

CITY OF GRANT
MINUTES

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DATE : September 6, 2011
TIME STARTED : 7:18 p.m.
TIME ENDED : 11:02 p.m.
MEMBERS PRESENT : Councilmember Bohnen, Fogelson, Huber, Potter and Mayor Carr
MEMBERS ABSENT : None

Staff members present: City Attorney, Nick Vivian (8:25 p.m.); City Engineer, Phil Olson; City Planner, Jennifer Haskamp; and City Clerk, Kim Points

CALL TO ORDER

Mayor Carr called the meeting to order at 7:18 p.m.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Item 10F, CUP Review for Schifsky Property, was added to the regular agenda.

Item 9C, Legal Services Proposals, was added to the regular agenda.

Item 10G, Road Restoration/Referendum Discussion 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

August 2, 2011 City Council Meeting Minutes	Approved
Bill List, \$74,051.00	Approved
Washington County Sheriff's Department, \$53,012.72	Approved

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

PUBLIC COMMENT

1 Mr. Loren Sederstrom came forward and stated the parade is on Saturday. An extension cord is
2 needed for electricity from Town Hall. Channel 19 will be present to video the best float portion of
3 the parade. He noted the cable show All Around Grant.

4
5 Mr. Bob Englehart, 9280 Joliet, came forward and stated the calendar on the website is still screwed
6 up and the announcement regarding the tractor parade states tractor drive.

7
8 Mr. Bill David, 9131 Keswick, came forward and stated the parade was put together by the GRP,
9 which are all volunteers. The GRP approached local businesses and had an overwhelming response
10 and a sense of bringing the City together and have fun. He requested the City co-sponsor the event.

11
12 **CONCEPT PLAN REVIEW, 9250 DELLWOOD ROAD, VICTORIA STATION, DAWN**
13 **WILLIAMS**

14
15 Mr. Stu Grubb, 11395 Lansing, came forward and provided the background for this item noting he
16 would like to purchase the property at 9250 Dellwood Road. He outlined the issues including rental
17 houses and subdivision and requested clarification from the Council. He advised he would like to
18 keep it as a horse boarding operation and continue to utilize the structures and build a new house.

19
20 Mayor Carr provided additional history for the property in question and stated the two rentals that are
21 currently on site should not be there. The CUP clearly states the property cannot be subdivided. The
22 burden of proof to technically determine if the property could be subdivided further is that of the
23 applicant. He noted rentals are allowed in Grant but not apartments.

24
25 **AXDAHL PROPERTY/HAUNTED TRAIL DISCUSSION, LESLIE AXDAHL**

26
27 Ms. Leslie Axdahl, 7452 Manning Ave., came forward and stated she would like to amend her current
28 CUP to extend hours of operation in October to provide for a haunted trail. She requested the
29 Council expedite the process.

30
31 Mayor Carr stated the City does not currently have an interim use permit. It has been discussed in the
32 past. The issue with expediting the process is the advertising for the month of October. He stated he
33 can't say what the Planning Commission will recommend but the Council can provide opinions this
34 evening.

35
36 Council Member Bohnen stated he has no issue with allowing extending hours for October if the
37 neighbors are okay with it.

38
39 Council Member Fogelson stated he is fine with the concept but the timeline could be a problem.

40
41 Council Member Huber stated he believes it is a great idea provided any issues with health, safety and
42 welfare are addressed.

43 Council Member Potter agreed with the rest of the Council.

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45 **STAFF REPORTS**

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City Engineer, Phil Olson

Snow Plowing Contract – City Engineer Olson advised the City sent a request for quotes to six contractors. He reviewed the quotes that were submitted by two of the contractors and recommended the low bidder KEJ be awarded the project work.

Mayor Carr asked if the contractor has the right equipment and back up to do the job. He also asked if Mr. Johnson is aware of the City’s budget within the frame of also keeping the roads safe.

Mr. Ken Johnson came forward and stated he has worked in the City of Dellwood for over ten years and prides himself in his work. He noted he stores his equipment in Willernie as well as White Bear. Referring to the budget, he stated he would work the project the way the City directs him. Plowing would not occur until the Road Commissioner says. He stated he takes care of mailboxes in Dellwood and there are 13 ½ miles of roads in that City. There are a lot more miles of roads in Grant but he has one employee designated to Dellwood.

Council Member Bohnen stated the mobilization fee is guaranteeing KEJ \$6,000 for the season to provide for the labor and equipment. There is a threshold for billable hours in the contract for the mobilization fee. He explained the mailbox clause within the contract that includes a mechanism for gross negligence. The Kline Bros. are providing back up with the grader as needed and a loader is available also through another resident. That bond will be modified to accommodate the snowplowing and they would bill the City directly.

Council Member Fogelson moved to accept the bid from KEJ for snow plowing services, as presented. Council Member Potter seconded the motion. Motion carried unanimously.

Sign Inventory Update – City Engineer Olson reviewed the proposed changes to the previous federal mandated plan, which are under a sixty day review. After that review, the City can look at the determined changes and move forward with the sign replacement plan. He recommended the dollars designated to the replacement are kept within the 2012 budget until further clarification.

Pothole Repair Improvements – City Engineer Olson advised during the road tour, several areas were identified where patching and drainage issues existed and this year’s budget was not sufficient to correct them. These repairs are necessary to keep the roadways passable. It was discussed with the Road Commissioner how to fund the roadway repairs which would likely occur in the spring. He requested the Council consider this when working on the 2012 budget.

Mr. Ken Johnson came forward and explained the pothole repair process noting it was a bad winter and there are a lot more potholes. How much potholing needing to be done next year will depend on the winter.

Mayor Carr stated the potholing budget was increased next year noting the City will never have enough dollars.

1 **Pump House Repair Authorization** – Mayor Carr provided the background on this issue noting
2 there used to be a gauge there and it is needed to keep the water level correct. He referred to the cost
3 estimate to take care of this issue.

4
5 The Council authorized WSB to install the depth gauge per the cost estimate that was provided.

6
7 **Staff Report** – A report was provided for August 2011 City engineering activities, to be placed on
8 file for review. He noted a Wetland Restoration Order has been issued by the DNR Conservation
9 Officer for the Nicholson site. The new deadline will be September 30, 2011. This extension
10 provides the applicant with additional time to comply with the restoration order. It is not anticipated
11 that this decision will require a significant amount of staff time for the City as the LGU.

12
13 The Council indicated they would like to proceed with mitigation if no variance would be required
14 and the building is non-conforming.

15
16 City Treasurer Schwarze stated the new Zephyr Trail that is going through Grant may not be open to
17 horses.

18
19 Mayor Carr advised he would contact the DNR and look into that issue.

20
21 **City Planner, Jennifer Haskamp**

22
23 **City of Mahtomedi Comprehensive Plan Amendment** – City Planner Haskamp provided the
24 background on this issue and reviewed the draft letter that was prepared to send to the City of
25 Mahtomedi.

26
27 It was the consensus of the Council to send the letter as presented regarding the City of Mahtomedi
28 Comprehensive Plan Amendment.

29
30 **Staff Report** - A report was provided for August 2011 City planning activities, to be placed on file
31 for review.

32
33 **City Attorney, Nick Vivian**

34
35 **Axdahl Final Plat** – City Attorney Vivian advised the closing on the Axdahl Final Plat is scheduled
36 for later this month.

37
38 **Oakleigh Dock Association Update** – City Attorney Vivian advised the registration process is
39 complete. A check in the amount of \$60,000 has been delivered to the City. The Dock Association
40 has indicated that it paid the \$5,000 required by the Settlement Agreement when it was originally
41 executed. The City does not have a record of the payment and work is being done to resolve that
42 discrepancy.

43
44 **Staff Report** – A report for August 2011 was provided to be placed on file for review. He noted that
45 in an effort to assist the City in completing its legal services evaluation, the civil legal services

1 proposal has been revised. He referred to draft agreements for the Council's review and
2 consideration.

3
4 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for
5 August 2011 to be placed on file for review.

6
7 **OLD BUSINESS**

8
9 **Website Items, Mayor Carr** – Mayor Carr advised there have been some scheduling issues with the
10 Webmaster and City Clerk regarding training but the training is scheduled for tomorrow.

11
12 Council Member Fogelson stated the revised information regarding the tractor parade was not posted
13 on the website.

14
15 Mayor Carr advised the City has never put links to other websites on the City's website.

16
17 Mr. Bill David, Keswick Ave., came forward and stated the revised information was sent to the Clerk
18 and asked the Council to consider a new page within the website to accommodate these types of
19 announcements.

20
21 The Council determined the revised information should be posted, not include the link. The Council
22 also suggested the ballfield schedule, road info and City newsletters be posted on the website.

23
24 **Town Hall Improvements Authorization, Mayor Carr** – Mayor Carr outlined the staff report
25 requesting authorization to move forward with the Town Hall improvements, based on the findings
26 from the City Attorney relating to the Oakleigh file.

27
28 **Council Member Fogelson moved to approve the Town Hall improvements and authorize the**
29 **project to begin, as presented. Council Member Huber seconded the motion. Motion carried**
30 **with Council Member Bohnen and Potter voting nay.**

31
32 Council Member Potter indicated the project should have been handled with a better process.

33
34 Council Member Bohnen advised he does not know who the contractors are.

35
36 **Legal Services RFP's, Council Member Potter** – Council Member Potter provided the background
37 on this issue and advised they met with City Attorney Vivian and a revised proposal has been
38 presented.

39
40 **Council Member Potter moved to appoint Eckberg Lammers as the City's legal firm and**
41 **approve the contract through 2012. Council Member Fogelson seconded the motion. Motion**
42 **carried unanimously.**

43
44 **NEW BUSINESS**

45

1 **August Council Meeting, Public Comment Inquiries, Mayor Carr** – Mayor Carr responded to
2 questions asked during the August Council meeting within the public comment portion of the meeting
3 regarding the school districts grading permit and draft minutes from the July Council meeting.
4

5 Mayor Carr stated he put the public comment back on the meeting agendas back in 2001. Because the
6 Council does meet just once a month, public comment is useful to bring issues forward to the
7 Council. He stated he does not want to see public comment abused as it has been in the past.
8

9 Council Member Bohnen indicated he believes Council Members should be able to comment back to
10 residents that speak during public comment.
11

12 Mayor Carr stated public comment is for the public.
13

14 Council Member Huber suggested Mayor Carr make it clear to residents that Council Members do not
15 comment back to their statements.
16

17 The Council agreed if questions need to be answered they can be during new business or Council
18 discussion at the same Council meeting.
19

20 **Resolution No. 2011-11, 2012 Levy Certification, Sharon Schwarze** – This item was tabled to the
21 next City Council meeting. This item was tabled to the next Council meeting, scheduled for
22 Wednesday, September 14, 2011, 7:00 p.m.
23

24 **Resolution No. 2011-12, Preliminary Budget** – This item was tabled to the next Council meeting,
25 scheduled for Wednesday, September 14, 2011, 7:00 p.m.
26

27 **Audit Services RFP, Mayor Carr** – This item was tabled to the October City Council meeting.
28

29 **Council Authorization to Co-Sponsor Tractor Parade, Mayor Carr** – Mayor Carr outlined the
30 staff report that requested Council direction regarding being a co-sponsor for the Tractor Parade.
31

32 **Council Member Fogelson moved to authorize the City as a co-sponsor for the Tractor Parade.**
33 **Council Member Potter seconded the motion. Motion carried unanimously.**
34

35 Mr. Larry Lanoux came forward and stated he was an electrical contractor and offered to install an
36 electrical outlet outside at Town Hall to provide electricity for the parade.
37

38 **CUP Review for Schifsky Property, Council Member Bohnen** – Council Member Bohnen stated
39 Mr. Schifsky, Lake Elmo Avenue and Hwy. 36, has offered his location to store sand/salt for the new
40 plowing contractor in cases where the County location is closed. He indicated Mr. Schifsky would
41 probably have to apply for an amended CUP.
42

43 City Attorney Vivian advised the City could determine to waive the fees for that application.
44
45

1 **Road Restoration/Referendum Discussion, Council Member Potter** – Council Member Potter
2 stated a road referendum was suggested at the last meeting. He stated he did some research and a
3 road referendum could potentially be put to the voters.

4
5 Mr. Larry Lanoux came forward and stated a petition has been circulated. He advised he spoke with
6 Mr. Kevin Corbid at the County, who explained the way to get this on the ballot this fall. Mr. Lanoux
7 read the petition.

8
9 **Council Member Fogelson moved to approve the referendum as a ballot question this fall, as**
10 **presented. Council Member Potter seconded the motion.**

11
12 City Attorney Vivian advised the Council could move forward with the referendum but the question
13 has not yet been looked at legally and timing is an issue. A referendum question needs to be very
14 specific and there are laws outlining what can be on a referendum.

15
16 Council Member Fogelson stated if the City can get a legal review completed by September 12, 2011,
17 he would like to move forward.

18
19 Council Member Potter stated he would like additional information and is willing to have a special
20 meeting to accommodate the schedule and determine a plan.

21
22 Council Member Potter withdrew the second to the motion.

23
24 Council Member Bohnen agreed the City needs to have a detailed plan relating to where the dollars
25 would be spent.

26 27 **DISCUSSION ITEMS**

28 29 **City Council Reports:**

30
31 Mayor Carr advised the City had previously discussed an interim use permit to utilize within the City
32 and suggested that be sent back to the Planning Commission for consideration noting that process
33 would not replace the CUP process.

34
35 Council Member Fogelson requested articles be submitted for the fall newsletter.

36
37 Council Member Potter advised the City's assessor would be present at the next Council meeting to
38 provide an update.

39 40 **COMMUNITY CALENDAR SEPTEMBER 7THROUGH SEPTEMBER 30, 2011:**

41
42 **Tractor Parade, Saturday, September 10, 2011, 10:30 a.m.**

43
44 **Special City Council Meeting, Wednesday, September 14, 2011, Town Hall, 7:00 p.m.**

45
46 **Planning Commission Meeting, Monday, September 19, 2011, Town Hall, 7:00 p.m.**

1 **ADJOURN**

2
3 **There being no further business, Council Member Fogelson moved to adjourn at 11:02 p.m.**
4 **Council Member Potter seconded the motion. Motion carried unanimously.**

5
6 These minutes were considered and approved at the regular Council Meeting October 4, 2011.

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11 _____
12 Kim Points, City Clerk
13 _____
Tom Carr, Mayor

APPROVED