

**City of Grant
City Council Agenda
June 5, 2012**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, June 5, 2012, in the Grant Town Hall, 8380 Kimbro Ave. for the purpose of conducting the business hereafter listed, and all accepted additions thereto.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF REGULAR AGENDA**
4. **APPROVAL OF CONSENT AGENDA**
 - A. May 1, 2012 City Council Meeting Minutes
 - B. Bill List, \$40,998.45
 - C. Miller Excavating, Class 5 Resurfacing, \$28,807.15
 - D. Kline Bros. Excavating, Grading Contractor, \$24,408.75
5. **MEETING DECORUM, MAYOR CARR**
6. **PUBLIC COMMENT**
7. **SEPTIC SYSTEMS UPDATE, WASHINGTON COUNTY**
8. **STAFF REPORTS**
 - A. City Engineer, Phil Olson
 - i. May Staff Report
 - B. Interim City Planner, Paul Hornby
 - i. May Staff Report
 - C. City Attorney, Nick Vivian
 - i. Fabio Zoning Complaint
 - ii. May Staff Report
 - D. Building Inspector, Jack Kramer (report for May building activities)
9. **NEW BUSINESS**
 - A. City Assessor Contract Renewal, Council Member Potter
 - B. Acceptance of 2011 Audit, City Treasurer Schwarze
 - C. Public Comment relating to Non-Residents, Council Member Huber
 - D. Schedule Performance Review for City Clerk, Council Member Huber
 - E. Portable Restroom Rental from AirFresh Industries, Council Member Bohnen

F. Performance Measures Program, City Treasurer Schwarze

G. Schedule City Council/Planning Commission Joint Work Session, Scott Fogelson

10. OLD BUSINESS

A. City Planner RFP, Mayor Carr

B. Website Items, Mayor Carr

11. DISCUSSION ITEMS

A. Public Comment Inquires, Mayor Carr

B. City Council Reports (any updates from Council)

C. Staff Reports (any updates from Staff)

12. COMMUNITY CALENDAR JUNE 6 THROUGH JUNE 30, 2012:

Planning Commission Meeting, Monday, June 18, 2012, Town Hall, 7:00 p.m.

13. ADJOURNMENT

ADDRESSING THE CITY COUNCIL

Persons wishing to address the Council on a subject which appears on the agenda must wait until the item is discussed by the Council. The procedure for consideration of an agenda item is (1) staff presentation; (2) presentations by petitioner or advisory bodies (if required); (3) Council motion and seconded to place the matter on the floor; (4) Council questions of staff and/or advisory body reports and discussion; (5) presentations from the audience; and (6) Council decision.

CITY OF GRANT
MINUTES

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DATE : May 1, 2012
TIME STARTED : 7:03 p.m.
TIME ENDED : 10:55 p.m.
MEMBERS PRESENT : Councilmember Bohnen, Fogelson, Huber, Potter and Mayor Carr
MEMBERS ABSENT : None

Staff members present: City Attorney, Nick Vivian; City Engineer, Phil Olson; City Planner, Paul Hornby; and City 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 Huber moved to approve the agenda as presented. Council Member Potter seconded the motion. Motion carried unanimously.

CONSENT AGENDA

- April 3, 2012, City Council Meeting Minutes Approved
- Bill List, \$43,107.93 Approved
- Brochman Blacktopping, Pothole Repair, \$26,197.00 Approved
- Indian Hills, Camp Odayin, Gambling Exempt Permit, June 18, 2012 Approved
- Resolution No. 2012-05, Gambling Premises Permit, Big T Windy Acres Approved

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

PUBLIC COMMENT

1 Mr. Bill David, Keswick Avenue, came forward and thanked everyone that helped with clean-up day
2 noting it was very successful. He referred to the agenda that was posted on the website noting he
3 wished the website were more accurate. He asked that the City look into the \$1600 that was charged
4 to the City that should have been charged through the School District's escrow.

5 Mr. John Smith, 67th Lane, came forward and stated he is still waiting for the road referendum to be
6 on the agenda. Discussions led to a revised road policy to be funded by a road referendum. The City
7 Attorney has indicated the road policy revision prior to a road referendum is not necessary because it
8 is a funding issue. He stated he has been in Grant for 30 years and the City is still just talking about
9 this. The petition system has not worked. Residents need to know where the Council is going with
10 this.

11 Mark Wojcik, 110th Street, came forward and pointed out the trend he is seeing with the Council.
12 Certain topics within the City are moving very slowly, such as the road referendum, emergency siren
13 and dry hydrant. He stated he would like to see these things put in gear and get done.

14 Mr. Loren Sederstrom, 107th Street, came forward and stated the newsletters from year 2009-2010 are
15 not on the website. The 4-H Club is no longer in Grant. The City should encourage 4H to come
16 back. He noted he is showcasing agricultural business within the City on the next All About Grant
17 show.

18 Mr. Bob Tufty, Jasmine Avenue, came forward and advised brush can be burned again as of April 27.
19 He suggested time be tagged on the City meeting DVD's.

20 Mr. Bob Englehart, Joliet Avenue, came forward and stated nothing to date has been done on the road
21 referendum. Citizens want it on the agenda and a Council Member needs to put in on.

22 Mr. Larry Lanoux, Keswick Avenue, came forward and stated he wants the items that have been
23 brought up during public comment addressed. The GRP will help residents out during the stormy
24 season if necessary. He has asked for the last two months for the Council to endorse the GRP to
25 install the dry hydrant parts. The GRP is now rescinding that offer. The City may have to hire out to
26 get the job done.

27 Mr. Wally Anderson, 80th Street, came forward and stated the trees per the school project have been
28 planted but he is upset about the grading and the berm that was previously removed. It also appears
29 the elevation of the school is too high and is higher than his house.

30 Steve Bohnen, 60th Street, came forward and stated two longtime residents of Grant recently passed
31 away, Mr. Butch Sawyer and Lorna Springborn.

32 Mr. John Wyckoff, Maplewood, came forward and stated he may move to Grant but is concerned
33 about the City. After watching the recent Planning Commission meeting, it is concerning that there is
34 not a report from the PC on the Council's agenda.

35 Mr. Bob Zick, N. St. Paul, came forward and stated again the City needs to establish a legal defense
36 fund to fight the Met Council. He referred to an article in the paper relating to Lake Elmo and their
37 growth. Grant needs to brace themselves for what is coming with sewer and water. He read a letter
38 he wrote to the City Attorney relating to a letter of apology being written to Mr. Larry Lanoux.

39
40

1 **STAFF REPORTS**

2
3 **City Engineer, Phil Olson**

4
5 **School District Update**– City Engineer Olson provided an update on the Mahtomedi Elementary
6 School project noting the site grading and landscape plan that has now been finalized.

7
8 **Staff Report** – City Engineer Olson reviewed the April staff report relating to engineering activities.
9 He advised the Planning Commission tabled the grading permit review item at their April meeting.
10 The Planning Commission did discuss the seal coat plan and recommended that the City’s roads be
11 reviewed during a road tour before finalizing the seal coat plan. It was recommended that one
12 representative form the City Council, Planning Commission, engineering and Astech Corp attends the
13 road tour.

14
15 City Engineer Olson advised the City is required to get quotes for the project and typically contractors
16 would not be taken out on tours. All contractors would have to bid the project based on the
17 specifications.

18
19 **Interim City Planner, Paul Hornby**

20
21 **Ordinance No. 2012-27, Amendment to Chapter 32, Article III, Section 32-249 (a) of the Zoning**
22 **Code Pertaining to the Height of Permitted Structures** – Interim City Planner Hornby advised the
23 amendment to Chapter 32, Article III, Section 32-249 (a) of the Zoning code proposed to add
24 “Government Emergency Management Systems” as an exemption to the maximum height restriction.
25 The requested action is to consider the amendment to the Zoning Code to exempt emergency siren
26 poles from the permitted structure maximum height of thirty-five (35) feet.

27
28 **Council Member Huber moved to approve Ordinance No. 2012-27, as presented. Council**
29 **Member Potter seconded the motion. Motion carried unanimously.**

30
31 **Resolution No. 2012-04, Summary Publication of Ordinance No. 2012-27** – Resolution No. 2012-
32 04 authorizes a summary publication of Ordinance No. 2012-27.

33
34 **Council Member Fogelson moved to adopt Resolution No. 2012-04, as presented. Council**
35 **Member Huber seconded the motion. Motion carried unanimously.**

36
37 **Emergency Siren Location** – Interim City Planner Hornby advised he has not reviewed a site
38 location but he did look at an aerial photo of the site. He stated it appears there is room to move the
39 siren to the north in the right of way area due to the amount of trees in the proposed location.

40
41 Mayor Carr stated he did speak to the installer of the siren who indicated he has not seen the site. He
42 asked if this is the best site location as it can be moved but it does cost \$2600 to relocate. He stated
43 he wants to know that this is the best site with the best coverage. He stated he believes the siren
44 location issue should be assigned to the City Planner to ensure this is the best site. It should not just
45 be located at this site because Mr. Lanoux said to.

1
2 Mr. Bob Englehart came forward and stated the trees have been removed and he also looked at the
3 County siren map. It is a good location but it does seem that the Mayor doesn't want the siren
4 installed.
5
6 Mayor Carr stated he is asking if the Council would like to send the siren location issue to the Planner
7 to make sure the siren is placed in the best location.
8
9 Interim Planner Hornby stated that typically they would take a map and the number of total sirens and
10 lay them out to obtain the best coverage. Also taken into consideration is the concentration of where
11 the lots are.
12
13 Council Member Huber stated the population density is the key. He asked if the proposed location
14 gives the City the most set of ears to hear the siren.
15
16 Mr. Bob Englehart came forward and withdrew his offer to locate the siren on his property.
17
18 Interim City Planner Hornby advised it would take a couple of hours to complete a table top study of
19 the area to ensure best placement of the siren.
20
21 City Attorney Vivian stated the City does have right of way along Joliet. If it is determined that is the
22 best area the siren can be placed in the right of way and not on Mr. Englehart's property.
23
24 It was the consensus of the Council to move forward with Mr. Englehart's property for installation of
25 the siren.
26
27 City Engineer Olson stated towards the corner of Highway 96 and maintaining 20 feet is ideal but as
28 close to the right of way as possible.
29
30 City Attorney Vivian noted the offer for the property is irrelevant. The City has right of way to place
31 the siren.
32
33 The Council directed staff to notify neighbors within a quarter mile of the siren placement and include
34 Council Member Fogelson's contact information regarding any questions.
35
36 **City Attorney, Nick Vivian**
37
38 **Staff Report** – City Attorney Vivian advised he really has nothing to report on but he will take
39 specific questions. He noted a confidential update will be provided in the next week relating to the
40 Nelson request.
41
42 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for
43 April 2012 to be placed on file for review.
44
45

1 **OLD BUSINESS**

2
3 **Website Items, Mayor Carr** – Council Member Huber advised he provided the newsletter CD’s for
4 the website to Council Member Fogelson

5
6 Council Member Potter inquired about the status of the Clerk getting documents on the City website.
7 He asked who is responsible for getting that done.

8
9 Council Member Huber advised he would contact the webmaster to get that project taken care of.

10
11 **Ordinance Codification Update, Mayor Carr** – Mayor Carr advised the last ordinance revisions that
12 were provided to update the official City Code book does not note the date of the last revision. He
13 asked the Council how they would like to proceed.

14
15 It was the consensus of the Council to revise the dates of the latest set of revisions the next time
16 ordinance are printed and updated for the Code Book.

17
18 **NEW BUSINESS**

19
20 **Public Comment Inquiries, Mayor Carr** – Council Member Huber stated he will not be writing a
21 road referendum until the Council rewrites the road policy. He stated he will not bring in tax dollars
22 for this Council or future Councils to spend anyway they want. A revised road policy needs to be in
23 place before he looks at a road referendum. He referred to the dry hydrant and stated the Fire
24 Department does have a dive team and they should be contacted to install the parts for the dry
25 hydrant.

26
27 Council Member Fogelson stated he has talked to the Fire Department and they will not install the
28 hydrant parts.

29
30 **Council Member Bohnen moved to endorse the GRP to install the dry hydrant parts. Council**
31 **Member Huber seconded the motion. Motion carried unanimously.**

32
33 Mr. Larry Lanoux came forward and stated the GRP would discuss and consider, later this evening,
34 installation of the dry hydrant parts.

35
36 Council Member Bohnen stated he spoke to the City Attorney regarding the planning work that was
37 charged to the City as opposed to the School District escrow. He believes the City Attorney indicated
38 those fees could not be charged to the school escrow.

39
40 City Attorney Vivian advised he will look at the charges and if they can be billed to the escrow they
41 will be. He stated he would provide an update at the next meeting.

42
43 Council Member Potter stated he thought the Council had talked about putting a Planning
44 Commission Report on the regular agenda. He stated he would like a PC report on the Council
45 agenda.

1 Council Member Bohnen stated it is sad that the City does not have the 4H Club in the City anymore.
2 He stated he would like the City to see what they can do to get them back and involved in the
3 community.

4
5 Mr. Larry Lanoux came forward and stated the Planning Commission Report should be under staff
6 reports within the Council agenda.

7
8 Council Member Huber stated a written report from that PC that is included in the Council packets
9 would be beneficial.

10
11 Council Member Potter stated he wants an update the PC and can review their minutes.

12
13 Council Member Bohnen stated he is fine with the PC minutes sent electronically.

14
15 City Attorney Vivian stated he does have concern over Planning Commission and Council
16 discussions at meetings relating to potential litigation. He would prefer not having any open
17 discussion relating to minutes.

18
19 It was the consensus of the Council that the Planning Commission minutes would be provided
20 electronically and Planning Commission items would be under regular agenda items relating to
21 Planning.

22
23 Planning Commissioner Mark Wojcik came forward and stated he hopes the Council thinks the
24 Planning Commission is reasonable and would only explain key points within a PC report.

25
26 Council Member Bohnen referred to the road referendum issue and stated again that he is collecting
27 data and road information that is needed for a potential revised road policy. All of that takes time to
28 put together. He suggested the City offer Mr. Lanoux an apology.

29
30 **Council Member Potter moved to have the City Attorney send Mr. Lanoux a letter of apology.**
31 **Council Member Bohnen seconded the motion.**

32
33 City Attorney Vivian advised as legal counsel for the City of Grant, he had nothing to do with Mr.
34 Lanoux's issue with the state. He advised he did send Mr. Lanoux a letter regarding the occurrence at
35 the League of Minnesota Cities. The letter was in response of a concern raised from the League. The
36 City has to protect itself and does not want to incur additional liability. He advised the discussion is
37 inappropriate relating to potential slander. The record needs to reflect the facts. He noted he would
38 draft a letter if the Council directs him to do so.

39
40 Mr. Larry Lanoux came forward and stated he has never received an apology. He waited for an
41 apology for 30 days prior to writing the freedom for information letter. He stated he wouldn't accept
42 an apology anyway.

43
44 **Motion carried with Council Member Huber and Fogelson abstaining and Mayor Carr voting**
45 **nay.**

1 **Goodview Avenue Project Joint Powers Agreement, Council Member Bohnen** – Council Member
2 Bohnen provided the background of the Goodview Avenue projecting noting there are 750 cars per
3 day on that gravel portion of the road. Grading is needed very frequently. He recommended the City
4 move forward with the paving of that roadway as an equal partner with the other agencies and
5 completes the project without assessing the property owners.

6
7 Mr. Phil Caswell, 11855 Goodview, came forward and stated he appreciates the work Council
8 Member Bohnen has done on this. The gravel portion of the roadway has been an issue for a very
9 long time. He stated he does not necessarily object to paving the road but he does not want to pay for
10 it. There also needs to be some form of traffic calming and additional enforcement. He stated there
11 are benefits to paving it but it will also increase traffic there.

12
13 Mayor Carr stated he would not even consider paving that road if the residents were opposed to it. If
14 the City does move forward and pay for the project, all of the City residents are paying for it with tax
15 dollars. He noted the City does not have control over the speed limit.

16
17 City Engineer Olson added that there may be a petition from the City of Hugo for a speed study at
18 some point.

19
20 Council Member Bohnen stated maintenance dollars on that road are approximately \$3,100 per year.
21 The road will eventually be paved. Washington County, White Bear Township and the City of Hugo
22 believe this is an important project. All entities are involved and this is a good opportunity to get it
23 done and will not set a precedent as there is no other road like this within the City. He noted the City
24 is under budget for snow plowing this year and \$10,000 could be taken from the special road projects
25 fund. The City is also saving \$5,200 on dust control and \$1400 on engineering fees for the dust
26 control project.

27
28 Mayor Carr stated White Bear Township gets \$20,000 and Hugo gets \$550,000 in gas tax money. All
29 residents of Grant pay that tax but the City of Grant does not get any gas tax dollars. The project goes
30 against the road policy and although it is a special situation, paving the road will not solve the
31 problem.

32
33 Mr. Mike Lovlee, Goodview Avenue and County Road 7, came forward and thanked Council
34 Member Bohnen for the good neighborhood meeting that brought forward a lot of solutions. The
35 problem with that roadway is that Hugo is building homes but not building infrastructure. A
36 temporary cul-de-sac is a good solution but those costs should be looked at. Paving the road is just
37 putting off the problems and the road is a big liability to the City of Grant.

38
39 City Attorney Vivian advised residents pay for the general road policy. There is discretion within that
40 policy that allows the Council to authorize funding of a special road project.

41
42 Council Member Bohnen stated the Joint Powers Agreement needs to be revised to include the
43 following 1) signage is included in the project cost; 2) speed limit stay the same; 3) one-going
44 maintenance will be a three way split; 4) Irish Avenue is included; and 5) Grant's portion is one third
45 of the project cost and monetary only.

1 **Council Member Bohnen moved to approve the Goodview Avenue Project Joint Powers**
2 **Agreement, as revised. Council Member Fogelson seconded the motion.**

3
4 Mayor Carr asked if Hugo would pay for the whole project. He advised he does not want to move
5 forward with the project unless they pay for it.

6
7 Council Member Potter thanked Council Member Bohnen for his efforts with the project.

8
9 Council Member Huber stated he does appreciate Council Member Bohnen's work but the road is
10 Hugo's responsibility and he cannot support the project.

11
12 Mayor Carr noted for the record that no petition for the road improvements has been brought forward.

13
14 **Motion carried with Council Member Huber and Mayor Carr voting nay.**

15
16 **Gravel Budget Discussion, Council Member Bohnen** – Council Member Bohnen referred to a
17 previous conversation regarding different types of gravel. He would like to move forward with the
18 higher grade of gravel and still gravel 4.2 miles. That would result in going over budget
19 approximately \$3,000-\$4,000 dollars.

20
21 It was the consensus of the Council to move forward with the higher quality gravel.

22
23
24 **City Planner RFP, Mayor Carr** – Council Member Huber officially read the letter of resignation
25 from Ms. Jennifer Haskamp, previous City Planner.

26
27 Mayor Carr referred to the draft RFP that was included in the packets and asked for comments.

28
29 Council Member Potter read the minutes from last month that stated a job description for the Planner
30 was going to be developed prior to the RFP process.

31
32 Council Member Huber stated the job description is outlined in the RFP.

33
34 Council Member Potter stated he would volunteer to review the planning RFP and bring his revisions
35 forward next month.

36
37 City Attorney Vivian stated he reviewed the RFP and has no legal issues or sees any weakness in the
38 document.

39
40 Mayor Carr suggested everyone bring their proposed revisions back to the June Council meeting.

41
42 Council Member Potter stated the Council can hammer out the RFP at the next meeting and approve
43 it. The Council can then look at proposals in July and appoint a planner in August.

44

1 **Demontraville Trail, Highway 36 Project Update, Council Member Bohnen** – Council Member
2 Bohnen referred to a map of the project and provided an update from MnDOT regarding the closed
3 intersection. There will be no cross at Demontraville Trail so vehicles will have to go right. The City
4 has no say over this and he directed residents to the County website for more information. He also
5 provided an update on the Hilton Trail exchange.

6
7 **DISCUSSION ITEMS**
8

9 **City Council Reports:** Mayor Carr presented two certificates of achievement to two Grant residents
10 for accomplishments in Girl Scouts.

11
12 Council Member Potter stated Ken Johnson has ordered 20 new signs and they should be delivered
13 and installed soon. The sign inventory sheet will need to be updated.

14
15 Council Member Potter requested the Assessor Contract be on the June Council agenda.

16
17 Council Member Bohnen explained the shoulder reclaiming process noting it is a fairly new one within
18 the City. Lansing Avenue was a mess after the process as it rained right away. The process has been
19 revised to eliminate that problem in the future.

20
21 **Staff Reports (any updates from Staff)**
22

23 **COMMUNITY CALENDAR MAY 2 THROUGH MAY 31, 2012:**
24

25 **Planning Commission Meeting, Monday, May 21, 2012, Town Hall, 7:00 p.m.**
26

27 **ADJOURN**
28

29 **There being no further business, Council Member Huber moved to adjourn at 10:55 p.m.**
30 **Council Member Fogelson seconded the motion. Motion carried unanimously.**
31

32
33 These minutes were considered and approved at the regular Council Meeting June 5, 2012.
34
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36

37
38 _____
39 Kim Points, City Clerk

37
38 _____
39 Tom Carr, Mayor

Date range: 05/01/2012 to 05/29/2012

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Total</u>	<u>Description</u>	<u>Void</u>	<u>Account #</u>	<u>Detail</u>
Payroll Period Ending 05/29/2012	05/29/2012	11727	\$3,186.54		No	100-41101-100	\$3,186.54
Lyte Signs, Inc.	05/29/2012	11728	\$1,077.48	Sign Replacement	No	100-43110-330	\$1,077.48
Xcel Energy	05/29/2012	11729	\$97.93	Utilities	No	100-43004-381 100-43010-381 100-43117-381	\$18.21 \$10.11 \$69.61
Croix Valley Inspector	05/29/2012	11730	\$5,242.59	Building Inspector	No	100-42004-300	\$5,242.59
M.G. Plumbing	05/29/2012	11731	\$225.00	Repair	No	100-41317-300	\$225.00
Computer Wrangler	05/29/2012	11732	\$321.38	Computer Service	No	100-41317-300	\$321.38
Sherill Reid Animal Control	05/29/2012	11733	\$90.00	Animal Control/Inv2012-4	No	100-42006-300	\$90.00
Waste Management	05/29/2012	11734	\$4,347.38	Recycling	No	100-43011-384	\$4,347.38
Maroney's	05/29/2012	11735	\$396.75	Roadside Garbage/Clean Up Day	No	100-43105-384	\$396.75
CenturyLink	05/29/2012	11736	\$160.18	City Phone	No	100-41309-321	\$160.18
On Site Sanitation	05/29/2012	11737	\$299.26	May/June	No	100-43007-210	\$299.26
Ken Roman	05/29/2012	11738	\$147.25	Video Services	No	100-41318-300	\$147.25
Press Publications	05/29/2012	11739	\$157.88	Publications/Ordinance/Assessment	No	100-41308-300	\$157.88
Brochman Blacktopping Co.	05/29/2012	11740	\$6,615.00	Roads/Pothole Repair	No	100-43109-300	\$6,615.00
Smith Appraisal Service	05/29/2012	11741	\$5,432.50	4th Quarter Assessment Fees	No	100-41208-300	\$5,432.50
ADT Security Services	05/29/2012	11742	\$630.63	Annual Service Charge	No	100-43003-300	\$630.63
Kline Bros Excavating	05/29/2012	11743	\$24,408.75	Road Maintenance	No	100-43101-300 100-43111-300 100-43126-300	\$9,728.75 \$3,000.00 \$11,680.00
CliftonLarsonAllen	05/29/2012	11744	\$6,500.00	Billing #1	No	100-41201-301	\$6,500.00
Eckberg Lammers	05/29/2012	11745	\$3,056.09	Legal Services	No	100-41204-300 100-41205-300 100-41206-300	\$1,378.57 \$135.85 \$1,541.67
Wells Fargo Business Card	05/29/2012	11746	\$519.53	Supplies	No	100-41317-220	\$519.53

City of Grant

Disbursements List

05/29/2012

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Total</u>	<u>Description</u>	<u>Void</u>	<u>Account #</u>	<u>Detail</u>
Washington County Assessment Tax	05/29/2012	11747	\$225.09	Assessment Services	No	100-41208-300	\$225.09
Sprint	05/29/2012	11748	\$30.99	City Cell Phone	No	100-43116-321	\$30.99
Miller Excavating	05/29/2012	11749	\$28,807.15	Class 5 Resurfacing	No	100-43106-300	\$28,807.15
Dennis Heuer	05/29/2012	11750	\$613.82	Ballfield Maintenance/Mowing/Tax	No	100-43006-300	\$366.36
						100-43009-300	\$247.46
PERA	05/29/2012	11751	\$589.08	PERA	No	100-41102-120	\$316.36
						100-41113-100	\$272.72
IRS	05/29/2012	EFT23	\$1,036.10	Payroll Taxes - December	No	100-41103-100	\$333.81
						100-41107-100	\$455.75
						100-41110-100	\$183.27
						100-41112-100	\$63.27
Total For Selected Checks			\$94,214.35				\$94,214.35

Miller Excavating, Inc.

3636 Stagecoach Trail North
Stillwater, MN 55082

Phone: (651) 439-1637 Fax: (651) 351-7210

Invoice

Date	Invoice #
5/29/2012	16228

Bill to
City of Grant P.O. Box 577 Willernie, MN 55090

P.O. No.	Terms
	Net 10 Days

Project
10105 CL#5 Resurfacing

Date	Item	Description	Quantity	Unit	Rate	Amount
5/7/2012	BID ITEM (TON)	CL#5 DELIVERED & IN PLACE JASMINE AVE & KEATS AVE.	962.59	TON	7.35	7,075.04
5/22/2012	BID ITEM (TON)	CL#5 DELIVERED & IN PLACE LANSING AVE.	1,156.15	TON	7.35	8,497.70
5/23/2012	BID ITEM (TON)	CL#5 DELIVERED & IN PLACE LANSING AVE. & 105TH ST.	1,153.19	TON	7.35	8,475.95
5/25/2012	BID ITEM (TON)	CL#5 DELIVERED & IN PLACE KISMET AVE.	647.41	TON	7.35	4,758.46

NOTES

Sales Tax (6.875%)	\$0.00
Total	\$28,807.15
Payments	\$0.00
Balance Due	\$28,807.15

KLINE BROS EXCAVATING
 8996 110th St N
 STILLWATER, MN 55082



Invoice

DATE	INVOICE #
5/22/12	2250

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	CULVERT WORK

DUE DATE
6/1/12

DESCRIPTION	QTY	UNIT COST	AMOUNT
5-09-12 (REPLACE CULVERT ON JOLIET AT 110TH WITH 48 FT X 15" CMT WITH APRONS)			3,000.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
Total			3,000.00

KLINE BROS EXCAVATING
 8996 110th St N
 STILLWATER, MN 55082



Invoice

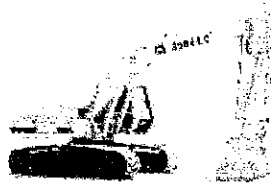
DATE	INVOICE #
5/22/12	2249

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	DITCHWORK

DUE DATE
6/1/12

DESCRIPTION	QTY	UNIT COST	AMOUNT
4-19-12 T500 (SHOULDERS JOLIET)	4	65.00	260.00
4-19-12 SD54	5.5	75.00	412.50
4-20-12 T500 (SHOULDERS KIMBRO-107TH-KELVIN)	4.5	65.00	292.50
4-20-12 SD54	5.75	75.00	431.25
4-23-12 T500 (SHOULDERS KIMBRO-107TH KELVIN) START DISCING	3	65.00	195.00
4-24-12 T500 (SHOULDERS 114TH-117TH)	5.5	65.00	357.50
4-24-12 SD54	8	75.00	600.00
4-26-12 T500 (SHOULDERS JASMINE S- KEATS S)	6.75	65.00	438.75
4-26-12 SD54	6.75	75.00	506.25
4-27-12 T500 (SHOULDERS 105TH E - KISMET)	6.25	65.00	406.25
4-27-12 SD54	6.25	75.00	468.75
4-30-12 T500 (SHOULDERS 83RD ST W)	6	65.00	390.00
4-30-12 SD54	7	75.00	525.00
5-01-12 T500 (SHOULDERS IRONWOOD)	6.75	65.00	438.75
5-01-12 SD54	7	75.00	525.00
5-02-12 SD54	4.5	75.00	337.50
5-03-12 1845C (LOAD DEBRIS 105TH W)	2	85.00	170.00
5-03-12 LNT9000 (HAUL DEBRIS OFF 105TH W)	2	75.00	150.00
5-03-12 T500 (SHOULDERS 105TH ST W)	5.5	65.00	357.50
5-03-12 SD54	4.75	75.00	356.25
5-04-12 1845C (105TH SIDES)	4.5	85.00	382.50
5-10-12 T500 (SHOULDERS IDEAL)	6	65.00	390.00
5-10-12 SD54	8	75.00	600.00
5-11-12 T500 (SHOULDERS INWOOD N)	4	65.00	260.00
5-11-12 SD54	4	75.00	300.00
5-14-12 T500 (SHOULDERS 83 ST E - KIMBRO LN LOOP)	7.5	65.00	487.50
5-14-12 SD54	6.5	75.00	487.50
5-15-12 T500 (SHOULDERS IDEAL N)	4	65.00	260.00
5-15-12 SD54	4	75.00	300.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE	Total		11,086.25

KLINE BROS EXCAVATING
 8996 110th St N
 STILLWATER, MN 55082



Invoice

DATE	INVOICE #
5/22/12	2251

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	DITCHWORK

DUE DATE
6/1/12

DESCRIPTION	QTY	UNIT COST	AMOUNT
5-22-12 T500 (SHOULDERS 89TH ST- INDAHL)	6.25	65.00	406.25
5-23-12 SD54	2.5	75.00	187.50
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
Total			593.75

KLINE BROS EXCAVATING
 8996 110th St N
 STILLWATER, MN 55082



Invoice

DATE	INVOICE #
5/22/12	2248

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD GRADING

DUE DATE
6/1/12

DESCRIPTION	QTY	UNIT COST	AMOUNT
4-19-12 770BH	6	75.00	450.00
4-20-12 T500	1.75	65.00	113.75
4-20-12 770BH	8	75.00	600.00
4-23-12 770BH	3	75.00	225.00
4-24-12 770BH	6.5	75.00	487.50
4-25-12 T500	2.5	65.00	162.50
4-25-12 770BH	2	75.00	150.00
4-26-12 770BH	6.75	75.00	506.25
4-27-12 770BH	6.25	75.00	468.75
4-30-12 770BH	7	75.00	525.00
5-01-12 770BH	6.25	75.00	468.75
5-02-12 T500	4.25	65.00	276.25
5-02-12 770BH	4	75.00	300.00
5-03-12 770BH	4.5	75.00	337.50
5-04-12 770BH	2	75.00	150.00
5-07-12 770BH	6	75.00	450.00
5-10-12 770BH	8.5	75.00	637.50
5-11-12 770BH	5.5	75.00	412.50
5-12-12 770BH	3.75	75.00	281.25
5-14-12 770BH	7.5	75.00	562.50
5-15-12 770BH	4	75.00	300.00
5-16-12 T500	1.5	65.00	97.50
5-18-12 770BH	2.5	75.00	187.50
5-21-12 T500	5	65.00	325.00
5-21-12 770BH	7	75.00	525.00
5-22-12 770BH	6.25	75.00	468.75
5-07-12 T500	4	65.00	260.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	Total		9,728.75

Memorandum

To: *Honorable Mayor and City Council, City of Grant
Kim Points, City of Grant*

From: *Phil Olson, PE, City Engineer
WSB & Associates, Inc.*

Date: *May 28, 2012*

Re: *June Staff Report - Engineering*

A. **Agenda Items**

- i. **2012 Seal Coat Project:** This item was last discussed at the City Council meeting on May 1, 2012. At that meeting, Council directed staff to complete a road tour to determine which roadways to include with the project. The road tour was completed on May 15, 2012 and was attended by Council Member Bohnen, Doug Welk with Astech Corporation, Mike Brochman with Brochmann Balcktopping, and engineering.

At the road tour it was determined that seal coating should be completed on the roads listed below.

- 110th Street: Lansing Avenue to Manning Avenue
- Lansing Avenue: 110th Street to 117th Street
- 117th Street: Kimbro Avenue to Lansing Avenue
- Kimbro Avenue: 117th Street to 118th Street
- 118th Street: East of Kimbro
- 118th Street: Kimbro Avenue to Keystone Avenue
- Keystone Avenue: 118th Street to 119th Street
- Irish Avenue: 11034 to 11049
- Irish Avenue: 110th Street to Irish Avenue
- Manning Court: West of Manning Avenue
- Justen Trail: Jamaca Avenue to Highway 96

These roads were originally scheduled for seal coat between 2010 through 2012. 110th Street, Lansing Avenue, 117th Street, Kimbro Avenue, 118th Street, and Keystone Avenue were originally proposed for seal coat in 2011 but were crack filled instead. Manning Court is included as part of an escrow project with the DNR following the construction of the Gateway Trail Bridge.

Following seal coating 110th Street, Lansing Avenue, 117th Street, Kimbro Avenue, 118th Street, and Keystone Avenue will need to be restriped. We are working with Washington County to have them complete the striping. Preliminary estimates for this work are between \$3500 and \$5000.

To help lower cost, it was recommended by Astech Corp to consider using granite instead of trap rock. Granite has been bid by surrounding communities and it has been found to be as much as 25% cheaper than trap rock. It is recommended to request quotes for both trap rock and granite to compare pricing.

The annual budget for seal coating is \$60,000. Manning Court will be funded through the DNR escrow. The engineering fees to complete the specifications and obtain quotes for this project are typically \$1,500 to \$1,800.

Action: Discussion. Authorize staff to prepare specifications and send out RFQ.

ii. **Staff Report/Council Update:**

- a. **Siren Location:** A survey crew from WSB staked the right-of-way for Highway 96 and Joliet Avenue. We then located the siren pole so that it was within the Joliet Avenue right-of-way but outside of the clear zone.
- b. **Mahtomedi Elementary School:** Site grading and utility construction is continuing. Staff has been completing random site inspections and it appears that the work is consistent with the approved plan.
- c. **Goodview Avenue Joint Powers Agreement:** Staff has been working with Hugo and White Bear Township to incorporate the conditions required by council upon approval of the JPA.

If you have any questions, please contact me at 763-512-5245.



Memorandum

To: *Honorable Mayor and City Council, City of Grant
Kim Points, City of Grant*

From: *Paul Hornby, PE, Interim City Planner
WSB & Associates, Inc.*

Date: *May 29, 2012*

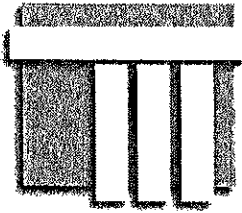
Re: *June Staff Report - Planning*

A. **Staff Report/Council Update:**

- i. **Potential Subdivision:** A landowner's agent contacted WSB regarding a potential subdivision that would include a re-subdivision of undeveloped lots in Wake Robin Acres and adjacent property. We recommended the potential applicant request a pre-concept meeting with the City Council to discuss the potential subdivision, but this request has not occurred to date.
- ii. **Potential Home Construction:** WSB was contacted by the agent of a landowner requesting zoning guidance for the construction of a new home on a lake lot. The inquiry was mostly with regard to setback requirements, setback encroachments, access, drainage and allowed uses on the property.

No official applications have occurred with these potential planning and zoning projects to date.

If you have any questions, please contact me at 763-287-8526.



nelson
legal services, llc

May 24, 2012

VIA HAND DELIVERY

Mr. Nicholas J. Vivian, Esq.
Eckberg, Lammers, Briggs, Wolff & Vierling, P.L.L.P
1809 Northwestern Avenue
Stillwater, MN 55082

RE: **Frank Fabio Company, Inc. (Frank Fabio)**
Property Address: 6510 Jocelyn Road North, Stillwater, MN 55082
My Client: John & Mary Warian
Your Client: City of Grant
Your File No.: 01200-22345

Dear Mr. Vivian:

Enclosed please find a personal letter and photographs from my client regarding the zoning violations of his neighbor, Frank Fabio. As discussed, this information will be given to the Grant City Council for review when considering enforcement action against Mr. Fabio.

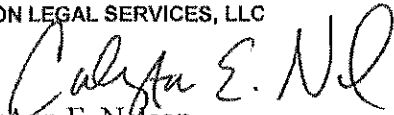
I have also attached a copy of your February 27, 2012 correspondence to Mr. Fabio requesting him to comply with the zoning ordinance in a timely manner. To date, Mr. Fabio has not responded. My client is requesting the Council take immediate action to enforce the zoning regulations and stop the unlawful commercial business activity at Mr. Fabio's residence.

Unfortunately, this is more than a neighborly dispute. My client's quality of life and personal property interest is being impacted by the increased noise levels and traffic, large equipment and machinery, and constant disruption from Mr. Fabio's commercial business activity.

Thank you for your time and consideration.

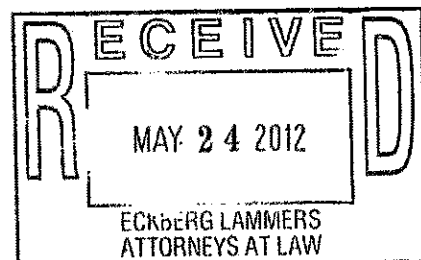
Very truly yours,

NELSON LEGAL SERVICES, LLC


Carly Ann E. Nelson
Attorney at Law

cen@nelsonlegal.net

cc: FILE; John & Mary Warian; Grant City Council





Writer's Direct Dial: (651) 379-3080
Writer's E-mail: nvlvian@eckberglammers.com

Stillwater Office:
1809 Northwestern Avenue
Stillwater, Minnesota 55082
(651) 439-2878
Fax (651) 439-2923

February 27, 2012

Hudson Office:
430 Second Street
Hudson, Wisconsin 54016
(715) 386-3733
Fax (715) 386-6456

Frank Fabio
Frank Fabio Company, Inc.
6510 Jocelyn Road North
Grant, MN 55082

www.eckberglammers.com

Re: *City of Grant – Fabio Zoning Violation*
Our File No.: 01200-22345

Dear Mr. Fabio:

This letter is to inform you of the necessary permits and process required to bring your property and business into compliance with the City of Grant's Code of Ordinances.

In October of 2011, the City received a complaint regarding the business operations generated from your property at 6510 Jocelyn Road North. At that time, the City had an initial discussion with you regarding the necessary permit and subsequent process required to bring the property in compliance with the City Zoning Code. At that time, it was communicated to you that either a Certificate of Compliance or a Conditional Use Permit would be required, and that the City would need to perform additional research to determine which permit would be required.

City staff has reviewed the business characteristics of your operation based upon your website and your personal representations, and has performed a drive-by site visit. A follow-up telephone call was made to inform you of the City's determination that a Conditional Use Permit is required to comply with the City's zoning ordinance, and that an application should be made in a timely manner. The sections of the City Code that directly relate to this determination are Sections 32-1, Definitions. *Home Occupation*; 32.245 Table of Uses; and 32.312 Principle of Building. *Multiple Uses*.

If you have any questions regarding the Conditional Use Permit application or the City process, please contact either the City Clerk, Kim Points, at 651-426-3383, or my office at 651-379-3080. As of the date of this letter, the City has not yet received an application from you, and an application is required within thirty (30) days of the receipt of this letter to avoid further enforcement action. To the extent further enforcement action is required, the City has the discretion to determine the appropriate remedy for your failure to comply with the City's Code of Ordinances.

Frank Fabio
Frank Fabio Company, Inc.
February 27, 2012
Page 2 of 2

Thank you for your time and attention to this matter. The City looks forward to working with you in resolving all outstanding issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicholas J. Vivian". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Nicholas J. Vivian

NJV/sms

cc: Karl Yeager, Esq.
City of Grant
Jennifer Haskamp, Grant City Planner

John Warian

Subject:

FW: Businesses Operating at 6510 Jocelyn Road North, Grant, MN 55082

May, 2012

City of Grant Offices
111 Wildwood Road
Willernie, MN 55090
Attention: City Council

Dear Grant City Council,

My Name is John P. Warian. I live at 6580 Jocelyn Road North, Grant Minnesota 55082 along with my wife Mary and son Benjamin. I am writing this letter today to receive answers to concerns as to the operation of businesses next door to my property at 6510 Jocelyn Road North Grant MN 55082. It is my understanding, as it was upon purchasing our property, that the 10 acre parcels in our neighborhood are zoned residential and are not zoned for any commercial business operations whatsoever. The business activities I am concerned about operating at 6510 include some of the following:

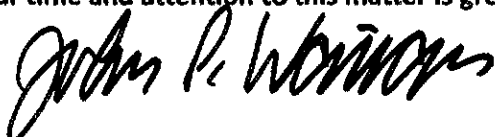
- outside storage of commercial vehicles, heavy construction equipment/trailers
- outside storage of commercial/residential building materials
- outside storage of commercial demolition materials from jobsites
- outside storage of garbage roll-off dumpsters
- outside storage of vehicles/wrecks staged for repairs
- commercial vehicle traffic for deliveries/pick-up
- employee/subcontractor vehicle traffic
- outside sand blasting of vehicles and commercial trailer painting
- outside general large equipment repairs/service

The reasons for my concerns are as follows:

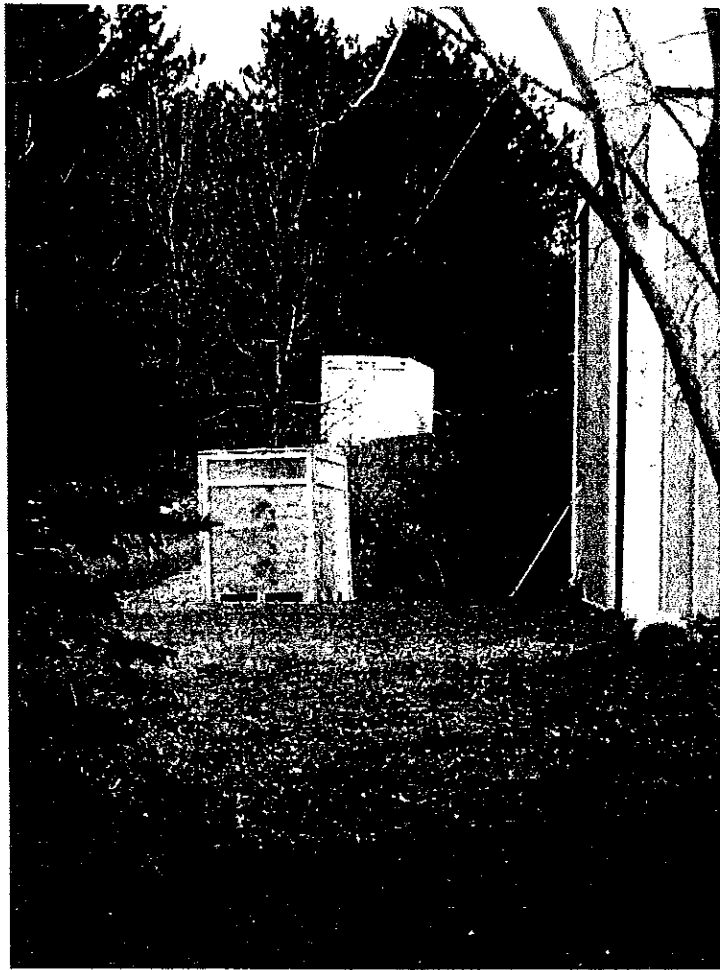
- Zoning does not allow this type of activity in this residential neighborhood
- Quality of life living next door to a commercial business that was not there when we purchased our home
- My family's safety in regards to the high number of persons loading/unloading and operating equipment
- Protection of my family's investment of property and its improvements
- The high amount of property tax we must pay living next to commercial business operations
- The low amount of property tax paid at 6510 Jocelyn while operating commercial businesses
- MPCA Industrial Storm water run-off from outside storage/activities to low-lands/ponds
- High noise levels of equipment operations and heavy traffic coming and going

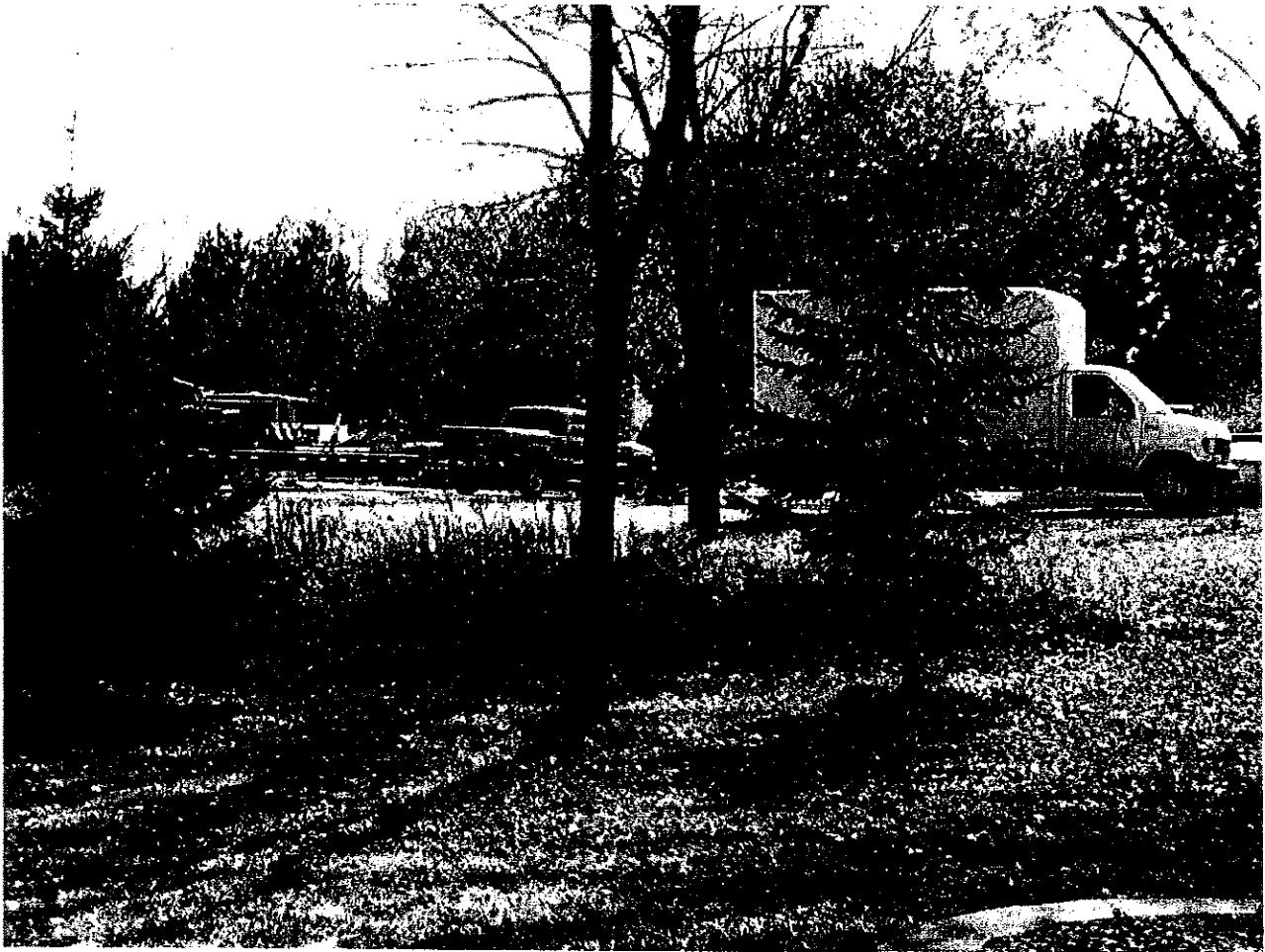
As a business owner myself, it is very concerning to me that commercial businesses can be operated next to my home with no regard to issues that my business has to face each day such as Zoning, EPA, MPCA, OSHA regulations, City/County operational permits and County commercial property tax rates which are all very costly to pay, maintain and remain in compliance with annually. Therefore, should this commercial business activity be allowed to continue at any capacity, I will have no choice but to move forward with further legal action in regards to this matter.

Your time and attention to this matter is greatly appreciated,









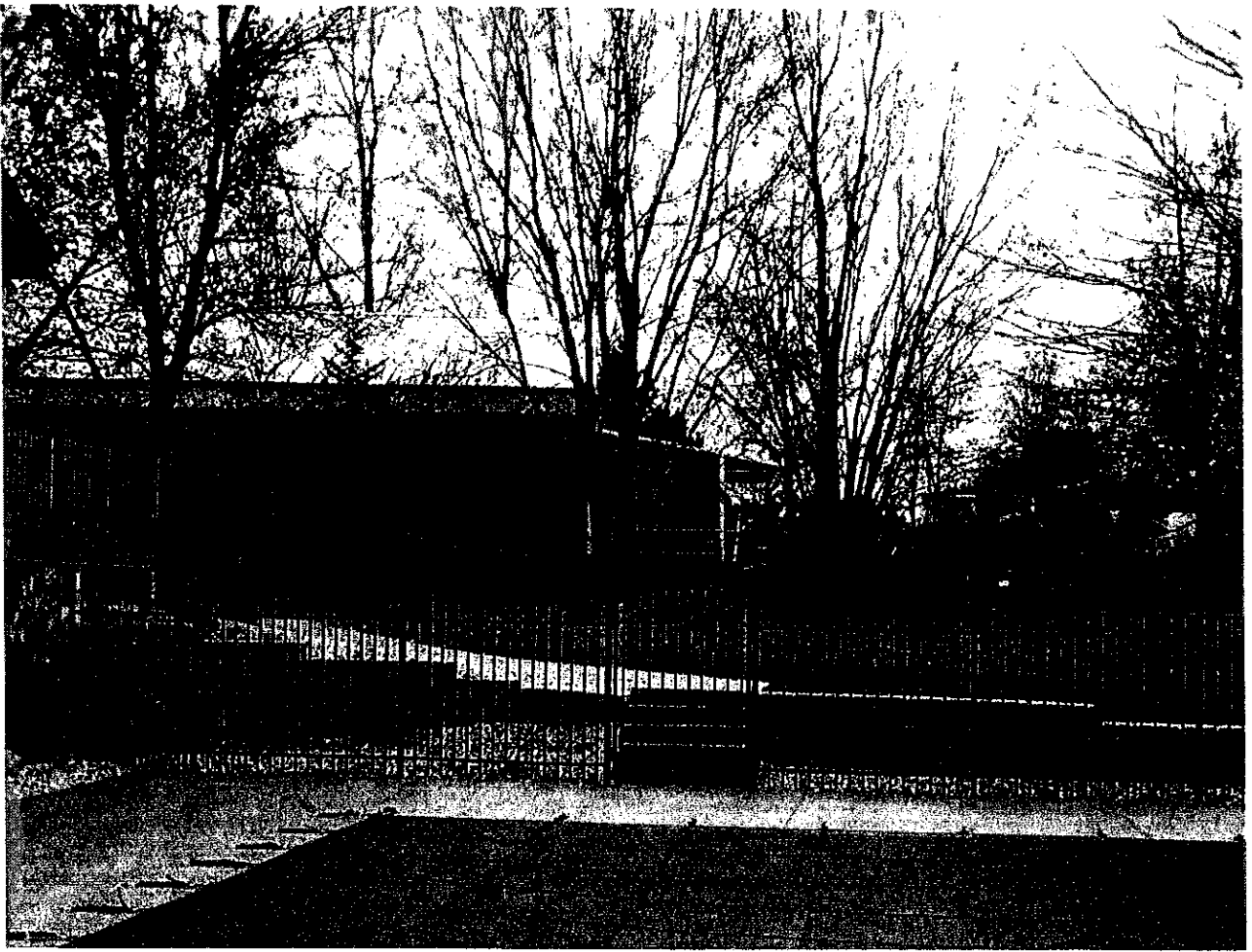












ECKBERG LAMMERS
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Nicholas J. Vivian, City Attorney

DATE: May 29, 2012

RE: Staff Report for June City Council Meeting

Please be advised that our office is presently working on the following matters on behalf of the City of Grant:

Timothy Nelson v. City of Grant

Litigation has been commenced against the City of Grant alleging a violation of the Minnesota Governmental Data Practices Act. Defense of the litigation has been tendered to the League of Minnesota Cities. The League has engaged Jason Kuboushek of Iverson Reuvers to represent the City on the matter. Mr. Kuboushek will be filing an Answer on the City's behalf.

Zoning Enforcement – Frank Fabio – 6510 Jocelyn Avenue N.

The City has been working to address a zoning complaint for this property since October of 2011. The complaint is unresolved and the neighbors are very concerned regarding the increase in intensity associated with the use of this property. On May 10, 2012, a letter from this office was forwarded to the City Council requesting consideration for zoning enforcement. The City Code requires a Conditional Use Permit for principal buildings with more than one use, in which one of those uses is a dwelling unit. Mr. Fabio is running a commercial operation from his home which significantly impacts the adjacent property. At a minimum, he is required to obtain a Conditional Use Permit for the ongoing operation of the commercial business. He has been unresponsive to date and the City Council will be asked to take action at its June meeting.

Goodview Avenue Joint Powers Agreement

The Hugo City Council has approved a revised Joint Powers Agreement for Goodview Avenue. I have had an opportunity to review the revised Joint Powers Agreement. It contains a number of the revisions requested by the City of Grant, but it does not meet all of the requirements of the City's approval. Accordingly the Road Commission is revisiting the Agreement with the Hugo City Engineer in an attempt to finalize the Agreement in accordance with the City of Grant's approval.

City Annual Audit Letter

As requested by the City's Auditor, we have prepared and forwarded our Annual Audit Letter to the Auditor. The Annual Audit Letter identifies any pending litigation and the City's strategy for pursuing the litigation. A copy of the Annual Audit Letter is available for the Council's review.

Please call with any comments or questions.

City Council Report for May 2012

To: Honorable Mayo & City Council Members

From: Jack Kramer Building Official

Zoning Enforcement:

1. Harmony Horse Farm at Vitoria Station 9250 Dellwood Rd. N.

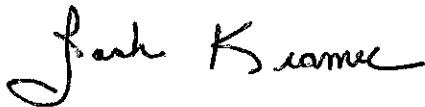
The city clerk received a formal complaint from an individual who claimed that two of the structures are in violation of their conditional use permit, as well building, electrical and fire codes. I met with the new manager and investigated the complaints. Further review of the conditional use permit is needed; however some of the complaints for building and fire codes were not relevant.

I shall provide additional information as the review continues.

Building Permit Activity:

1. 10 Ten building permits were issued for t5hyis time period with a total valuation of 145,543.00.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jack Kramer".

Jack Kramer

Building & Code enforcement Official

Grant Master Form												
2012-45	Pole Bldg.	Swada	524 Maple St.	4/21/2012	\$ 41,742.00	\$ 563.45	\$ 422.58	\$ 36.24	\$ 20.73			
2012-46	Temp. Struct.	Costa	9411 Dellwood Ave.	4/23/2012	\$ 2,000.00	\$ 69.25	\$ 51.93	\$ -	\$ 1.00			
2012-47	Garage	Johnson	10286 Kismet Ln. N.	4/24/2012	\$ 29,900.00	\$ 442.25	\$ 331.68	\$ 287.46	\$ 14.95			
2012-48	Deck	Sullivan	10025 Indigo Tr. N.	5/2/2012	\$ 18,000.00	\$ 293.25	\$ 219.93	\$ 190.61	\$ 9.00			
2012-49	Re-Roof	Vack	11492 McKsick Rd.	5/2/2012	\$ 10,000.00	\$ 181.25	\$ 135.93	\$ -	\$ 5.00			
2012-50	Door Replace	Gangnon	10850 - 62nd St. n.	5/5/2012	\$ 3,661.00	\$ 97.25	\$ 72.93	\$ 9.00	\$ 1.83			
2012-51	Water Damage	Weeding	6190 Jasmine ave.	5/7/2012	\$ 18,000.00	\$ 293.25	\$ 219.93	\$ -	\$ 9.00			
2012-52	Porch Conversion	Rog	9765 - 110th. St. N	5/10/2012	\$ 20,000.00	\$ 321.25	\$ 240.93	\$ -	\$ 10.00			
2012-53	Patio Door	Sterns	6380 Keswick Ave. N.	5/11/2012	\$ 2,240.00	\$ 83.25	\$ 62.43	\$ -	\$ 1.22			
2012-54	HVAC	Kittel	6780 Lk. Elmo	5/18/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00			
Monthly total					\$ 145,543.00	\$ 2,424.45	\$ 1,818.27	\$ 523.31	\$ 77.73			

Todd W. Smith
Smith Appraisal Service

May 15, 2012

Proposal for Assessment Renewal:

I would propose a new 3 year contract with the following terms:

July 1, 2012 - June 30, 2012 - \$10.00 per parcel x 2,173 parcels = \$21,730.00 payable quarterly.

July 1, 2013 - June 30, 2015 - \$10.50 per parcel x 2,173 parcels = \$22,246.50 payable quarterly



P.O Box 24, Stillwater, MN 55082
Tel (651) 430-0916 • Portable Restroom Rental
Tel (651) 775-1489 • Septic Design/Inspection Services
Fax (651) 433-9934 • www.AirFreshIndustries.com
MPCA License #2114/Insured
CERT Certified SBE/WBE
DBE Certified

April 11, 2012

City of Grant
Bill David
9131 Keswick Ave. N.
Stillwater, MN 55082

Dear Mr. David,

Thank you for the opportunity to quote you prices on Portable Restroom Rental for the Grant Town Hall in the City of Grant. AirFresh Industries is currently supplying portable restroom rental for other similar sites such as the City of Bayport, City of Lakeland, and the City of Scandia, and would like to quote you prices on this upcoming project.

Our company services the entire Twin Cities Metro Area and western WI. *Service* is how we distinguish our company from others. Going beyond "low-bid", there are other reasons that make our company stand out.

Stability and Reliability

Our customers know that our company delivers on promises. Our Field Manager keeps close relationships with Project Supervisors to ensure quality assurance in the field. Our company has been providing portable restrooms since 1987. We are large enough to handle major projects, but we maintain the ability to provide individual attention to our customers. Please allow us to provide you with references.

Competence and Quality

At AirFresh Industries, service and quality is a main concern. We take EXTRA steps to provide a clean and odorless portable restroom. We go above industry standards and what many other portable restroom companies can offer as far as cleanliness. We are experienced in the portable restroom industry and represent our company in organizations such as the Association of Women Contractors (AWC) as a Board Member, and the Portable Sanitation Association International (PSAI).

Value

We are competitive with our pricing in the market and our service and attention cannot be beat. All of our restrooms are newer matching units that are odorless, clean, and delivered promptly. Our portable restrooms can be custom retrofitted for your applications. We have mobile portable restrooms (on wheels), ADA handicap accessible restrooms, and units with lift systems for use on bridges, roofs, etc. We can work with supervisors independently to determine the best solution or application of our portable restrooms.

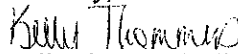
Safety

The AirFresh Industries Field Manager headed the OSHA Safety Program for work on such city/federal projects as the culturally sensitive Reroute of Hwy 55 (Hiawatha Ave.) and the 3M Chemolite Center Superfund site, and directly applies that Safety Program to AirFresh Industries. AirFresh Industries is also sufficiently insured to handle large construction projects.

Our company is certified as a **Disadvantaged Business Enterprise (DBE)** through the Minnesota Unified Certification Program (MnUCP). We are also certified through the **Central Certification (CERT) Program** as a **Small Business (SBE)** and **Women-Owned Business (WBE) Enterprise**.

Please accept the following bid for the Grant Town Hall in the City of Grant. I look forward to speaking with you.

Sincerely,


Kelly Thommes/Soil Scientist
Owner/AirFresh Industries
Enclosures (1)

PORTABLE RESTROOM RENTAL BID

The following bid represents a Portable Restroom Rental quote for **City of Grant**, submitted on 4/11/12. All invoicing is done on a 28-day billing cycle. Pricing also includes any winter rates. AirFresh Industries *does not* add hidden charges such as "Environmental Disposal Fees."

GRANT TOWN HALL

Portable Restrooms Skid Units:

- | | |
|---|-------------------|
| 1. ADA Toilet w/Chemical Rented at a Minimum of 28 days, serviced one time weekly | \$125.00 /28 days |
| 2. Chemical Hand Sanitizer/Unit (Included in Price) | \$ 0.00 /28 days |

Miscellaneous:

- | | |
|---|-------------------|
| 1. Heater Rental/Unit (grounded hook-up must be provided) | \$ 15.00 /28 days |
| 2. Extra Service or Tip-Over/Unit (provided upon request) | \$ 25.00 /service |

Delivery/Pickup/Move Charges:

- | | |
|--------------------------------------|------------------|
| 1. Delivery/Unit | \$ 0.00/delivery |
| 2. Pickup/Unit | \$ 0.00 /pickup |
| 3. Move/Unit (provided upon request) | \$ 25.00 /move |

NO Winter Rate Increase Charges

NO Pickup or Delivery Charges

NO Damage Waivers

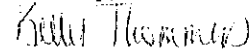
NO Disposal or Hidden Fees

For areas where environmental conditions or vandalism is of concern, our portable restrooms can be staked down or locked upon request at no additional charge. Sales tax not included in above pricing.

AirFresh Industries is licensed (MPCA #2114) and insured. AirFresh Industries is certified as a **Disadvantaged Business Enterprise (DBE)** through the Minnesota Unified Certification Program (MnUCP) and is also certified through the Central Certification (CERT) Program as a **Small Business (SBE) and Women-Owned Business (WBE) Enterprise**.

Thank you for taking the time to review this bid, we look forward to speaking with you. References are always available upon request.

Sincerely,



Kelly Thommes

Owner/Soil Scientist

AirFresh Industries

651-430-0916 (main)

651-775-1489 (cell)

651-433-9934 (fax)

kellythommes@frontiernet.net

www.airfreshindustries.com

Federal Tax I.D. No. 26-4310180



Grant City Clerk

From: Matthew Lindemann <matt.lindemann@osa.state.mn.us>
Sent: Wednesday, May 23, 2012 5:37 PM
To: clerk@cityofgrant.com
Subject: Performance Measures Program

Kim Points, Clerk
City of Grant

Dear Clerk Points:

In 2010, the Legislature created the Council on Local Results and Innovation. In February 2011, the Council released a standard set of ten performance measures for counties and ten performance measures for cities that will aid residents, taxpayers, and state and local elected officials in determining the efficacy of counties and cities in providing services, and measure residents' opinions of those services. In February of 2012, the Council released a comprehensive performance measurement system for cities and counties to adopt in 2012 and fully implement in 2013.

Participation in the standard measures program by a city or a county is voluntary. A county or city that elects to participate in the standard measures program for 2012 is eligible for a reimbursement of \$0.14 per capita in local government aid, not to exceed \$25,000 and is also exempt from levy limits under sections 275.70 to 275.74 for taxes payable in 2013, if levy limits are in effect.

In order to receive the per capita reimbursement in 2012, and levy limit exemption for calendar year 2013, counties and cities must:

File a report with the Office of the State Auditor by July 1, 2012. This report will consist of:

- 1.) A resolution approved by the city council or county board declaring that:
 - a. The city/county has adopted and implemented the minimum 10 performance measures developed by the Council on Local Results and Innovation (PDF format).
 - b. The city/county has implemented or is in the process of implementing a local performance measurement system as developed by the Council on Local Results and Innovation (PDF format).
 - c. The city/county has or will report the results of the 10 adopted measures to its residents before the end of the calendar year through publication, direct mailing, posting on the entity's website, or through a public hearing at which the budget and levy will be discussed and public input allowed (PDF format).
 - d. The city/county has or will survey its residents by the end of the calendar year on the services included in the performance benchmarks (PDF format).
- 2.) The actual results of the performance measures adopted by the city/county (PDF format). (This component is only required of entities that were certified for the program in 2011).

To meet the reporting requirements for 2012, a copy of the resolution in a single PDF can be attached to an e-mail and sent to: performancemeasures@osa.state.mn.us. For those entities certified for the program last year, please also include the results of the measures in a PDF format attached to the same e-mail.

For more information on the Performance Measurement Program, please go to <http://www.auditor.state.mn.us/default.aspx?page=20110525.013>.

Please report by July 1, 2012. There will be no extensions for the reporting deadline. If you have any questions, please contact Christy John at (651) 297-3681 or e-mail performancemeasures@osa.state.mn.us.

Sincerely,

Matthew Lindemann
Director of Budget, Finance & Technology Acting Director of Government Information

UID: 1208

Chapter 24

PLANNING

Article I. In General

Sec. 24-1. Fees.
Secs. 24-2--24-20. Reserved.

Article II. Planning Commission

Sec. 24-21. Establishment.
Sec. 24-22. Composition.
Sec. 24-23. Qualifications; constraints pertaining to membership; committee expenditures.
Sec. 24-24. Vacancies.
Sec. 24-25. Meetings; records; reports.
Sec. 24-26. Duties.
Secs. 24-27--24-55. Reserved.

Article III. Uniform System for Naming Streets and Numbering Properties and Principal Buildings

Sec. 24-56. Uniform naming and numbering system adopted.
Sec. 24-57. Assignment of names and numbers.
Sec. 24-58. Administration.

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CD24:2

PLANNING

appointment to the planning commission by the city council.

(d) The appointment process for a vacancy due to an expired term shall be handled by the city council at a regular or special meeting in March of each year in order to allow an opportunity for candidates to file applications and interview applicants. For all unexpired terms, the city council shall follow the same process as laid out in (a) through (c), but may consider appointments at any regularly schedule city council meeting.

(Ord. No. 2005-114, § 5, 4-5-2005; Ord. No. 2009-08, § 5, 3-3-2009)

Sec. 24-25. Meetings; records; reports.

The planning commission shall hold at least one regular meeting each month, unless there is no business to conduct. It shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, and findings, which shall be a public record. At each regular monthly meeting of the city council, the commission shall submit to the city council a report of its work during the preceding month.

(Ord. No. 2005-114, § 6, 4-5-2005; Ord. No. 2009-08, § 6, 3-3-2009)

Sec. 24-26. Duties.

(a) The planning commission shall have the duty to review, study and make recommendations to the city council on the following:

- (1) The City's Comprehensive Plan;
- (2) All standard land use applications, filed with the City, including but not limited to: rezoning, conditional use permits, variances, subdivisions and related matters;
- (3) Matters requiring a public hearing by law and/or as directed by the city council;
- (4) Draft ordinances as requested by the city council;
- (5) Such other matters as the city council may request review and recommendation.
- (6) Such other duties as the city council may delegate.

(b) As directed by the city council, the planning commission shall attend joint meetings between the city council and planning commission.

(c) The city council may elect to classify a land use application as an Emergency Application requiring immediate consideration. An application may only be classified as an Emergency Applicant if the applicant is faced with circumstances which directly and immediately affect the public health, safety and well-being of either the applicant, or any resident of the city. Any land use application classified as an Emergency Application shall be considered directly by the city council and shall not be considered by the planning commission given the urgency of the circumstances. The city council shall conduct all necessary public hearings. When an application is classified as an Emergency Application by the city council, the planning commission shall be notified and invited to attend the city council meeting at which the application is discussed.

(d) Such recommendations shall then be acted upon in accordance with Minn. Stats. § 15.99, as amended, if applicable, and Minn. Stats. § 462.358, subd. 3b, as amended and if applicable, and all other laws of the state.

(Ord. No. 2005-114, § 4, 4-5-2005; Ord. No. 2009-08, § 4, 3-3-2009)

State Law References: Time deadlines for actions, Minn. Stats. §§ 15.99, 462.358, subd. 3b.

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Secs. 24-27--24-55. Reserved.

**ARTICLE III. UNIFORM SYSTEM FOR NAMING STREETS AND NUMBERING PROPERTIES
AND PRINCIPAL BUILDINGS**

Sec. 24-56. Uniform naming and numbering system adopted.

A uniform system of naming streets and numbering properties and principal buildings, as shown in the manual of procedures identified by the title "Uniform Street Naming and Property Numbering System," which is filed in the county courthouse, is hereby adopted for use in the city. This map and all explanatory matter thereon is hereby adopted and made a part of this article.
(Ord. No. 35, § 1, 7-14-1972)

Sec. 24-57. Assignment of names and numbers.

(a) All properties or parcels of land within the city shall hereafter be identified by reference to the uniform numbering system adopted herein, provided all existing numbers of property and buildings not now in conformity with provisions of this article shall be changed to conform to the system herein adopted within three months from the date of passage of the ordinance from which this article is derived. The names of all streets in the city shall be as designated by the uniform street naming system.

(b) It shall be the duty of the property owner of every house, commercial or other building to have proper house or building numbers either by affixing such number in metal, glass, or plastic or other durable material. The numbers shall not be less than three inches in height, in a color contrasting to the building. Said numbers shall be either lighted or made of some reflective material and so placed to be easily seen from the street, or placed on the mailbox if the mailbox is on the street of the property and the numbers placed on the house cannot be easily seen from the street. If no such mailbox is available, the numbers shall be attached to a separate post which shall be placed within 30 feet of the street. Numbers fixed to either a mailbox or separate post must be clearly seen from the street when approached from either direction.

(c) In case a principal building is occupied by more than one business or family dwelling unit, each separate front entrance of such principal building shall bear a separate number.
(Ord. No. 35, § 2, 7-14-1972; Ord. No. 65, § 1, 4-3-1990)

Sec. 24-58. Administration.

(a) The building inspector shall be responsible for maintaining the numbering system. In the performance of this responsibility, he shall be guided by the provisions of section 24-57.

(b) The city clerk shall keep a record of all numbers assigned under this article.

(c) The city clerk shall assign to any property owner in the city upon request a number for each principal building or separate front entrance to such building. In doing so, he shall assign such building under the provisions of this article; provided, however, that the recorder may assign additional numerals in accord with the official numbering system whenever a property has been subdivided, a new front entrance opened, or undue hardship has been worked on any property owner.
(Ord. No. 35, § 3, 7-14-1972)

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the planning commission or hold any office. The ex officio member may participate in discussion as a resident and member of the audience.

(d) A quorum shall be achieved when a simple majority of the appointed members is present, excluding the ex officio member, prior to any business being conducted at the meetings. For example, if the Planning Commission consists of seven appointed members, then a minimum of 4 members must be present to achieve quorum.

(e) The meeting shall be conducted according to Robert's Rules of Order.
(Ord. No. 2005-114, § 2, 4-5-2005; Ord. No. 2009-08, § 2, 3-3-2009)

Sec. 24-23. Qualifications; constraints pertaining to membership; committee expenditures.

(a) Every member of the planning commission shall be a registered voter in the city.

(b) Every member shall, before entering upon the disposition of duties, take an oath to faithfully perform the duties of such office.

(c) All members shall serve without compensation, and may be removed by a majority vote of the city council. In the event a planning commission member is removed, the member will be notified by the city.

(d) Any member who fails to attend five regular meetings of the planning commission during any consecutive 12-month period shall have the appointment reviewed by the city council.

(e) No member of the planning commission may participate on any issue or proceeding in which the member has a conflict of interest. While not an exhaustive list, a member has a conflict of interest if the member has a financial interest, is married to the applicant, is related to the applicant within the first degree of kinship, or is employed by the applicant, or if the applicant is employed by the member. Any members having a conflict of interest on a specific zoning review or application is required to recuse himself and step down during planning commission discussion and action. If there is any question regarding a conflict, the planning commission member may consult with the city attorney. The planning commissioner may participate in discussion as a resident and member of the audience.

(f) Expenditures of the planning commission shall be within amounts appropriated for that purpose by the city council.
(Ord. No. 2005-114, § 3, 4-5-2005; Ord. No. 2009-08, § 3, 3-3-2009)

Sec. 24-24. Vacancies.

(a) Vacancies due to resignation, the expiration of a term, or when the city council determines not to reappoint a planning commission member whose term is expiring shall be filled by each applicant making an application requesting to be appointed or reappointed. The city council shall review the applications upon completion of the process set forth below and shall appoint a planning commission member by a majority vote of the city council.

(b) The city clerk shall publish in the official newspaper of the city, on an annual basis, a notice that a vacancy on the planning commission exists and that any interested person may make an application for appointment by the city council.

(c) Applicants for appointment/reappointment shall apply in writing using the appropriate forms as may be required, and the city council shall interview those candidates that it deems appropriate before

PLANNING

ARTICLE I. IN GENERAL

Sec. 24-1. Fees.

(a) *Due upon application.* At the time of filing an application for rezoning, subdivision, variance, special use permit, conditional use permit, street vacation or any other application for a permit or other approval required under an official control established pursuant to Minn. Stats. ch. 462, the applicant shall pay to the city an amount of money sufficient to cover the city's administrative and other costs incurred in the processing of the application.

(b) *Amounts of fee and deposits.* The city may require the applicant to deposit at the time the application is filed an amount of money sufficient to pay the costs of public notices, materials and staff consultant time and research for preparation of materials necessary to the processing of each application in addition to the application fee. At the time of filing of the application, the applicant shall pay to the city the amount of fees established by ordinance. Additional fees shall be paid whenever the council or its designee determines that the actual costs will exceed those initially set by council resolution. No action on the application shall be taken by the city until all fees are paid as required.

(c) *Payment to precede permit issuance.* No permit shall be issued until all costs and fees as provided herein have been paid.

(d) *Waiver by city council.* The council may waive any and all fees provided herein.
(Ord. No. 49, §§1--4, 8-3-1982)

State Law References: Fees in connection with official controls, Minn. Stats. § 462.353, subds. 4, 4a.

Secs. 24-2--24-20. Reserved.

ARTICLE II. PLANNING COMMISSION

Sec. 24-21. Establishment.

A planning commission for the city is hereby established pursuant to Minn. Stats. §§ 462.351 to 462.364.

(Ord. No. 2005-114, § 1, 4-5-2005; Ord. No. 2009-08, § 1, 3-3-2009)

State Law References: Planning commission authorized, Minn. Stats. § 462.354, subd. 1.

Sec. 24-22. Composition.

(a) The planning commission shall consist of five to seven members. The members shall be appointed by the city council by a majority vote of the city council. Each planning commissioner shall be appointed to a three year term. If a commissioner is appointed to fulfill the term of an unexpired term, then the newly appointed commissioner shall serve for the remainder of that term. The term of office, unless appointed to fill an unexpired term, shall begin at the first regular city council meeting in March of each year. Both original and successive appointees hold office until their successors are appointed and have qualified.

(b) In March of each year the members of the planning commission shall annually elect one member as chair and one member as vice-chair.

(c) The city council may appoint one of the members of the city council to serve as an ex officio member of the city planning commission, who shall not have a vote nor participate in any proceedings before

CITY OF GRANT
REQUEST FOR PROPOSALS
Planning Services
May 29, 2012

The City of Grant is soliciting proposals for Planning Services. The city will consider proposals for providing all Planning Services within the city. The successful applicant(s) shall possess sufficient resources to ensure that the demands for the City's Planning needs will be met on a timely basis. The relationship would be on a consulting or contractual basis, as opposed to a staff position.

Included in this RFP are Community History, Request for Proposal Notice, Scope of General Planning Services, Conditions and Stipulations, and Overview of Proposal Evaluation and Contract Award.

COMMUNITY/POSITION HISTORY

The City of Grant is located directly west of the City of Stillwater and is located approximately 25 miles east of the Twin Cities. The City is located in the middle of Washington County. The population is approximately 4,219.

The City of Grant was incorporated in 1996. The City of Grant is a Statutory Plan A form of government providing a weak Mayor/Council. The Mayor and Council Members are elected at-large and the Mayor and Council are elected for a term of 4 years.

The City Council is the final review and approval authority regarding all contracts, payments, plans, improvements, policies, procedures, and other business of the city. Administrative duties are delegated to the City Clerk, Attorney, Treasurer, Planner and other service providers by the City Council.

SECTION ONE: REQUEST FOR PROPOSAL NOTICE

Notice is hereby given that the City of Grant will accept proposals for a City Planner until July 1, 2012.

All proposals (ten copies) shall be clearly identified as City of Grant Planning Services Proposal and will be submitted to the City at the following address:

City of Grant
PO Box 577
Willernie, MN 55090

Inquiries, clarification, or requests for proposal by electronic mail should be directed by telephone or e-mail to the following City contact:

Kim Points
City Clerk
651-426-3383
clerk@cityofgrant.com

SECTION TWO: SCOPE OF GENERAL PLANNING SERVICES

GENERAL DUTY STATEMENT:

The City Planner performs professional planning service work through coordinating and developing plans and programs for the use of land in the City, as directed by the City Council. Serves as staff to the Planning

Commission, researches and writes zoning staff reports and recommendations. Responsible for all City applications including but not limited to variance requests, conditional use permits and subdivisions. Collects and organizes data and information, utilizes GIS maps, and presents recommendations on various planning topics. Participates in policy analysis and development of alternative policy proposals for comprehensive planning and land use regulations. Writes plans and reports and makes public presentations on planning work within the city. Conducts assignments within ethical guidelines of the City planning profession. Performs other related duties and responsibilities as required.

TYPICAL DUTIES PERFORMED:

Plans, organizes, coordinates and directs the activities of all the City's planning.

Plans, organizes and coordinates the City's planning program, including the Comprehensive Plan and Subdivision Ordinance.

Coordinates and directs site specific project planning activities including neighborhood and area plans and plats; prepares and develops agreements regarding plats and subdivisions.

Represents the City in meetings involving planning issues; contacts that may include adjacent communities, Washington County, Watershed Districts, Metropolitan Council, State of Minnesota and Federal Government.

Provides leadership in identifying and responding to long range planning issues.

Prepares and presents planning issues to the Planning Commission and City Council.

Provides assistance on City policies, activities and procedures.

Prepares and recommends an annual budget for planning operations and monitors adopted budget.

ADDITIONAL DUTIES TO INCLUDE BUT NOT LIMITED TO:

- *Comprehensive Plan Amendment review for adjacent communities
- *Ordinance review, clarification, recommendation
- *Pre-application services to include determination of application
- *Resident inquiries as directed by City Clerk
- *Update of Code Book
- *Draft resolutions applicable to various City applications
- *Attend Planning Commission and City Council meetings as requested

REQUIREMENTS:

A Bachelor's Degree in Urban Planning or a closely related field and two years' experience as a City Planner.

Demonstrate an understanding of the basic principles, terms, procedures and practices of urban planning, including familiarity with land use analysis and regulations, demographic and geographic analysis, environmental review, urban design, housing and budgeting.

Demonstrates an ability to clarify planning problems and apply research techniques, information systems, City policies and applicable regulations and laws to recommend a course of action to address such problems.

Demonstrates an ability to identify basic risk and liability issues and resolve routine issues.

Demonstrate an ability to work independently and meeting all application deadlines including City billing procedures.

SECTION THREE: CONDITIONS AND STIPULATIONS:

Proposals will be evaluated and qualified candidates will be interviewed at the August 7, 2012 City Council meeting. The City reserves the right to reject any or all proposals, waive formalities, negotiate terms and conditions, and to select the candidate and services options that best meet the needs of the City.

During the evaluation process, the City of Grant reserves the right, where it may serve the City of Grant best interest, to request additional information or clarifications from vendors, or to allow corrections of errors or omissions. At the discretion of the City of Grant, firms submitting proposals may be requested to make oral presentations as part of the evaluation process.

Identify in your proposal the amount you or your firm proposes to charge for services and regular and special meeting fees. For hourly fees, please identify the hourly rate of each planner and (any) support personnel. Identify the minimum increment of time billed for each service, e.g. phone calls, correspondence, personal conference.

Please provide that billing information for a period of three years.

Also state separately the rate for any other cost items proposed to be itemized and billed (i.e. photocopying, mileage, overhead factor, etc.).

The City requires detailed monthly billing statements that shall include but are not limited to the following items:

- a. Itemize the date of services
- b. Identify the planner and/or support personnel providing the services.
- c. List the time spent for each service or activity by tenths of an hour.
- d. Provide a detailed description of the services performed.
- e. State the fees for those services.
- f. Organize billing for general corporate work by department, type of services, and/or project.
- g. Itemize all associated costs and expenses related to the services performed.

CONTENT OF THE PROPOSAL:

Proposals shall contain the following information:

1. Cover letter and introduction including the name of the firm or individual and the name and telephone numbers of the person(s) authorized to represent the company regarding all matters related to the proposal;
2. Prospective providers should indicate how they envision being able to provide services to the City of Grant, and how those services will fit within the goals and policies of the community.
3. Experience working with other communities with similar geographic profiles and demographics.
4. Representative list of current clients with references contacts at current or former three clients;

5. Indicate whether you or your firm currently represents, or has represented any client (including real estate developers) where representation may conflict with your ability to serve as City Planner for the City of Grant.
6. Indicate whether you or your firm currently represent any other local units of government having jurisdiction within, or contiguous to the City of Grant.
7. Resumes of key personnel to be performing the planning functions for the city, including education and professional certifications;
8. Samples of reports to be submitted to the Town which may address one or more of the following:
 - a. corrections (“comments”) to an initial submittal of a plat or site plan
 - b. a concept review
 - c. monthly inquiries from the public, developers, etc.
9. A fee schedule identifying specific rates for services and meeting attendance including sample invoice detail, billing schedule and mileage charges;
10. Requirements for equipment to be provided by the Town (i.e. computers, software, printers, cameras, projectors, etc.)
11. Provide any additional information that you feel is pertinent in the City’s decision on selecting a planning consultant.

SECTION FOUR: OVERVIEW OF PROPOSAL EVALUATION AND CONTRACT AWARD

The City intends to award a contract to the proposer(s) best qualified to perform the work for the City, cost and other factors considered.

Proposals will be evaluated and qualified candidates will be interviewed at the August 7, 2012 City Council meeting. The City reserves the right to reject any or all proposals, waive formalities, negotiate terms and conditions, and to select the candidate and services options that best meet the needs of the City.