

CITY OF GRANT
MINUTES

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DATE : July 7, 2011
TIME STARTED : 7:00 p.m.
TIME ENDED : 10:24 p.m.
MEMBERS PRESENT : Councilmember Bohnen, Huber, Potter
and Mayor Carr
MEMBERS ABSENT : Fogelson

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

CALL TO ORDER

Mayor Carr called the meeting to order at 7:05 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

June 7, City Council Meeting Minutes	Removed
Bill List, \$70,366.14	Approved
Resolution No. 2011-08, Summary Publication Of Illicit Discharge Ordinance	Approved
City of Mahtomedi, 2 nd Quarter Fire Contract, \$27,902.50	Approved
Miller Excavating, 2011 Class 5 Resurfacing, \$22,439.90	Approved

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

June 7, City Council Meeting Minutes –

1 Page 4, line 9, was corrected to read "\$40,000".

2

3 Page 7, line 30 was corrected to read "additional".

4

5 Page 7, line 32, was corrected to read "attend the last meeting and clarify the issues regarding the
6 school".

7

8 **Council Member Potter moved to approve the June 7, 2011 City Council Meeting Minutes, as
9 amended. Council Member Huber seconded the motion. Motion carried unanimously.**

10

11 **PUBLIC COMMENT**

12 Mr. Loren Sederstrom came forward and stated Ms. Welander has many Growing Up in Grant Books
13 for purchase. He noted the second annual Tractor Parade will be held on Saturday, September 10,
14 2011. He encouraged all to attend and noted there would be several new events, such floats and
15 judging. He stated parts of the event will be taped and segments will broadcast on All Around Grant.
16 He stated he is always looking for ideas for the show and encouraged residents to contact him
17 regarding positive program ideas.

18 Mr. Gary Baumann, 10600 Joliet, came forward and thanked Loren Sederstrom for serving as the
19 Chair of the Planning Commission. He indicated he does not agree with what happened at their last
20 meeting as Mr. Sederstrom put a lot of work into it. The PC should have people that ask questions.
21 He stated that process was the most dysfunctional form of government he has ever witnessed, by
22 everyone that was involved.

23 Mr. Larry Lanoux, Keswick Avenue, came forward and thanked the 4H Club for working on the
24 gardens. He stated there was no mention of this meeting or the agenda on the website. He inquired
25 about what was decided as far as the Clerk posting items on the website as well as packets being
26 available on the website. He advised he has a list of people in the community that have equipment
27 and insurance and could help out with the roads in the event of an emergency. He inquired about the
28 emergency preparedness status noting he has not seen anything done relating to the siren or dry
29 hydrant.

30 Mr. Mark Wojcik, 110th Street, came forward and stated the group that worked on the school CUP
31 worked very hard. He stated he was happy to contribute and it is a good process. Legal Counsel for
32 the school was present and did address the group. He indicated that in his opinion, the City Attorney
33 gave direction that was very bad in relation to the timing and several issues should have been pointed
34 out to the group very early in the process. If that had occurred, the recommendation could have been
35 better and more credibility could have been maintained by the City.

36

37 **STAFF REPORTS**

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39 **City Engineer, Phil Olson**

40

41 **Approve Bids for Paving Project at 110th Street North** – City Engineer Olson advised the City
42 received three quotes for the paving of 110th Street. He reviewed the bids and noted one of the quotes
43 was received late but the contractor did indicate they had faxed the quote within the stated timeline.

1 City Attorney Vivian advised the Council must award the bid to the lowest responsible bidder
2 including the bid that was received late.

3
4 City Engineer Olson recommended the City award the bid to the low bidder Hardrives, Inc.
5

6 **Council Member Huber moved to award the project work to Hardrives, as presented. Council**
7 **Member Potter seconded the motion. Motion carried unanimously.**
8

9 **Policy/Ordinance Revision for Paved Roads to Gravel Roads** – City Engineer Olson advised the
10 City does not have an ordinance addressing a procedure for turning a paved roadway, in poor
11 condition, back to gravel. He reviewed the points to consider in developing an ordinance and
12 requested Council discussion and direction to draft an ordinance for review at the August Council
13 meeting.
14

15 Mayor Carr asked the Council if they would like to move forward with this and advised if so, the
16 Planning Commission should review and discuss it prior to being presented to the Council.
17

18 Council Member Bohnen advised he was looking for direction on this in relation to a specific project.
19 He stated he is comfortable laying to rest at this point. He noted that if in fact the PC were to look at
20 it, he wants to ensure it would not affect the rest of the current road policy.
21

22 Council Member Potter stated he does not want to spend any dollars on this issue noting it would be
23 help if the City had a comprehensive assessment of the roads that the ordinance may apply to.
24

25 Council Member Huber suggested the City look at neighboring states that are doing a lot of this and
26 obtain those model ordinances.
27

28 Mayor Carr added that it could be set up in a policy that it is at the discretion of the PC and Council
29 and addressed as the situation comes up.
30

31 Council Member Huber agreed unless there is a safety issue. If safety is an issue the Road
32 Commission should be able to move forward.
33

34 It was the consensus of the Council that if the PC were to review the issue it should be narrow and
35 focused with specific conflicts identified.
36

37 This item will be addressed at a future Council meeting with the goal of a plan in place for spring
38 construction.
39

40 **Briarwood Avenue Paving Improvements Study** – City Engineer Olson advised residents do not
41 want to move forward with the paving project.
42

43 **Staff Report** – A report was provided for June 2011 City engineering activities, to be placed on file
44 for review noting bids for crack filling will be reviewed at the next Council meeting
45

1 **City Planner, Jennifer Haskamp**

2
3 **Resolution No. 2011-09, AT&T Amended Conditional Use Permit Application, 8380 Kimbro**
4 **Avenue** – City Planner Haskamp provided the background regarding the application advised the
5 applicant, on behalf of AT&T made an application to amend the existing CUP for the
6 communications tower at Town Hall. The applicant has requested to change out the six existing
7 communication antennas and related equipment with a new model, and add an additional three
8 antennas resulting in a total of nine antennas on the tower. She reviewed the listed conditions of
9 approval outlined in the staff report.

10
11 Mr. Steve Trueman, applicant, came forward and advised that radiation only refers to the antennas
12 and not the pole itself. No studies have proven that the antennas are harmful. Microwaves give off
13 more radiation than the antennas. He noted the cell phone companies that currently have antennas as
14 well as the number of antennas. The pole itself is designed for at least three antennas per company
15 with the potential for four antennas. It is anticipated that the pole will cover the needs for many years
16 to come. The current antenna improvements are due to the data needs of cell phones. A Radio
17 Frequency Study is provided by Crown Castle every year and AT&T is willing to provide one as well.

18
19 **Council Member Huber moved to approve the amended CUP based on the outlined conditions**
20 **and an added condition relating to a Radio Frequency Study being submitted. Council**
21 **Member Potter seconded the motion. Motion carried unanimously.**

22
23 **Staff Report** - A report was provided for June 2011 City planning activities, to be placed on file for
24 review. She referred to the school CUP noting she is developing a task list that includes a schedule
25 and timeline. Completion of the project is difficult due to the state shutdown and the school district
26 does have to obtain a permit for the turn lane from the Valley Branch Watershed District.

27
28 **City Attorney, Nick Vivian**

29
30 **Oakleigh Dock Association** – City Attorney Vivian distributed an email that provided an update on
31 the Oakleigh Dock Association escrow funds. It is anticipated the City will have the order for the
32 escrowed funds in August, 2011.

33
34 **Staff Report** – A report for June 2011 was provided to be placed on file for review. City Attorney
35 Vivian noted the Axdahl Final Plat will be on the August Council agenda.

36
37 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for
38 June 2011 to be placed on file for review.

39
40 **OLD BUSINESS**

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42 **Website Items, Mayor Carr** – Mayor Carr advised this item will be on every agenda. He stated the
43 webmaster is looking for information on roads, financials, and other items of citizen interest.

44
45 The Council directed quarterly financials be posted on the website and educational road items.

1
2 **Town Hall Improvements/Window Security, Mayor Carr** – Mayor Carr stated when the Oakleigh
3 funds are available the City can move forward with the basement improvements.

4
5 The Council agreed if the dollars are available the City will look at having the windows at Town Hall
6 replaced.

7
8 **Legal Services RFP's, Council Member Potter** – Council Member Potter advised the City did
9 receive 14 proposals from various law firms. He indicated it was a good process and the performance
10 review of the current firm went well. He suggested Council Members over the next month go and
11 observe the prosecutors. A performance matrix should be developed to moitor the City's legal
12 services. This item will be revisited at the August Council meeting.

13
14 **NEW BUSINESS**

15
16 **False Alarms/Fees/2011 Fee Schedule Mayor Carr** – Mayor Carr provided the background on this
17 item and asked for Council direction regarding fines and fees, as noted on the City's annual fee
18 schedule.

19
20 It was the consensus of the Council to move forward with the outlined fines for false alarms.

21
22 **2010 Audit Findings, City Treasurer** – City Treasurer Schwarze provided a list of old escrow
23 accounts advising a motion is needed to write them off.

24
25 City Treasurer Schwarze referred to the findings within the 2010 Audit. She commented on each
26 finding noting what steps are being taken to address the auditor's findings.

27
28 The Council advised the split between the City Treasurer and City Investment Advisor will be
29 addressed during the budget process. It was determined the 2010 Audit would be posted on the
30 website and the City will go out for bids on audit services.

31
32 **Mayor Carr moved to approve the write off of the old escrow accounts, as presented. Council**
33 **Member Potter seconded the motion. Motion carried unanimously.**

34
35 **Resolution No. 2011-10, Council Out of State Travel Policy, Mayor Carr** – Mayor Carr reviewed
36 the staff report noting an out of state travel policy is required for legal compliance.

37
38 City Treasurer Schwarze corrected the draft resolution to read "City Clerk" as opposed to "City
39 Administrator".

40
41 **Council Member Huber moved to adopt Resolution No. 2011-10, as amended. Council Member**
42 **Potter seconded the motion. Motion carried unanimously.**

43
44 **Schedule Budget Meeting, Mayor Carr** – Mayor Carr advised the Council needs to schedule a
45 budget meeting. The preliminary budget has to be submitted by September 15, 2011.

1
2 The Council determined a budget meeting will be held at 6:00 p.m., August 2, 2011, prior to the
3 regular Council meeting. Another meeting may be held prior to the September Council meeting.
4

5 **Grading Review, Mayor Carr** – Mayor Carr advised the roads are looking much better and he
6 thanked the Road Commissioner for providing the contractors feedback. He stated the roads look
7 really good and he thanked the Road Commissioner for all his effort.
8

9 **DISCUSSION ITEMS**

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11 **City Council Reports:**

12
13 Council Member Bohnen provided a roads update noting Goodview looks better than it has in many
14 years. Dust Control will be done and a blacktop crew will be out potholing. He indicated the City
15 should hold off on repairs to Irish until next year. Miller has done a lift on 80th Street, part of Ideal
16 and Ironwood as well as Jamaca and dust control will be applied tomorrow.
17

18 **CLOSED SESSION FOR THE PURPOSE OF CONFERRING WITH LEGAL COUNSEL AS**
19 **PERMITTED BY THE ATTORNEY-CLIENT PRIVILEGE PURSUANT TO MINN.STAT.**
20 **13D.05 SUBD. 3 (d) ON THE FOLLOWING LEGAL MATTERS:**

21
22 **Nielsen v City of Grant et al**

23
24 **Council Member Huber moved to go into closed session at 9:45 p.m. Council Member Potter**
25 **seconded the motion. Motion carried unanimously.**

26
27 **Council Member Huber moved to adjourn the closed session at 10:23 p.m. Council Member**
28 **Potter seconded the motion. Motion carried unanimously.**

29
30 City Attorney Vivian advised the Council provided direction regarding litigation and he would move
31 forward based on that direction.
32

33 **COMMUNITY CALENDAR JULY 8 THROUGH JULY 31, 2011:**

34
35 **Planning Commission Meeting, Monday, July 18, 2011, Town Hall, 7:00 p.m.**

36
37 **ADJOURN**

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39 **There being no further business, Council Member Huber moved to adjourn at 10:24 p.m.**
40 **Council Member Potter seconded the motion. Motion carried unanimously.**

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42 These minutes were considered and approved at the regular Council Meeting August 2, 2011.
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Kim Points, City Clerk

Tom Carr, Mayor

APPROVED