

REGULAR CITY COUNCIL MEETING
CITY OF SHELL LAKE
June 12, 2023

Mayor Sally Peterson called the meeting to order at 7:00 p.m. Council members present were Stephen Smith, Terry Severson, Rowie Hansberger, Ken Schultz, Dan Harrington, Rob Anderson, Mike Andrews and Deb Nebel. Andy Eiche, Regan Kohler, David Wilson, Dan Rayman, Janis Burkhardt, Pete Moen, Tom Rasmussen, Steve Byrd, Carol Thompson, Bryan Rydberg, Megan Johnson, Fred Johnson, JoAnne Wartgow, Bill Taubman, Duke Welter, and Phil Sylla were also present.

Smith moved, seconded by Nebel, to approve the council minutes from May 8, 2023. Motion carried unanimously.

Public Comment: Pete Moen informed the council of the recent passing of long-time resident Tom Scott, and the desire of the Sailing Club to have a sculpture of a sail boat created in his honor to be gifted to the City of Shell Lake in Tom Scott's memory. They mentioned the idea of placing the sculpture in Memorial Park. Pete also passed out an artistic rendering of the sculpture which would be done by Mr. Seagar. Mayor Peterson referred the proposal to the Parks & Rec. committee.

Phil Sylla spoke on his opposition, as well as the opposition of a number of organizations, to the consideration to sell the three city lots being considered by the Plan Commission. He also pointed out the recent mud slides that occurred this spring in the vicinity of the three lots being considered, and how the three lots are identical to the mudslides that occurred. He urged the city to not approve the resolution to petition.

Bryan Rydberg informed the audience that he had missed the last Plan Commission meeting, but had he been there, he would have voted yes on the recommendation. Bryan voiced concern the city would get the image of a city that is anti-business if they do not consider the request. Rydberg suggested the city require a professional engineer if approved, to inspect/approve the retaining wall suggestion or any other structure as part of the sale. Rydberg stated, "We owe it to the tax payers to provide back to the community. I would vote to sell the lots."

Duke Welter voiced concern about potential damage to the property and Sawyer Creek. Welter continued by voicing how the city decision to proceed would disregard the opinion of all council members that served before them. Welter noted the cost of litigation for the petition would be expensive for the city, and asked the council to not approve the resolution.

Tom Rasmussen noted the existing landslides in the area, and asked if the city could consider gifting the properties to the school. He asked if the city would consider expanding the beach parking lot on the east side of the highway.

Bill Taubman voiced his opposition to the sale of the three lots. He noted the recent landslides in the area, and expressed his opinion on the potential expense to properly engineer such a project. Taubman went on to add the city has not yet seen a good business plan, and asked if the Dunlavy property doesn't already have enough parking, pointing out how current business owners on Main Street have less parking availability than that which already exists at the Dunlavy's.

Bryan Rydberg voiced concern over the idea of having pedestrian traffic crossing Hwy 63, feeling it would be dangerous. He also added if the city does not approve this, the city could end up with a condemned building, resulting in the tax payers getting nothing.

Fred Johnson asked the city council to not approve the resolution.

Megan Johnson agreed with the points made this evening opposing the sale of the lots, and asked the city to live up to its word.

Eiche presented the Public Works Director Report. Mayor Peterson asked about the tennis court project. Eiche informed the pickleball courts have been painted and the cracks have been repaired.

Wilson presented the Police Chief report. Mayor Peterson asked about the recent bout of vandalism at the park. Wilson replied that it was currently under investigation. Mayor Peterson asked if there should be a reward. Wilson replied, "No." Severson noted his observation regarding ATV violations within the city, and asked if there were policies for enforcing the violations. Wilson replied, "Yes." Mayor Peterson added the dust and speed of ATVer's in her neighborhood were getting pretty bad. Mayor Peterson noted an article in the Spooner Advocate regarding usage of the Police Station for outside activities, and how such activities should be approved by the General Administration committee before they are allowed. Mayor Peterson asked about the school considering a school officer on site. Wilson said it is only in the discussion phase at this time between the school board and him. Mayor Peterson mentioned she was thinking about an employee time study, and referred the matter to the General Administration committee for consideration.

Eiche presented the Zoning Administrator report.

Eiche presented the Zoning Board of Appeals minutes.

Plan Commission minutes were presented. Schultz moved, seconded by Smith, to approve Resolution 3-2023.

Harrington commented on the mudslides.

Schultz noted how a berm already exists at the three lots. He continued by stating, "No one was concerned about this area when the highway project went through. There is a catch basin already addressing the storm water. There are no problems there. The mudslide that happened at the old Shell Lake Marine location is not the same. This parking lot will be nowhere near the creek. The original donation was a much larger area, including current school land. I don't see any comparison between the two landslides and the three lots."

Nebel commented, "I understand business owner needs. Parking is already available on both sides of County Hwy B. People are already crossing US Hwy 63 all the time." Nebel continued to give a definition of Resource Conservation zoning, which one of the three lots is currently zoned as. Nebel concluded by voicing her opposition to the sale of the three lots.

Smith responded in disagreement to Nebel's comment about available parking on County Hwy B, noting how the sides of County Hwy B are snowbanks in the winter. Smith also mentioned his confusion as to why people would think the engineering would fail. He concluded by noting that the founders of the city already did sell off a majority of the donated land to the school, business owners and homeowners.

Andrews voiced concern regarding expansion of the parking lot by the beach, noting how the taxpayers would have to pay for that, as well as all future maintenance and plowing.

Severson described the dimensions of the three lots.

Mayor Peterson stated, "If sold, we are not listening to the people. It is a safety hazard to put a parking lot there. All of this discomfort over a parking lot. We have a responsibility to the community. If you sell this, it is on your shoulders."

Anderson quoted, "I have vacillated on this subject over the past several months. However, I feel the risk level is low. I think we can and should sell them."

Roll call vote was taken; Anderson – Yes, Nebel – No, Harrington – Yes, Schultz – Yes, Hansberger – No, Andrews – Yes, Smith – Yes, Severson – Yes. Motion carried.

Mayor's Report: Mayor Peterson voiced her opinion on meeting attendance. She feels that attending committee meetings is a good idea, but no necessary if you're not a member of the committee. She spoke about the importance of the chairs keeping her in the loop, and mentioned how there are other ways to be informed.

The mayor also informed the council of her intention to put the Hangar 97 issue to rest in July if the city attorney does not hear back from Hangar 97 by then. Smith commented, saying he would want to get advice from the city attorney on that matter. Anderson agreed.

Executive/HR Committee: No meeting.

General Administration: Anderson presented the minutes.

Public Works Administration: Schultz presented the minutes. Harrington moved, seconded by Smith, to place the portion of S Lake Drive between Corbit's Lane and Birch Haven Drive out to bid through SEH. The motion carried unanimously.

Harrington moved, seconded by Hansberger, to allow property owners on the two blocks of Main Street that received new sidewalk the opportunity to pay for the sidewalk in three equal annual installments without an interest charge. The motion carried unanimously.

Mayor Peterson presented the emergency plan from Carol Buck, and asked if the city should meet with the county before making any decision regarding the generator at the Community Center. The mayor asked, "Why double up if the county already has us covered?" Hansberger commented, "There is no way to assure us the county would give us one of their generators." Mayor Peterson responded, "What is the chance of it happening again? We should talk to Carol Buck before we do anything." Discussion ensued regarding the use of the county facility as a shelter. Chief Wilson replied, "The county feels the new county building is not adequate for use as a shelter." Anderson agreed with Hansberger, stating, "There are no guarantees. It is ok if we never have to use it. The important thing is it will be there if we need it." Mayor Peterson replied, "I would like to talk with Carol Buck. The county building has more space than the Community Center." Smith commented, "It is just as much the counties responsibility as ours. It wouldn't hurt to have a face-to-face with Carol Buck." Smith moved, seconded by Andrews, to postpone a decision to purchase a generator for the Community Center until after we have a discussion with Carol Buck. Schultz stated, "The county doesn't guarantee we will have a generator. We owe it to our citizens." Roll call vote was taken; Severson – No, Smith – Yes, Andrews – Yes, Hansberger – No, Schultz – No Harrington – No, Nebel – Yes, Anderson – No. The motion failed.

Severson moved, seconded by Anderson, for the city to purchase and install a generator for the Community Center. Mayor Peterson commented on her concern regarding communication and the chain of command, and said she was informed by another council member that she is treated the way she is due to her gender. Harrington asked that the council move on. Hansberger stated, "We discussed this subject at the committee. We talked about this decision being proactive. I feel strongly we need this in place and ready to go." Chief Wilson noted of generators and grants he was aware of that would assist. Eiche informed him to fill him in on the grants first thing in the morning. Severson moved to amend his motion, seconded by Anderson, for the city to purchase and install a generator for the Community Center, and, to allow a quoted price for the generator, electrical and installation, if the quote is below \$25,000.00. Roll call vote was taken; Anderson – Yes, Nebel – No, Harrington – Yes, Schultz – Yes, Hansberger – Yes, Smith – No, Severson – Yes. Motion carried.

Mike Andrews left in the middle of the roll call vote, and thus did not vote. The time was 9:11 p.m.

Parks and Recreation: Nebel presented the minutes.

Financial Administration: Smith presented the minutes. Smith moved, seconded by Schultz, to approve vouchers 517-669. Motion carried unanimously.

Budget status report was reviewed.

New Business: Schultz moved, seconded by Smith, to approve Resolution #2-2023 – Compliance Maintenance Annual Report. Motion carried unanimously.

Smith moved, seconded by Anderson, to approve the interim loan extension to December 1, 2023. Motion carried unanimously.

Hansberger moved, seconded by Schultz, to approve the Liquor/Beer/Wine License's for July 1, 2023 thru June 30, 2023. (List attached). Motion carried unanimously.

By consensus, Severson was approved to proceed with placement of two ATV signs entering the city, along with two speed signs.

Harrington moved, seconded by Hansberger, to adjourn at 9:22 p.m. Meeting adjourned.

Andrew Eiche, City Administrator/Clerk/Treasurer