

CITY OF GRANT  
MINUTES

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**DATE** : April 7, 2020  
**TIME STARTED** : 7:00 p.m.  
**TIME ENDED** : 8:35 p.m.  
**MEMBERS PRESENT** : Councilmember Carr, Rog, Giefer,  
Schafer and Mayor Huber  
**MEMBERS ABSENT** : None

Staff members present: City Attorney, Dave Snyder; City Engineer, Brad Reifsteck; City Planner, Jennifer Swanson; and Administrator/Clerk, Kim Points

**CALL TO ORDER**

The meeting was called to order at 7:07 p.m.

**PUBLIC INPUT**

No one spoke during public input.

**PLEDGE OF ALLEGIANCE**

**SETTING THE AGENDA**

**Council Member Rog moved to approve the agenda, as presented. Council Member Carr seconded the motion. Motion carried unanimously with a roll call vote.**

**CONSENT AGENDA**

|   |          |
|---|----------|
| March 3, 2020 City Council Meeting Minutes              | Approved |
| March Bill List, \$33,969.87                            | Approved |
| Kline Bros., Road Work, \$46,629.00                     | Approved |
| ArcPaving Potholing Contract                            | Approved |
| Resolution No. 2020-06, Wildlife Conditional Use Permit | Approved |

**Council Member Giefer moved to approve the consent agenda, as presented. Council Member Rog seconded the motion. Motion carried unanimously with a roll call vote.**

**CONCEPT PLAN REVIEW, DELLWOOD BARN WEDDINGS, 7373 120<sup>TH</sup> STREET N**

Mr. Scott Jordan advised Dellwood Barn Weddings is requesting help from the City to allow the moving of scheduled events in May to later in the season. Reserved wedding events for the 2020 season are requesting to be rescheduled and or cancelled due to the pandemic. He stated they are looking for Sunday events as well as one weekday until 10:00 p.m. He stated they are just asking to reschedule the 2020 events and will not be having additional events.

The City Council indicated they would review an application for an amended CUP for the 2020 season only but any amendment cannot be superceded by other authorities.

**STAFF AGENDA ITEMS****City Engineer, Brad Reifsteck**

**PUBLIC HEARING, Consideration of Resolution No. 2020-16, Certifying Special Assessments for the 2020 Street Improvement Plan** – City Engineer Reifsteck advised following a public hearing, the City Council ordered the public improvements included in the project at the November 4, 2019 regular Council Meeting.

Bids were let and received on February 6<sup>th</sup>, 2020. The lowest responsible bid along with indirect costs, including Legal, Engineering and Administrative costs, amount to a total project cost of \$465,080.00. The City has budgeted and is contributing \$42,320.00 to the Project.

The improvements are anticipated to be funded by special assessments to benefitting properties, in accordance with the Assessment Policy, adopted by City Council.

Total benefit amount to be assessed is \$422,760.00. There are 56.5 total buildable units, which includes two lots being assessed at a rate of one quarter of a buildable unit for having an address on an adjacent street and one parcel at a rate of 3 buildable units for its size and immediate access to a street being improved. The assessment per buildable unit is \$7,482.48.

Assessments are proposed to be paid in equal annual installments over 15 years for single family residential property, beginning in January 2021 with an annual interest rate of 4.50 percent per annum.

The assessment may be paid in whole with no interest charged if the entire assessment is paid within 30 days of the adoption of the assessment.

**Council Member Giefer moved to open the public hearing at 7:43 p.m. Council Member Schafer seconded the motion. Motion carried unanimously by a roll call vote.**

Mr. Brian Ressler, 9760 Justin Trail, stated he has been in favor of this project from the beginning. Everyone would like their voice to be heard and he wants the project to move forward.

1 Mr. Pat Beskar, 96<sup>th</sup> Street, stated he is excited to have the project move forward and asked about the  
2 expected completion date.

3  
4 Mr. Dan Ruth, 9820 Justin Trail, stated he agrees with the other comments and is in favor of moving  
5 the project forward.

6  
7 Staff noted the following property owner’s submitted official objections to the City relating to the  
8 project:

- 9
- 10 9840 Justin Trail N
- 11 10000 Justin Trail N
- 12 9780 Justin Trail N
- 13 9250 Dellwood Avenue N
- 14

15 **Council Member Schafer moved to close the public hearing at 8:06 p.m. Council Member Carr**  
16 **seconded the motion. Motion carried unanimously by a roll call vote.**

17  
18 **Council Member Schafer moved to adopt Resolution No. 2020 - 16, as presented. Council**  
19 **Member Giefer seconded the motion. Motion carried by a roll call vote with Council Member**  
20 **Carr voting nay.**

21  
22 The Council directed staff to work on a streamline process to obtain bids for Joliet and Woodlyn  
23 Acres within the 429 Process.

24  
25 **Consideration of Resolution No. 2020-17, Receive Bids and Award Contract for the 2020 street**  
26 **Improvement Project** – City Engineer Reifsteck advised following a public hearing, the City Council  
27 ordered the public improvements included in the project at the November 4, 2019 regular council  
28 meeting.

29  
30 City Council accepted plans and specifications and authorized advertisement for bids at the January  
31 7<sup>th</sup> council meeting.

32  
33 Bids were received on February 6<sup>th</sup>, 2020. The attached letter of recommendation and bid tabulation  
34 summary indicates the recommended low bidder as OMG Midwest, Inc. dba MN Paving & Materials  
35 of Rogers, MN with a grand total bid of \$387,567.00.

36  
37 The improvements are anticipated to be funded by special assessments to benefitting properties, in  
38 accordance with the Assessment Policy, adopted by City Council.

39  
40 **Council Member Schafer moved to adopt Resolution 2020-17, as presented. Council Member**  
41 **Rog seconded the motion. Motion carried unanimously by a roll call vote.**

42  
43 **Consideration of Resolution No. 2020-18, Declaring Intent of Grant to Reimburse Certain**  
44 **Expenditures from the Proceeds of Bonds to be Issued by the City** – City Engineer Reifsteck

1 advised following a public hearing, the City Council ordered the public improvements included in the  
2 project at the November 4, 2019 regular council meeting.

3  
4 City Council accepted plans and specifications and authorized advertisement for bids at the January  
5 7<sup>th</sup> council meeting.

6  
7 Final project costs were declared to be assessed at the March 3<sup>rd</sup> council meeting in the amount of  
8 \$422, 760.00. The City has budgeted and is contributing \$42,320.00 to the project costs.

9  
10 Following a public assessment hearing, the City Council certified the final assessment roll for the  
11 project.

12  
13 The Council intends to use a combination of general fund tax revenue and special assessments to  
14 assist in financing the project. The City expects to reimburse the expenditures made for the project  
15 costs through the issuance of the bonds.

16  
17 Assessments are proposed to be paid in equal annual installments over 15 years for single family  
18 residential property, beginning in January 2021 with an annual interest rate of 4.50 percent per  
19 annum. The annual interest rate earned will be used to pay for the issuance and administration of the  
20 bonds.

21  
22 **Council Member Rog moved to adopt Resolution No. 2020-18, as presented. Council Member**  
23 **Schafer seconded the motion. Motion carried unanimously by a roll call vote.**

24  
25 **Consideration of Letter of Agreement for Services, Baker Tilly Municipal Advisors, LLC -**  
26 Staff advised a Letter of Agreement from Baker Tilly Municipal Advisors was included in the  
27 Council packets confirming the understanding that Baker Tilly is being engaged by the City of Grant  
28 to assist the City with municipal advisory services.

29  
30 **Council Member Shafer moved to approve Letter of Agreement for Services, Baker Tilly**  
31 **Municipal Advisors, LLC, as presented. Council Member Rog seconded the motion. Motion**  
32 **carried unanimously by a roll call vote.**

33  
34 **City Planner, Jennifer Swanson**

35  
36 **PUBLIC HEARING, Consideration of Ordinance 2020-61, Amending Grant Code of**  
37 **Ordinances, Placement of Structures, Septic Permits and Dimensional Requirements – City**  
38 Planner Swanson advised over the past five years the City has received and processed several  
39 variances from wetland setbacks for the installation of replacement individual subsurface sewage  
40 treatment systems on existing non-conforming lots. The City’s septic system setbacks are provided in  
41 Section 12-260 subsection (1) which requires all structures and sewage systems to be setback 75-feet  
42 from the Ordinary High-Water Level of any unclassified waterbody, which has generally been  
43 interpreted to include most delineated wetlands. The City’s required setback is not consistent with the  
44 watershed district regulations which consequently causes confusion for property owners and septic  
45 installers doing work in the City. During the City’s 2020 goal setting session both the Planning

1 Commission and City Council identified the amendment of the applicable ordinances related to this  
2 issue as a priority.

3  
4 While the issue has been most pronounced for legally non-conforming lots (particularly small lots in  
5 subdivisions developed in the 1960s), the proposed amendments will apply to all lots and installation  
6 of any new individual subsurface sewage treatment system.

7  
8 Staff has prepared the attached draft Ordinance for your review and consideration. A summary of the  
9 Ordinance changes are as follows:

- 10  
11 • Chapter 12, Section 12-260 subsection (a)(1) is amended to add wetland types. Currently  
12 “Unclassified waterbodies” covers any, and all wetlands, without definition. The table will be  
13 updated to specifically identify Wetland Types 3, 4 and 5 consistent with Section 12-261  
14 subsection (d)(1)(c).  
15     o Add subsection 12-260(a)(3) Individual Sewage Treatment Systems setback from  
16 wetland areas. This section specifically references that setbacks shall be consistent  
17 with the watershed district in which the property is located. If the watershed district  
18 does not have a setback requirement, then the system shall be setback a minimum of  
19 50-feet from the delineated wetland edge.
- 20 • Chapter 32, Section 32-183 is amended to clearly define the County as the permitting  
21 authority.
- 22 • Chapter 32, Section 32-246 subsection (a) Dimensional Requirements is amended to add a  
23 reference for Subsurface Sewage Treatment Systems setbacks.

24  
25 City Planner Swanson stated a duly noticed public hearing was posted for March 17, 2020 at 6:30  
26 PM. Since the proposed changes are applicable to all properties and/or zoning districts, individual  
27 letters were not provided. Due to the coronavirus outbreak, the City’s Planning Commission meeting  
28 was cancelled. This agenda item was deemed to be acceptable to move forward to the City Council,  
29 provided a public hearing is held during the upcoming City Council meeting. It is prudent for the City  
30 to make the revisions/amendments as soon as possible given that Spring is here (hopefully) and  
31 residents will likely be requesting septic permits soon.

32  
33 Staff is requesting the City Council review the draft ordinance as presented and provide comments  
34 and/or recommend changes. The draft ordinance is attached for your review and consideration.

35  
36 **Council Member Giefer moved to open the public hearing at 8:56 p.m. Council Member**  
37 **Schafer seconded the motion. Motion carried unanimously by a roll call vote.**

38  
39 Mr. Ray Gunderson, 9215 Ideal Avenue N, stated he is one property owner that does need the setback  
40 change to allow for septic on his new lot.

41  
42 **Council Member Giefer moved to close the public hearing at 9:01 p.m. Council Member**  
43 **Schafer seconded the motion. Motion carried unanimously by a roll call vote.**

1  
2 **Consideration of Resolution No. 2020-15, Summary Publication of Ordinance No. 2020-61 –**  
3 Staff advised Resolution No. 2020 -15 authorizes a summary publication of Ordinance No. 2020-61.  
4

5 **Council Member Giefer moved to adopt Resolution No. 2020-15, as presented. Council**  
6 **Member Schafer seconded the motion. Motion carried unanimously by a roll call vote.**  
7

8 **City Attorney, Dave Snyder (no action items)**  
9

10 **NEW BUSINESS**  
11

12 **Consideration of Resolution No. 2020-14, City of Grant Meetings of the City Council and**  
13 **Planner Commission–** Staff advised Resolution No. 2020-14 outlines the City may determine to hold  
14 City meetings via teleconference due to the pandemic.  
15

16 **Council Member Schafer moved to adopt Resolution No. 2020-14, as presented.. Council**  
17 **Member Giefer seconded the motion. Motion carried unanimously by a roll call vote.**  
18

19 **Consideration of Resolution No. 2020-13, Stillwaer Oaks 2020 Liquor License–** Staff advised  
20 Resolution No. 2020-13 approved the 2020 Liquor License for Stillwater Oaks Golf Club.  
21

22 **Council Member Giefer moved to adopt Resolution No. 2020-13, as presented. Council**  
23 **Member Carr seconded the motion. Motion carried unanimously by a roll call vote.**  
24 .

25 **UNFINISHED BUSINESS**  
26

27 There was no unfinished business.  
28

29 **DISCUSSION ITEMS (no action taken)**  
30

31 **Staff Updates (updates from Staff, no action taken)**  
32

33 **City Council Reports/Future Agenda Items**  
34

35 No items were placed on a future agenda.  
36

37 **COMMUNITY CALENDAR APRIL 8 THROUGH APRIL 30, 2020:**  
38

39 Mahtomedi Public Schools Board Meeting, Thursday, April 9<sup>th</sup> and 23<sup>rd</sup>, Mahtomedi District  
40 Education Center, 7:00 p.m.

41 Stillwater Public Schools Board Meeting, Thursday, April 9<sup>th</sup>, Stillwater City Hall, 7:00 p.m.

42 Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.  
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44 **ADJOURNMENT**

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**Council Member Giefer moved to adjourn the meeting at 9:13 p.m. Council Member Carr seconded the motion. Motion carried unanimously.**

These minutes were considered and approved at the regular Council Meeting May 5, 2020.

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Kim Points, Administrator/Clerk

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Jeff Huber, Mayor

APPROVED