

Town Board Meeting  
October 13, 2011

Present: Mary Ann Sironen, Barry Lobbestael Lobbestael, Dave Mount, Barb Crow  
Absent: Dave Miller

Pledge of Allegiance

1. Approve Minutes

- Town Board Meeting September 8, 2011
  - Barry Lobbestael made a motion to approve the minutes as submitted, Barb Crow seconded. Motion passed
- Special meeting September 15, 2011
  - Mary Ann Sironen made a motion to approve the minutes, Barry Lobbestael seconded. Motion passed.

2. Meeting Schedule

- Additions: Post Harvest Dinner October 15, and Knife River TMDL meeting October 26.

3. Concerns from the Audience

- Russ Conrow: Minnesota Cable Franchise: Jeff Roiland attended in Russ Conrow's place. Statute # 238 regulates the cable industry. Minnesota Cable Franchise would like the township to sign the following resolution:

Resolution 10132011a

WHEREAS, the Lake County has proposed bringing to Duluth Township its Video Delivery System providing access to a large range of video, movie, pay per view, audio and premium channels;

WHEREAS, Duluth Township, wishes to acquire the benefits of the Lake County's Video Delivery system in order to meet the communications needs of its citizens;

WHEREAS, Duluth Township has fewer than 1,000 subscribers (households).

WEHREAS, Duluth Township resolves the following:

BE IT RESOLVED THAT:

Acting under the authority provided in Minnesota Statute 238.02, subd 3.b, Duluth Township by this resolution removes the Lake County Video Delivery System within the existing Lake County Network service territory from the provisions of Minnesota Statute Chapter 238.

Dave Mount made a motion that the board adopts the resolution proposed by the Lake County Attorney's office in their letter dated September 28, 2011 contingent upon agreement amongst Supervisor Crow, Supervisor Sironen and the Town Attorney Mary Ann Sironen seconded.

Dave Mount amended his motion to include: if Supervisors Crow and Sironen and the Town Attorney cannot reach agreement on the appropriateness of the resolution, it will be put back before the Board at their November 10<sup>th</sup> meeting, Mary Ann Sironen seconded the amendment. Motion and amendment passed.

4. Approve Agenda

- Additions
  - Move the Community Center following Planning and Zoning
  - Town Hall: grant opportunity
- Barb Crow made a motion to approve the agenda as amended, Barry Lobbestael seconded. Motion passed

- Community Center facilities preliminary landscaping: removing some rock from around the school and mulch around the trees will cost approximately \$1,400.00. Detailed landscape items can be incorporated into a curriculum item which will wait until spring.
- \$800.00 (Cedar Drive) more was spent on a load of loam to level, for flooding purposes, on skating rink areas once the hockey boards are in place. Both soccer fields will be seeded on October 21<sup>st</sup>.
- Community Education: everything is going well we are having good responses to the classes we have scheduled so far.
- Office space: Mary Ann Sironen made a motion that we purchase a lateral locking file cabinet for the Community Center conference room not to exceed \$300.00. Dave Mount seconded. Motion passed. The Recreation and Community Education office will move to the conference room giving both departments more flexible space.
- Fencing around propane tank has been completed.

## 5. Planning and Zoning

- Russ Krook/Seeds of Hope Ranch would like to have a conversation regarding a text change in the ordinance. SMU6 zone district between the expressway and the lake (zoning ordinance page 53 – Matrix) an accessory structure 2000 square feet or more is not allowed. Large lot owners are being discriminated against, the zoning ordinance was never meant for large lot owners in that area. Russ Krook/Seeds of Hope Ranch owns 36.6 acres and would like to build a large riding arena, he would like the Town to consider an amendment to the Zoning ordinance for anyone who owns more than 2 acres. Page 51 of the zoning ordinance states lot coverage is limited to 7%. Is this an issue that was considered in the rewrite of the ordinance? No, but the Town Board can direct the Planning Commission to undertake that study. Dave Mount: this might be an opportunity to go back and review impervious surface. The County made amendments by changing the setbacks. Dave Mount: it would make sense to have the Commission evaluate the large size lots in the zone district. It makes sense to have the commission review table 5.3 accessory structure limits for that area, (greater than 2000 square feet), performance standards, look at the allowable accessory structure size in that zone district; impervious surface in large parcels and look at possible zoning map changes. Request to the Planning Commission: The zoning ordinance has some inequities for zoning structure size, please provide the Town Board with some language that will attempt to solve or resolve some of the problems. If there is a printout for the November meeting hopefully we could have a public hearing in February.
- Barb Crow and the Town Board would like to thank the Planning Commission. Barb is impressed with the amount of work and dedication the Commission has had in working on ordinance language changes and would like to thank them for that.
- Directors Report: There is going to be a review of a commercial proposal along the shore. Two structures have been used as rental property for years; our ordinance has not been structured for commercial. The rental house in back will be torn down and replaced with a duplex; the rental house in front will be turned into a quad-plex with variance requests for side yard setbacks. Looking at the use chart in the ordinance we have no standards that are binding. This request will go before the commission as a design review.
- Revising the zoning ordinance
- Town infrastructure. A Bubble diagram will be created for the Annual meeting. Needs assessment – list of bullets. Survey: An article in the November newsletter with a possible sketch of the outlines then a survey in January. Needs assessment and “here’s where we are and what we have”.
- New Commission Member: there are 3 openings, Jan Green, Dave Chura and then Bill Lannon. We should pick 3 new members now and fill the positions as they open. In the November newsletter list one immediate opening, two coming up soon. The Town Board would interview and vote on new Planning Commission members at the board meeting in April. Barb Crow will come up with a process and write an article for the newsletter.
- Training opportunities: watershed/zoning room 202 at EPA lab. November 3<sup>rd</sup>.
- Knife River TMDL meeting at the Town Hall October 26, 7:00 p.m.
- The Newsletters will be quite full, the January Newsletter will have the Survey and February zoning items, March will be the budget newsletter.

6. Tabled Agenda items from previous month

7. Department Reports

- Police Department
- Fire Department
  - Signage: When the County redid the Homestead Road they removed the non lit fire Hall signs to replace the signs the fire department would be responsible for purchasing dynamic (flashing light) signs; Option 1 will cost approximately \$1800.00 Option #2 would be around \$2500.00. The County would furnish the sign post and install the signs, the Township would be responsible for their maintenance and be required to sign an agreement with the County.
  - The Fire Truck which has been sitting in the town hall parking lot is finally gone. The shipping company picked it up and is taking it to its new home.
  - We've had a few fire runs and a few first responder runs. We are working on a FEMA grant for hose, applied and submitted two more FEMA grants, one for another truck one for communication equipment. The truck would replace the retired Gold Cross ambulance and be a true rescue truck, fire fighting skid for brush fires. It would primarily be used on the highway for vehicle accidents. The retired Gold Cross ambulance would be returned to Gold Cross.
  - Request for an on demand water heater to replace our hot water heater. The Board asked the fire department to come back with prices.
  - Barry Lobbestael has been unable to contact Neal Myrdal, but has been able to get information on bonding. Barry will forward the paperwork for Neal to complete and send.
- Legal
- Roads
  - Stormwater
  - Road Report
- Community Center
  - Facility Report
  - Community Education
  - Recreation
- Town Hall
  - The refrigerator might be dying. Don McTavish will put an ad in the newsletter asking for a used working refrigerator
  - Grant- Election: the current wheel chair ramp and landing is too narrow for a wheelchair to easily turn and enter the building. If we ask for money to fix the problem we will likely have to match. Barry will get quotes. Mary Ann Sironen made a motion to adopt the resolution, Barb Crow seconded. Motion passed. Dave Mount signed resolution 10132011b

Resolution #10132011b

Town of Duluth  
St. Louis County, Minnesota

The Town Board is hereby authorized to:

- a) Apply for a grant from the Office of the Secretary of State of Minnesota for Federal funds pursuant to Title 11, Section 261 of the Help America Vote Act for the sole purpose of improving access to polling places in this city for persons with disabilities;
- b) Enter into an agreement with the Office of the Secretary of State governing the receipt, expenditure, reimbursement and reporting of such a grant:
- c) Receive and account separately in a manner sufficient to meet generally accepted government accounting principles sufficient to pass federal audit; and
- d) Expend any sums received in the manner indicated in the grant application and agreement with the Office of the Secretary of State.

No further action by a Town Board meeting is required for actions related to this grant.

Adopted this 13<sup>th</sup> day of October, 2011

- Materials management
  - Recycling: Kathy Peer is no longer interested in being a sub, Carolyn suggested Todd Sironen as a temporary sub. If we have the need for a permanent person we might have an interview process. Barb Crow proposed we use Todd on a temporary basis until the position could be posted. Is ear protection necessary? Barb will purchase ear protection to have available if needed.
    - Fall hours will start the first of November.
  - D/NSSD
- Cemetery
- Communication: Linda Holliday is in charge of the Web Site. Barry Lobbestael requested a correction in the Supervisor 2011 responsibility chart.
- Personnel: November agenda “how we submit our payroll”.

#### Treasurers Report

Approve Bills – Pay Bills

#### 8. Correspondence

- i) Election guide: disabilities act
- ii) Notice: Government Units Survey
- iii) St. Louis County Public Works Department

#### 9. Old Business

#### 10. New Business

Renter for NSCS – developmental learning for kids are they free? Fee of \$25.00 was paid for 8 weeks of playing basketball. We could waive the fee but it seems reasonable.

#### 11. Motion to adjourn

- Made a motion to adjourn: Mary Ann Sironen made a motion to adjourn, Barb Crow seconded. Motion passed.