

Planning Commission Meeting Minutes
City of Grant
June 25, 2012

Present: Terry DeRosier, Loren Sederstrom, Becky Siekmeier, Larry Lanoux, Bob Tufty and Mark Wojcik
Absent: Bill David
Staff Present: City Engineer, Phil Olson

a. CALL TO ORDER

Chair DeRosier called the meeting to order (7 minutes early) at 7:23 p.m.

b. PLEDGE OF ALLEGIANCE

c. APPROVAL OF AGENDA

MOTION by Commissioner Tufty to approve the agenda. Commissioner Sederstrom seconded the motion. MOTION carried unanimously.

d. APPROVAL OF MINUTES, MAY 21, 2012

There was discussion among the members of the Planning Commission that the minutes did not accurately reflect the comments made by the guests from the watershed districts and the ensuing discussion with the City Inspector afterward regarding the grading process used by each government entity. MOTION by Commissioner Wojcik to rewrite the minutes of the May meeting. Commissioner Sederstrom seconded the motion. Chair DeRosier added a friendly amendment during discussion that the rewrite should include input from Commissioners. Friendly amendment was accepted by Commissioner Wojcik. MOTION carried. The minutes as submitted were not approved.

e. PUBLIC COMMENT

Bob Englehart, Joliet Avenue, asked for clarification from Commissioner Siekmeier on the difference between a situation and a complaint with regards to the Complaint Protocol and Communication Process. Commissioner Siekmeier explained that the situations being used as examples in the May meeting were unusual situations, both involving Commissioner Lanoux, that were initiated outside of the City. The Complaint Protocol and Communication Process should be used for complaints between residents; the situations being used with regards to Commissioner Lanoux were not good examples of the intent of the request to document the City's complaint process.

John (Jack) Smith (62nd or 67th) Lane North, said he's been a resident for 31 years, and has been watching the Council conduct its business in a 'spirited way.' He would like the Council to explore the Home Rule Charter style of city government. He explained that there are many possible

configurations, but that the features of a Charter vs. a Statutorial arrangement include more control of the City by the voters/citizens of the city. The citizens would draft the Charter. Mr. Smith believes a Charter would be better than the current system. His goal is to stop the confrontational approach to governing that is present currently in city government. Although he moved to Grant “to be left alone, [he] still wants to be part of a community.”

Wally Anderson, 80th Street asked about grading permits with regards to the new elementary school and the dirt that is being moved offsite. He questioned whether the school had a permit to remove the dirt, and why, if they had so much extra dirt, couldn't they have replaced the berm that was removed several years ago between his property and the school's property. He also questioned if someone from the city was monitoring the water in the holding ponds, the dirt, and the sewer and water installation.

Commissioner Sederstrom repeated a rumor he's heard about a second tank being removed from the school property.

The City Engineer, Phil Olson, responded that the city was doing random inspection of the school site to check for compliance with the CUP. He said he was not aware of a second tank removal, and would look into the claim about the dirt being moved offsite. He also stated the city is not involved with utility inspection.

Mr. Anderson said the truck loads of dirt were being taken off school property to 66th street and dumped behind a building on private property.

Commissioner Wojcik said he had no recollection of the CUP requiring random inspections, and that they should be more stringent than that.

Mr. Olson replied that the city does not have an inspector on site constantly, and that there have been no 'red flags' to date. The city does have the ability to investigate the dirt removal. He also stated that the city doesn't decide what or whether to do any testing during construction; the contractors and their engineers are responsible for certifying the safety of the site.

Commissioner Lanoux said that directional drilling was not an option inside Grant boundaries for sewer and water and questioned if it was wise to give up inspection control to the state and if the holding ponds were being tested.

Mr. Olson replied that the school was not asked to test the temporary holding ponds during construction, only the final holding ponds before the school opens.

Commissioner Lanoux asked what the baseline water quality was before construction began.

Mr. Olson replied that they would compare to other stormwater ponds in the area, not to a pre-construction baseline. The city is doing site visits once every week or every other week. The only permits with the city are the CUP and the grading permits. All other permits are with the state. Commissioner Lanoux asked if any fill was being tested. Mr. Olson said no, none were requested in the CUP. Commissioner Lanoux asked if contaminants were being moved offsite, and who was watching out for contaminants. Mr. Olson explained that was the contractor's responsibility, and that he would request the results of any testing that's been done. The city does not have the authority to ask for additional testing.

Bob Englehart asked for clarity on the number of tanks removed from the site, and how a citizen could get a copy of the final CUP. Commissioner DeRosier said it should be available at City Hall.

Public comment was closed at 8:05

f. NEW BUSINESS

No new business

g. OLD BUSINESS

a. Grading Permits Discussion –

Commissioner DeRosier handed out a document titled, "Grant Grading Permit Review for discussion purpose only" dated June 25, 2012, to PC members for the discussion

Commissioner Sederstrom asked why the city should have a grading permit process if the watershed district already had one (redundancy question).

Commissioner DeRosier said because if we give everything to the watershed districts and there's a problem, the city needs to have some control to make sure things are done right.

Commissioner Sederstrom asked to have a better definition of "one yard": Does the yard of dirt get counted every time it's moved (coming out + going in = 2 yards)? Mr. Olson said it was about the net change in dirt on the property, not how many times it's moved.

MOTION by Commissioner Lanoux that the Planning Commission not make a recommendation on the grading permit to the city council until the City Engineer, City Planner, City Building Inspector and all four representatives of the watershed districts were called back to discuss the process. MOTION seconded by Commissioner Wocjik.

Commissioner DeRosier asked the City Engineer why there was a need for two separate grading permits. Mr. Olson said the city needs control due to state MS4 permits: the city is responsible for all water control in the city, and that the city would violate its responsibility under the state permit if it didn't do grading permits and would take on additional risk without being involved in the grading permit process.

One of the Commissioners mentioned that at the May meeting, the city Inspector agreed that the watershed districts could do the initial inspections; which should there be two different escrows and sets of fees? Seems redundant.

Mr. Olson explained that most request were just about reviewing the request for reasonableness. He said perhaps the escrow money could be shared (helps cover the city if there's a violation). Other options to recoup money if there's a problem is to transfer the fees to property taxes.

Commissioner Wocjik said the goal should be to have a good sense plan for the city and the watershed, and indicated that the process for getting to a plan was taking too long.

Commissioner DeRosier replied that this is only the second meeting where there was discussion about the process, that it was not a long and winding road, and not uncommon to contact multiple agencies when water is moved.

Commissioner Tufty said he believes the grading permit fees need to cover the city staff time; otherwise those costs would be transferred to taxes.

Commissioner Lanoux called the question.

Commissioner DeRosier requested that PC members finish discussing the document so it would be prepared for the full meeting of all parties noted in the MOTION.

Commissioner Tufty asked for further clarification on the MOTION, which was revised to include the presence of the following people and documents at a new grading permit discussion: City of Grant Building Inspector, Engineer, Planner, Clerk, Audio Technician, PC members, at least one member of the Watershed Districts, Mr. Olson's comparison document, the staff report on grading, and all documents for the existing grading permits and Commissioner DeRosier's "discussion document" dated June 25.

The MOTION passed unanimously.

c. Job Descriptions

Commissioner DeRosier asked if we had time to review the job descriptions.

Commissioner Siekmeier stated that she had reviewed the job descriptions handed out previously, beginning with that of the Planning Commission, which clearly showed that it is not the PC's role to review job descriptions. That is the responsibility of the City Council, and that unless they have directed us to review them, we should not do so.

MOTION made by Commissioner Lanoux to have the City Clerk put all available job descriptions in one place for citizens to review on the website. MOTION amended to remove the website requirement, substituting a binder at the City office.

Commissioner Siekmeier seconded the MOTION.

MOTION passed with Commissioners Sederstrom, Lanoux, Siekmeier, DeRosier, and Wojcik voting YAY. Commissioner Tufty voted NAY.

- b. Review of Complaint Protocol and Communication Process.
 - i. The Complaint Process was revised as follows:
 1. COMPLAINT – The complaint is submitted by the Complainant. If the complaint is made by phone, the Complainant must follow up with a written and signed complaint before any action is taken by the City.
 2. NOTIFICATION – The City contacts the Complainee by phone, alerting the Complainee that there is a complaint against him/her. The phone call is followed by written notification of the grievance. If there is a legitimate issue, the City explains the problem and how to resolve it. Depending on the situation...(the rest of the NOTIFICATION section is the same as originally presented in the packet)
 3. INSPECTION – (this section is the same as what was originally presented in the packet, except that it was moved from number 2 to number 3)

There were no changes to numbers 4 - 7

Note:

“Complainant” - person filing a complaint

“Complainee” - person against whom a complaint is filed

MOTION by Commissioner Wojcik to approve the Complaint Protocol and Communication Process as read by Commissioner Siekmeier and to have it put on the City Council agenda.

MOTION seconded by Commissioner Lanoux. MOTION carried unanimously.

h. COMMISSIONER REPORTS

No reports

i. SET AGENDA

July 16, 2012 Planning Commission Meeting: Review grading permit only

j. ADJOURNMENT

MOTION to adjourn by Commissioner DeRosier. MOTION seconded by ???. Meeting adjourned (didn't note the time – it was about 9:00 p.m.)