

CITY OF GRANT
MINUTES

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DATE : July 7, 2009
TIME STARTED : 7:00 p.m.
TIME ENDED : 8:57 p.m.
MEMBERS PRESENT : Councilmember Hinseth, Huber, Potter
and Mayor Carr
MEMBERS ABSENT : Fogelson

Staff members present: City Attorney, Nick Vivian; City Engineer, Diane Hankee; City Planner, Sherri Buss; 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 7A, Hedberg Update, was added to the agenda.

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

CONSENT AGENDA

Bill List, \$74,372.38	Approved
June 2, 2009 City Council Meeting Minutes	Approved
M.J. Raleigh Trucking, 2009 Graveling, \$42,840.00	Approved
Alpha Video, Cable Equipment, \$33,443.16	Approved
City of Stillwater, 1 st Half Fire Contract, \$49,991.33	Approved
Dustcoating, Inc., \$29,088.00	Approved
City of Mahtomedi, 2 nd Quarter Fire Contract, \$26,301.12	Approved

1 Dresel Contracting, Final Payment
2 Jasmine Ave., \$49,991.33

Approved

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4 **Council Member Hinseth moved to approve the Consent Agenda, as presented. Council**
5 **Member Potter seconded the motion. Motion carried unanimously.**

6
7 **PUBLIC COMMENT**

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9 No one was presented for public comment.

10
11 **STAFF REPORTS**

12
13 **Police Report, Deputy Breana Fry** - The June 2009 Police Report was provided to be placed on file
14 for review at City Hall.

15
16 **City Engineer, Diane Hankee**

17
18 **Grader Bids Results** – City Engineer Hankee advised the City received two bids from local
19 contractors. She outlined the bid process noting where the ads were placed. She stated the City
20 could consider an on-line auction to obtain bids advising the prices are typically inflated and the
21 auction house would receive between 10-15% of the bid for the commission. She stated she believes
22 the bid from Miller is fair.

23
24 Council Member Hinseth stated Ziegler did not get back to him with the buy back figures.

25
26 It was the consensus of the council to wait on the buy back figures from Ziegler and directed City
27 Engineer Hankee to confirm with Miller how long the current bid would be held.

28
29 **Council Member Hinseth moved to accept the Miller bid, as presented, if the buy back figures**
30 **received from Ziegler are not higher. Mayor Carr seconded the motion. Motion failed with**
31 **Council Member Huber and Potter voting nay.**

32
33 **Report on June Activities** - The June 2009 Engineer's Report was provided to be placed on file for
34 review. City Engineer Hankee noted the maintenance agreement with the contractor have been
35 finalized and executed.

36
37 **City Planner, Sherri Buss**

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39 **Valley Branch Watershed District Letter on Surface Water Plan** – City Planner Buss advised the
40 Surface Water Plan should identify water management issues and how they will be taken care of.
41 Problems at Sunnybrook have been identified in the past and the current plan does not acknowledge
42 those problems or outline what will be done to correct those problems. The Valley Branch
43 Watershed District believes those problems and corrective actions should be included in the City's
44 Surface Water Plan. She stated the City could include a plan to solve the problems or discuss the
45 issues with the Watershed District again.

1 Mayor Carr stated this has been a reoccurring problem for many years and the Watershed District
2 does have a tax base. He proposed the City recognize the problems in that area noting the City is
3 supportive in the Watershed District taking the lead to solve those and the City will work with them
4 in doing that.

5
6 City Engineer Hankee suggested a Council Member attend one of their meetings with the City's
7 proposal.

8
9 It was the consensus of the Council that Council Member Potter would attend a Valley Branch
10 Watershed District meeting and coordinate with the City's liaison to that District and the City
11 Engineer.

12
13 **Update on Planning Commission Ordinance Review** – City Planner Buss advised the Planning
14 Commission has started looking at some problem ordinances and they would next be reviewing the
15 PUD and grazeable acres ordinance as well as a new wind turbine ordinance.

16
17 **Staff Report on June Activities** - A report was provided in the Council packet for May 2009 City
18 planning activities, to be placed on file for review. She noted she is working with the City Attorney
19 and Mr. Johnson's attorney on the Nat Johnson CUP issue. She stated the City can set a deadline for
20 information that they are gathering.

21
22 It was the consensus of the Council that all information should be gathered and reviewed by the
23 August 2009 City Council meeting.

24
25 **City Attorney, Nick Vivian**

26
27 **Floyds Right A Way Zoning Enforcement** – City Attorney Vivian provided the background on this
28 issue noting to date, he has not received anything from their representative. Floyd's representative
29 had indicated he has information but has not been able to submit it. He has requested the City hold
30 off on any action for an additional thirty days.

31
32 City Attorney Vivian stated he believes they have had ample time to submit information or come into
33 compliance.

34
35 **Mayor Carr moved to authorize legal action against Floyd's Right A Way for violation of the**
36 **City's zoning code. Council Member Hinseth seconded the motion.**

37
38 City Attorney Vivian advised he has tried to work with them on this issue for a very long time. He
39 stated he would prefer the City does not take legal action but they need to show a willingness to
40 discuss the issues. He stated that in his opinion it is time for the City to take action.

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

43
44 **Houles Zoning Enforcement** – City Attorney Vivian provided the background on this issue and
45 noted the owners have been very cooperative and it appears they are open to solving the issues. He
46 requested direction from the City Council on how to proceed.

1
2 It was the consensus of the Council to direct the City Attorney to keep working with the owners
3 provided they have a plan within the next 30 days. It was noted that if the trailers were moved to the
4 back of the property several issues would be resolved immediately.

5
6 **Staff Report on June Activities** - City Attorney Vivian provided and reviewed a staff report for June
7 2009 activities. He referred to the information relating to the Axdahl project and provided the
8 background. He indicated he has not yet received all the requirements so the plan is not complete.
9 Council direction is needed on whether or not to extend the deadline for final plat.

10
11 Mr. Robb Jacobs came forward and stated the driveway application has been submitted as well as the
12 BCWD documents and septic information. He stated the hold up at this point is the County land
13 transfer. The County does have the documents and is currently working through their process on this
14 issue. The parties need to come to resolution on the Developers Agreement and Maintenance
15 Agreement. He advised he believes the framework for the documents and resolution of them has
16 been laid. He stated everything should be completed in two to four months.

17
18 Mr. Brian Axdahl came forward and stated he wanted to get this done last fall. He expressed
19 appreciation for everything the City has done. He indicated he believes the project is moving
20 forward.

21 .
22 **Mayor Carr moved to allow an extension of 100 days for the Axdahl Jacobs Addition to resolve**
23 **all outstanding issues. Council Member Potter seconded the motion.**

24
25 City Attorney Vivian advised the County has confirmed that the land transfer will take them at least
26 90 days to complete.

27
28 **Mayor Carr made a friendly amendment to change the extension to 120 days. Council Member**
29 **Potter agreed to the friendly amendment. Motion carried unanimously.**

30
31 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for
32 June 2009 to be placed on file for review.

33 34 **OLD BUSINESS**

35
36 **Hedberg Update, Brad Hinseth** – Council Member Hinseth provided an update he and the City
37 Planner met with Mr. Hedberg recently. He advised the Council he has turned over the negotiations
38 to the City Planner and significant progress is being made.

39
40 The Council provided the City Planner with direction regarding this issue.

41 42 43 **NEW BUSINESS**

44
45 **Acceptance of 2008 Audit** – Mayor Carr advised the 2008 Audit was included in the packets and
46 asked if anyone had any questions.

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2 **Council Member Huber moved to accept the 2008 Audit, as presented. Council Member Potter**
3 **seconded the motion. Motion carried unanimously.**

4
5 **Consideration of Application for Vendor's License, Edward Jones Investments** – Mayor Carr
6 advised an individual has applied for a Vendors License with the City. The City does have an
7 ordinance relating to this issue and it was included in the packets.

8
9 **Mayor Carr moved to deny the application, as presented. Council Member Potter seconded the**
10 **motion.**

11
12 **Mayor Carr and Council Member Potter withdrew the motion and the second.**

13
14 City Attorney Vivian advised the ordinance specifically does allow it if the applicant meets all the
15 requirements. The City would need a reason to deny the application.

16
17 **Mayor Carr withdrew the motion and Council Member Potter withdrew the second.**

18
19 **Mayor Carr moved to table the application pending a background investigation, per City**
20 **Ordinance. Council Member Potter seconded the motion. Motion carried unanimously.**

21
22 **DISCUSSION ITEMS**

23
24 **City Council Reports:**

25
26 Mayor Carr advised the new security system, cable equipment and Potts line have been installed at
27 Town Hall.

28
29 Council Member Huber advised he received the mitigation plan and emergency plan from the
30 County.

31
32 Road Commissioner Hinseth advised mowing has been underway as of last Friday. He stated that
33 any road frontage not already mowed, five feet away from the edge of the road will be mowed. The
34 mower will avoid flowers around mailboxes.

35
36 **COMMUNITY CALENDAR JULY 8 THROUGH JULY 31, 2009:**

37
38 **Planning Commission Meeting, Monday, July 20, 2009, Town Hall, 7:00 p.m.**

39
40 **ADJOURN**

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42 **There being no further business, Council Member Potter moved to adjourn at 8:57 p.m.**
43 **Council Member Huber seconded the motion. Motion carried unanimously.**

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46 These minutes were considered and approved at the regular Council Meeting August 4, 2009.

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Kim Points, City Clerk

Tom Carr, Mayor

APPROVED