

**REGULAR CITY COUNCIL MEETING
CITY OF SHELL LAKE
MAY 14, 2012**

Mayor Peterson called the meeting to order at 7:00 p.m. Council members present were Bruce, Eiche, Graf, Harrington, Pederson, Schultz and Shelton. Alderperson Leckel was absent. Also present were Jeff Parker, Clint Stariha, Joan Quenan, Jeri Bitney, Jessica Beecroft and Brad Pederson. The meeting was opened with the Pledge of Allegiance.

Harrington moved, seconded by Graf, to approve the April 9, 2012 regular meeting minutes. The motion carried. Eiche moved, seconded by Shelton, to approve the April 17, 2012 special meeting minutes. The motion carried.

A map showing a small parcel of exposed lakebed that appears to be city-owned was reviewed. This parcel extends in front of a parcel recently purchased by Todd Schultz. Jeri Bitney gave some background information she learned from the former owners of the Schultz parcel. Alderperson Harrington indicated that if the parcel in question is below the ordinary high water mark it would be considered lakebed. Mayor Peterson referred this matter to the Parks and Recreation Committee.

Jeff Parker reported on the Public Works Department's activities.

Clint Stariha reported on Police Department and zoning activities. Chief Stariha was asked about an incident where an ATV passed a vehicle that the driver stated was going 30 MPH at the time. Chief Stariha said the police know who was driving the ATV at the time and he will check with the City Attorney about the possibility of charging the ATV operator. The witness agreed to write a statement and ask her passenger to also write one.

ZONING BOARD OF APPEALS: The March 14, 2012, April 9, 2012 and May 10, 2012 board meeting minutes were reviewed. It was reported variances were approved for Ken Schultz for 116 Industrial Drive and William Schoener for 312 Ellwood Beach. It was reported a variance was denied for Robert Alleva for combined Lots 32 & 33 Rolph's Point. It was also reported the Board made a determination that a prefabricated building manufacturing/assembly business would be of the same general character of those listed or incidental to uses which would not be detrimental to the character of the commercial district as requested by Lee Gramberg.

LIBRARY BOARD: The April 18, 2012 meeting minutes were read. Alderperson Pederson reported there have been a lot of problems getting the Quicken financial reporting system in place. Alderperson Pederson reported on other library activities.

Alderperson Leckel arrived.

PLAN COMMISSION: The May 7, 2012 commission meeting minutes were reviewed. Sec. 13-1-66 pertaining to conditions for granting conditional uses was reviewed. It was noted no conditional use permit (CUP) can be granted by the Plan Commission unless the Commission and City Council shall find that the conditions listed are present. It was reported the Commission issued a CUP to Stephen Monahan for short-term rental of a three bedroom dwelling with a capacity of eight people located at 607 South Lake Drive. Schultz moved, seconded by Eiche, to concur that the conditions were met. The motion carried. It was reported the Commission issued a CUP to Swan Wennerberg for short-term rental of a two bedroom cabin located at 136 Lilja Avenue. Schultz moved, seconded by Graf, to concur that the conditions were met. The motion carried. It was reported the commission issued a CUP to Janet Jezior for short-term rental of a two bedroom cabin located at 500 West Lake Drive. Schultz moved, seconded by Graf, to concur that the conditions were met. The motion carried. It was reported the Commission issued a CUP to Joan Quenan for short-term rental of a dwelling located at 402 Pine Ridge Drive. Schultz moved, seconded by Pederson, to concur that the conditions were met. It was noted a lot of discussion was held on whether or not this dwelling is a duplex as the owner intends to rent out a portion of the dwelling while residing in another. It was reported the City Attorney was contacted on this matter and it is her opinion that multi-family use cannot be allowed in a single-family zoned district. It was pointed out the multi-family use would not be in conformance with Sec. 13-1-66(f) that states "That the conditional use shall, except for yard requirements, conform to all applicable regulations of the district in which it is located." The City Attorney participated in a portion of the discussion via speaker-phone. Ms. Quenan noted she has been renting to Arts Center staff and a couple of returning visitors each summer over the last ten years. The possibility of Ms. Quenan requesting the property be rezoned, possibly to Recreational Services and Highway Commercial, was mentioned. It was questioned if this would be a possibility as the dwelling and lot is nonconforming. Upon a unanimous roll call vote the motion failed. Eiche moved, seconded by Bruce, for the City Council to invalidate the conditional use permit issued to Joan Quenan based upon additional information as it does not comply with Sec. 13-1-66(f) of the city's Zoning Ordinance. Upon a unanimous vote the motion carried.

Aldersperson Bruce resigned as Council representative to the Plan Commission. Leckel moved, seconded by Graf, to accept the resignation and appoint Dan Harrington. The motion carried.

AIRPORT MANAGEMENT COMMITTEE: The April 26, 2012 committee meeting minutes were reviewed. It was reported the committee forwarded a list of potential projects for consideration to be included in a petition to be submitted to the Wisconsin Bureau of Aeronautics for anticipated improvements at the airport over the next six years.

It was reported John Haack resigned as the hangar owner representative on the committee. Leckel moved, seconded by Shelton, to accept the resignation and to change Joe Rounce's designation on the committee from Aero Club representative to hangar owner and to appoint Gerry Winch as the Aero Club representative. The motion carried.

FAÇADE INCENTIVE COMMITTEE: The April 18, 2012 committee meeting minutes were reviewed.

PUBLIC WORKS ADMINISTRATION: The May 2, 2012 committee meeting minutes were reviewed. It was reported proposals were received for the installation of two monitoring wells at the Wastewater Treatment Plant. The committee recommends the City Council approve the proposal from SEH at an estimated cost of \$12,500. Leckel moved, seconded by Shelton, to accept SEH's proposal. The motion carried.

It was reported the committee reviewed the Airport Management Committee's recommendation for a list of projects to be included on a petition to the Wisconsin Bureau of Aeronautics for anticipated improvements over the next six years and recommends the City Council approve the list as follows: purchase snow removal equipment; purchase Automated Weather Observing System (AWOS); construct taxiway; sealcoat and crackfill airport pavements; acquire land in runway approaches; clear and maintain approaches as stated in Transportation Administrative Code Chapter 55; purchase mowing equipment; construct airport equipment building; develop new apron area; construct helipad; partial fencing; Airport Layout Plan update; fueling system; terminal building; public-use hangar; develop south-eastward hangar area; pave NW aircraft parking area; develop future hangar area; segmented circle around windsock; supplemental windsock; signage; and any necessary related work. It was noted that including a project on the petition does not commit the City to doing it. Schultz moved, seconded by Eiche, to approve the list of projects for the petition as recommended. The motion carried.

It was reported bids were received on pump replacement and related parts and services of Well #1 with Water Well Solutions, Inc. having the lowest bid in the amount of \$21,947. Shelton moved, seconded by Harrington, to approve the Water Well Solutions, Inc. bid. The motion carried.

It was reported quotations were received for cleaning and videoing 15,000 lf of sewer main with Great Lakes TV Seal having the lowest quote in the amount of \$13,600. Graf moved, seconded by Eiche, to approve Great Lakes TV Seal's quote. The motion carried.

It was reported the committee recommends the City Council accept Xcel Energy's plan to have 27 150 watt high-pressure sodium lights in the eight block area of Highway 63 adjacent to Main Street to include new wood poles and underground wire south of Main Street at a cost of \$14,550 (today's \$\$s) during the highway reconstruction project scheduled for 2015. Schultz moved, seconded by Eiche, to accept Xcel's proposal as recommended. The motion carried.

GENERAL ADMINISTRATION: A summary of the North Memorial's Ambulance's Spooner/Shell Lake operations meeting held April 24, 2012 was reviewed.

FINANCIAL ADMINISTRATION: The May 14, 2012 committee meeting minutes were reviewed. Shelton moved, seconded by Harrington, to approve vouchers 362-492. The motion carried.

The Budget Status Report was reviewed.

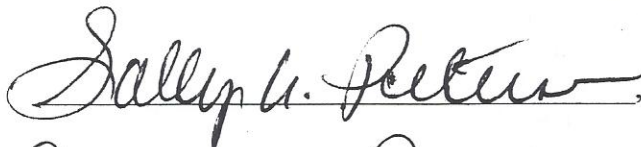
PARKS AND RECREATION: The April 18, 2012 committee meeting minutes were reviewed.

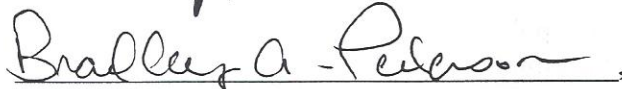
NEW BUSINESS: Alderperson Eiche recommended the City Council amend Sec. 13-1-143 of the city's Zoning Code pertaining to swimming pools by eliminating the maximum dimension and maximum wall height and reference to "children's" in regards to storable (temporary) pools. Shelton moved, seconded by Bruce, to proceed with a public hearing on the proposed amendments as presented. The motion carried.

Information from the WI DNR on chronic wasting disease (CWD) in Wisconsin was distributed. Mayor Peterson announced that she appointed Andy Eiche to serve on a citizen committee pertaining to the local CWD matter. The Council, by consensus, decided to invite a DNR representative to the next City Council meeting to discuss the CWD matter.

Dan Thole, CPA from CliftonLarsonAllen presented the 2011 Audit Report. Financial Statement Notations that included the following items were reviewed: 1) Auditor's Report (Opinion), 2) General Fund, 3) Special Revenue Funds, 4) Debt Service Funds, 5) Capital Project Funds, 6) Enterprise Funds and 7) Long-Term Obligations. Mr. Thole noted the City received an Unqualified Opinion which is the highest opinion the City can earn. Mr. Thole noted the Undesignated Fund Balance has a positive balance of \$169,743. Mr. Thole noted expenditure exceeded revenues by \$39,341 in 2011. The Water Utility had a net income of \$28,250 and a rate of return of 4.19% and the Sewer Utility has a net income of \$140,633. Mr. Thole noted the City is at 41.3% of their General Obligation debt limit. Mr. Thole recommended the Water Utility apply for a simplified rate increase for a 3.2% increase that would be effective October 1, 2012. This matter will be put on the Public Works Administration Committee agenda.

Eiche moved, seconded by Shelton, to adjourn at 10:10 p.m. The motion carried.

 , Mayor

 , City Administrator