

Town Board Meeting  
August 13, 2009

Roll Call Present: Mary Ann Sironen, Dan Tanner, Dave Mount, Stephen Dahl, Wendy Meierhoff  
Pledge of Allegiance

Meeting was called to order at 7:03 p.m.

1. Approve Minutes
  - a. Closed Meeting Bieraugel vs Town of Duluth April 15, 2009
    - Small edits will be proposed by Dave Mount, Clerk will send small edits to board members for their approval.
  - b. Community Center bid opening June 29, 2009
    - Correction page 7, correct \$5000.00 to \$500.00
    - #8 under B & H Masonry change wording to outdoor restroom masonry not outdoor masonry as written.
    - Wendy Meierhoff made a motion to approve the minutes as amended, Stephen Dahl seconded. Motion passed. Dan Tanner, Dave Mount, Stephen Dahl, Wendy Meierhoff approved. Mary Ann Sironen abstained
  - c. Town Board meeting July 9, 2009
    - Dan Tanner made a motion to approve the minutes, Mary Ann Sironen seconded. Motion passed. Mary Ann Sironen, Dan Tanner, Dave Mount and Stephen Dahl approved. Wendy Meierhoff abstained.
  - d. Meyer Cartway hearing July 22, 2009
    - Mary Ann Sironen made a motion to approve the minutes, Dave Mount seconded. Motion passed.
2. Meeting Schedule
  - a. Posted meetings:
    - August 13, 2009 Ordinance changes
    - August 13, 2009 Town board meeting
  - b. Unposted Meetings
    - August 13, 2009 Ordinance changes
  - c. September 18, 5:00p.m. Community School Fall Barbecue
3. Concerns from the audience
  - Don McTavish – list of 97 known businesses is now on our web site.
4. Approve Agenda
  - Dan Tanner made a motion to approve the agenda as is, Stephen Dahl seconded. Motion passed.
5. Treasurers Report

Beginning Balance	\$838,884.41
Receipts	\$ 29,129.39
Disbursements	\$ 85,918.20
Ending Balance	\$782,095.60

  - a. Review Claims List for approval
    - Claim #9852 should be bdp architects not Peak Construction
  - b. Pay bills
6. Tabled agenda items from previous month
  - a. Reallocation of \$38,000.00 to fire department for FEMA truck.
    - Check has not arrived, table until September.

## 7. Department Reports

### a. Police

#### i) Chief's report

- Safe harbor people called, asked if our Police Officers would patrol the area.

### b. Fire

#### i) Chief's report

- No report this meeting.

### c. Planning and Zoning

#### i) Directors Report

- Permits continue to roll in.
- Variances: August meeting 2 variances
  - Discussion before the hearings regarding variances. What really constitutes hardship? What components have to be in place to allow a variance/conditional use permit.
- Sue Lawson met with Greg Schendel and Bob Ryan. Stoney Point Cottages will be creating a new application. Open house for the subdivision is 7:00 p.m. September 3, 2009 with the public hearing on September 24<sup>th</sup>.
- Worden 5132 has been sold. The court case was withdrawn with prejudice.
- Worden 5149 – problems.
  - Contact Ms. Mittlefehldt: meeting 5:00 p.m. Friday evening
  - The Police Department witnessed a violation: Dave Mount wrote the Wordens a letter letting them know they violated the 6 person rental rule, by having an 8 person rental.
- We need some venue to deal with neighborhood disputes.
- We would like to change the criteria for short term rentals along Greenwood Road. A lengthy discussion on the short term rental problem and where short term rentals should be permitted or if they should be permitted. Until such time as the Commission and the Town Board have a chance to work on the issue, the things that have worked with short term rentals will continue. Short term rental will continue as a Conditional Use Permit. The Town Board will tentatively meet October 22<sup>nd</sup> at the Planning Commission meeting for this discussion.

### d. Legal

i) Meyer Cartway: meeting tabled until the November 12<sup>th</sup> Town Board meeting.

ii) Department of Revenue: Charter school tax issue has not yet been completed

iii) Labor agreement: difficult to understand. It seems an awful lot to be asking a small township. It would be difficult for our small local contractors to work with this contract and we cannot tell the school how they let their bids. If we enter into this contract there doesn't seem to be a way to get out of the contract. We aren't comfortable with this.

iv) Do we want to have Tim review the Legalese version of the ordinance changes including the fee schedule before we bring it to vote?

### e. Road and Bridge

i) Stormwater: Working on projects to improve RSTP

ii) Dan Tanner has been working with Mr. Rodda to bring things up to MnDot standards while still staying within our budget. Our current project is to get ditches dug to a more permanent longer lasting standard.

### f. Community Center

- Tuesday Wayne and Stephen will take a final look at the roof
- Talked to Mr. Whitmyer about the septic system.
- Grounds look really good; Stephen has recruited Jody Anderson (Town hall custodian) to do some extra watering in the early morning and later in the evening. There might have to be some reseeding of the septic system.
- Plantings along the swale are scheduled for next week or the following week.

- Soccer club rents a porta-potti which all of the contractors have been using all summer. The Soccer club has asked if we could help pay towards the extra usages.
  - A North Shore Community Center sign needs to be created and added to the sign along the road. Instead of North Shore Community Center it will be named the Duluth Township Community Center and Recreation Fields.
  - Wayne Dahlberg needs to be recognized for all the work he has done as an architect. Dan Tanner made a motion to allow Wendy Meierhoff to spend up to \$3,500.00 on a sign acknowledging all those who worked and donated their time on the Community Center landscaping project and for local pertinent notices, Mary Ann Sironen seconded. Motion passed.
  - Security at the Community Center. Security cameras?
  - Smoking: Currently there is no ban on smoking however since there is a ban on smoking at our Government Center we could extend that ban to the Community Center.
  - When all the bills are paid and done, make a projection on the first phase of the building addition, possibly in October.
  - Tax. The school has been talking to Minnesota Charter Schools. We need to know what the legal argument is on this issue.
- g. Town Hall
- Furnace has not yet been cleaned
  - Come on home party was very nice.
- h. Recycling
- Busy
  - We need to contact Jeff Willemarck to pick up the debris at the bottom of the parking lot.
- i. Cemetery
- Need to get out to seed some of the graves otherwise doing well
- j. Communication
- Had a second communications meeting.
  - Expectations of the township. We are a part time township, expectations are that we function and provide at a full time level while maintaining a limited presence. Unrealistic?
  - E-mail isn't being supported at the moment.
  - Communication form being looked at for the website.
  - Work with separate departments.
  - Open items, possibly a facebook page for Duluth Township
8. Correspondence
- a. University of Minnesota Extension: wood ash application - *noted*
  - b. Minnesota Department of Revenue: Unallotment of Aids/Credit – *lost \$6,641.00*
  - c. Letter: Pamela Mittlefehldt - *noted*
  - d. St. Louis County: *voting machine replacement, are we required?*
  - e. MasTech: Buried Cable request at 1569 Torgeson Road - *Signed*
  - f. MasTech: Buried Cable request at 1534 Clover Valley Drive – *Signed*
  - g. Letter to Dave Mount regarding homeless people – *noted.*
9. Old Business
- a. 2009 Board of Equalization training
10. New Business
11. Motion to adjourn Dan Tanner made a motion to adjourn Dave Mount seconded. 9:50 p.m. Motion passed.