

CITY OF GRANT
MINUTES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

- DATE** : January 3, 2012
- TIME STARTED** : 7:10 p.m.
- TIME ENDED** : 11:01 p.m.
- MEMBERS PRESENT** : Councilmember Bohnen, Fogelson, Huber, Potter and Mayor Carr
- MEMBERS ABSENT** : None

Staff members present: City Attorney, Nick Vivian; City Planner, Jennifer Haskamp; City Engineer, Phil Olson; and City Clerk, Kim Points

CALL TO ORDER

Mayor Carr called the meeting to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Council Member Fogelson moved to approve the agenda as presented. Council Member Potter seconded the motion. Motion carried unanimously.

CONSENT AGENDA

- December 6, 2011 City Council Meeting Minutes Approved
- Bill List, \$57,343.42 Approved

Council Member Potter moved to approve the Consent Agenda, as presented. Council Member Fogelson seconded the motion. Motion carried unanimously.

2011 YEAR END REVIEW, MAYOR CARR

Mayor Carr reviewed the highlights of 2011 noting it was a very busy year and there was a lot of snow. He stated the new Council turned out well, Town Hall repairs were completed and the City go through the very big school project. He stated he looks forward to a good year and the Council working well together.

PUBLIC COMMENT

Mr. Bob Tufty, Jasmine Avenue, came forward and stated over the weekend burn restrictions were put on for the entire state per the DNR. They announced today that as soon as there is three inches of snow on the ground burning could resume.

1 Mr. Loren Sederstrom came forward and stated the portapot unit outside was knocked over and hit
2 over the weekend. He stated that cost of \$2500 per year could be used to install a restroom at Town
3 Hall. Long term there would be cost savings.

4 Mr. Bob Englehart, Joliet Avenue, came forward and stated the City's website still has issues. The
5 resolutions are not up to date and you can't access the ordinances. He stated there are three staff
6 people and he only has a staff report from one of them. He stated he did not get the requested figures
7 from Council Member Fogelson but did get them from Council Member Huber. The City needs to
8 reduce tax rates and citizens shouldn't have to keep coming to the Council to get that accomplished as
9 that is what the Council is elected to do.

10 Mr. Larry Lanoux, Keswick Avenue, came forward and stated there were several items requested last
11 meeting to be on the agenda this evening and they are not. He asked who sets the agenda and noted
12 there was a staff meeting after the December Council meeting but staff was not present at the
13 December Council meeting. He asked if staff meetings are open to the public and stated the minutes
14 as well as the results from those meetings need to be posted. He requested the planning proposal
15 provided by WSB be on the February Council agenda.

16 Mr. Jack Smith came forward and thanked Council Member Bohnen for his hard work on trying to
17 reach consensus on road issues. He stated this community struggles with roads and any increase to
18 the levy for roads seems to be an issue. He stated he believes the City can do better and there are
19 other approaches to increasing the levy that he will share with the Council. He noted there are street
20 signs down on 60th and Keats, 67th and Keats, and two on 67th are not readable. He referred to the
21 appointment list and stated he does not know what the appointments are and an explanation should be
22 posted on the website. He added that Planning Commission appointments should represent all of
23 Grant.

24 Mr. Bob Zick came forward and stated the Council does run the City in a good fiscally prudent
25 manner. He referred to Loren Sederstrom and stated he does a very good job at the Cable
26 Commission. He noted Mr. Sederstrom produces his own show and gave an example of the kind of
27 work he does.

28 Mr. Tom Mathieson, Maple Street, came forward and stated he would also like clarification on how
29 the agenda is set.

30

31 STAFF REPORTS

32

33 **City Engineer, Phil Olson**

34

35 **Manning Court North/Access/Warranty Agreement** – City Engineer Olson advised a final project
36 inspection of the Manning Avenue Bridge project was completed by the DNR, contractor and City
37 staff. As part of the inspection, a review of the pavement condition on Manning Court was
38 completed. Recent cracking was identified and repair totaling an estimated \$5000 is planned to be
39 completed by the City with funds from a warranty escrow included in the DNR contract. Included in
40 the packets for Council consideration is a draft cooperative agreement with the DNR. The agreement
41 identifies that the DNR shall provide a maximum of \$5000 for repairs to Manning Court and the City
42 shall coordinate these repairs before December 31, 2013. The cooperative agreement is completely
43 separate of the access issue. The DNR has indicated they are interested in an access there and would

1 allow it further east but do want a connection to the train the same location. A cost share will be
2 discussed but the DNR does need a plan to review.

3
4 Council Member Huber stated he does want the roadway back to its original state and if the
5 cooperative agreement accommodates that.

6
7 City Engineer Olson stated the agreement does accommodate that if the repairs are done as part of a
8 larger City project. That is why the date on the agreement goes through 2013

9
10 City Attorney Vivian added that this agreement is part of a companion agreement that was made prior
11 to the project. If repairs are needed immediately the original agreement accommodates that.

12
13 **Council Member Huber moved to approve the Manning Court Cooperative Agreement, as**
14 **presented. Council Member Fogelson seconded the motion. Motion carried unanimously.**

15
16 **Resolution No. 2012-01, Sign Retroreflectivity Standards and Sign Replacement** – City Engineer
17 Olson advised the regulation is currently being reviewed by the Federal Highway Administration
18 (FHWA) after receiving nearly 800 comments back from state and local agencies. He outlined the
19 next steps of the FHWA noting the sign inventory and sample sign replacement resolution was
20 included in the packets. He recommended the Council adopt a resolution to Maintain Sign
21 Retroreflectivity Standards and Prioritize Sign Replacement.

22
23 Council Member Huber referred to paragraph #6 within the agreement stating he understands this is a
24 mandate but is the City’s liability covered if there is no specific date that the sign replacement has to
25 be completed by.

26
27 City Attorney Vivian referred to paragraph #5 and advised the liability issue is addressed there. From
28 a liability standpoint, public safety hazards that have been brought forward to the City could be an
29 issue. Regardless of the mandate, the City must address signs and ensure there are no public safety
30 issues.

31
32 City Engineer Olson referred to safety issues and stated signs are called out on the sign inventory and
33 prioritized. Signs that could be a safety issue are prioritized first.

34
35 **Council Member Fogelson moved to adopt Resolution No. 2012-01, as presented. Council**
36 **Member Bohnen seconded the motion. Motion carried unanimously.**

37
38 **Staff Report** – A report was provided for December 2011 City engineering activities, to be placed on
39 file for review.

40
41 **City Planner, Jennifer Haskamp**

42
43 **Staff Report** – City Planner Haskamp advised planning issues would be addressed under the 2012
44 Fee Schedule.

45
46 **City Attorney, Nick Vivian**

1
2 **Staff Report** – City Attorney Vivian provided an update on the Axdahl final plat and data practices
3 request that the City had received, and zoning issues being worked on with the City Planner. He
4 addressed staff meetings and concerns raised by residents regarding those meetings. Given that the
5 City only meets once a month, staff meetings are the most efficient way for staff to take care of all the
6 issues and also the most cost efficient way. He stated he finds them invaluable and very efficient.
7 They are not open to the public as staff is not elected officials and Council Members have been
8 invited to those meetings.

9
10 Mr. Bob Englehart came forward and asked if staff charges for those meetings. He stated staff is
11 spending his money and he feels has the right to attend them and see how his money is being spent.

12
13 Mr. Jack Smith came forward and stated the Council is responsible for the City and staff does not run
14 the City.

15
16 Council Member Fogelson stated Council sets policy. Staff does run the day to day operation of that
17 policy.

18
19 City Attorney Vivian advised it is staff's job as the City's consultants to put together information for
20 the Council to make decisions. Residents are getting something for their money in relation to staff
21 meetings. Residents and Council are getting a much more efficient government. Minutes for the
22 staff meetings are not recorded and they are not open to the public because all actions are taken at
23 Council meetings.

24
25 Mr. Jim Norlene came forward and stated staff meetings not being open to the public is a good idea.
26 However, documentations of those meetings should be published.

27
28 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for
29 December 2011 to be placed on file for review.

30
31 **OLD BUSINESS**

32
33 **Website Items, Mayor Carr** – Mayor Carr advised this item will be on every agenda for comments
34 and suggestions on the City's website. He advised the adopted resolutions are in the process of being
35 posted.

36
37 Mr. Bob Tufty came forward and suggested a link to the DNR website be posted for burn restriction
38 information.

39
40 Council Member Bohnen referred to the website policy that restricts links to other websites. He
41 added that Mr. Larson is responsive to posting on the website but as a volunteer he does need
42 reminders.

43
44 Council Member Huber stated the City is running a \$900,000 budget and paid \$751 for website costs
45 last year. None of those dollars went to Mr. Larson. The City has received a lot of value from Mr.
46 Larson volunteering as webmaster.

1 Council Member Bohnen stated that as a volunteer, there are lots of things that he could improve on.
2 There is only so much time in a day. He added he would like to have a volunteer help with the sign
3 inventory/replacement mandate.

4
5 **NEW BUSINESS**

6
7 **Public Comment Inquiries, Mayor Carr** – Mayor Carr referred to the comments made earlier
8 regarding staff meetings. He stated the staff meetings result in the City running more efficiently and
9 effectively as well as more cost effective. Staff billing is within the budget and staff understands that.
10 He advised he does want feedback from residents and residents should call or email. Meetings are
11 where the Council takes care of City business. The agenda is pretty much set by staff and the
12 Council. If anyone wants something added to the agenda, contact a Council Member and have them
13 add it. Information for all agenda items need to be included in the packets.

14
15 Mr. Larry Lanoux came forward and clarified that it only takes one Council Member to add
16 something to the agenda.

17
18 Council Member Bohnen stated he would like to see billing for staff meetings at a flat rate like
19 regular Council meetings. He added that audio taping the staff meetings would be beneficial.

20
21 Council Member Huber stated that all Council Members have been invited to a staff meeting. He
22 stated he did attend one, as well as Council Member Fogelson and Mayor Carr. Some of the Council
23 did not even want Council work sessions taped. Every meeting of the Council should be taped. It is
24 unfortunate that the City can't have one staff meeting a month for four people. Cost savings vs.
25 service to the City has to be addressed. The City does run a tight ship relating to the budget and this
26 is just getting nitpicky. Cost measures are good and the Council as a whole has to look at them
27 together.

28
29 Mr. Bob Englehart came forward and stated Council Member Huber does not respect the process and
30 he does not work for him as well as noted he should not tell him how to run a business.

31
32 **2012 Appointment List** – Mayor Carr stated the Council will go through the list and discuss any
33 potential changes.

34
35 Council Member Potter stated he believes some time could be saved by making the appointments as
36 there were a lot of changes made last year. He stated he believes City services have been improved
37 and doesn't believe any changes should be made to the appointment list.

38
39 **Council Member Potter moved to approve the 2012 Appointment list, as presented. Council**
40 **Member Fogelson seconded the motion.**

41
42 Council Member Bohnen noted roadside mowing should be changed to T.H.E. Company and animal
43 control should be changed to Sheryl Reid.

44
45 City Attorney Vivian noted minor changes that should be made to the animal control contract.

1 **Council Member Potter and Council Member Fogelson agreed to the noted changes on the**
2 **appointment list. Motion carried unanimously.**

3
4 **Ordinance No. 2012-26, 2012 Fee Schedule** – City Planner Haskamp advised that over the past year
5 several items have come up which staff has noted for proposed inclusion and/or changes to the City’s
6 fee schedule. The proposed additions were provided in packets for consideration. Staff worked
7 together to determine which items to include or modify based upon the activities of the past year.
8 The goal is to provide a schedule of fees, charges and escrows that adequately addressed the expenses
9 accrued during a project or application that is based upon average costs and time associated with a
10 request. The proposed changes are based on trends, or patterns, rather than anomalies or unique
11 projects. Additionally, some items are proposed for inclusion because to date they were omitted, but
12 they are services which the City is providing through its professional staff.

13
14 City Planner Haskamp reviewed the proposed changes including WCA Review fee, Wetland Review,
15 Minor Subdivision/Lot Line adjustment, after the fact Grading Permit, Certificate of Compliance and
16 All other Land Use Issues.

17
18 Council Member Potter stated he did speak to Brown’s Creek Watershed District and they indicated
19 they would serve as the LGU if the City passes a resolution stating that.

20
21 City Planner Haskamp stated some communities like to be the LGU because it runs concurrently with
22 other applications. The City makes the determination if they are the LGU, so in a sense, the City
23 does have more power. Brown’s Creek had indicated to City staff that the City should remain the
24 LGU.

25
26 Council Member Potter proposed the City look at a layout of benefits to determine if the City should
27 remain the LGU.

28
29 It was the consensus of the Council to incorporate the proposed changes to the 2012 Fee Schedule,
30 noting the Wetland Review fee should be labeled “Wetland Specialist Review” and wetland review-
31 per planner should be labeled “MLCCS Wetland Review Fee”.

32
33 Mr. Bill David came forward and stated 50 cubic yards for a grading permit is not very much.

34
35 City Engineer Olson stated the 50 cubic yard grading permit requirement is due to the fact that even
36 50 cubic yards can change the contour of the land.

37
38 Mr. Rod Skogen came forward and stated people would get permits if they knew it was a
39 requirement.

40
41 The Council determined the grading permit requirements would remain as is for now and be
42 addressed at the February meeting.

43
44 **Council Member Huber moved to approve Ordinance No. 2012-06, as amended. Council**
45 **Member Fogelson seconded the motion. Motion carried unanimously.**

46

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

Resolution No. 2012-02, Summary Publication of 2012 Fee Schedule – Resolution No. 2012-02 authorizes the summary publication of Ordinance No. 2012-26, 2012 Fee Schedule.

Council Member Fogelson moved to adopt Resolution No. 2012-02, as presented. Council Member Huber seconded the motion. Motion carried unanimously.

Annual CUP Review List for 2012 – Mayor Carr referred to the CUP list and suggested American Polywater, Cedar Ridge and Flug should be reviewed this year.

Council Member Huber suggested Nextel and US West be reviewed this year.

Council Member Potter stated he does not like this process, it is not fair and none of the CUP's should be looked at in this manner.

Council Member Huber asked if there is any City liability is the CUP's are not reviewed.

City Attorney Vivian stated he does not believe the City has liability. The landowners have agreed to all terms and conditions outlined in the CUP. The City already has a complaint based system and none of the CUP's were reviewed in 2011.

It was the consensus of the Council to defer to the City's complaint based system and not review any CUP's in 2012.

2012 Meeting Schedule – Mayor Carr reviewed the proposed calendar and the Council determined Council meeting dates.

Council Member Potter moved to approve the 2012 Meeting Calendar, as amended. Council Member Huber seconded the motion. Motion carried unanimously.

Road Counters Discussion, Steve Bohnen – Council Member Bohnen explained the road counter process and stated Mr. Vanzwol, Mr. Tufty and Mr. Schroeder have volunteered to take the road counts.

City Engineer Olson stated he sees no issues with volunteers doing the work. They can be trained by WSB to work the counters and will include a log of the roads, locations, time, counts etc. Next month the Council will talk about the placement, criteria, where and why the counts are taken.

Current Ordinance Issues, Mayor Carr – Mayor Carr reviewed the staff report regarding this issue noting the first item was taken care of with the fee schedule.

The Council determined the Home Occupations/Definitions should come back to the Council for discussion. The Accessory Buildings, Temporary Structures and Tractor/Trailer Billboard ordinances will remain as is.

DISCUSSION ITEMS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

City Council Reports:

Council Member Fogelson stated the spring newsletter will go out in March. Articles are needed by March 1st.

The Council determined only mandatory articles would be provided by staff.

Council Member Potter advised the City’s Assessor would provide an update at the February Council meeting.

Council Member Bohnen asked for anyone willing to help with the sign replacement project please contact him.

Other Discussion Items:

Schedule Tentative Planning Commission Interviews, City Clerk – The Council determined interviews will tentatively be held prior to the March Council meeting.

2011 Cable Commission Report, Loren Sederstrom – Cable Commissioner Sederstrom read the Cable Commission’s year end update. He indicated he would look into the extra cable equipment that is being stored in Town Hall.

COMMUNITY CALENDAR JANUARY 4 THROUGH JANUARY 31, 2012:

Planning Commission Meeting, Tuesday, January 17, 2012, Town Hall, 7:00 p.m.

ADJOURN

There being no further business, Council Member Huber moved to adjourn at 11:01 p.m. Council Member Potter seconded the motion. Motion carried unanimously.

These minutes were considered and approved at the regular Council Meeting February 7, 2012.

Kim Points, City Clerk

Tom Carr, Mayor