireworks display)**

- 2) The Lion's Club is interested in purchasing a tent for the circle in Harbor Park.

Councilor Sivertson's Report:

- 1) The Library is installing additional lighting and needs to finish buying the furniture. Initially, the Library Board thought we may need to add staff, but they have determined that the current staffing level is good.

Councilor Kennedy's Report:

- 1) The Planning Commission has one vacancy. One commissioner has resigned his position.

There will be a special meeting scheduled for April 18<sup>th</sup> at 4:30 p.m. for the Arrowhead Electric Cable Franchise Hearing.

There being no further business, the meeting adjourned at 6:10 p.m.