

CITY OF GRANT
MINUTES

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DATE : October 5, 2010
TIME STARTED : 7:00 p.m.
TIME ENDED : 9:21 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 7:00 p.m.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Item 8G, 4H Banner was added to the regular agenda.

Item 8H, Mileage and IRS Guidelines was added to the regular agenda

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

CONSENT AGENDA

September 7, 2010, City Council Meeting Minutes	Approved
Bill List, \$46, 297.80	Removed
City of Mahtomedi, 3 rd Quarter Fire Contract, \$27,089.75	Approved
Miller Excavating, \$16,084.00	Approved
Resolution No. 2010-13, Axdahl Variance	Approved

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

1 Council Member Huber referred to the September Council meeting when inquiries were made into the
2 mileage paid to the Road Commissioner. He stated other Council Members were paid for mileage
3 and paid at an incorrect rate also.
4

5 Council Member Potter stated his issue at the last meeting was charging the City mileage while a
6 candidate is out campaigning. He requested that all pages of the cell phone bill be turned into the
7 City for reimbursement and it is an unacceptable bill if it not fully submitted. He advised he was
8 overpaid for mileage in 2009 and he reimbursed that City that amount and others should as well.
9

10 Council Member Hinseth stated an itemized phone bill every month and he has previously tried to get
11 the phone bill in the City's name and it seemed to be a time consuming process.
12

13 **Council Member Huber moved to approve the Bill List, \$46,297.80, as presented. Council**
14 **Member Hinseth seconded the motion. Motion passed with Council Member Fogelson and**
15 **Council Member Potter voting nay.**
16

17 **PUBLIC COMMENT**
18

19 Mr. Steve Bohnen, 9224 60th Street, came forward and displayed a list of lawsuits in 2008. He asked
20 that the Council refrain from discrediting him and inquired about how far signs need to be off the
21 roadway.

22 Mr. Larry Lanoux, 9711 Keswick, came forward and displayed pictures of the recent Grant
23 Restoration parade, congratulated youth within the City of Grant and thanked everyone who
24 participated in the clean up day last weekend.

25 Mr. Gene House, Keswick Avenue, came forward and commented on rumors within the community
26 about certain candidates wanting to change land requirements and having an interest in developing
27 land in Grant.

28 Ms. Jackie Jablonski, 8610 105th Street, came forward and commented on the success of the parade
29 and clean up day and asked that everyone try to get along.

30 Mr. Loren Sederstrom, 9330 107th Street, came forward and commented on the credibility issue of
31 Mr. Tufty, referring to an email from the DRN regarding certification that was not submitted, being
32 appointed to the Planning Commission and then running for a seat on the City Council. He asked
33 how residents will know if he will honor that commitment.

34 Mr. Jerry Helander, Jasmine Avenue, came forward and stated the Council Meetings are not the place
35 for campaigning.

36 Mr. Bob Tufty, Jasmine Avenue, came forward and read a statement regarding certification of the Fire
37 Warden with the DNR.

38 Mr. Kevin Fernandez, Kimbro, came forward and commented on extra meetings that Council
39 Members attend relating to the benefit of that, candidates talking about their campaigns at meetings,
40 and following policy, procedure and the current ordinances.

1 Mr. Mark Wojcik, 110th Street, came forward and indicated it is encouraging that so many people are
2 interested enough to attend meetings and speak out.

3

4 **STAFF REPORTS**

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6 **City Engineer, Diane Hankee**

7

8 **Xcel Energy Permit** – City Engineer Hankee provided the background on this issue and advised she
9 is working with Xcel on the gas line and restoration and patching on a portion of Jasmine Avenue.

10

11 **Staff Report** – The September 2010 Engineer’s Report was provided to be placed on file for review.

12

13 **City Planner, Jennifer Haskamp**

14

15 **Staff Report** – The September 2010 Planner’s Report was provided to be placed on file for review.

16

17 **City Attorney, Nick Vivian**

18

19 City Attorney Vivian referred to the number of litigations in 2008 the City was involved in noting
20 eight were delinquent escrow collections, one was a vehicle forfeiture, four were zoning violations
21 and one was Oakleigh. He added the majority claims were delinquent escrows and there were five
22 contested disputes through the collection process. It is common practice to collect on delinquent
23 escrows.

24

25 **Jasmine Avenue Paving Project** – City Attorney Vivian provided the background and stated the
26 resident is still in the process of researching meeting DVD’s and obtaining information from the City
27 Treasurer.

28

29 **Axdahl Final Plat** – City Attorney Vivian stated he had anticipated final plat consideration tonight.
30 The final plat was submitted but there are still outstanding issues that have to be addressed. A
31 representative for the project will be present at the November Council meeting when the final plat is
32 considered.

33

34 **Resolution No. 2010-14, Axdahl Final Plat** – This item will considered at the November City
35 Council meeting.

36

37 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for
38 September 2010 to be placed on file for review.

39

40 **OLD BUSINESS**

41

42 There was no old business to consider.

43

44 **NEW BUSINESS**

45

1 **Monthly Financials** – Mayor Carr distributed several different monthly reports created by the new
2 accounting program at the City Office. He asked Council to review the reports and let the Clerk know
3 which reports should be included in the Council packets.
4

5 **Auditor Recommendations** – Mayor Carr reviewed audit recommendations outlined in the 2009
6 Audit Reports as well as noting the steps that have been taken to adhere to the recommendations.
7

8 **Fire Warden Certification** – Mayor Carr advised Fire Warden Bob Tufty has been certified. There
9 was a mix up on the paperwork and that has been taken care of.
10

11 **Road Commissioner/Council Member Conflict Update** – Mayor Carr stated the Road
12 Commissioner for the City of Grant has always been a Council Member and there is not a conflict of
13 interest with that issue.
14

15 Council Member Fogelson stated the issue is separation. He suggested the Road Commissioner not
16 vote on the road budget or the possibility of filling the Road Commissioner with a citizen volunteer as
17 opposed to a Council Member. He stated the Road Commissioner is collecting email address on
18 behalf of the City and using those addresses for other purposes.
19

20 Council Member Huber stated residents do not have to provide emails and having the Road
21 Commissioner abstain from road budget voting may be a good idea.
22

23 Council Member Hinseth stated he does not view the road budget as the Road Commissioner's budget
24 as it is the City's budget.
25

26 Council Member Potter stated the Road Commissioner position within the City is one of the most
27 important positions. He stated it is probably difficult to separate the political aspects from road
28 duties.
29

30 Mayor Carr added the budget is the City Council's budget. There are five members of the Council
31 that are elected. He stated the Road Commissioner needs to be a member of the elected Council for
32 accountability.
33

34 Mr. Bill David, Keswick Ave., stated Mr. Hinseth picks and chooses who he communicates with. If
35 you are not in his circle of supporters you do not get road services. At the very least all emails
36 relating to the roads should go through the City office.
37

38 Mr. Larry Lanoux, Keswick Ave., stated an email relating to the second application of dust control
39 did go out in April. He did not receive that email and the information was not put on the website. All
40 residents are not getting the same information on roads.
41

42 Council Member Huber stated he agrees that no emails should be going out to individual residents.
43 All road information should be put on the City's website.
44

1 Council Member Hinseth stated email communication by a Road Commissioner has never been done
2 before. He stated he initiated the communication to better service the residents of Grant. He stated
3 demands to provide more, such as the gravel vs. paved road financials, is discouraging.

4
5 Council Member Potter stated the City should move forward and better try to communicate with all
6 residents. A City email list should be developed and the website should be utilized more.

7
8 Mayor Carr referred to and read the Tennessen Warning Notice relating to government entities and
9 private data, such as email addresses. He stated there are laws about this issue and email addresses
10 can not be provided unless warning notices have been provided.

11
12 Mr. Kevin Fernandez, Kimbro Ave., came forward and stated it is also the responsibility of residents
13 to call or email to obtain City information.

14
15 Mr. Gene Haus came forward and asked why Keswick did not receive dust control this year.

16
17 Council Member Hinseth stated Keswick received increased grading this year.

18
19 **Town Hall Excavating Consideration** – City Attorney Vivian distributed a letter regarding the
20 Oakleigh issue and stated payment is expected in December.

21
22 It was the consensus of the City Council to wait in the Town Hall Improvements until spring when the
23 funds are available.

24
25 **Town Hall Hand Pump** – Mayor Carr stated bids for the hand pump well were provided to the City
26 Council. It is expensive to have it bleached as well as capped.

27
28 It was the consensus of the Council to disable the hand pump at Town Hall.

29
30 **4H Banner** – Council Member Fogelson stated the City has always encouraged the 4H group to meet
31 at Town Hall and he proposed they be allowed to hang one banner.

32
33 Mayor Carr stated the 4H Club just needs to request they be allowed to hang a banner.

34
35 Mr. Larry Lanoux came forward and stated historically 4H has used the Town Hall and participated in
36 the community. He stated the City should allow them to hang a banner.

37
38 **Council Member Fogelson moved to allow the 4H Club to hang one banner in Town Hall.**
39 **Council Member Potter seconded the motion. Motion carried unanimously.**

40
41 **Mileage and IRS Guidelines** – Mayor Carr stated the City does have an approved resolution stating
42 mileage will be paid per the IRS standard. The City did overpay mileage and moving forward the IRS
43 standard relating to mileage will be more closely monitored. A form should be filled out by all
44 Council Members for mileage payment as well as extra meetings.

1 **DISCUSSION ITEMS**

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3 **City Council Reports:**

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5 There were no City Council reports.

6
7 **CLOSED SESSION FOR THE PURPOSE OF CONFERRING WITH LEGAL COUNSEL AS**
8 **PERMITTED BY THE ATTORNEY-CLIENT PRIVILEGE PURSUANT TO MINN.STAT.**
9 **13D.05 SUBD. 3 (d) ON THE FOLLOWING LEGAL MATTERS:**

10
11 **City of Grant V. Floyd's Auto Sales**

12
13 **Council Member Hinseth moved to go into closed session at 9:05 p.m. Council Member Huber**
14 **seconded the motion. Motion carried unanimously.**

15
16 **Council Member Hinseth moved to adjourn the closed session at 9:20 p.m. Council Member**
17 **Fogelson seconded the motion. Motion carried unanimously.**

18
19 City Attorney Vivian advised a discussion was held regarding litigation strategy and requested a
20 motion for action per the closed meeting.

21
22 **Council Member Fogelson moved to schedule a public hearing for the November City Council**
23 **meeting relating to the Floyd's permit language, as discussed during the closed session. Council**
24 **Member Huber seconded the motion. Motion carried unanimously.**

25
26 **COMMUNITY CALENDAR OCTOBER 8 THROUGH OCTOBER 31, 2010:**

27
28 **Candidate Forum, Mahtomedi High School, Tuesday, October 12, 2010, 7:00 p.m.**

29
30 **Planning Commission Meeting, Monday, October 18, 2010, Town Hall, 7:00 p.m.**

31
32 **ADJOURN**

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34 **There being no further business, Council Member Huber moved to adjourn at 9:21 p.m.**
35 **Council Member Potter seconded the motion. Motion carried unanimously.**

36
37 These minutes were considered and approved at the regular Council Meeting November 4, 2010.

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43 Kim Points, City Clerk

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43 Tom Carr, Mayor