

**CITY OF GRANT
MINUTES**

DATE : September 3, 2013
TIME STARTED : 7:03 p.m.
TIME ENDED : 8:50 p.m.
MEMBERS PRESENT : Councilmember Bohnen, Tronrud, Huber, Lobin
and Mayor Carr
MEMBERS ABSENT : None

Staff members present: City Attorney, Nick Vivian; City Engineer, Phil Olson; City Treasurer, Sharon Schwarze; and Administrator/Clerk, Kim Points

CALL TO ORDER

Mayor Carr called the meeting to order at 7:03 p.m.

PLEDGE OF ALLEGIANCE**SETTING THE AGENDA**

Council Member Bohnen moved to approve the agenda, as presented. Council Member Lobin seconded the motion. Motion carried unanimously.

CONSENT AGENDA

August 6, 2013 City Council Meeting Minutes	Approved
Bill List, \$42,144.27	Approved
Ready Watt Electric, Emergency Siren, \$18,966.25	Approved

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

PUBLIC INPUT

There were no public input items.

STAFF AGENDA ITEMS

City Engineer, Phil Olson

1 **MS4 Permit Requirements** - City Engineer Olson advised the 2006 Municipal Separate Storm
2 Sewer System (MS4) permit expired on May 31, 2011 and was reissued by the Minnesota Pollution
3 Control Agency (MPCA) on August 1, 2013. The MPCA is requesting that Grant submit their Part II
4 application for permit reauthorization by December 30, 2013. The reissued permit includes new
5 requirements (through revisions to the existing SWPPP), which must be implemented after receiving
6 permit coverage (anticipated in early 2015). Please see the attached memo outlining the work needed
7 for the MS4 Part II application for permit reauthorization. WSB is requesting authorization to
8 complete this work on an hourly basis at a cost not to exceed \$8,500.

9
10 Concurrent with the new permit application and MPCA review, Grant is required by the MPCA to
11 maintain their existing MS4 permit. Since the city may not actually receive permit coverage until
12 early 2015, the city should also plan to budget for costs associated with reapplication of their existing
13 MS4 permit. WSB is requesting authorization to complete this work on an hourly basis at a cost not
14 to exceed \$1,400.

15
16 Following approval of the new permit by the MPCA, Grant will be required to complete additional
17 tasks to implement the permit. WSB can assist with these items but until the tasks are defined by the
18 MPCA, we are unable to provide a scope for the work. For budgeting purposes, this additional work
19 could be required in 2014.

20
21 Mayor Carr asked if the additional \$8500 would be for this year's budget or next year.

22
23 City Engineer Olson advised some of those dollars would come from the 2013 budget and some
24 would be in the 2014 budget. Billing can be held until next year.

25
26 Council Member Huber asked if there were any modifications that could be done relating to the
27 mandate.

28
29 City Engineer Olson advised the City of Grant does meet the classification of an MS4 City so there
30 are no modifications available.

31
32 **Mayor Carr moved to authorize additional expenditures for the MS4 permitting requirements,**
33 **as presented. Council Member Lobin seconded the motion. Motion carried unanimously.**

34
35 **City Planner, Jennifer Haskamp – No action items.**

36
37 **City Attorney, Nick Vivian**

38
39 **Harmony Horse Farm** – City Attorney Vivian provided an update on the Harmony Horse Farm issue
40 noting the property owner has agreed to not use the subject barns for residential or public purposes in
41 violation of the City's Code of Ordinances.

42
43 **Charter Commission Expenditures, Room Deposit and Video Technician Services** – City
44 Attorney Vivian provided the background noting the Council directed him to draft an opinion

1 regarding its authority to reimburse the Charter Commission for certain expenses including rent and
2 the tapings of meetings. A copy of that opinion was distributed to the Council.

3
4 City Attorney Vivian advised the City may only reimburse the Commission for legitimate expenses.
5 There is no statutory authority for the Charter Commission's expenditure of funds on rent or the
6 tapings of meetings. Accordingly, the City Council may not reimburse the Commission for such
7 expenses.

8
9 Mr. Paul Rogoshesky, 11365 Grenelefe, came forward and stated the Charter Commission passed a
10 resolution to ask the City Council for a deposit for a meeting room. The Commission would also like
11 the City's permission to broadcast meetings if the meetings are taped. Therefore, the Commission
12 would like a deposit and permission to rebroadcast meetings if there is no expense to the City. He
13 stated he believes the meetings are important to residents. The Council may authorize additional
14 Commission expenses as it deems necessary.

15
16 Mayor Carr asked for clarification regarding the authorization of expenses other than the noted
17 statutory expenses.

18
19 Mr. Rogoshesky stated if the Commission exceeds the \$1500.00 limit; the Council has the authority
20 to go over that if the expenses are deemed necessary. The Council is not bound by the statute.

21
22 City Attorney Vivian stated it is his opinion and the opinion of the League of Minnesota Cities that
23 the only expenses that can be authorized by the Council are for the draft charter and expenses relating
24 to printing the Charter. The provision in the statute relates back to expenses authorized by the
25 legislature. The City cannot authorize dollars for a room deposit. There is no authority for the City to
26 take \$100 out of general funds for this purpose. He stated he does not recommend approval of this.
27 The Commission has no authority to accept donations either. The Council can accept a donation then
28 reimburse the Commission. The concern is that the Charter Commission is an independent body,
29 separate from the City.

30
31 **Council Member Bohnen moved to authorize the rebroadcast of Charter Commission meetings**
32 **on Channel 16 if there is no conflict with the City meetings. Council Member Huber seconded**
33 **the motion.**

34
35 **Council Member Huber added a friendly amendment to include that all broadcasting is from**
36 **the Cable commission itself and not the City office. Council Member Bohnen agreed to the**
37 **friendly amendment.**

38
39 **Motion carried unanimously.**

40
41 City Attorney Vivian advised there would have to be a resolution prepared and approved at the next
42 meeting to accept a donation for the room deposit.

43
44 Council directed staff to prepare a resolution for the October meeting.
45

1 City Attorney Vivian noted if Mr. Engelhart would like to make the donation, a statement of that
2 donation and its purpose must be included.

3
4 **NEW BUSINESS**

5
6 **Civility at City Council Meetings, Council Member Lobin** - Council Member Lobin read a
7 statement regarding behavior and lack of respect at City Council meetings. She noted that in her
8 opinion, behavior at the last Council meeting was very disrespectful.

9
10 Mr. Loren Sederstrom came forward and stated everything that is on his show comes from City
11 Council meetings. He reports exactly what is in the video tape and meeting minutes.

12
13 Mr. Larry Lanoux came forward and thanked Mr. Sedestrom for taking the time to put his show on.
14 He stated the show rebutted the Mayor and what he said. Everyone moved to Grant for a lifestyle and
15 in the meeting minutes it states the Mayor is going to count horses. Freedom of speech and the right
16 to assemble has been taken away from citizens. The Charter Commission should be able to meet at
17 Town Hall.

18
19 Council Member Bohnen stated there has been a break down of respect in the room. He asked how
20 the courtesy and respect can be improved.

21
22 Mr. Lanoux stated he will continue to protect property rights. The citizens feel like they are not being
23 heard or respected. All of the Council Members need to work harder at that.

24
25 **Public Comment Revision, Council Member Huber** – Council Member Huber stated he is
26 proposing the elimination of the agenda item request form. He stated he does want to hear from
27 people. The camera seems to attract some residents. Other communities that have had some respect
28 issues have modified their public comment that respects the integrity of public comment. The First
29 Amendment says you can express yourself without punitive action. He proposed the following new
30 policy for public comment:

- 31
32 1) Public comment at the end of the meeting
33 2) Four people with three minutes each
34 3) Twelve minutes total
35 4) No trading of public speakers time
36 5) Mayor retains authority to maintain order and recognize speakers
37 6) No cameras

38
39 Council Member Huber added that the City did try to utilize a form and it did not work. He stated he
40 was not in favor the form as it is a hurdle for citizens.

41
42 Council Member Tronrud stated he looks forward to hearing from residents and likes the idea of not
43 having it on camera.

1 City Attorney Vivan stated the most important thing is efficient meetings and the meetings are held in
2 a safe enviroment for everyone. The record of the meeting is the meeting minutes and meeting tape.
3 Notes could be taken and the cameras turned off.

4
5 Mayor Carr stated as a general rule, it is a bad idea to include rebuttals during public comment.

6
7 Council Member Bohnen stated it is insulting to charge citizens for a meeting DVD and they only get
8 a partial meeting, although he understands the point of grand standing. He suggested the actual
9 playback be sensed but not the recording.

10
11 Council Member Huber stated using City resources so people can grand stand and view themselves is
12 not beneficial. He stated he wants people at Council meetings to tell the Council what is going on in
13 the City and what their issues are. Public comment is not for entertainment.

14
15 City Attorney Vivian stated sensing the meeting is not appropriate. The meeting should be
16 adjourned and then have an informal public comment period.

17
18 Council Member Bohnen stated that is a good way to do it and it could be called a work session.

19
20 Council Member Huber stated he does not want a work session. He is not here for people that do not
21 like him and provide a meeting for them to tell him that. He stated he is talking about public
22 comment and citizen issues that should be brought to the Council. He stated he would like to adjourn
23 the meeting then have public comment.

24
25 Council Member Tronrud stated he thinks is is a good idea not to sensor and agreed public comment
26 should not be part of the meeting or recording.

27
28 Mayor Carr stated he is fine with making another change to public comment. It is unfair that citizens
29 have to wait until the end of a meeting but some abused public comment. The Council has the option
30 of reading a short comment into the records of the meeting.

31
32 Council Member Bohnen noted he does not agree with not having public comment on the agenda at
33 all.

34
35 **Resolution No. 2013 – 20, 2013 Revised Budget, City Treasurer Schwarze** – City Treasurer
36 Schwarze a revised budget in the amount of \$1,228.187 should be adopted by the City Council.

37
38 **Mayor Carr moved to adopt Resolution No. 2013-20, as presented. Council Member Bohnen**
39 **seconded the motion. Motion carried unanimously.**

40
41 **Resolution No. 2013-21, 2014 Preliminary Budget, City Treasurer Schwarze** – City Treasurer
42 Schwarze advised Resolution No. 2013-21 establishes the preliminary 2014 budget in the amount of
43 \$1,250,568.

1 **Mayor Carr moved to adopt Resolution No. 2013-21, as presented. Council Member Huber**
2 **seconded the motion. Motion carried unanimously.**

3
4 **Resolution No. 2013-22, 2014 Preliminary Levy Certification, City Treasurer Schwarze** – City
5 Treasurer advised Resolution No. 2013-22 establishes the preliminary levy certification in the amount
6 of \$994,202.

7
8 **Mayor Carr moved to adopt Resolution No. 2013-22, as presented. Council Member Bohnen**
9 **seconded the motion. Motion carried unanimously.**

10
11 **Met Council Liaison Appointment, Mayor Carr** – Mayor Carr advised former Council Member
12 Scott Fogelson was the Met Council liaison. He asked if Council Member Tronrud would take that
13 appointment.

14
15 Council Member Huber informed Council Member Tronrud that the pressing issue with the Met
16 Council at this time are water issues. He asked he keep an eye on that.

17
18 **Mayor Carr moved to appoint Council Member Tronrud as the Met Council liaison. Council**
19 **Member Huber seconded the motion. Motion carried unanimously.**

20
21 **Tax Forfeited Property in Grant, City Treasurer Schwarze** – City Treasurer Schwarze referred to
22 the tax forfeited property outlined in the Council packet and recommended the City does not request a
23 conveyance.

24
25 **Mayor Carr moved to forfeit the property, as outlined. Council Member Huber seconded the**
26 **motion. Motion carried unanimously.**

27
28 **UNFINISHED BUSINESS**

29
30 There was no unfinished business.

31
32 **DISCUSSION ITEMS**

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34 **City Council Reports:**

35
36 Council Member Huber noted newsletter articles are needed within two weeks. He requested photos
37 from the GRP tractor parade, an article from Council Member Tronrud, siren article and a roads
38 update. He advised dollars from the Cable Commission are available but have to be used strictly for
39 the purpose of improving the meeting broadcast.

40
41 **2013 City Council Goals** – There was no discussion regarding 2013 City Council goals.

42
43 **Staff Updates** – Administrator/Clerk Points advised the window replacement project at Town Hall
44 has been completed and some work on the ventilation equipment in the basement should be
45 completed.

City Attorney Vivian provided an update on the Axdahl subdivision.

COMMUNITY CALENDAR SEPTEMBER 4 THROUGH SEPTEMBER 30, 2013:

GRP Tractor Parade, Saturday, September 7, 2013, Gausthaus, 11:30 a.m.

Mahtomedi Public Schools Board Meeting, Thursday, September 12, 2013, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, September 12th and 26th, 2013, Stillwater City Hall, 7:00 p.m.

Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.

ADJOURN

There being no further business, Council Member Huber moved to adjourn at 8:50 p.m. Council Member Bohnen seconded the motion. Motion carried unanimously.

These minutes were considered and approved at the regular Council Meeting October 1, 2013.

Kim Points, Administrator/Clerk

Tom Carr, Mayor