

CITY OF GRANT
MINUTES

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DATE : August 7, 2012
TIME STARTED : 7:13 p.m.
TIME ENDED : 10:55 p.m.
MEMBERS PRESENT : Councilmember Bohnen, Fogelson, Huber, Potter
and Mayor Carr
MEMBERS ABSENT : None

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

CALL TO ORDER

Mayor Carr called the meeting to order at 7:13 p.m.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

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

CONSENT AGENDA

- July 10, 2012, City Council Meeting Minutes Approved
- Bill List, \$47,501.72 Approved
- Washington County Sheriff’s Department,
Jan/June 2012, \$53,850.61 Approved
- Ready Watt Electric, \$18,551.37 Approved
- Resolution No. 2012-03, Notification to Political
Candidates relating to Sign Regulations Approved
- Resolution No. 2012-06, Election Judges for
Primary and General Election Approved

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

PUBLIC COMMENT

1
2 Council Member Bohnen suggested the Council determine how much time they are willing to
3 contribute to public comment. He stated that as a Council he believes the Council should determine a
4 time limit and at least allow three minutes. A sign can then be flashed when the time is up. Everyone
5 here is being penalized when someone goes over the allotted time. He suggested the possibility of
6 someone losing the privilege to speak during public comment at the next meeting if they do not sit
7 down when asked to.
8
9 Council Member Huber stated people should be able to talk at all meetings and he asked who would
10 keep track of it if someone did lose the privilege to speak.
11
12 Council Member Potter advised he does support citizens talking with no time limit if what is being
13 said is of value and looks to the Mayor to determine that, with Council support.
14
15 Mayor Carr suggested there not be any penalties tonight and everyone can speak for two minutes.
16
17 Council Member Bohnen stated the Council should determine an allotted time so they have an idea if
18 people can speak more than once.
19
20 Mr. Bob Tufty, Jasmine Avenue, came forward and stated that as a member of the Planning
21 Commission, he is appalled that there are members of the PC that come to the Council meetings and
22 praise the Road Commission for going against the City's current road policy. The Planning
23 Commission is getting out of control and is being used as a political platform and political gain for
24 the GRP. Slide shows were even shown at the last PC meeting and there is continuous slander of the
25 School District. This happens at every meeting and there could be a huge cost to the City and citizens
for this type of activity.
26
27 Mr. Bob Engelhart, Joliet Avenue, came forward and stated he has attended all the Planning
28 Commission meetings and he doesn't know what Mr. Tufty is talking about. The school items that
have been discussed have come from outside of the Planning Commission.
29
30 Mr. John Smith, 67th Lane, came forward and stated he has looked at his purchase agreement and
31 property documents. There is nothing in them that relates to his road. He has no responsibility for
32 the road. The question then is, who's responsibility is it? He stated he believes it is the City's
33 responsibility. If the City takes responsibility then the City can start having some good dialogue on
how to take care of them.
34
35 Mr. Mark Wojcik, 110th Street, came forward and stated he had wanted to address the Council on
36 public comment but the Council has come to an agreement and he is happy about the change to public
37 comment. He stated he serves on the Planning Commission with Mr. Tufty and he is proud to do so.
38 Good things are coming out of the PC meetings and the PC has been a very positive experience as
39 well as good for Grant. He stated he respectfully disagrees with Mr. Tufty and his comments relating
to the Planning Commission.
40
41 Mr. Larry Lanoux, Keswick Avenue, came forward and stated he is running for Mayor and he would
42 file tomorrow. The Tractor Parade is coming up and he challenged everyone and all neighborhoods
43 to get involved. There is more and more participation in the parade every year. Because the parade is
44 growing, there are financial needs and he asked that the City be a sponsor and put dollars in the
budget for next year. He announced the parade date is September 8, 2012.

1 Mr. Bill David, Keswick Avenue, came forward and stated he wants to file for City Council. He
2 stated a meet and greet has been scheduled prior to the tractor parade. It will give citizens a change to
3 talk to their City Council. He invited all of the Council and stated he would very much appreciate it
4 if they were in attendance.

5 Mr. Smith came forward and stated it would be helpful if the City has some sort of Town Hall forum
6 to allow citizens to sit down and talk about City issues with the City officials. It would be a great
7 venue for all.

8 Mr. Loren Sederstrom, 9330 107th Street, came forward and stated his All About Grant show has
9 clips from past parades as a means to get people to participate. He stated he is filing for City Council.
10 He stated the Bellaire Site is a former super fund site that is noted on the State website. He stated he
11 takes offense to someone calling him a liar. The school is not the issue as that is done. The issue is
12 the site and we need to get legislation to keep our children safe. Twenty-nine other states have this
13 type of legislations. According to Erin Brochovich, 30 students from a school in Tennessee gathered
14 for a reunion and they all had the same type of brain cancer.

15 Mr. Joe Kiel, 11316 Jasmine, came forward and stated he has lived in Grant for 20 years and he has
16 seen a lot of negative politics. He stated he would like to focus on something positive. Three
17 Planning Commissioners are on the agenda this evening and it must be to receive an award. They
18 lead through example and are positive for the City of Grant. He also thanked the Welander family for
19 all they have done for the community.

20 Mr. Jerry Helander, Jasmine Avenue N, came forward and stated the City Council Members already
21 spend a lot of time for the City of Grant. They are not obligated to attend civic events. It seems to be
22 implied that if the Council does not attend events they are not a good citizen. He stated the Council
23 does plenty already and he would not like to see the City sponsor any of these events.

24 Mr. Lanoux came forward and stated he disagrees with that. The 4H Club is no longer in Grant
25 because the City does not support citizen involvement. Citizens have a right to meet Council
26 Members.

27
28 **STAFF REPORTS**

29
30 **City Engineer, Phil Olson**

31
32 **Grading Permit Process**– City Engineer Olson provided an update from the Planning Commission
33 meeting relating to the grading permit process. The main discussion has included making the grading
34 permit process easier and reducing costs to that more residents apply for a permit. The Planning
35 Commission has recommended that the City Council create a major and minor grading permit. The
36 minor grading permit includes a \$150 fee and a staff level review by the building inspector. No
37 escrow has been recommended. Engineering staff is available for questions from the building
38 inspector if needed. The major grading permit is similar to the existing permit with the exception that
39 it contains an escalating escrow based on the amount of grading work. He reviewed a table outlining
40 the recommended fees and escrow. The Planning Commission also recommended reviewing the fees
41 after one year to determine if changes are needed.

42
43 Mayor Carr asked if the building inspector would be paid to take care of the minor permits.
44

1 Council member Huber stated 5-10 dump trucks of dirt are 50-100 cubic yards of material. The
2 proposed fee of \$150 does not cover costs for the building inspector and administrative costs.

3
4 Mayor Carr stated that five trucks of fill could create drainage issues and issues to wetlands. He
5 asked who would be responsible for that and stated the building inspector should not be put in that
6 position. The City Engineer has the expertise in this issue and engineering costs are more than the
7 building inspector. The responsibility should be with engineering.

8
9 Council Member Bohnen stated any wetland issues should determine the permit is a major permit and
10 need an escrow.

11
12 Mr. Mark Wojcik, Vice-Chair Planning Commission, came forward and stated the Planning
13 Commission came to a consensus on this. It is something very basic and the building inspector can
14 look at it and make a decision. The risk is very low. The PC worked on an average minor permit
15 cost of \$100 and \$25 for administrative costs. If the fee has to be \$300 with an escrow we believed it
16 is cost prohibitive for residents.

17
18 Council Member Fogelson stated he likes the proposal but a statement regarding wetlands making it a
19 major permit should be added.

20
21 Council Member Huber stated he is concerned about putting too much on the building inspector.

22
23 Council Member Potter stated the PC did a good job on this item and the Council did ask them to
24 work on it.

25
26 City Attorney Vivian advised the City has to adopt an ordinance to change the current fees. A draft
27 ordinance will be brought to the next Council meeting.

28
29 **Justin Trail Neighborhood Overlay Notification Process** – City Engineer Olson provided the
30 background and reviewed the proposed changes discussed at the last Council meeting.

31
32 City Treasurer Schwarze came forward and asked if the Council would be offering financing. The
33 City has never done an overlay and policy needs to be set about that issue and something should be
34 noted in the letter.

35
36 Council Member Bohnen stated he would assume the City would offer financing for larger projects.

37
38 Mayor Carr stated he believe the Road Policy states overlays are considered a major construction
39 project and financing would be offered.

40
41 City Engineer Olson stated he would clarify that point and add a statement to the letter.

42
43 City Treasurer Schwarze advised people also need to know if a project comes in under the projected
44 costs if dollars will be refunded.

45

1 City Engineer Olson stated the letter will be revised and brought back to the Council at the next
2 meeting.

3
4 City Attorney Vivian added his firm can provide bonding services at the regular hourly rate. He
5 stated he just received an emergency phone call and he has to leave. He referred to the staff report
6 advising the data practices procedure needs to be updated. The closed session that was on the agenda
7 is going to be held in open session at the next Council meeting unless the Council would like to
8 address it tonight. A special meeting could also be scheduled if the Council so chooses. The legal
9 firm representing the School District has asked about the City's plan to address the outlined issue.
10 The best way to deal with that is a performance review. He advised he will let the firm know that it
11 will be discussed at the next Council meeting. He noted the City is not allowed to donate to
12 charitable organizations. The City can provide funding for services.

13
14 **Dry Hydrant** – City Engineer Olson advised it was previously mentioned that it is likely Irish
15 Avenue has a statutory speed limit of 55 mph and the clear zone distance does not allow for a
16 barricade to be installed between the road and the dry hydrant. As requested at the meeting, staff
17 contacted Mn/Dot to determine if a speed study has been completed on Irish Avenue. At the time of
18 this report Mn/Dot had not found a speed study on file but they are continuing to research. Assuming
19 that a speed study has not been completed, the recommended option to protect the dry hydrant is the
20 installation of a guardrail. Guardrail for this area would likely cost \$2000-\$3000. Another option
21 may be to lower the dry hydrant to ground level and install a breakaway sign to make the dry hydrant
22 location. Replacing the post is not recommended.

23
24 Council Member Huber stated it would be nice if the pole could stay there. The hydrant can't be put
25 at ground level.

26
27 **School District Update** – City Engineer Olson reviewed all the comments and responses to those
28 comments relating to the Mahtomedi Elementary School. It appears that the building site is in
29 compliance with all rules and regulations.

30
31 Council Member Huber stated there is confusion on this site as to the status with the Federal
32 Government. He stated it was his understanding that the site never was a superfund site.

33
34 City Engineer Olson advised the project managers did hire Braun for site testing. It was determined
35 the site was safe for the proposed use. He advised he could look at the review and determine if it was
36 a superfund site.

37
38 Council Member Potter inquired about the City costs with staff looking at the environmental review.

39
40 Council Member Bohnen, Fogelson, Huber and Mayor Carr stated the citizens do have a right to
41 know and the City Engineer should get that information.

42
43 **Staff Report** – City Engineer Olson reviewed the July staff report relating to engineering activities.
44 He noted the sealcoat project is complete and all of Lansing Avenue was completed.

45
46 **Interim City Planner, Paul Hornby**

1
2 **Staff Report** – Interim City Planner Hornby reviewed the staff report noting the status of the Sprint
3 CUP application, Harmony Horse Farm CUP application and the clear cutting that was done at
4 Masterman Lake.

5
6 **City Attorney, Nick Vivian**

7
8 **Staff Report** – A report from City Attorney Vivian was provided for July 2012 to be placed on file
9 for review.

10
11 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for
12 July 2012 to be placed on file for review.

13
14 **NEW BUSINESS**

15
16 **Appointment of City Planner, Council Member Potter** – Council Member Potter stated three
17 planning firms have been interviewed for City planning services. He noted he would like full
18 consensus from the Council on which firm to appoint and suggested options to reach that consensus.
19 It was determined a motion should be made.

20
21 **Council Member Potter moved to authorize the City Attorney to draft a contract for planning**
22 **services to be provided by WSB. Council Member Fogelson seconded the motion. Motion**
23 **carried unanimously.**

24
25 **Clerk Salary Adjustment, Council Member Huber** – Council Member Huber suggested a 3% raise
26 be approved for the City Clerk, retroactive to January 1, 2012. He stated he also discussed the idea of
27 changing the clerk’s wage to salary for the purpose of streamlining and the saving of time. It may be
28 best not to do that now.

29
30 **Council Member Huber moved to approve a 3% (.66) raise for the City Clerk. Mayor Carr**
31 **seconded the motion.**

32
33 **Council Member Fogelson made a friendly amendment to the motion to include the raise is**
34 **retractive to January 1, 2012. Council Member Huber and Mayor Carr agreed to the friendly**
35 **amendment.**

36 Council Member Potter stated he is in favor of a raise but not making it retroactive as he is not sure
37 what the budget will allow for. He had anticipated a raise beginning at the next pay cycle and does
38 endorse that.

39
40 City Treasurer Schwarze advised a 3% raise was included in the 2012 and 2013 budget.

41
42 **Motion carried with Council Member Potter voting nay.**

43
44 **Reappointment of Mr. Rick Vanzwol, Brown’s Creek Watershed District, Mayor Carr** – Mayor
45 Carr advised Mr. Vanzwol is up for reappointment with the Brown’s Creek Watershed District.

46

1 **Mayor Carr moved to endorse Mr. Rick Vanzwol for reappointment to the Brown's Creek**
2 **Watershed District. Council Member Huber seconded the motion. Motion carried**
3 **unanimously.**

4
5 **Estimate of Services from Countryman Electric, Mayor Carr** – Mayor Carr referred to the
6 estimated services to separate the ground wires in the basement of Town Hall.

7
8 **Council Member Fogelson moved to approve the bid from Countryman Electric, as presented.**
9 **Mayor Carr seconded the motion. Motion carried unanimously.**

10
11 **Schedule Additional 2013 Budget Meeting, Mayor Carr** – City Treasurer Schwarze provided a
12 summary of the recent 2013 Budget meeting as well as the project 2012 actuals.

13
14 Mayor Carr stated the City may have some extra dollars within the 2012 budget. He asked the
15 Council to think about spending some of that for some extra projects and think about what those
16 projects may be prior to the next budget meeting.

17
18 City Treasurer Schwarze pointed out that the increase in the proposed 2013 budget is equal to \$4.50
19 per household.

20
21 Mayor Carr requested that the budget forms match the chart of accounts and CTAS. He noted the
22 City Treasurer and Clerk are working on that.

23
24 The Council scheduled an additional budget meeting on Tuesday, September 4, 2012 at 6:00 p.m.,
25 prior to the regular Council meeting.

26
27 **May 21, 2012 Planning Commission Minutes, Mayor Carr** – Mayor Carr stated the Planning
28 Commission did not approve minutes from their own meeting and he really doesn't understand that.
29 The minutes need to be amended and approved.

30
31 Commissioner Wojcik came forward and that the meeting in question was not video taped. There
32 were several people there include representatives from watershed districts. He stated he did go to the
33 City office and work with the City Clerk on revising them. The minutes were then rehashed at the
34 next meeting. If there are legal issues with the draft minutes the PC will have to approve them.
35 Council Member Potter suggested the minutes reflect only the actions taken and then be approved.

36
37 Council Member Huber asked what is wrong with the minutes and why they can't be approved.

38
39 Commissioner Wojcik stated he and the Clerk had a good meeting and he thought the minutes were
40 going to be approved. The Planning Commission can go back and approve. The only issue was that
41 the full discussion was not captured by the minutes, audio or video.

42
43 Council Member Potter stated the Planning Commission needs to be asked to revisit the minutes and
44 challenged them to go through them and approve them.

45
46 **OLD BUSINESS**

1
2 **Complaint Protocol and Communication Process, Planning Commission** – Mayor Carr referred
3 to the draft policy that was in the packets for review by the Council.

4
5 Council Member Potter stated he would endorse the policy as it is and stated he is glad the Planning
6 Commission worked on this.

7
8 Mayor Carr commented on the draft policy and questioned other agencies complaints and how they
9 are handled. He asked who gets paid to make the phone calls and stated a time frame relating to
10 inspections should not be included so the City is not boxed in.

11
12 Council Member Bohnen stated the “five” days should be taken out of the document and complaints
13 coming directly to the Planning Commission or City Council should be removed from the document.

14
15 Council Member Potter stated he prefers written complaints but sometimes they can be handled at the
16 Council level.

17
18 Council Member Huber stated the PC did make a lot of changes. He would like clarification on the
19 statement relating to “staff may also report complaints”.

20
21 Mayor Carr asked about the process of phone calls always being made first.

22
23 Commissioner Wojcik explained the proposed changes to the draft noting phone calls should be made
24 when possible.

25
26 Council Member Bohnen stated there are many different types of complaints and the document needs
27 to provide for flexibility. He stated it may be beneficial to look at different types of complaints.

28
29 **Website Items, Mayor Carr** – No website issues were addressed.

30
31
32 **DISCUSSION ITEMS**

33
34 **Public Comment Inquires, Mayor Carr** – Council Member Bohnen suggested a discussion
35 relating to a Charter Commission be put on the September Council agenda.

36
37 **City Council Reports** – Council Member Fogelson stated he needs articles for the newsletter by
38 August 15. Due to the election this year, he would like the newsletter approved by the Council at the
39 September meeting and then be sent to the printer.

40
41 Council Member Potter requested the Tractor Parade information be posted on the City website. He
42 provided an update on the sign replacement project noting the replacement of signs will begin shortly.
43 A map is being obtained and then the signs will be ordered.

44

1 Council Member Bohnen explained the ditch mowing process noting it is also good for small scrub
2 brush, leaves and sticks. It is a very efficient process but messy and doesn't always look nice. The
3 contractor does follow up and remove the larger chunks of material.

4
5 Mr. Bill David, Keswick Avenue, came forward and stated it is a very ugly process but there is a
6 liability issue. The current process is very cost effective.

7
8 Ms. Tina Lobin came forward and stated it was done by her property. She stated she would have
9 liked to be informed that it was being done because she trims the trees herself. The truck itself also
10 left large oil spills everywhere.

11
12 Mayor Carr stated notification has been a problem in the past.

13
14 Council Member Bohnen suggested the idea of the City purchasing a couple of signs to inform
15 residents of the work.

16
17 **Staff Reports (any updates from Staff)** – There were no updates from staff.

18
19 **COMMUNITY CALENDAR AUGUST 8 THROUGH AUGUST 31, 2012:**

20
21 **Planning Commission Meeting, Monday, August 20, 2012, Town Hall, 7:00 p.m.**

22
23 **CLOSED SESSION FOR THE PURPOSE OF EVALUATING PERSON SUBJECT TO THE**
24 **CITY COUNCIL'S AUTHORITY PURSUANT TO MINN.STAT.13D.05 SUBD. 3 (a),**
25 **INCLUDING THE FOLLOWING INDIVIDUALS:**

26
27 **Planning Commissioner Larry Lanoux, Planning Commissioner Loren Sederstrom, Planning**
28 **Commissioner Bill David** – It was determined this item will be held in open session at the
29 September 2012 City Council meeting.

30
31 **REVIEW CLOSED SESSION DISCUSSION ITEMS** - This item was tabled to the September
32 2012 City Council meeting.

33
34 **ADJOURN**

35
36 **There being no further business, Council Member Potter moved to adjourn at 10:03 p.m.**
37 **Council Member Huber seconded the motion. Motion carried unanimously.**

38
39
40 These minutes were considered and approved at the regular Council Meeting September 4, 2012.

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43
44
45 _____
46 Kim Points, City Clerk

45 _____
46 Tom Carr, Mayor