

CITY OF GRANT  
MINUTES

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**DATE** : January 8, 2008  
**TIME STARTED** : 7:00 p.m.  
**TIME ENDED** : 10:55 p.m.  
**MEMBERS PRESENT** : Councilmember Fogelson, Hinseth, Linner,  
Levitz and Mayor Carr  
**MEMBERS ABSENT** : None

Staff members present: City Attorney, Nick Vivian; City Engineer, Diane Hankee; City Planner, Angela Torres; City Treasurer, Bob Mikkelsen; and City Clerk, Kim Points

**CALL TO ORDER**

Mayor Carr called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**SETTING THE AGENDA**

Item 9A, Landscape Screening/Tree Preservation Ordinance, was removed from the regular agenda.

Item 9A, Ironwood/Mann Lake Parking, was added to the regular agenda.

Item 9J, Schedule Planning Commission Interviews, was added to the regular agenda.

**Council Member Fogelson moved to approve the agenda as amended. Council Member Levitz seconded the motion. Motion carried unanimously.**

**CONSENT AGENDA**

Item 4A, December 3, 2007, City Council Meeting Minutes, and Item 4B, Bill List were removed from the consent agenda.

Item 4D, GO Bond Payment 2001, and Item 4E, GO Bond Payment 2003, were removed from the consent agenda.

Fuhr Trenching, Irish Avenue Sink  
Hole Repair, \$2,980.00 Approved

Miller Excavating, 2007-2008 Snow  
Removal, Pay Voucher #2, \$31,861.25 Approved

1 **Council Member Levitz moved to approve the Consent Agenda, as amended. Council Member**  
2 **Linner seconded the motion. Motion carried unanimously.**

3  
4 December 3, 2007, City Council Meeting Minutes – Page 7, line 12, was corrected to read “and  
5 \$5,000 for Town Hall electric”.

6  
7 Page 2, line 16, was corrected to read “management at Grant White Bear lakeshore property”.

8  
9 Page 2, line 42, was corrected to read “has been issued, and evidence of retail activity”.

10  
11 Page 5, line 6 and 7, was corrected to bold type.

12  
13 Page 7, line 16, was corrected to read “every one involved, especially Clerk Points”.

14  
15 Page 8, line 7, was added as “Council Member Hinseth indicated in his five years of coaching youth  
16 baseball he had never seen the Grant ball field available on the game or practice field schedule”.

17  
18 **Council Member Hinseth moved to approve the December 3, 2007, City Council Meeting**  
19 **Minutes, as amended. Council Member Linner seconded the motion. Motion carried**  
20 **unanimously.**

21  
22 Bill List:

23  
24 **After clarification, Council Member Hinseth moved to approve the Bill List, as presented.**  
25 **Council Member Fogelson seconded the motion. Motion carried unanimously.**

26  
27 Item 4D, GO Bond Payment 2001 and Item 4E, GO Bond Payment 2003:

28  
29 **After clarification that Bond Payments were for Jocelyn and Irish Avenue paving projects,**  
30 **Council Member Linner moved to approve the GO Bond Payment 2001 and GO Bond Payment**  
31 **2003, as presented. Council Member Levitz seconded the motion. Motion carried**  
32 **unanimously.**

33  
34 **PUBLIC COMMENT**

35  
36 Mr. Loren Sederstrom, 9339 107<sup>th</sup> Street, came forward and expressed concern regarding the  
37 Metropolitan Council’s Comprehensive Plan, State Building Codes and credibility. He indicated it  
38 seems as the Metropolitan Council’s Comprehensive Plan for the area is not as rural. He referred to  
39 the agricultural building requirements in terms of the State Building Code and wondered about  
40 credibility of the City in relation to the number of horses on his property and a pile of dirt out in his  
41 pasture.

42  
43 Ms. Joyce Welander, 83<sup>rd</sup> Street, came forward and called attention to the 4H meeting that has to be  
44 postponed due to the change in the Planning Commission meeting. She stated 4H has had their  
45 meetings on the same night for many, many years and having to change it did cause a problem.

**2007 YEAR END REVIEW, MAYOR CARR**

Mayor Carr provided an overview of 2007 outlining the City's accomplishments noting it was an interesting year. He stated he believes the City Council worked very well together and the City is making progress and moving forward. He stated there are a lot of new people within City staff, consultants and board members. He advised the City has put several new processes in place while still trying to keep taxes down and noted there is a cost to keeping the City rural.

**CITY OF GRANT INSURANCE REVIEW, CHRIS SAURO**

Insurance Agent Chris Sauro provided an overview of the City's 2008 insurance coverage and asked if the City would like to sign the liability waiver as the City has done in the past.

Council Member Fogelson suggested the City may want to increase the coverage limits for the City office. The Council determined that since the insurance covers just the contents of the City office, the coverage for replacement was adequate.

**Mayor Carr moved to approve the City signing the Liability Waiver, as presented. Council Member Linner seconded the motion. Motion carried unanimously.**

**STAFF REPORTS**

**December 2007, City of Grant Police Report, Deputy Breana Fry** - The December 2007 Police Report was provided to be placed on file for review at City Hall. Deputy Fry referred to Mann Lake and stated there are still people parking in the no parking zones. Residents in the area are complaining and citations are being issued.

Council Member Hinseth requested information regarding what percentage of calls for 2007 were in the areas of the Gateway Trail, business zone and school district property.

**City Engineer, Diane Hankee** – City Engineer Hankee indicated her report for December 2007 was provided to be placed on file for review. She noted a neighborhood meeting has been scheduled in January relating to the Jasmine Avenue Paving project.

**City Planner, Angela Torres** – A report was provided in the Council packet for December 2007 City planning activities, to be placed on file for review.

**2008 Fee Schedule** – City Planner Torres reviewed the proposed fee schedule as discussed at the December 2007 City Council meeting. She noted the listed \$1,000 escrow for COC's is an error.

**Council Member Hinseth moved to table the 2008 Fee Schedule to the February City Council meeting. Council Member Levitz seconded the motion. Motion carried unanimously.**

**City Attorney, Nick Vivian** – City Attorney Vivian provided a report for December 2007 to be placed on file for review.

1 **Langer CUP's** – City Attorney Vivian advised applications for CUP's have been made and those are  
2 being reviewed by the Planning Commission next week. The Council had previously requested the  
3 CUP's come back for discussion regarding the proposed use on the site. The property on which the  
4 larger building sits has been sold. Use and density are the issues as there are two proposals on one  
5 three acre site.

6  
7 Mayor Carr indicated he would prefer some sort of lot line adjustment than approval of a variance.  
8 He stated septic on the site is also an issue.

9  
10 Council Member Hinseth stated density is the issue. The minimum lot size is 2 ½ acres, therefore,  
11 the lot should have one business only.

12  
13 Council Member Linner stated she feels it would be inappropriate to give an opinion on the CUP  
14 applications prior to Planning Commission public hearings. She stated she would consider the  
15 proposal after the PC recommendation to Council, but wants to be consistent within the City's  
16 General Business District.

17  
18 Council Member Fogelson indicated he also needed time to consider the proposal but stated he does  
19 not have an issue with changing the lot sizes within the business districts if the City can control the  
20 site with CUP's.

21  
22 **Council Member Levitz moved to table the Langer CUP's. The motion failed with no second.**

23  
24 Mr. David Langer, 10900 60<sup>th</sup> Street, came forward and addressed the Council regarding this issue  
25 and asked the Council for direction.

26  
27 Mr. Loren Sederstrom, 9339 107<sup>th</sup> Street, came forward and inquired about things getting  
28 "grandfathered" in within the City.

29  
30 Mayor Carr advised the applicants for the CUP's on the property have received input from the City  
31 Council and are at their own risk moving forward within the City process.

32  
33 Mr. Thomas Kendhammer, Brothers Manufacturing, came forward and noted both businesses  
34 together have fewer employees than the business that was previously on the site. Septic is not an  
35 issue and currently there is only one business on the site, Brothers Manufacturing.

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36  
37 Mr. Gary Nordess, Essence Real Estate, came forward on behalf of Custom Stainless and addressed  
38 the Council regarding the current CUP application. He expressed concern regarding what happens on  
39 the site ten years from now. The resale of the property is an issue. Custom Stainless wants to move  
40 into the community. They have only seven employees and it is a compatible use of the property.

41  
42 **Oakleigh Dock Association Lease** – City Attorney Vivian outlined a memo regarding the possible  
43 purchase of the Neptune Street Property. The property owner to the north of the City's property, Mr.  
44 Jahnke, has indicated that he is agreeable to leasing the property on which his deck encroaches.  
45 However, Mr. Jahnke and the property owner to the south, Mr. Wilcox, are interested in purchasing

1 the City's property. They have indicated they believe a fair market value of the property is  
2 approximately \$150,000.

3  
4 City Treasurer Mikkelsen stated \$150,000 sounds like a reasonable offer and the City should  
5 entertain the thought of selling the property.

6  
7 Some Council Members indicated they would consider possibly selling the property. And some of  
8 the Council felt the Dock Association Lease issue needed to also be considered.

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9  
10 City Attorney Vivian advised he would continue to work on the Oakleigh Dock Association issue.

11  
12 **Ordinance 50, Sect. 703.12, Agricultural Buildings** – City Attorney Vivian outlined a memo  
13 regarding this issue and recommended the City immediately amend its Zoning Code to reflect that  
14 State law relating to agricultural buildings.

15  
16 Council Member Linner indicated she would like to wait on the codification report before making  
17 any changes to the ordinance indicating that the Building Official is instructed to administer building  
18 permits for Agriculture Buildings per state statute. She also noted that residents should be aware of  
19 the strict definition of an agriculture building per state statute and City ordinance. Per City ordinance,  
20 agriculture buildings will still require a Certificate of Compliance for zoning issues.

21  
22 **Council Member Hinseth moved to table Ordinance 50, Sect. 703.12 until a report on**  
23 **Ordinance Codification is received. Council Member Linner seconded the motion. Motion**  
24 **carried unanimously.**

25  
26 **CUP Annual Review, Draft Letter** – City Attorney Vivian distributed an email outlining a proposed  
27 draft letter relating to the CUP annual review that the Council previously approved.

28  
29 **Council Member Levitz moved to table the CUP Annual Review Draft Letter. The motion**  
30 **failed with no second.**

31  
32 The Council provided feedback and suggestions for the draft letter and directed the City Clerk to  
33 draft a revised letter. The letter will be reviewed at the February City Council meeting.

34  
35 **Building Inspector, Jack Kramer** – A report from Building Inspector Kramer was provided for  
36 December 2007 to be placed on file for review.

37  
38 City Attorney Vivian updated the Council on the Sanderson/Nelson zoning violation issue.

39  
40 **OLD BUSINESS**

41  
42 **Ironwood/Mann Lake Parking, Brad Hinseth** – Council Member Hinseth stated he is receiving  
43 calls and complaints from neighbors in the area. People are out using the lake at all hours.

1 Mayor Carr stated this is a trespassing issue, not a fishing issue, which is very difficult to enforce.  
2 He stated he is in favor of no parking on the roadway, period. He noted liability is a large issue also.  
3 The City can get sued if someone is injured on the parcel that is City owned property.

4  
5 Council Member Fogelson also indicated it is a trespassing issue, not a fishing issue and public safety  
6 has to be addressed within the permit process.

7  
8 Mayor Carr proposed a permit process for people that want to fish there. The permit would have to  
9 be obtained at City Hall Office. People applying for a parking permit would get a map of the City  
10 property. They would have to sign a wavier of liability, a promise to access only on City property, to  
11 park in the designated areas during the designated times and only with the designated LIC numbered  
12 car.

13  
14 Mr. Craig Johnston, Ironwood Avenue, came forward and stated there are other issues than just  
15 trespassing. He stated parking by permit only will not stop the late night problems.

16  
17 Mr. Dave Milbrandt, Ironwood Avenue, came forward and stated he appreciates the Council's  
18 attention to this matter and believes a parking permit is a good idea.

19  
20 City Attorney Vivian recommended the signs in the area clearly state parking is by permit only.

21  
22 Ms. Tina Lobin, Irish/Ironwood Avenue, came forward and provided the history on this issue noting  
23 the signs she posts on her property are continually torn down.

24  
25 **Mayor Carr moved to move forward with the parking permit process, as outlined by the**  
26 **Council, and to authorize Council Member Hinseth to purchase roadway signage in the amount**  
27 **of up to \$1,000. Council Member Linner seconded the motion. Motion carried unanimously.**

28  
29 **Escrow Update, Mayor Carr** – Mayor Carr reviewed the Escrow Update provided by the City  
30 Clerk. The City Council agreed the outstanding escrow accounts that were recommended to be sent  
31 to the City Attorney would be forwarded to City Attorney Vivian for legal action.

32  
33 **Mayor Carr moved to authorize staff to write off the Olson, Drake and Tubbs outstanding**  
34 **escrows. Council Member Fogelson seconded the motion.**

35  
36 Council Member Hinseth advised Mr. Dennis Tubbs had indicated he would discuss the Tubbs  
37 outstanding escrow debt with his father and brother.

38  
39 **Council Member Hinseth made a friendly amendment to the motion to not include the Tubbs**  
40 **escrow. Mayor Carr and Council Member Fogelson agreed to the amendment. Motion carried**  
41 **with Council Member Linner voting nay.**

42  
43 The Council directed the City Clerk to continue working on the Orchard Hills and Tubbs outstanding  
44 escrow accounts.

45  
46 **NEW BUSINESS**

- 1  
2 **Council Paper/Printer Reimbursement, Kim Linner** – Council Member Linner requested Council  
3 authorization to periodically obtain printer paper from the City office to use for City business.  
4  
5 The Council agreed Council Members could periodically obtain printer paper from the City office to  
6 use for City business.  
7  
8 **Website/Consultant Information, Kim Linner** – The Council determined the firm names of City  
9 consultants would remain on the City website but the specific name of the consultant would not be  
10 included on the website. This action should discourage residents from inappropriately contacting  
11 consultants directly. It was noted that the City Clerk is the appropriate contact for resident issues and  
12 questions.  
13  
14 **2008 Meeting Calendar** – The Council revised the 2008 Meeting schedule, changing the September  
15 and November City Council and Planning Commission Meetings.  
16  
17 **Council Member Hinseth moved to approve the 2008 Meeting Calendar, as amended. Council**  
18 **Member Linner seconded the motion. Motion carried unanimously.**  
19  
20 **2008 Liaison/Appointments** – The Council revised the 2008 Liaison/Appointment list adding the  
21 Recycling Liaison, the City Auditor and moving the Animal Control person under Staff and  
22 Consultant Appointments.  
23  
24 Council Member Hinseth suggested the City ball field volunteer appointment be changed to have the  
25 City Clerk handle scheduling because of evidence of favoritism in recent years.  
26  
27 Ms. Joyce Welander, 83<sup>rd</sup> Street, came forward and stated she would like to continue scheduling the  
28 ball field.  
29  
30 The majority of the Council indicated Ms. Welander would continue to schedule the Grant ball field  
31 as long as all parties who would like to schedule the field are treated equally and the schedule is  
32 posted on the City website.  
33  
34 **Council Member Levitz moved to approve the 2008 Appointment/Liaison List as, amended.**  
35 **Council Member Linner seconded the motion. Motion carried with Council Member Hinseth**  
36 **voting nay.**  
37  
38 **Consultant Billings, Kim Linner** – Council Member Linner stated that Council has made it clear  
39 that consultants should not be charging to general City accounts when residents call them directly..  
40 Consultant names will be taken off the website to help address this issue.  
41  
42 **City Clerk Wage, Mayor Carr** – Mayor Carr advised he conducted the City Clerk review. The City  
43 Clerk is doing a good job and he suggested a 6% increase in salary.  
44  
45 **Council Member Fogelson moved to approve a 6% increase in salary for the City Clerk.**  
46 **Council Member Hinseth seconded the motion.**

1  
2 Council Member Hinseth indicated that he received phone calls and emails urging the Council to  
3 reward Clerk Points for a very good job performance.

4  
5 **After discussion, Council Member Hinseth amended the motion to a \$1.25 per hour salary**  
6 **increase. Council Member Fogelson agreed to the amendment. Motion carried unanimously.**

7  
8 **Council Member Fogelson moved to extend the meeting to 10:45 p.m. Mayor Carr seconded**  
9 **the motion. Motion carried unanimously.**

10  
11 **22 acres of 102<sup>nd</sup> Street, Kim Linner** – Council Member Linner advised there is a 22-acre parcel  
12 within the City that is for sale. The site is non-compliant due to an accessory building on the last  
13 | unsold parcel of the original plat. Per City Council minutes and the Development Agreement, **parcels**  
14 #1 and #4 were to remain together. At such time that either of these parcels was sold, a primary  
15 | **structure** would be required to be **built** on parcel #1 **with**in one year. Council noted that parcel #4  
16 | **contain**ing the original primary structure was sold in 2006, leaving parcel #1 a non-compliant parcel.  
17 She stated the Council needs to determine how this should be handled.

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18  
19 City Attorney Vivian advsied he has looked into this matter. The previous Council took very clear  
20 action regarding this matter in relation to the accessory building and common ownership of the  
21 parcel.

22  
23 Ms. Noreen Olson, property owner, came forward and stated she wants to work with the Council on  
24 this issue but does not want to do anything unreasonable for the new property owner.  
25 The Council indicated this item would be on the February City Council meeting agenda.

26  
27 **Council Member Hinseth moved to extend the meeting to 10:55 p.m. Council Member Linner**  
28 **seconded the motion. Motion carried unanimously.**

29  
30 **Treasurer Report** – City Treasurer Mikkelsen reviewed the accomplishments for 2007 and noted the  
31 City’s financial goals for 2008.

32  
33 **Treasurer Compensation** – City Treasurer Mikkelson advised a survey of City Treasurers in other  
34 communities would be conducted to establish a salary for the position.

35  
36 **Mayor Carr moved to approve a payment of \$6,000 per year for the City Treasurer. Council**  
37 **Member Hinseth seconded the motion. Motion carried unanimously.**

38  
39 **Schedule Planning Commission Interviews, Kim Linner** – The Mayor advised he had spoken with  
40 the Planning Commission Chair and determined no Planning Commission interviews would be  
41 scheduled at this time. The current applications will be kept on file for future consideration.

42  
43 **DISCUSSION ITEMS**

44  
45 **City Council Reports:**

46



1 Mayor Carr advised there is a report form the Minnesota Pollution Agency available at the City office  
2 for review.

3  
4 Council Member Linner updated the Council on the Town Hall maintenance project noting the  
5 electric work is just about complete and the carpentry work is scheduled to resume next week.

6  
7 **Road Commissioner Report** – Road Commissioner Hinseth advised there is a neighborhood  
8 informational meeting regarding the possible Jasmine Ave paving project on January 17, 2008, 7:00 -  
9 9:00 p.m. at the Risen **Christ** Lutheran Church where voting takes place. He advised that he is  
10 working on a paving assessment maintenance savings rebate, and that when the 2007 actuals are  
11 complete he would provide more current figures.

12  
13 **COMMUNITY CALENDAR JANUARY 9 THROUGH JANUARY 31, 2008:**

14  
15 **Comprehensive Plan Meeting, Monday, January 14, 2008, Town Hall, 6:00 p.m.**

16  
17 **Planning Commission Meeting, Monday, January 14, 2008, Town Hall, 7:00 p.m.**

18  
19 **ADJOURN**

20  
21 **There being no further business, Council Member Linner moved to adjourn at 10:55 p.m.**  
22 **Council Member Levitz seconded the motion. Motion carried unanimously.**

23  
24  
25 These minutes were considered and approved at the regular Council Meeting, February 4, 2008.

26  
27  
28  
29 \_\_\_\_\_  
30 Kim Points, City Clerk

\_\_\_\_\_

Tom Carr, Mayor