

CITY OF GRAND MARAIS
MINUTES
April 25, 2012

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

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

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. No one spoke.

Motion by Lenz, seconded by Kennedy to approve the agenda; April 11, 2012, Minutes; and Payment of Bills. Approved unanimously.

Bev Wolke, Chamber of Commerce, and Carl Foster, Grand Marais Fusion addressed the council. The Chamber approved a storefront loan to Grand Marais Fusion to place signage on the windows on the Upper Deck of the Blue Water Café where Grand Marais Fusion will operate.

Motion by Kennedy, seconded by Lenz to approve a Storefront Loan to Carl and Beth Foster, partners of Grand Marais Fusion in the amount of \$1,752.97. Approved unanimously.

Arrowhead Electric Cooperative has applied for a Cable Franchise to sell video services in the City limits. The City held a public hearing on Wednesday, April 18, to receive input on the application. No input was received.

Motion by Kennedy, seconded by Sivertson to approve the First Reading of Ordinance 2012-04 An Ordinance Granting a Franchise to Arrowhead Electric Cooperative, Inc. to Construct, Operate, and Maintain a Cable Communications System in the City of Grand Marais, Minnesota Setting Forth Conditions Accompanying the Grant of the Franchise; Providing for Regulation and Use of the System and the Public Rights-of-Way and Prescribing Penalties for the Violation of the Provisions Herein. Approved unanimously.

Motion by Kennedy, seconded by Lenz to approve the Second Reading of Ordinance 2012-04 An Ordinance Granting a Franchise to Arrowhead Electric Cooperative, Inc. to Construct, Operate, and Maintain a Cable Communications System in the City of Grand Marais, Minnesota Setting Forth Conditions Accompanying the Grant of the Franchise; Providing for Regulation and Use of the System and the Public Rights-of-Way and Prescribing Penalties for the Violation of the Provisions Herein. Approved unanimously.

Kjersti Vick, Grand Marais Art Colony, presented their application for Use of Street and Sidewalks for the 22nd Annual Grand Marais Arts Festival on July 13th and 14th, 2012. The council directed that vendors on private property shall not be subject to any festival permit fees.

Motion by Sivertson, seconded by Kennedy to approve the Grand Marais Arts Festival Street and Sidewalk Application. Approved unanimously.

Cook County Emergency Management is requesting financial support of the 23rd Annual Emergency Services Conference. This is an opportunity for our firefighters and first responders to attend training in Cook County at no additional cost to our budget. This year's training includes helicopter safety, response to electric car crashes, current terrorism threats, and a live burn trailer.

Motion by Lenz, seconded by Kennedy to approve financial support of \$200 to Cook County Emergency Management for the 23rd Annual Emergency Services Conference. Approved unanimously.

Motion by Lenz, seconded by Sivertson to approve hiring Brian Finke as Seasonal Washroom Custodian. Approved unanimously.

The golf course has received two quotes for a Toro Sidewinder mower: Cutter Equipment Company quoted a 2008 Toro GM3500D Sidewinder with approximately 2100 hours for \$18,000 and Statewide Turf Equipment quoted a 2007 Toro GM3500D Sidewinder with approximately 2204 hours for \$14,800.

Motion by Kennedy, seconded by Lenz to approve the purchase of a 2007 Toro GM3500D Sidewinder Mower in the amount of \$ 14,800. Approved unanimously.

City Administrator Roth prepared a draft Animal Ordinance for the council's consideration based on previous discussions. Council added two provisions: special event deviation language to allow for circus type events and to allow selling eggs.

Motion by Kennedy, seconded by Lenz to approve the First Reading of Ordinance 2012-05 with special event deviation language and allow selling eggs. Approved unanimously.

The council discussed Ordinance 2012-01 PUD in Extraterritorial Jurisdiction. The county has declined to participate in any way in the review of subdivisions outside the city.

Motion by Sivertson, seconded by Lenz to approve the Second Reading of Ordinance 2012-01 An Ordinance of the City of Grand Marais, Minnesota, Amending Grand Marais Code, Chapter 62, Subdivisions striking Section 62-154 Restriction – Certificate of Zoning Compliance Required. Approved unanimously.

Councilor Spry joined the meeting.

Councilor Lenz' Report:

- 1) The Park Board talked about the plaster at the pool and wondering if quotes to replaster the entire pool vessel should be considered. The actual repair has not been contemplated; therefore, the matter will be tabled until there is a crisis.

Councilor Sivertson's Report:

- 1) The North Shore Management Board met last week. ARDC is looking toward building a program with coastal funds to invest in more private property rain gardens.

Motion by Spry, seconded by Lenz to close the meeting to have a Zip Line Property Discussion to establish asking price for property. This portion of the meeting will be closed pursuant to Minnesota Statutes, Section 13D.05, Subdivision 3(c). Approved unanimously.

The meeting was closed at 5:22 p.m. in the City Council Chambers. Present: Carlson, Kennedy, Lenz, Spry, Sivertson, Roth, Dunsmoor, and Hood.

Motion by Spry, seconded by Lenz to adjourn the closed meeting and go back to open session . Approved unanimously.

The meeting was back in open session at 5:34 p.m.

Motion by Spry, seconded by Kennedy to direct staff and city attorney to enter into a purchase agreement negotiations with Matt Geretschlaeger of Superior Zip Lines LLC in the amount of \$75,000 for that part of the Northwest Quarter of the Southwest Quarter of Section 16, Township 61 North, Range 1 East of the Fourth Principal Meridian lying Northwesterly of the centerline of the Gunflint Trail which is a portion of Parcel ID Number 80-816-3200. Approved unanimously.

Matt Geretschlaeger readily accepted the purchase price of \$ 75,000 and requested an early start while paperwork is handled to start a driveway and foundation work. The property has not been zoned and we do not require a permit for ground work. It was decided that a purchase agreement may be able to happen soon and a reconvened meeting was scheduled for Monday, April 30th at 10:00 a.m.

Motion by Lenz, seconded by Spry to close the meeting to have a discussion of legal strategy regarding pending/threatened litigation between the City of Grand Marais and Burbach Aquatics, Inc. This portion of the meeting will be closed pursuant to Minnesota Statutes, Section 13D.05, Subdivision 3(b). Approved unanimously.

Present: Lenz, Spry, Carlson, Sivertson, Kennedy, Roth, Dunsmoor, Hood, and Robert Scott.
The meeting was closed at 5:58 p.m.

Motion by Kennedy, seconded by Spry to adjourn the closed session at 6:48 p.m. and to reconvene to open session on Monday, April 30th at 10:00 a.m. Approved unanimously.

Mayor Carlson reconvened the meeting at 10:00 a.m. Monday, April 30th.

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

Members absent: Jan Sivertson

Staff present: Mike Roth and Kim Dunsmoor

Motion by Spry, seconded by Kennedy to enter into the purchase agreement with Matt Geretschlaeger of Superior Zip Lines, LLC in the amount of \$75,000 for that part of the Northwest Quarter of the Southwest Quarter of Section 16, Township 61 North, Range 1 East of the Fourth Principal Meridian lying Northwesterly of the centerline of the Gunflint Trail which is a portion of Parcel ID Number 80-816-3200. Approved unanimously.

There being no further business, the meeting adjourned at 10:04 a.m.