

CITY OF GRANT  
MINUTES

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**DATE** : May 4, 2010  
**TIME STARTED** : 7:20 p.m.  
**TIME ENDED** : 10:04 p.m.  
**MEMBERS PRESENT** : Councilmember Fogelson, Hinseth, Huber, Potter and Mayor Carr  
**MEMBERS ABSENT** : None

Staff members present: City Attorney, Nick Vivian; City Engineer, Diane Hankee; City Planner, Jennifer Haskamp; and City Clerk, Kim Points

**CALL TO ORDER**

Mayor Carr called the meeting to order at 7:20 p.m.

**PLEDGE OF ALLEGIANCE**

**SETTING THE AGENDA**

Item 8B, Grant Ballfield, was added to the regular agenda.

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

**CONSENT AGENDA**

April 6, 2010, City Council Meeting Minutes	Removed
Bill List, \$40, 374.57	Approved
Camp Odayin Exempt Permit for One-day Raffle at Indian Hills	Approved

**Council Member Hinseth moved to approve the Consent Agenda, as amended. Council Member Fogelson seconded the motion. Motion carried unanimously.**

April 6, 2010, City Council Meeting Minutes – After a brief discussion, it was suggested that lines 32 through 42 on page 1 be removed from the April 6, 2010 Council Meeting Minutes.

**Mayor Carr moved to remove lines 32 through 42 on page 1 of the regular Council Meeting Minutes. Council Member Hinseth seconded the motion. Motion carried with Council Member Fogelson abstaining and Council Member Potter voting nay.**

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2 **Council Member Hinseth moved to approve the April 6, 2010 City Council Meeting Minutes, as**  
3 **amended. Council Member Huber seconded the motion. Motion carried with Council Member**  
4 **Potter voting nay.**

5  
6 **PUBLIC COMMENT**

7 Ms. Christine Flug, 60<sup>th</sup> Street North, came forward to discuss pending litigation and stated the  
8 Council's refusal to negotiate in open session is inefficient and ineffective.

9 Mr. Larry Lanoux, 9711 Keswick, came forward and commented on the gravel reclaiming effort  
10 suggesting not enough is being done to make it worthwhile. He also inquired about locations other  
11 than Joliet that 200 foot long paving patches have been done within the City.

12 Ms. Joyce Welander, 83<sup>rd</sup> Street, came forward and stated the ditch in the driveway of Town Hall is  
13 very deep and needs blacktop. She also indicated the Heritage Committee is near completion on the  
14 history book and the City had committed to approximately \$1,000 in funds for the project.

15  
16 **STAFF REPORTS**

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18 **City Engineer, Diane Hankee**

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20 **2010 Gravel Authorization** – City Engineer Hankee reviewed the gravel bids provided in the  
21 packets and noted the roads to be graveled this year.

22  
23 Council Member Hinseth stated the lowest bid is not always the best long range value to Grant. He  
24 stated he does receive complaints annually regarding the gravel quality from years ago and it appears  
25 the gravel from Raleigh has more clay fines and works best with the dust control efforts.

26  
27 City Engineer Hankee stated the City does have specifications for the gravel although there is a bit of  
28 flexibility. Miller's gravel does meet the specifications and is tested.

29  
30 Mr. Pete Miller, Miller Excavating, came forward and thanked the City for the business and work  
31 they do within the City of Grant. He stated Miller will provide gravel that passes specifications and  
32 asked the Council to award the contract to him.

33  
34 **Council Member Fogelson moved to award the 2010 gravel contract to Miller, as presented.**  
35 **Council Member Potter seconded the motion. Motion carried with Council Member Hinseth**  
36 **and Mayor Carr voting nay.**

37  
38 **Acceptance of Jeffery Avenue Feasibility Study** – City Engineer Hankee advised the Council  
39 should accept the Jeffery Avenue Feasibility Study that was presented last month.

40  
41 **Council Member Huber moved to accept the Jeffrey Avenue Feasibility Study, as presented.**  
42 **Council Member Fogelson seconded the motion. Motion carried unanimously.**

1 **Jeffrey Avenue Paving Petition Update** – City Engineer Hankee advised a neighborhood meeting  
2 was held last week. The meeting was positive and it appears there is support for the project. They  
3 are working on an updated petition and the next step after that would be to submit voluntary  
4 assessment waivers.

5  
6 City Attorney Vivian stated the next step is to get commitments from the residents. It is critical that  
7 the petition be clear about the intent. He suggested language that could be used on the petition and  
8 explained the process in detail.

9  
10 **Staff Report** – The April 2010 Engineer’s Report was provided to be placed on file for review. City  
11 Engineer Hankee also provided an update on the Axdahl project and indicated a decision should be  
12 made in the next few weeks which is very positive in terms of completing the project.

13  
14 **City Planner, Jennifer Haskamp**

15  
16 **Resolution No. 2010-10, Variance Request, Mike Herbst, 8640 Jamaca Avenue** – City Planner  
17 Haskamp provided the background of the variance request noting it is due to a failed septic. She  
18 advised the Planning Commission did review the request and held a public hearing prior to the  
19 Council meeting. The Planning Commission is recommending approval based on the outlined  
20 conditions.

21  
22 City Planner Haskamp added she did hear from all the required agencies and they have indicated they  
23 are comfortable with the proposed location of the new septic system.

24  
25 Mr. Mike Herbst, applicant, came forward and stated the proposed system is the only system that was  
26 looked at. He commented on the location, slope and drainage issues.

27  
28 **Council Member Fogelson moved to approve the variance request, as presented. Mayor Carr**  
29 **seconded the motion. Motion carried unanimously.**

30  
31 **Consideration of Interim Use Permit, Memo and Information** – City Planner Haskamp provided  
32 the background and provided a memo that outlined information provided in the packet to help further  
33 explain the purpose of establishing an Interim Use Permit (IUP) within the City of Grant.

34  
35 It was the consensus of the Council to authorize the Planning Commission to proceed with the  
36 development of an IUP process.

37  
38 **City Attorney, Nick Vivian**

39  
40 **Resolution No. 2010-11, Adding Escrow for Feasibility Studies to 2010 Fee Schedule** – City  
41 Attorney Vivian provided the background for this issue and read the language changes regarding  
42 escrow dollars and the assessment method that makes the road policy more clear.

43 **Council Member Huber moved to adopt Resolution No. 2010-11, as presented. Council**  
44 **Member Fogelson seconded the motion.**

1 Council Member Hinseth made a friendly amendment to include language stating that if a project is  
2 approved the escrow is refunded. If the project is not approved, actual feasibility study costs are  
3 charged against the escrow.

4  
5 Council Member Huber and Council Member Fogelson agreed to the friendly amendment.

6  
7 **Motion carried with Council Member Potter voting nay.**

8  
9 **Axdahl Update** – The City Engineer provided an update earlier in the meeting.

10  
11 **Staff Report** – A report for April 2010 was provided to be placed on file for review.

12 .  
13 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for  
14 April 2010 to be placed on file for review.

15  
16 **OLD BUSINESS**

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18 **2009/2010 Budget Update, Bob Mikkelsen** – City Treasurer Mikkelsen provided the Council with  
19 an update on the 2009 Income Statement, the 2009 Audit, accounting software and the City’s  
20 investments. He indicated the final 2009 numbers will be available in the next couple of weeks.

21  
22 **Grant Ballfield** – Council Member Hinseth provided an update on the Grant Ballfield improvements  
23 noting the City will be receiving a private service project grant to improve the ballfield at Town Hall.

24  
25 **NEW BUSINESS**

26  
27 **Windy Acres Off-Sale Liquor License Approval** – Mayor Carr advised Windy Acres, 11154 60<sup>th</sup>  
28 Street, currently has an on sale liquor license and is applying for an off sale license.

29  
30 **Mayor Carr moved to approve the Off Sale Liquor License application, contingent on all**  
31 **necessary documentation and fees being paid. Motion carried with Council Member Hinseth**  
32 **voting nay.**

33  
34 **DISCUSSION ITEMS**

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36 **City Council Reports:**

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38 Council Member Huber advised he is still working with the City Engineer and the Fire Department  
39 regarding the dry hydrant issue.

40  
41 Council Member Hinseth advised dust control activities this month will occur on May 5 and May 19.  
42 Work continues on ditch reclaiming and spring potholing has been completed.

43 Mayor Carr advised interviews for the Planning Commission will be held on June 1, 2010, prior to  
44 the regular Council meeting. He noted the School District’s special referendum did pass and there  
45 are some issues with that project that will be addressed through the project.

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**CLOSED SESSION FOR THE PURPOSE OF CONFERRING WITH LEGAL COUNSEL AS PERMITTED BY THE ATTORNEY-CLIENT PRIVILEGE PURSUANT TO MINN.STAT. 13D.05 SUBD. 3 (d) ON THE FOLLOWING LEGAL MATTERS:**

**City of Grant V. Floyd’s Auto Sales**

**City of Grant v. Chris’ MP, Christine Flug and Daniel Flug**

**Council Member Hinseth moved to go into closed session at 9:25 p.m. Council Member Fogelson seconded the motion. Motion carried unanimously.**

**Council Member Huber moved to adjourn the closed session at 10:03 p.m. Council Member Potter seconded the motion. Motion carried unanimously.**

City Attorney Vivian advised a discussion was held regarding litigation strategy. No action was taken. The Council did provide direction and legal counsel will proceed as directed.

**COMMUNITY CALENDAR MAY 5 THROUGH MAY 31, 2010:**

**Planning Commission Meeting, Monday, May 17, 2010, Town Hall, 7:00 p.m.**

**City Office Closed, Monday, May 31, 2010, Memorial Day Holiday**

**ADJOURN**

**There being no further business, Council Member Fogelson moved to adjourn at 10:04 p.m. Council Member Potter seconded the motion. Motion carried unanimously.**

These minutes were considered and approved at the regular Council Meeting June 1, 2010.

\_\_\_\_\_  
Kim Points, City Clerk

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Tom Carr, Mayor