

Town Board Meeting

November 9, 2006

Pledge of Allegiance

Board Members Present: Wendy Anderson, Jeff Cook, Danny Tanner, Stephen Dahl, Corlis West

1. Approve Minutes

Corrections:

- Page 2: "Jeff Cook recommended Claim 1046 until the policy has been created and set in place" should read "Jeff Cook recommended Claim 1046 be paid until the policy has been created and set in place".
- Page 3, "Lights and head" should read "Lights and heat".
- Warming shack; electrical will be repaired this year instead of next year as reflected in the minutes.
- Request for resolution definition and attachments to minutes.
- Corlis made a motion to approve the minutes as amended, Jeff seconded. Motion passed.

2. Concerns from the Audience

- Bruce Berg: Extension of the City of Duluth water line from the city limits into the Greenwood Beach area of Duluth Township. Tabled until December (handout).
- Bill Mittlefeldt: Rentals (handout). Planning and Zoning is working on this issue now.
- Phone discussion from Todd Fischer: Since the 13th of October there has been an increase of television static, it appears to be affecting just local reception. The new power lines are taller and being heated at higher temperatures.
- Janet Green: Legal representation for the Township and Odssey.

3. Approve Agenda

- Slight change in the agenda, Community Center Principal report will be presented now, written report will appear under Community Center/Principal's report.
- Additions to the agenda:
 - Under New Business: Insurance
 - Planning and Zoning: Rental Policy
 - Legal: Planned Unit Development – Attorney's position
 - Legal: Ditch erosion
 - Maintenance position: Applicant
 - Community Center: Community Education
 - Wendy Anderson made a motion to approve the agenda as amended, Stephen Dahl seconded. Motion passed.

4. Correspondence

- a. WLSSD – Notice of Public Hearing
- b. WLSSD – 2007 Budget
- c. State of Minnesota – D/NSSD Audit Report
- d. Letter from Shawn Padden - move to Police Department

e. South Recycling meeting November 16th 10:30 – Noon: Wendy Anderson and Danny Tanner will attend.

5. Treasurers Report

a. Review Claims List for Approval

Beginning Balance \$561,764.92

Receipts \$ 41,896.06

Expenses \$ 35,517.29

Ending Balance \$568,143.69

- Two bills (Maney International and Boyer Trucking), were incurred when Duluth/Superior Communications damaged Engine #2 installing a radio. The bills were held back for payment at the request of the Fire Chief until he contacts Duluth/Superior Communications.
- Could we ask the Fire Chief to communicate everything regarding this issue, from this meeting forward in writing.
- The repair bills will be paid in December.
- Claim #1109 is only a partial payment

Junk Car Ordinance

Under responsibility on page 2, should we make the first request of removal of junk, or piled junk, in writing by certified mail? Enforcement should be moved to 30 days to comply with our own ordinance, or should we move enforcement to 21 days to make the next regular Town Board meeting?

Penalty violation: A letter as the first warning, the second would be a citation with a \$200.00 fine. The third violation would probably be a court date and the fine should be increased to \$1000.00.

Do any changes to the ordinance require re-publishing and a Public Hearing? The Town Board may pass a non-zoning ordinance without a public hearing, however this is indeed a type of zoning ordinance as it deals with the way people deal with their property. This ordinance might need to be republished. Any changes that are made must be reviewed by our Attorney.

Corlis West made a motion to change any second, subsequent or continuing violation from \$200.00 to \$500.00 on ordinance 111496, Stephen Dahl seconded. The motion was withdrawn. Stephen Dahl made a motion to table the ordinance until December, Jeff Cook seconded. Motion passed.

The Board has asked Tim to research where the laws are to correlate to our ordinance.

6. Department Reports

a. Police Report

- i) Chief Report: Read and approved
- ii) Internet and e-mail do not work.
- iii) Jeff Cook made a motion to hire Richard Swanson as a permanent

part time employee of the township
Police Department, Corlis West seconded. Motion passed.

b. Fire Report

i) Chief Report

ii) Engine #2 is back in service after the truck was damaged during a radio install by

Duluth/Superior Communication.

c. Community Center

i) Principal's Report

- o The sprinkler system is operational, the water tank is full; the generator is installed and working. The water tank is housed underground in the former coal bin.
- o Window grant has been submitted on time and has been received. Corlis West would like to suggest if we do not get the grant the township should replace the windows anyway using Capital Improvement funding.

ii) BAT

- Wendy Anderson would like to make a motion to have the BAT committee continue their research and create a feasibility study of adding on to the Community Center Dan Tanner seconded. Yes Wendy Anderson, Jeff Cook, Danny Tanner, Stephen Dahl No Corlis West. Motion passed.

iii) Community Education: Name confusion, the Community Education Event Coordinator will now be the Community Education Coordinator.

d. Legal

i) Reversionary Clause: Before any money is spent on the building, make sure the reversionary clause has been removed. Table this until December and place under BAT on the agenda.

ii) Planned Unit Development – Odssey. Hanft Fride and O'Brien have represented both Duluth Township and Odssey for many years. Township Attorney Tim Strom would like to remove himself from the Planned Unit Development discussion as he feels it might be a conflict. Odssey is requesting the Township wave the conflict issue allowing them to retain their Hanft Fride O'Brien attorney. Corlis West made a motion that the Town Board is unwilling to wave the conflict of interest with Hanft Fride in regards to the letter dated October 24, 2006, Jeff Cook seconded. Motion passed. Wendy Anderson made a motion to contact Ken Butler to represent the township in the Odssey issue, Jeff Cook seconded. Motion passed.

iii) Jeff Cook: There is a property on the Olson Road where erosion has been a problem. Jeff would like to make the Town Board aware that the problem needs to be addressed before spring.

iv) Planning and Zoning: A resident in the township has not provided a building permit for the structure he is currently building. Legal enforcement is being requested by the

Planning Commission. Wayne has sent a letter, the building is being built in a legal area, if the resident would purchase a permit he would then be in compliance. The Town Board asked Tim under Zoning Ordinance Number 3; Article 10, Section 2A, to write a letter requesting compliance.

e. Town Hall

i) Maintenance Position: Keith Darsow would like to apply for the position. Wendy Anderson made a motion to hire Keith Darsow, waiving the background check, Stephen Dahl seconded. Motion passed.

f. Planning and Zoning

i) Zoning Administrator Report

ii) Upzone Legal description: Legal descriptions were provided; all that is left is to write the actual description of the area up-zoned.

iii) Mr. Rajavouri has removed a number of the feed bags used to create a fence. Wayne considers the property to be a working farm; however the burnt structure might be a problem. The Planning Commission and the Township are not responsible for the removal of the burnt structure. Wendy Anderson suggested contacting the Minnesota Department of Health and request they contact Mr. Rajavouri for the next step in the process of removal or restoration.

iv) A replacement check has been received from Chris Kappes.

v) Job description for Carolyn's position. Wendy Anderson would like to make a recommendation to the Town Board that the Planning Commission hire their secretary.

vi) Wendy Anderson would like to request that all Planning Commission and Odyssey's decisions and requests be made in writing for the purpose of record keeping.

vii) Rental Policy presented by Bill Mittlefeldt. Wendy Anderson made a motion to have the Planning Commission amend Zoning Ordinance Number 3, to deal with short term rentals, Jeff Cook seconded. Motion passed.

g. Recycling

- It is extremely busy; plastics number 1 – 7 are now being taken
- The security light is not working; Co-op Light and Power will be contacted.
- The spot light on the east side of the recycling building is broken. Maintenance will be asked to repair.
- WLSSD would like to replace our current recycling shed with a 24 x 24 garage. The recycling building is in the SENSO area, the township might need a variance for impervious surface and setbacks.

h. Road and Bridge

Nothing to report.

i. Cemetery

Nothing to report.

7. Old Business

No Old Business at this meeting.

8. New Business

- Senior Housing met today with Northern Land trust to discuss making a grant.
- Korkki Resolution: Wendy Anderson did sign the resolution but believes this will create a problem later.
- Endowment board – annual giving campaign begins soon.
- Soccer club selling wreaths
- Insurance: The Board does not agree with everything the insurance company presented in their report. The Town Hall bathrooms will need to be GFCI repaired. The community center is insured for actual cash value, not insured for replacement value. Replacement cost was too expensive. We now have a fire extinguisher policy and a number of personnel have been fire extinguisher trained. This issue is tabled under Old Business until December.

9. Pay Bills.

10. Motion to adjourn 10:05.