

Town of Duluth

Town Board Meeting

October 12, 2017

Call to order: The meeting was called to order at 6:30 p.m. with the Pledge of Allegiance. Barb Crow, Travis Stolp, Dave Mount and Rolf Carlson were in attendance, Corlis West was absent.

Motion to approve the minutes:

- Town Board meeting September 14, 2017: Barb Crow made a motion to approve the minutes, Rolf seconded. Dave: Under community center page 3 the wireless project should be the generator project. With that amendment the motion passed unopposed.
- Fire department/Bid meeting September 26, 2017: Travis made a motion to approve the minutes, Barb seconded. Motion passed unopposed.

Motion to approve the agenda: Barb made a motion to approve the agenda, Travis seconded. Under Town Hall Dave would like to add "parking lot". With that addition the motion passed unanimously.

The Treasurer reported a beginning balance of \$629,180.17, deposits of \$8,053.58 and expenses of \$23,867.23 for an ending balance of \$613,366.52. The Domain name renewal claim 1252 was denied and Travis questioned a Carlson Concrete culvert purchase. The remaining bills were reviewed and approved for payment, the payroll net pay and account distribution documents were signed.

Public Comment: There were no public comments at tonight's meeting.

Public Hearing 8:00 p.m.

The public hearing involving our animal ordinance opened at 8:00 p.m. The Town of Duluth animal ordinance prohibits the following conduct:

1. No animal shall run at large. Any animal owner who intentionally or by neglect permits an animal to run at large shall be in violation of this ordinance.
2. No animal shall interfere with, obstruct, or render dangerous lawful travel on any public road or cartway. This prohibition includes but is not limited to animals that "chase" vehicles. Any animal owner who intentionally or by neglect permits an animal to do so shall be in violation of this ordinance.
3. No unrestrained animal shall threaten, chase, charge, pursue, snap at, bite, butt, kick, scratch, leap upon, attack or otherwise molest any person or other animal if the person or other animal are off the animal owner's premises, and have not provoked the animal. Any animal owner who intentionally or by neglect permits an animal to do so shall be in violation of this ordinance.

With pictures to support his complaint Mr. Graves spoke on Ms. Davies animals frequently trespassing into his yard. It was determined there was a violation. A second issue of whether Ms. Davies had more animal units than allowed for her property was discussed, with 4.5 acres Ms. Davies was not over her animal units of 4.8, there was no violation. The animals did not threaten, chase, charge, pursue, snap at, bite, butt, kick, scratch, leap upon, attack or molest any person or other animal, there was no violation so the issue remains with #1, trespassing.

Dave made a motion to accept the findings of the Board, Rolf seconded. On the motion Aye: Dave, Barb, Rolf and Travis. Absent: Corlis. The board notified in writing both Mr. Graves and Ms Davies that a violation was found as this is the first violation no penalty or fine was imposed.

Public hearing closed at 8:37 p.m.

Department Reports

Police: Nothing to report at this meeting.

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Fire:

- New Addition: Nothing was gained by rebidding with alternate #8. Dave made a motion to decline all bids as received and have the fire department working group with the architect to come up with a simplified bid package targeting spring construction, Barb seconded. Motion passed unanimously.
- New Addition loan: The Lake Bank was proposing a \$300,000 loan, amortized for 10 years but after so many years there would be an option to pay ahead. The interest rate projected to be 2.75% which would be revisited after 5 years.
- Reminder: The harvest dinner is Saturday from 5:00 – 7:00 p.m.
- Relief Association: Dave made a motion to authorize the fire department to explore alternate retirement options with PERA, Travis seconded. Motion passed. Aye: Dave, Rolf, Travis; Abstained Barb, Absent Corlis.

Planning and Zoning:

- Storm Water:
 - Stoney point development: lots have been slow to move. While Odyssey does have a variance to bulldoze some of the shore to allow for erosion control they are moving the houses back 175' from the last erosion point and will be within our ordinance setbacks.
 - Don McTavish forwarded a newsletter from Canosia Township with an article saying they were able to get out of MS4 requirements. It was interesting to note that there is language in the statute that allows for an exemption, if nothing else it would be nice to know why we are in the MS4. Not the entire Township has to be included in the MS4.
- Director's Report
 - In September there was a public hearing for a deck.
 - Short Term Rental: Barb made a recommended change to the first paragraph, John's motion should say conditional/interim. The text amendment that was proposed affects Greenwood Road the most. The language would only allow someone to apply for the conditional use permit if they live nearby. That language came right out of a public comment, short term rentals change the characteristic of the neighborhood because you never know who is living next to you even with owners on the property or living nearby you are still affecting the SMU-8 (Greenwood Road). Dave made a motion that the Town Board asked the Planning Commission to work out the specific language implementing a change in Sue's 10/10 memo. Rolf seconded. Motion passed unanimously.
 - Next Planning commission meeting October 26th and November 16th will be a variance hearing for lake setback.

Legal:

- 2020 Census: A packet requesting completion of preliminary work for the 2020 Census arrived. The County is already doing the addressing portion so we were able to opt out.
- Janet Johansen resolution: Dave made a motion to adopt Duluth township resolution 10122017 which corrects the previous problem with Janet Johansen's retirement package, Barb seconded. Motion passed unanimously.

Roads

- A turn-around is needed on the Mace Road.
- Barb would like to put regular road reports on the web site.

Community Center Projects

- Generator maintenance: NSCS Director Kris Lounsberry brought to the board the need to continue to upkeep the generator which currently has a piece needing replacement. Barb made

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a motion to pay 50% of the part to be replaced on the generator which is thought to be approximately \$1200, Travis seconded. Motion passed unanimously. –

- ABC request for reimbursement: In January the Town Board passed a motion to pay \$36,000.00 to convert the generator for future emergency needs. ABC had that work done but the cost exceeded the \$36,000 by \$3000.00. ABC requested additional funding to pay for the remaining cost. The request was denied.
- Landscaping project: statement requesting reimbursement will be sent.
- Skating rink lights: It was discovered some of the skating rink lights weren't working, upon closer inspection the copper had been removed. Lights have been repaired.

Town Hall

- Parking lot resurfacing. The parking lot will have some work done next week.
- Paintings: Many thanks to John and Janet Green for the original paintings they donated to the Township.
- Main Hall: The main township hall will have maintenance done beginning next week.

Emergency Operations: No report

Materials Management: busy

Cemetery: Paid Steps and Stones for new foundations, cleaning and resetting of stones.

Communications

- Barb had a meeting today with anySite Solution the following items were discussed and clarified.
 - Clarification on how Barb and anySite Solution work together.
 - We had 1gig of storage and have agreed to increase our storage to 2gigs.
 - There are a few things on the web site that need maintenance, anySite has agreed to use Web Master services to repair and deal with those issues.
 - Website update: Joe from anySite solutions will come to the December meeting to discuss the proposed changes and their costs.

Personnel: No Report

Old Business

- Johansen resolution: read and approved

New Business

Correspondence

- Touchstone newsletter
- WLSSD 2018 budget
- Census

Calendar Events and Meeting Schedule

- Town Board Meeting November 9, 2017

Adjournment: Travis made a motion to adjourn Rolf seconded. Motion passed unanimously.