

CITY OF GRANT
MINUTES

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DATE : October 2, 2012
TIME STARTED : 7:04 p.m.
TIME ENDED : 8:35 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, Breanne Rothstein; and City Clerk, Kim Points

CALL TO ORDER

Mayor Carr called the meeting to order at 7:04 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

September 4, 2012, City Council Meeting Minutes	Approved
Bill List, \$31,217.43	Approved
City of Hugo, Goodview Avenue Project, \$21,380.27	Approved
Kline Bros., Road Maintenance, \$16,970.00	Approved
Envirotech Services, Dust Control, \$14,896.81	Approved
City of Mahtomedi, 3 rd Quarter Fire Contract, \$28,739.50	Approved
Resolution No. 2012-10, Complaint Protocol And Communications Process	Approved
Resolution No. 2012-11, Data Practices Policy	Approved

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

3
4 PUBLIC COMMENT
5

6 Mr. Larry Lanoux, Keswick Avenue, came forward and thanked the Council Members and Planning
7 Commissioners that attended the parade. He stated it was a great success with over 800 participants.
8 Art and Joyce Welander were the grand marshals. Mr. Welander passed away nine days after the
9 parade. Participants included on the Grant Town Hall replica included a World War II veteran as
10 well as a veteran from the Korean War. The Town Hall replica has been in several different parades
11 including the Mahtomedi homecoming parade. He referred to an article relating to Lake Elmo and
12 challenges of growth there and indicated everyone agrees no one wants to see that in the City of
13 Grant. He displayed a picture of pipes that are currently coming into Grant right now. He requested
14 that the Council direct the Planning Commission to look at separating the school site from Grant
15 which would result in taking the Met Council out of Grant.

16 Mr. Mark Wojcik, 110th Street, came forward and stated there are many people who do not follow
17 things closely. He stated there is often times a lot of gnashing and angst at the Council meetings
18 because there is a lot of passion within Grant. There is also a lack of leadership and a lot of
19 unanswered questions. The Council spent an hour discussing chaining down the portapot but the
20 school CUP pushed through very quickly. He referred to a copy of a letter that outlined the timeline
21 for the school which raises a lot of questions. The City needs to take the time to understand the
22 implications of water and sewer coming into Grant as well as traffic and other issues. He stated he
23 hopes the City will do a better job to understand the issues so the same mistakes are not made again.

24 Mr. Loren Sederstrom, 107th Street, came forward and stated he has been talking to the Church where
25 elections are held about bringing 4H back into the community. The City is divided by school districts
26 and there are no coffee shops. He stated he is doing some public outreach to try and bring the
27 community together.

28 Mr. John Smith, 67th Lane, came forward and stated there is a lot of shouldering work going on
29 within the City. He referred to and read the City’s resolution relating to road shouldering. He
30 displayed a partial list of other areas that need work and showed a picture of a drain in the Indian
31 Hills area. He stated the question is why was the shouldering work on Joliet was prioritized over the
32 Indian Hills area and asked if it is because former and current Council Members live on Joliet.

33 Mr. Tim Kenley, City of Mahtomedi, came forward and stated he has a cable show called Speechless.
34 He stated he appreciates the openness of the meetings in Grant. He advised that the Mayor had
35 previously said he did not know the school site was a super fund site. He displayed an application
36 from 2002 for a clean-up program that Mr. Carr was the applicant for, but yet the Mayor has stated he
37 did not know about the site. He noted he tried to video tape a school district meeting and asked to
38 leave and he did not appreciate that.

39 Ms. Elizabeth Stockman came forward and stated she has heard rumors that the City of Grant scared
40 4H into leaving and not using the Town Hall. She stated she would like to clarify the reason 4H left
41 this building. The reason they left the City of Grant is because they have too many kids and there is
42 no restroom. That is why 4H moved to St. Andrews and they were able to split into two groups at St.
43 Andrews because there is more space. She added that the mowing and trimming of the trees within

1 the City is not good. She did speak to the Road Commissioner about it and she does not like what is
2 being done. It did not solve the problem and caused damage to the trees.

3 Mr. Bob Englehart, Joliet Avenue, came forward and stated there is still litigation going on with
4 campaign signs from the last election and it is happening again. Signs were stole from his property so
5 he rented the Town Hall float to display signs. He stated he would like to address the Council and
6 residents about the State Auditor's Office investigating Jeff Huber. He has received cable from the
7 Cable Commission and he should have refused that. The Council should make him pay \$9,000 back
8 to the Commission. He stated he would like a receipt to show that and ensure the matter is corrected.
9 If the Council does not take action they must be okay with it.

10 Mr. John Wycoff, 2345 Maryland, came forward and stated there is a code of ethics for realtors. He
11 stated he has offered to purchase some property in Grant several times and he believes the Mayor
12 never made the offer known to keep him out of Grant. Mr. Carr also told his real estate agent that
13 you would allow for a larger outbuilding than is really allowed. He asked how Mr. Carr can be the
14 Mayor of Grant.

15 Mr. Bill David came forward and stated there was a review of some of the Planning Commissioners
16 last month but not all of them. He asked why some were reviewed and some were not. The Council
17 did a review of all of the staff. He referred to a letter from the City Attorney that states a summary of
18 that review needs to be provided at the next meeting. That summary is not on the agenda and the
19 agenda was approved. He asked how the City Attorney is going to take care of that and stated it is
20 very concerning.

21

22 STAFF REPORTS

23

24 **City Engineer, Phil Olson**

25

26 **Jamaca Avenue Roadway Repair Project Bids** – City Engineer Olson provided the background and
27 outlined the two bids that were received for the project.

28

29 Council Member Bohnen recommended approval of the Schifsky bid if the project does move
30 forward. He stated hard numbers are needed to determine where the City is in the budget relating to
31 road projects. He advised he could pull back on a couple of projects to be able to move forward with
32 this one. The City could be in a position of \$5,000 to \$10,000 over the road budget if there is a
33 normal amount of snow.

34

35 City Treasurer Schwarze stated that during the budget discussions there was approximately \$60,000
36 available for road projects and the Council was aware that some of that would come from reserves.
37 She stated that in her opinion, the City should be spending some of its reserves on roads. The City is
38 close to 100% in reserves if the yearend numbers come in as projected.

39

40 Mayor Carr stated he just wants to make sure the City is watching the numbers and budgeting for
41 projects.

42

43 Council Member Potter stated the City has tried to target 75% in reserves. In his mind is he
44 comfortable spending some reserves.

45

1 Council Member Bohnen stated he can pull back on two projects in the amount of approximately
2 \$8,000. He recommended the City move forward with this project and takes the risk of being over
3 budget. The project could wait but it should have been done a year ago.

4
5 Council Member Huber asked for clarification regarding the portion of the project that the City would
6 not be charged for.

7
8 Council Member Bohnen explained that part of the project advising Mr. Schifsky will take care of
9 that at his cost because the area leads to his driveway. He does have buy in from the neighbors.

10
11 **Council Member Bohnen moved to approve the bid from Schifsky as presented and move**
12 **forward with the project. Council Member Fogelson seconded the motion. Motion carried**
13 **unanimously.**

14
15 **Staff Report** – City Engineer Olson reviewed the September staff report relating to engineering
16 activities.

17
18 **City Planner, Breanne Rothstein**

19
20 **Long Lake Discussion** – City Planner Rothstein provided a brief background and requested Council
21 direction. She noted the citizen request is for the City to submit an application to the DNR to clean
22 out the lake. The City does not need to be the applicant but can be. It is not an advantage for the City
23 to apply for the permit. Details of the application do matter. The type of vegetation and lake use is
24 also very important. The application is only two pages and is not cumbersome. The landowners can
25 apply directly to the DNR and staff can work with them if the Council provides that direction.

26
27 Mr. Bob Hill, landowner on Long Lake, came forward and stated the truth about the DNR and their
28 view of lakes is that this is the natural progression of a lake. The lake used to be open water and is
29 classified as a recreational lake. He displayed a map pointing out the Grant portion of the lake noting
30 it is all vegetation now. Some of the vegetation is wanted and some is not. Homeowners want to
31 convince the DNR to obtain a lake management plan to get the lake back to the original use.

32
33 Mr. Hill displayed a picture of what the DNR envisions the lake to be, which is basically a wetland,
34 and that is irresponsible. The property values are lowered and that is where the City has an interest.
35 The homeowners will fill out the permit application but they believe if the DNR is aware that the
36 community is watching it they will have more interest. The homeowners are not asking for City
37 funds as the project will be all funded privately. The homeowners will be approaching the City of
38 Mahtomedi and Dellwood as well.

39
40 Mr. Hill continued advising the process to take care of this issue is a combination of utilizing a clear
41 channel and hydraulic dredging. Some chemicals can be used and the City can enact their own shore
42 land management plan as buffers are needed.

43 Council Member Huber expressed concern that the City has not heard from other property owners in
44 terms of the buffering that may be proposed.

45

1 Mr. Hill advised there are two property owners on this end of the lake. Both will be part of the
2 application process and do support this.

3
4 Mayor Carr advised he would go to a meeting with the DNR to help with the process. He suggested
5 the Clerk send a letter of support on behalf of the City.

6
7 Council Member Bohnen confirmed there is a City process in place for the homeowners to submit an
8 escrow and utilize City staff if necessary.

9
10 City Planner Rothstein noted the homeowners may need a watershed permit. The City is the LGU if
11 dredging is necessary.

12
13 It was the consensus of the Council to write a letter of support to the DNR for the permit noting the
14 property owners are funding the project.

15
16 **Staff Report** – A report from City Planner Rothstein was provided for September 2012 planning
17 activities to be placed on file.

18
19 **City Attorney, Nick Vivian**

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21 **Staff Report** – A report from City Attorney Vivian was provided for September 2012 to be placed on
22 file for review. He noted he has been working on the current litigation with the City Clerk. He
23 referred to the summary requirement relating to closed session and noted a closed session was not
24 held. It was requested the discussion be held in open meeting so no summary is required. An update
25 relating the current litigation will be sent out later in the month.

26
27 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for
28 September 2012 to be placed on file for review.

29
30 **NEW BUSINESS**

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32 There was no new business.

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34 **OLD BUSINESS**

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36 **Website Items** – There was no discussion relating to the City website.

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38 **DISCUSSION ITEMS**

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40 **Public Comment Inquires, Mayor Carr** – Mayor Carr referred to the comments relating to the
41 shouldering work that is occurring in the City and advised that shouldering is something the City is
42 doing more of.

43 Council Member Bohnen stated the truth is the City does use a half hazard method of determining
44 where road work is done. He stated he goes out and looks at the potential areas for road work. He
45 invited anyone to come forward to help him with that or come up with a better process. The work on

1 Joliet started last year due to an erosion problem. All roads can't be fixed every year so it is spread
2 out as best he can. It may be more efficient if there were a road team.

3
4 Mr. Smith came forward and stated it appears the City is going from pillar to post and will continue
5 to do so. The squeaky wheel gets the grease. He noted he can make a lot of noise. A better process
6 needs to be developed for all of the roads and the issue is funding. He stated he would volunteer but
7 it wouldn't do any good.

8
9 Council Member Huber stated he did call the Road Commissioner and expressed concern regarding
10 the shouldering work on Joliet. He read an email from him outlining why the work was being done
11 and thanked him for the email. He inquired about the road count on Joliet. He read a letter regarding
12 why a review was done for three of the PC members and not all of them. The letter was from the
13 Attorney in St. Paul outlining why they did not press charges. He stated he is unaware of any other PC
14 members having these allegations. He referred to the comments relating to the cable and cable
15 commission noting it is part of the compensation package from the cable commission for serving on
16 that commission on behalf of the City. Mayors and Council Members from other cities also serve on
17 that commission and receive the same compensation. He requested to see the letter Mr. Englehart
18 referred to regarding an investigation. He added he was willing and is willing to work on a road
19 referendum but will not do so without a road policy in place. He stated he will not put tax dollars into
20 a big kitty with no plan for those dollars.

21
22 Council Member Bohnen clarified the portion of Joliet that is having should work as well as the road
23 count on Joliet.

24
25 Council Member Huber stated Joliet is one of the busiest feeder streets within the City. He believes
26 that highest traveled roads often get road projects.

27
28 Mayor Carr requested current road counts for all streets within the City.

29
30 Mr. Smith came forward and asked if the cable is just a part of the Commission compensation
31 referring to a package for compensation. He stated that the road policy should be turned over to the
32 Planning Commission for review.

33
34 **City Council Reports** – Council Member Potter updated the Council on the road replacement project
35 noting 40-50 road signs have been replaced per the federal mandate.

36
37 Council Member Bohnen stated there were approximately 25 different projects going this month. He
38 requested that if anyone has any questions to please call him. He stated it is disheartening that the
39 roads and road project are not up to everyone's satisfaction but he is getting used to it. He stated he
40 would like any help that is available and it seems that citizens say they will help but then they don't.
41 He stated he is getting to the point that if someone else wants to do the Road Commissioner job they
42 should do it and he would be available to help. The constant criticizing is disheartening.

43 Mr. Larry Lanoux came forward and stated it is time to talk about hiring a City Administrator to get
44 the Road Commissioner help with some of these things and get them off the Road Commissioner's
45 plate. The City should go back to the part time clerk that was hired and get a full time administrator.

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1 **Staff Reports (any updates from Staff)** – City Treasurer Schwarze noted the Truth in Taxation
2 hearing is December 4, 2012 at 6:00 p.m.

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4 **COMMUNITY CALENDAR OCTOBER 3 THROUGH OCTOBER 31, 2012:**
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6 **Candidate Forum, Wednesday, October 10, 2012, Mahtomedi High School, Black Box Theatre,**
7 **7:00 p.m.**
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9 **Planning Commission Meeting, Monday, October 15, 2012, Town Hall, 7:00 p.m.**

10
11 **ADJOURN**

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13 **There being no further business, Council Member Potter moved to adjourn at 8:35 p.m.**
14 **Council Member Fogelson seconded the motion. Motion carried unanimously.**

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17 These minutes were considered and approved at the regular Council Meeting November 8, 2012.

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22 Kim Points, City Clerk

Tom Carr, Mayor