City of Grant City Council Agenda July 1, 2014

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, July 1, 2014, 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. June 3, 2014 City Council Meeting Minutes
 - B. Bill List, \$67,011.36
 - C. City of Stillwater, 1st Half Contract, \$52,686.50
 - D. City of Mahtomedi, 2nd Quarter Fire Contract, \$30,490.00
 - E. Kline Bros. Excavating, Road Maintenance, \$17,535.00
 - F. Beissel Quote, Window Replacement, \$5,986.00
 - G. Exempt Gambling Permit, One-Day Raffle, August 16, 2014, 7130 Manning

5. STAFF AGENDA ITEMS

- A. City Engineer, Phil Olson
 - i. MS4 Permit Overview
 - ii. Consideration of Quote for at Hwy 96 and Heron Road Improvement
 - iii. 69th ICWS Cooperative Agreement
 - iv. 2014 Sealcoat Project
- B. City Planner, Jennifer Haskamp
- i. PUBLIC HEARING, Consideration of Resolution No. 2014-16, Jasmine Meadows Major Subdivision, 6639 Jasmine Avenue North
- ii. PUBLIC HEARING, Consideration of Resolution No. 2014-17, Lucius Ice Arena Conditional Use Permit, 6990 117th Street
- iii. PUBLIC HEARING, Consideration of Ordinance No. 2014-34, Text Amendment to Chapter 32, Section 32-337, Livestock (f); and (g) Wetland Exception in Grazable Acres Calculation
- iv. Consideration of Resolution No. 2014-18, Summary Publication of Ordinance No. 2014-34
- C. City Attorney, Nick Vivian
- i. Consideration of Ordinance No. 2014-35, Continuation of Franchise Fee Rates

ii. Resolution No. 2014-19, Summary Publication of Ordinance No. 2014-35

6. NEW BUSINESS

- A. Schedule 2015 Budget Meeting, City Treasurer Schwarze
- B. IT Policy, Council Member Huber

7. UNFINISHED BUSINESS

- A. 2013 Audit Discussion, City Treasurer Schwarze
- B. Jasmine Avenue Refund, City Treasurer Schwarze

8. **DISCUSSION ITEMS**

- A. City Council Reports (any updates from Council)
- **B. Staff Updates**

9. COMMUNITY CALENDAR JUNE 4 THROUGH JUNE 30, 2014:

Mahtomedi Public Schools Board Meeting, Thursday, July 10th, 2014, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, July 10th and 24th, 2014, Stillwater City Hall, 7:00 p.m.

Charter Commission Meeting, Thursday, July 17th, 2014, Mahtomedi City Hall, 7:00 p.m.

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

10. ADJOURNMENT

PUBLIC INPUT

Citizen Comments – Individuals may address the City Council about any item not included on the regular agenda. The Mayor will recognize speakers to come to the podium. Speakers will state their name and address and limit their remarks to three (3) minutes. Generally, the City Council will not take any official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.

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I. GUIDELINES FOR CONDUCT AT GRANT CITY MEETINGS

- 1. Public input (agenda item) and public comment during agenda items will be addressed as time allows and individuals must be recognized by the Meeting Chair prior to making comments.
- 2. Any individual addressing the Council will approach the microphone and clearly state their name and full address.
- 3. Comments and reading of written statements shall be limited to two (3) minutes. You are encouraged not to be repetitious of comments made by any previous speakers.
- 4. No personal attacks are allowed during any public input, public comment or public hearings.

II. PUBLIC INPUT

Public Input will be held after the meeting is adjourned. Four (4) speakers limited to three (3) minutes each.

III. PUBLIC COMMENT - DURING AGENDA ITEMS

Citizens may share their comments or concern on a specific agenda item if called upon by the City Council. This is the portion of the Council meeting that citizens may comment on an individual agenda item if called on to do so. All comments must be addressed to the Mayor and Council and name and full address must be stated clearly. If the agenda item has had a public hearing, this will not be a continuation of that hearing.

1 2	CIT	ΓΥ OF GRANT MINUTES
3 1		
5	DATE	: June 3, 2014
6	TIME STARTED	: 7:01 p.m.
7	TIME ENDED	: 7:50 p.m.
8	MEMBERS PRESENT	: Councilmember Bohnen, Tronrud, Huber,
9		Lobin and Mayor Carr
10	MEMBERS ABSENT	: None
11		ाहित क्षित्वक्षित्वकः , १८८४ - प्रतिकार्यक्षितः , अपने क्ष्म क्षित्वक्षितः , स्वार्वकः स्वीर्वकार्यकः
12	Staff members present: City Attorney, Ni	ick Vivian; City Planner, Jennifer Haskamp; City Engineer,
13	Phil Olson; City Treasurer, Sharon Schw	arze; and Administrator/Clerk, Kim Points
14	,	AND THE STATE OF T
15	CALL TO ORDER	
16		
17	Mayor Carr called the meeting to order a	t 7:01 p.m.
18		· · · · · · · · · · · · · · · · · · · ·
19	PLEDGE OF ALLEGIANCE	्रिक्त
20		Administrative of the second o
21	SETTING THE AGENDA	स्तरः अध्यक्षित्वास्थ्यति । चित्रार्थं तीर्वाराणीयः । भूतः । भूतिकारितास्थ्यति । स्वर्धान्यति । स्वर्यान्यति ।
22		AND
23		prove the agenda, as presented. Council Member Lobin
24	seconded the motion. Motion carried	unanimously.
25	(日本) (日本) (日本) (日本) (日本) (日本) (日本) (日本)	변경 생명 생명
26	CONSENT AGENDA	lander George Handerstrander
27	Services Applications of the Control	до подат Посто 33
28	May 1, 2014 City Council Meeting	ig Minutes Approved
29	comparison adjustance, consistent and consistent an	Melectures
30	Bill List, \$47,561.30	Approved
31	1 17 2014 C	er grander Personal 1989
32	April 17, 2014 Council Work See	sion Minutes Approved
33 34	Amoni Marian Doct MO1. Com	latin a Danna it for
3 4 35	American Legion Post 491, Gam Windy Acres Location	
36	w may Acres Location	Approved
37	Federal Signal Corporation, \$12,6	060.00
38	rederal Signal Corporation, \$12,	O60.00 Approved
39	Kline Bros. Excavating, Road	
40	Maintenance, \$15,183.75	A
41	141ammemance, \$1.5,165.75	Approved
42	Brochman Blacktopping, Road	
43	Maintenance, \$21,484.00	£ A
43 44	141annonanos, \$21,404.00	Approved
45	Resolution No. 2014-13, Schmid	t Sunnon Club
43	Resolution 190, 2014-15, Schmid	t Supper Club Removed

1	
2	Resolution No. 2014-15, Olmstead Lot Line Adjustment Approved
3	
4 5	Mayor Carr moved Resolution No. 2014-13, Schmidt Supper Club to Item 5Bi, City Planner.
6	Council Member Bohnen moved to approve the Consent Agenda, as amended. Council Membe
7	Lobin seconded the motion. Motion carried unanimously.
8	· · · · · · · · · · · · · · · · · · ·
9	STAFF AGENDA ITEMS
10	The state of the s
11	City Engineer, Phil Olson
12	्रिक्षिक् प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म प्रश्नात्म
13	MS4 Permit - City Engineer Olson stated for Council information is the Municipal Separate Storm
14	Sewer System (MS4) Annual Report for 2013. The report outlines the requirements for the
15	maintenance and operations of the City's stormwater as well and the city's actions towards meeting
16	those requirements in 2013. This report is required by the Minnesota Pollution Control Agency as
17	part of the City's National Pollutant Discharge Elimination (NPDES) Permit.
18	नार कार्यान्त्र है। यह विकास व्यक्ति विकास
19	A requirement of the NPDES Permit is to conduct an annual public informational meeting. In past
20	years this meeting has been completed at the same time as the City Council meeting. This year the
21	meeting will be held on June 16, 2014 at 6:00 pm.
22	्रावर्तः विभागतिकातिकातः विभागतिकातिकातः विभागतिकातिकातः । प्राप्तः विभागतिकातिकातिकातिकातिकातिकातिकातिकातिकातिका
23	City Engineer Olson advised at the July Council meeting, a full scope of costs and minimum
24	requirements will be brought forward. He noted the City Council is responsible for singing off on al
25	the requirements annually so the Council is ultimately responsible to meet all criteria.
26	
27	Council Member Huber moved to authorize approval and submittal of the MS4 Annual Repor
28	following the inclusion of public comments from the public informational meeting. Mayor Car
29	seconded the motion. Motion carried unanimously.
30	The state of the s
31	Retro Reflectivity Policy Update - City Engineer Olson stated that based on updated requirements
32	by the Federal Highway Administration (FHWA), the City is required to adopt a new sign
33	retroreflectivity policy. The City initially adopted a sign retroreflectivity policy in January, 2012.
34	Since that time, the FHWA has revised the requirements based on comments received from state and
35	local agencies.
36	The property of the control of the c
37	The biggest changes to the new retroreflectivity requirements are that sign replacement deadlines are
38	no longer mandated. Replacement and maintenance are still required but timelines are based on the
39	City selecting one of several methods to manage their signage.
40	
41	There are two management methods included in the recommended policy. This first is blanket
42	replacement of signage where the sign age is not known and the second is a scheduled replacement
43	with a sign when the sign sheeting does not meet retroreflectivity standards. This is estimated to be
44	12 years. These management methods are the same as the previously adopted retroreflectivity policy

City Engineer Olson reviewed the sign retroreflectivity policy meeting the FHWA requirements 1 requested Council approval. 2 3 Council Member Huber moved to adopt the Sign Retroreflectivity Policy, as presented. Council 4 Member Lobin seconded the motion. Motion carried unanimously. 5 6 City Planner, Jennifer Haskamp 7 8 Resolution No. 2014-13, Schmidt Supper Club - Mayor Carr stated he would like to add language 9 to one of the conditions regarding obtaining a building permit for a home on the property. 10 11 City Attorney Vivian advised adding language would be appropriate if the concern is building a 12 home, which is a different use that intended. Language could be added that prior to building a 13 residential unit an amended CUP would be required. 14 15 16 Mayor Carr stated he may also have some concern with accessory buildings. 17 It was the consensus of the Council that the current accessory building code would be sufficient for 18 the building of accessory buildings but a house should require an amended CUP. 19 20 City Planner Haskamp advised language would be added to state an amended CUP is required to 21 obtain a building permit for a home. 22 23 Council Member Bohnen moved to adopt Resolution No. 2014-13, as amended. Council 24 25 Member Lobin seconded the motion. Motion carried unanimously. 26 City Attorney, Nick Vivian - No action items. 27 28 **NEW BUSINESS** 29 30 Accept 2013 Audit - City Treasurer Schwarze reviewed the financial highlights of the audit noting it 31 was an unqualified opinion except for the financial statements. The City Council must accept the 32 audit. 33 34 Council Member Huber referred to the findings and noted he can provide a draft IT policy at the next 35 meeting. 36 37 Council Member Bohnen moved to accept the 2013 Audit, as presented.. Council Member 38 39 Huber seconded the motion. Motion carried unanimously. 40 City Treasurer Schwarze requested the 2013 Audit be on the July Council agenda for discussion. She 41 asked that questions from the Council be sent ahead of time. She advised the Jasmine Avenue 42 43 Refund also be on the next meeting agenda.

UNFINISHED BUSINESS

44 45

ADJOURN

1	There was no unfinished business.
2	DISCUSSION ITEMS
4	
5	City Council Reports:
6	
7	Council Member Bohnen advised dust control is scheduled on July 1 and 2. The culverts are being
8	worked on and gravel is going down on several roads. He stated that if anyone has any questions on
9	the roads to give him a call. He requested the City Engineer look into the seal coating projects as well
10	as special road projects for the year.
11	Corneil March on Thomas district 141- and 144- 144- and 144- an
12	Council Member Tronrud stated the newsletter did go out and it lists Council Member Huber as the
13	editor, which is incorrect.
14	Constitution of the state of th
15	Council Member Huber stated the furniture has been ordered and it will be very large. There has been
16	a delay due to the mistake the company made with measurements. There may be a large merger with
17	the Cable commission and that could result in a spinoff of a smaller company. He urged citizens to
18	call their representatives to object to the merger, from the perspective of a Cable Commissioner, not a Council Member.
19 20	Council Member.
20 21	Maryon Corn stated has in still masting with M. The still in a still masting with M. The still in a still in a still masting with M. The still in a still in a still masting with M. The still in a st
21	Mayor Carr stated he is still meeting with May Township regarding fire services. Information
22	regarding the cost/benefit is still needed.
23 24	Moven Com stated he avoid the and the and the and the second seco
	Mayor Carr stated he would like to revise the ordinance relating to chickens so it notes chickens are
25 26	allowed on less than five acres as well as the clarification of section (G) relating to one quarter of wetlands.
26 27	W Guarius. green promise sided the promise sided to the promise sided to the promise side of the promise s
27 28	It was the consensus of the Council to schedule a public hearing at the July Council meeting to revise
29	the ordinance.
30	MIC OTTHINGTON (Application of the process of the
31	Staff Updates:
32	Stati Optiates. Sales Sa
33	There were no staff updates.
34	There were mastern updates.
35	COMMUNITY CALENDAR JUNE 4 THROUGH JUNE 30, 2014:
55	AND THE CONTROL OF TH
36	Mahtomedi Public Schools Board Meeting, Thursday, June 12th, 2014, Mahtomedi Distric
37	Education Center, 7:00 p.m.
38	Stillwater Public Schools Board Meeting, Thursday, June 12th and 26th, 2014, Stillwater City
39	Hall, 7:00 p.m.
40	Charter Commission Meeting, Thursday, June 19th, 2014, Mahtomedi City Hall, 7:00 p.m.
41	Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.
42	

There being no further business, Council Member Bohnen moved to adjourn at 7:50 p.m. Council Member Huber seconded the motion. Motion carried unanimously. The City Council adjourned to a work session to take public comment. No Council action was taken. These minutes were considered and approved at the regular Council Meeting July 1, 2014. Kim Points, Administrator/Clerk Tom Carr, Mayor

Detail

\$10,047.00

\$3,147.26 \$3,262.64 \$6,146.20 \$10,358.00 \$6,7.24 \$155.00

\$90.00

\$628.95

\$72.37

\$6,423.85

\$2,249.50 \$174.00 \$339.00 \$226.00 \$1,101.50

\$2,130.00

\$2,488.85 \$1,360.00 \$1,544.75 \$176.00 \$48.00 \$296.00

\$195.88

\$160.39 \$52,686.50 \$4,347.38

City of Grant			Disburs	Disbursements List			
Vendor	Date	Check#	Total	Description	Void	Account # 100-43007-210	Detail \$125.00
Press Publications	06/23/2014	12462	\$13.80	Legals	8	879-49310-351	\$13.80
Sprint	06/23/2014	12463	\$33.00	City Cell Phone	8	100-43116-321	\$33.00
Xoel Energy	06/23/2014	12464	\$450.57	Utilities	° N	100-43004-381 100-43010-381 100-43117-381	\$70.82 \$336.38 \$43.37
Dennis Heuer	06/23/2014	12465	\$1,325.00	Balifield Maintenance/Mowing/Tax Jul-	Š		
				Sn.V		100-43006-300 100-43009-300	\$600.00
Kline Bros Excavating	06/23/2014	12466	\$17,535.00	Road Maintenance	Š	100-43101-300	\$7,125.00
						100-43111-224 100-43126-300	\$2,875.00
PERA	06/23/2014	12467	\$602.55	PERA	8	100-41102-120 100-41113-100	\$323.59 \$278.96
IRS	06/23/2014	EFT50	\$1,079.91	Payroll Taxes	8	100-41103-100 100-41107-100	\$341.44 \$397.03
		;		·	;	100-41110-100 100-41112-100	\$276.72 \$64.72
Swanson Haskamp Consulting	06/24/2014	12468	\$5,585.77 Planning	Planning	0	100-41209-300 100-41210-300 867-49310-300 880-49310-300 880-49310-300 882-49310-300	\$1,371.00 \$200.00 \$932.25 \$506.00 \$1,196.00 \$851.52 \$529.00
Total For Selected Checks			\$167,722.86				\$167,722.86



DATE	INVOICE NO
6/1/2014	0052315

BILL TO

City of Grant P O Box 577 111 Wildwood Rd Willernie, MN 55090

						DUE DATE
						7/1/2014
DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS ACCOUNT BALANCE						0.00
Fire Contract 1/1/14 - 12/31/14:						
1st Half Contract \$105,373	1.00	52,686.50	52,686.50	0.00	0.00	52,686.50

INVOICE TOTAL:

52,686.50

0.00

0.00

52,686.50

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (651) 430-8800

Customer Name:

City of Grant

Customer No:

100353

Account No:

100353

0000006 - AR account for 100353

 DUE DATE
 INVOICE NO

 7/1/2014
 0052315



Please remit payment by the due date to:

City of Stillwater 216 North 4th Street Stillwater, MN 55082

Invoice Total:
Discounts:

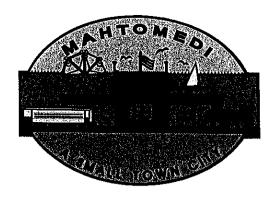
52,686.50 0.00 0.00

Credit Applied: Ending Balance:

52,686.50

INVOICE BALANCE: AMOUNT PAID:

\$52,686.50



December 6, 2013

City of Grant c/o Kim Points P.O. Box 577 Willernie, MN 55090

Dear Kim,

Please remit a check in the amount of \$30,490.00 for the 2nd quarter fire contract. Please pay July 1, 2014.

If you have any questions, please feel free to give me a call at 651-426-3344.

Thank you,

Jerene Rogers Account Clerk

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



Invoice

DATE	INVOICE#
6/18/14	2331

BILL TO	JOB ADDRESS	
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD GRADING 100-453101	

DUE DATE

			6/28/14
DESCRIPTION	QTY	UNIT COST	AMOUNT
5-27-14 770B 5-28-14 770B 5-28-14 770B 5-28-14 770B 5-29-14 770B 5-29-14 770B 6-02-14 770B 6-02-14 740A 6-04-14 740A 6-04-14 740A 6-06-14 770B 6-09-14 770B 6-09-14 770B 6-09-14 770B 6-16-14 770B 6-16-14 740A 6-16-14 770B 6-16-14 740A 6-17-14 740A	3.5 3 7.5 8.5 6.5 5.5 6.25 8 6 7 2.75 7.5 4 6 5 8	75.00 75.00 75.00 75.00 75.00 75.00 75.00 75.00 75.00 75.00 75.00 75.00 75.00 75.00	262.50 225.00 562.50 637.50 487.50 412.50 468.75 600.00 450.00 525.00 206.25 562.50 300.00 450.00 375.00 600.00
CHARGE	Total		7,125.00

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



Invoice

DATE	INVOICE #
6/18/14	2332

BILL TO	JOB ADDRESS	
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	CULVERT WORK 100-43111	

DUE DATE 6/28/14 DESCRIPTION QTY **UNIT COST AMOUNT** 6-05-14 REPLACE 15" X 40' CULVERT WIFLARED ENDS ON KESWICK. 3,500.00 DAMAGED CULVERT, WATER TO CENTER OF ROAD 6-13-14 REPLACE 15" X 35' CULVERT W/FLARED ENDS ON 83RD ST N . 3,000.00 CULVERT DAMAGED AND PLUGGED. CLEAN DEBRIS FROM DITCH AT CULVERT END AND HAUL AWAY 150.00 6-19-14 LOOK AT ROAD AND CULVERT PROBLEMS, FIND & DIG OUT 8 45.00 360.00 CULVERT ON 99TH ST CIR N (2 X 4 HRS) 6-19-14 FILL HOLE IN ROAD ON INWOOD CT, CULVERT WILL NEED TO 0.00 BE REPLACED WHEN DITCH IS DRIER T600 KW 1.5 75.00 112.50 E70 1.5 90.00 135.00 1845C 1.5 85.00 127.50 LOAD OF RC-5 FOR HOLE 150.00 150.00 AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE **Total** 7,535.00

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



Invoice

DATE	INVOICE #
6/18/14	2333

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	DITHWORK 100-43126

DUE DATE 6/28/14 **DESCRIPTION** QTY **UNIT COST AMOUNT** LOOK FOR CULVERTS RESHAPE 68TH ST W 0.00 6-11-14 1845C 6 85.00 510.00 6-11-14 E70 6 90.00 540.00 6-11-14 LNT9000 6 75.00 450.00 RESHAPE JAMACA LN LOOP 0.00 6-12-14 1845C 5.5 85.00 467.50 6-12-14 E70 5.5 90.00 495.00 6-12-14 LNT9000 5.5 75.00 412.50 AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE **Total** 2,875.00



Proposal

Telephone: (651) 451-6835

Fax: (651) 451-0531

		Eury (021) 421-0231
PROPOSAL SUBMITTED TO Grant Townhall	PHONE 651-226-7659	DATE June 13, 2014
8380 Kimbro Ave. No.	JOB NAME	10,2014
CITY, STATE & ZIP CODE Grant, MN 55082	JOB LOCATION	SALES REPRESENTATIVE Lynda Bartlette

WE PROPOSE TO FURNISH ALL LABOR, MATERIALS AND EQUIPMENT NECESSARY TO COMPLETE THE WORK AS FOLLOWS:

Furnish and install 5 Quaker Brighton Brand double-hung wood replacement windows for the east and west sides of the Town Hall. Quaker windows feature bare pine interior; aluminum clad exterior, color to be white, bulb weather-stripping; head parting stop; wood and vinyl jamb liners which include block and tackle balance and locking hardware. Glazing will be 3/4" double-insulated glass featuring Low-E 366 glass and argon gas. Window in small room will have tempered safety glass per code.

Installation includes removing existing sashes and squaring of new window in the opening with the use of shims and stainless steel screws. Perimeter and weight cavities to be insulated with fiberglass insulation and sealed with a commercial grade of caulking. Material and labor guaranteed for 10 years.

PRICE TO BE:\$ 5,986.00 INCLUDES STAINING INTERIOR

We are licensed, bonded and insured.

All work to be done by experienced crews.

Sales tax is included.

Removal of all debris is included.

Building permit, if necessary, is included.

Warranties to be provided.

Lien waiver to be provided upon request.

Rotted wood to be replaced at the cost of material and labor at \$65.00 per man hour.

Lead safe practices will be observed if applicable.

PAYMENT TERMS:

On all orders we require a down payment of 1/2 of the total sale price due at the time of ordering, with the remaining balance paid to installer upon completion.



Proposal

Telephone: (651) 451-6835

1635 Oakdale Avenue, West St. Paul, Minnesota 55118	Fax: (651) 451-0531
E AGREE TO DO ABOVE DESCRIBED WORK FOR THE SUM OF \$TO	BE PAID AS FOLLOWS
ERBAL AGREEMENTS NOT BINDING-ALL ADDITIONAL WORK AND AGREEMENTS MUST E SHOWN IN WRITING. ALL ORDERS ARE ACCEPTED BY US WITH THE UNDERSTANDING HAT WE ARE NOT TO BE HELD LIABLE FOR CAUSES BEYOND OUR CONTROL, THIS	
PROPOSAL SUBJECT TO ACCEPTANCE WITHIN 30 DAYS, BALANCE OF JOB MINUS DOWN AYMENT IS DUE ON COMPLETION.	AUTHORIZED SIGNATURE
e are required by law to provide you with the following notice regarding the rights of persons furnishing	
(A) Any person or company supplying labor or materials for this improvement to your property ma company is not paid for their contributions.	ing of and materials; By file a lien against your property if that person o
(B) Under Minnesota law, you have the right to pay persons who supplied labor or materials for from our contract price, or withhold the amounts due them from us until 120 days after comple waiver signed by persons who supplied any labor or material for the improvement and who ga	tion of the improvement unlock we give you allo
I HAVE READ THE ABOVE AND ACCEPT THE TERMS AND CONDI	TIONS OF THIS CONTRACT.
SIGNATURE	DATE



Proposal

Telephone: (651) 451-6835

Fax: (651) 451-0531

TERMS AND CONDITIONS

- 1. This contract is subject to approval and acceptance by the general manager of Beissel Window & Siding Co. (Hereinafter referred to as Beissel)
- Purchaser shall pay all sales and use taxes and the cost of and changes or variances required by building code including ventilation system compliance, egress window requirements and smoke detectors.
- 3. All surplus materials remain the property of Beissel.
- 4. Beissel will carry the licenses and bonds required by the building code and zoning ordinances.
- 5. Beissel will carry workers' compensation and public liability insurance protection.
- 6. Purchaser's insurance shall be primarily liable for loss or damage to materials on jobsite, including without limitation by theft, vandalism, wind, rain, fire and negligent acts.
- This contract is a complete and exclusive statement of the terms of the agreement of the parties hereto. There are no understandings or representations except as started herein.
- 8. All work included in this contract assumes existing mechanical and electrical equipment is within present code standards. If updating is required, this cost is to be an additional charge. Also, Beissel is not responsible for any damage to interior and exterior finishes that may occur during the installation process.
- There are occasions when our sources of supply cannot satisfy demand on specific items.
 Consequently, we must reserve the right to change specifications for an equal or better substitute. Additionally, Beissel is not responsible for vendor delays.
- 10. Beissel calls the purchaser's attention to the limitations of matching colors and textures of our product lines. Exact duplication is not promised.
- 11. All balances are due in full upon completion unless work is substantially completed then 90% of the balance due is required. A mechanic's lien will automatically be filed on any accounts not paid within 30 days of invoice. Purchaser will be liable for all attorney's fees, costs and expenses of collection including lien filings, as well as legal interest in the amount of .667% per month from the date of original amount was due.

REQUIRED NOTICE TO PURCHASER

- A. Do not sign this before you read the writing on the reverse side, even if otherwise advised.
- B. Do not sign this if it contains any blank spaces.
- C. You are entitled to an exact copy of an agreement you sign. You the purchaser may cancel this purchase at any time prior to midnight of the third business day after the date of the purchase.

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that: Application fee (non refundable) - conducts lawful gambling on five or fewer days, and - awards less than \$50,000 in prizes during a calendar year. If application is postmarked or received 30 days or If total prize value for the year will be \$1,500 or less, contact the licensing more before the event \$50; otherwise \$100. specialist assigned to your county. ORGANIZATION INFORMATION Organization name Previous gambling permit number Minnesota tax ID number, if any Federal employer ID number (FEIN), if any Type of nonprofit organization. Check one. Other nonprofit organization Fraternal Religious Veterans Mailing address State Zip code *5*512 8 Daytime phone number E-mail address 451-7459988 **NONPROFIT STATUS** Attach a copy of ONE of the following for proof of nonprofit status. Nonprofit Articles of Incorporation OR a current Certificate of Good Standing. Don't have a copy? This certificate must be obtained each year from: Secretary of State, Business Services Div., 60 Empire Drive, Suite 100, St. Paul, MN 55103 Phone: 651-296-2803 IRS income tax exemption [501(c)] letter in your organization's name. Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500. IRS - Affiliate of national, statewide, or international parent nonprofit organization [charter] If your organization falls under a parent organization, attach copies of both of the following: a. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and b. the charter or letter from your parent organization recognizing your organization as a subordinate, GAMBLING PREMISES INFORMATION Name of premises, where the gambling, event will be conducted. For raffles, list the site where the drawing will take place. Address [do not use PO box] Zip code For raffles, indicate the date of the drawing. gambling activity that your organization will conduct. Raffle [total value of raffle prizes awarded for year \$____] ___Paddlewheels* ___Pull-tabs* ___Tipboards* *Gambling equipment for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.gcb.state.mn.us and click on Distributors under the WHO'S WHO? LIST OF LICENSEES, or call 651-539-1900.

LG220 Application for Exempt Permit 3/14 Page 2 of 2 LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT **CITY APPROVAL** COUNTY APPROVAL for a gambling premises for a gambling premises located within city limits located in a township The application is acknowledged with no waiting period. The application is acknowledged with no waiting period. The application is acknowledged with a 30 day waiting The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days period, and allows the Board to issue a permit after 30 [60 days for a 1st class city]. days. The application is denied. The application is denied. Print county name Print city name __ Signature of county personnel Signature of city personnel Title Date TOWNSHIP. If required by the county. On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. [A township has no statutory authority to approve or deny Local unit of government must sign an application, per Minnesota Statutes 349.166.1 Print township name ____ Signature of township officer _____ CHIEF EXECUTIVE OFFICER'S SIGNATURE The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date. Chief executive officer's signature Print name REQUIREMENTS Complete a separate application for: Financial report and recordkeeping required A financial report form and instructions will be sent with your · all gambling conducted on two or more consecutive days, or permit, or use the online fill-in form available at · all gambling conducted on one day. . www.gcb.state.mn.us. Only one application is required if one or more raffle drawings Within 30 days of the event date, complete and return

are conducted on the same day

Send application with:

- a copy of your proof of nonprofit status, and
- application fee (non refundable). Make check payable to ... State of Minnesota."

To: Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board.

All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney

Ouestions?

upon request.

at 651-539-1900.

General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and International gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the Information; individuals and agencies for which law or legal order authorizes a new use or sharing of Information after this notice was given; and anyone with your written consent.

the financial report form to the Gambling Control Board.

Call the Licensing Section of the Gambling Control Board

This form will be made available in alternative format (i.e. large print, Braille)



Infrastructure ■ Engineering ■ Planning ■ Construction

701 Xenia Avenue South

Suite 300

Minneapolis, MN 55416 Tel: 763-541-4800 Fax: 763-541-1700

Memorandum

To:

Honorable Mayor and City Council, City of Grant

Kim Points, Administrator, City of Grant

From:

Phil Olson, PE, City Engineer

WSB & Associates, Inc.

Date:

June 24, 2014

Re:

MS4 Implementation Plan and Final SWPPP

Staff is requesting Council authorization to complete tasks to meet the requirements of the MS4 permit. The City has been operating under the 2014 MS4 permit since April 3, 2014. The permit requires compliance with permit rules within 12 months of April 3, 2014.

In August, 2013, Council authorized WSB to provide a draft Stormwater Pollution Prevention Plan (SWPPP) and Implementation Schedule. That work is now complete. Below is a summary of tasks identified within the Implementation Schedule along with an estimated budget. The tasks have been grouped by the different Minimum Control Measures (MCM) within the MS4 permit.

The implementation plan includes the following tasks and approximate costs:

- Watershed Partnerships (RCWD, VBWD, BCWD, CMSCWD): \$4,000
- MCM 1: Public Education and Outreach: \$5,300
 - City newsletter articles
 - o Information for city website update, updated quarterly
 - Priority focus map
 - Educational activity plan
 - Organizational chart for permit responsibilities
 - Employee training
- MCM 2: Public Participation and Involvement: \$1,200
 - Annual meeting and public comments
 - o Roadside cleanup day
 - Stormwater complaint procedures
- MCM 3: Illicit Discharge Detection and Elimination (IDDE): \$2,800
 - GIS Mapping Updates
 - IDDE program \circ
 - 0 Enforcement ordinance
 - IDDE priority map 0
 - Standard operating procedures for spills

- Enforcement response procedures
- Public education for IDDE.

• MCM 4: Construction Site Stormwater Runoff Control: \$2,500

- o Construction site stormwater runoff ordinance
- Plan review checklist
- o Construction site erosion / sediment control best management practices (BMPs)
- Waste control BMPs for construction site operators
- Building inspector logs and documentation
- o Procedures for non-compliance
- o Erosion control inspections
- o Develop enforcement response procedures
- Employee training

• MCM 5: Post-Construction Stormwater Management: \$2,000

- o Land development ordinance
- o Post-construction stormwater management ordinance
- Track stormwater BMPs
- o Develop ERPs

• MCM 6: Post-Construction Stormwater Management: \$1,600

- o Land development ordinance
- o Post-construction stormwater management ordinance
- Track stormwater BMPs
- o Develop ERPs
- TMDL Requirements: TBD (Watersheds may be able to implement these on behalf of the City)
- 2014 Annual Report: \$250
- Final Stormwater Pollution Prevention Plan (SWPPP): \$1,200

Total: \$20,850

The above costs are estimated based on WSB's current understanding of the permit requirements and implementation schedule. Scope of cost changes may occur depending on discussions with the four watershed districts and the amount of coordination needed to complete the public involvement tasks

The city will also have additional expenses related to the implementation of the MS4 permit. Some of these expenses may include updates to the city website, inspections by the building official, publication expenses, legal and planning review of new ordinances, etc. Additionally, the City will have annual expenses for maintaining compliance with the permit. These are currently estimated at \$8000 per year for engineering related tasks.

Action: Authorize WSB to complete tasks within the implementation plan for compliance with MS4 permit.



Infrastructure ■ Engineering ■ Planning ■ Construction

701 Xenia Avenue South Suite 300 Minneapolis, MN 55416

Tel: 763-541-4800 Fax: 763-541-1700

Memorandum

To:

Honorable Mayor and City Council, City of Grant

Kim Points, Administrator, City of Grant

From:

Phil Olson, PE, City Engineer

WSB & Associates, Inc.

Date:

June 24, 2014

Re:

Heron Avenue Paving

A quote was requested from Brochman Blacktopping Co. to pave the entrance of Heron Avenue at Hwy 96. The main concern is cars tracking gravel onto Hwy 96 as they enter the highway from Heron Avenue. Brochman Blacktopping Co. has provided a quote for \$3200 which includes paving 35 feet of road, 24 feet wide. The quote is attached.

Action: Discussion. If desired, authorize Brochman Blacktopping Co. to complete paving on Heron Avenue at Hwy 96.



BLACKTOPPING CO.

www.brochmanpaving.com

12770 McKusick Rd., Stillwater, MN 55082 MN: (651) 439-5379 WI: (715) 294-1622

Service Contract

NAME: City of GRunt ADDRESS: CITY: E-MAIL: 840 Same Let -3"Compre	JOR TYPE	DATE: 6/1/19 TELEPHONE: Show Buhne FAX: 612-720-7492
E-MAIL:	IOR TYPE	612-720-7445
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	CEMENT WORK \$	
	D SURFACE SEAL \$	
	CRACK SEAL \$	
	O TRUCKING \$	
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ІОВ ЅКЕТСН:	TOTAL COST: \$	3, 200
	Leron me	
CONTRACTOR AGREES TO SUPPLY LABOR, MATER	RIALS, AND EQUIPMENT FOR THI	FOLLOWING JOB DESCRIPTION:
CUSTOMER SIGNATURE		CONTRACTOR SIGNATURE

PLEASE SEND PAYMENT TO: BROCHMAN BLACKTOPPING CO., 12770 McKUSICK ROAD, STILLWATER, MN 55082 ANY QUESTIONS PLEASE CALL (651) 439-5379 OR E-MAIL US AT brochmanpaving@msn.com.

Original - White Customer Copy - Yellow Office - Pink



Infrastructure ■ Engineering ■ Planning ■ Construction

701 Xenia Avenue South Suite 300

Minneapolis, MN 55416 Tel: 763-541-4800 Fax: 763-541-1700

Memorandum

To:

Honorable Mayor and City Council, City of Grant

Kim Points, Administrator, City of Grant

From:

Phil Olson, PE, City Engineer

WSB & Associates, Inc.

Date:

June 24, 2014

Re:

CSAH 17/69th Street North Intersection Conflict Warning System (ICWS)

Cooperative Agreement

Council has previously discussed concerns regarding the safety-of the intersection at CSAH 17 and 69th Street. Washington County has identified this this intersection as a potential location for an electronic Intersection Conflict Warning System (ICWS).

At this time, Washington County and WSB have found a way to facilitate the installation of an ICWS. WSB has prepared the attached letter proposal for the design and construction oversight of the project. The County has prepared the attached Cooperative Agreement which itemizes the City and County responsibilities for the installation of the ICWS. Below is a summary of the agreement.

- City pays WSB for design and survey (including State Aid review), County reimburses City for 100% of the costs.
- City/WSB will provide an approved plan set, specs, and estimate to the County.
- County secures bids and hires a contractor to build the project.
- County is responsible for construction inspection, but may ask for WSB inspection support for ICWS items. If such support is needed, County will reimburse City for all costs.

The agreement has been forwarded to the City Attorney for review.

Action: Authorize WSB to complete the design and construction oversight of an intersection conflict warning system at CSAH 17 and 69th Street North as specified in the letter proposal.

- AND -

Authorize necessary signatures to enter into a Cooperative Agreement between the City of Grant and Washington County for the design and construction of CSAH 17 and 69th Street North intersection improvements.

COOPERATIVE AGREEMENT BETWEEN THE CITY OF GRANT AND WASHINGTON COUNTY FOR THE DESIGN AND CONSTRUCTION COST OF COUNTY STATE AID HIGHWAY (CSAH) 17 AND 69TH STREET NORTH INTERSECTION IMPROVEMENTS

WASHIN	GTON COUNTY
CONTRACT NO.	
DEPT.	PUBLIC WORKS
DIVISION	TRANSPORTATION
TERM	

THIS AGREEMENT, by and between the City of Grant, a municipal corporation, herein after referred to as the "City," and Washington County, a political subdivision of the State of Minnesota, hereinafter referred to as the "County," shall consist of this agreement and Exhibit A [Project Location Map] attached hereto.

WITNESSETH:

WHEREAS, the County and the City desire to design and construct an electronic Intersection Conflict Warning (ICWS) system at CSAH 17 (Lake Elmo Avenue) at 69th Street North; and

WHEREAS, the County desires to use State Aid funds for these improvements; and

WHEREAS, a cooperative effort between the City and County is the appropriate method to facilitate the construction of these transportation improvements; and

WHEREAS, this Agreement is made pursuant to statutory authority contained in Minnesota Statute 162.17 sub.1 and Minnesota Statute 471.59.

NOW THEREFORE, IT IS HEREBY MUTUALLY AGREED AS FOLLOWS:

A. PURPOSE

The purpose of this agreement is set forth in the above whereas clauses which are all incorporated by reference as if fully set forth herein.

B. PLANS AND SPECIFICATION PREPARATION

The City shall be responsible for the preparation of the necessary plans and specifications, including compliance with Minnesota State Aid requirements and all other applicable standards and policies and obtaining all approvals required in arriving at the bid specifications for this project.

C. RIGHT OF WAY AND EASEMENTS

1. The County shall acquire all permanent rights-of-way, permanent easements, and temporary slope easements necessary for the project. All permanent rights-of-way, permanent easements, and temporary easements will be acquired in the name of the County.

2. Any rights-of-way, permanent easements, and temporary slope easements that cannot be obtained through negotiation will be acquired by the County through eminent domain proceedings.

D. ADVERTISEMENT AND AWARD OF CONTRACT

After plans and specifications have been approved, all permits and approvals obtained, and acquisition of any necessary rights-of-way and easements, the County shall advertise for construction bids or quotes and award the contract to the lowest responsible bidder or quoter.

E. CONSTRUCTION ADMINISTRATION, OBSERVATION, AND TESTING

The County shall be responsible for the construction administration, inspection, and for the observation and testing for all roadway related construction items. The City shall provide Construction Engineering Support as requested by the County.

F. COST PARTICIPATION ITEMS AND ESTIMATED COSTS

- 1. Actual construction costs will be based on the contractor's unit prices and quantities constructed. The County shall pay the City 100% of project construction costs. The total construction cost is preliminarily estimated to be \$60,000.
- 2. The County shall pay the City 100% of Project Survey and Design fees. The total cost of Project Survey and Design fees shall not exceed \$15,171.
- 3. The County shall pay the City 100% of Construction Engineering Support fees, if such support is requested by the County during construction. Construction Engineering Support includes construction observation, testing, and surveying for roadway and Intersection Conflict Warning System related items. The total cost for Construction Engineering Support fees shall not exceed \$4,904.
- 4. The overall estimated project cost splits are summarized in Table 1 below, based on a preliminary estimate that the total construction cost is preliminarily estimated to be \$60,000 and that the County will pay 100% of project construction costs. City contract administration costs and City overhead costs shall be considered incidental and shall not be invoiced to the County.

Table 1 Summary of ESTIMATED City and County P	roject Cost Sha	
ITEM	CITY COST	COUNTY COST
PROJECT CONSTRUCTION COST	\$0	\$60,000
PROJECT SURVEY & DESIGN SERVICES	\$0	\$15,171
CONSTRUCTION ENGINEERING SUPPPORT	\$0	\$4,904
TOTAL ESTIMATED COST	\$0	\$80,075

G. PAYMENT

After survey, design, and plan preparation is complete the City shall invoice the County for costs incurred. If Construction Engineering Support services are required, the City shall invoice the County after such costs are incurred.

H. LIQUIDATED DAMAGES

Any liquidated damages assessed to a contractor in connection with the work performed on the project shall be split between the County and the City in proportion to the cost split for the category of work in which the liquidated damages are assessed. If liquidated damages are assessed in a category that is wholly County responsibility then the County will retain the full amount of damages. If liquidated damages are assessed in a category that is wholly City responsibility then the City will receive credit for the full amount of damages.

I. CONDITIONS

The City shall not assess or otherwise recover any portion of its cost for this project through levy on County-owned property.

J. CIVIL RIGHTS AND NON-DISCRIMINATION

The provisions of Minn. Stat. 181.59 and of any applicable ordinance relating to civil rights and discrimination shall be considered part of this Agreement as if fully set further herein, and shall be part of any Agreement entered into by the parties with any contractor, subcontractor, or material suppliers.

K. WORKERS COMPENSATION

It is hereby understood and agreed that any and all employees of the City and all other persons employed by the City in the performance of construction and/or construction engineering work or services required or provided for under this agreement shall not be considered employees of the County and that any and all claims that may or might arise under the Worker's Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by any third parties as a consequence of any act or omission on the part of said City employees while so engaged on any of the construction and/or construction engineering work or services to be rendered herein shall in no way be the obligation or responsibility of the County.

L. INDEMNIFICATION

- 1. The County agrees that it will defend, indemnify, and hold harmless the City against any and all liability, loss, damages, costs, and expenses which the City may hereafter sustain, incur, or be required to pay by reason of any negligent act by the City, its agents, officers, or employees during the performance of this agreement.
- 2. The City agrees that it will defend, indemnify, and hold harmless the County against any and all liability, loss, damages, costs, and expenses which the County may hereafter sustain, incur, or be required to pay by reason of any negligent act by the County, its agents, officers, or employees during the performance of this agreement.
- 3. To the fullest extent permitted by law, actions by the parties to this Agreement are intended to be and shall be construed as a "cooperative activity" and it is the intent of the parties that they shall be deemed a "single governmental unit" for the purposes of liability, as set forth in Minnesota Statutes, Section 471.59, subd. 1a(b). The parties to this Agreement are not liable for the acts or omissions of another party to this Agreement except to the extent they have agreed in writing to be responsible for the acts or omissions of the other parties as provided for in Section 471.59, subd.1a.
- 4. Each party's liability shall be governed by the provisions of Minnesota Statutes, Chapter 466 and other applicable law. The parties agree that liability under this Agreement is controlled by Minnesota Statute 471.59, subdivision 1a and that the total liability for the parties shall not exceed the limits on governmental liability for a single unit of government as specified in 466.04, subdivision 1(a).

M. DATA PRIVACY

All data collected, created, received, maintained, or disseminated, or used for any purposes in the course of this Agreement is governed by the Minnesota Government Data Practices Act, Minnesota Statutes 1984, Section 13.01, et seq. or any other applicable state statutes and state rules adopted to implement the Act, as well as state statutes and federal regulations on data privacy.

N. TERM OF AGREEMENT

This Agreement shall remain in full force and effect until terminated by mutual agreement of the City and the County.

IN TESTIMONY WHEREOF the parties have duly executed this Agreement by their duly authorized officers.

WASHINGTON COUNTY		CITY OF GRANT	
Autumn Lehrke, Chair Board of Commissioners	Date	Mayor	Date
Molly O'Rourke County Administrator	Date	City Administrator	Date
Approved as to form:		Approved as to form:	
Assistant County Attorney	Date	City Attorney	Date

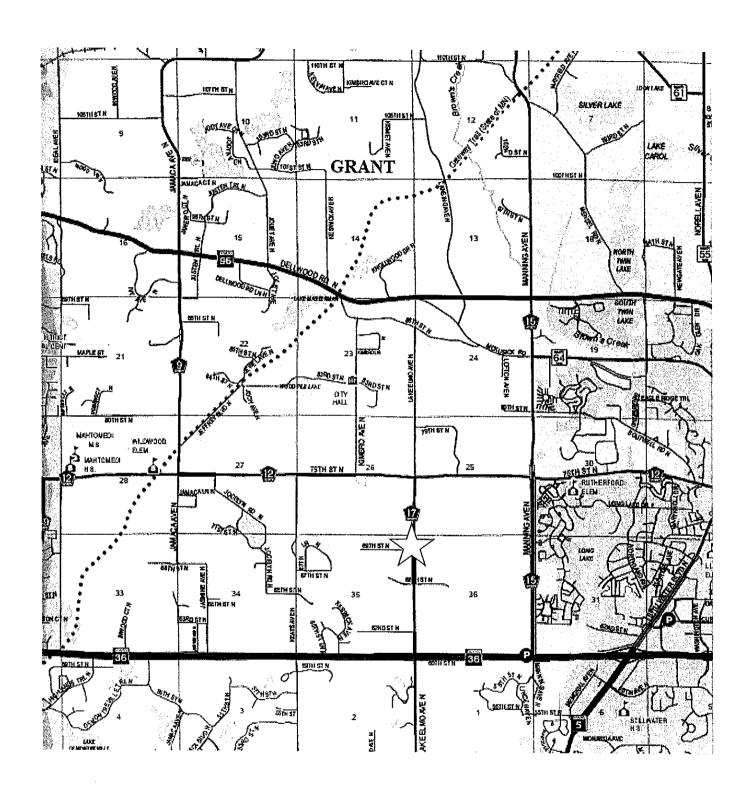


Exhibit A

Project Location Map

701 Xenia Avenue South Suite 300 Minneapolis, MN 55416

Minneapolis, MN 55416 Tel: 763 541-4800 Fax: 763 541-1700

June 16, 2014

Ms. Kim Points City Clerk/Administrator City of Grant

Re: Grant Intersection Conflict Warning System

Dear Ms. Points:

This letter is to serve as a proposal by WSB & Associates, Inc. (WSB) to provide PS&E, construction oversight and County Coordination services for the City of Grant at CR 17 and 69th St N intersection.

WSB has been the lead designer on 32 Rural Intersection Conflict Warning System Sites for MnDOT statewide and will be designing an additional 18 for MnDOT in the upcoming months. The system is designed using a speed trap on the major road legs that calculates the speed of a vehicle and then activates a blank out sign on a minor road. The system is designed to have the minor road blank out warning sign flash for 6.5 seconds as the vehicle is approaching and turn off when the major road vehicle enters the intersection. The major road vehicles are also informed of minor road vehicles approaching the intersection by a static sign with flashers that is activated by minor road detection placed a distance that correlates to the location of the major road warning sign.

The purpose of this project is to provide additional information to road users to assist them of making informed decisions when approaching the intersection at CR 17 and 69th St N. ultimately reducing serious crashes and fatalities at the intersection. On behalf of the City of Grant, we will coordinate with Washington County staff to modify the typical design to fit with County preferences and constraints.

Scope of Services

The tasks that will be completed for this study include the following:

- 1. *Project Management* General project management associated with coordinating this project.
- 2. Design WSB will perform detailed design of the system that will include plans, estimate, specifications and an PS&E package for bidding. Record drawings will be provided once construction is complete.
- 3. Construction Oversight WSB will have an inspector on the job site for an anticipated 5 days of construction oversight.

Minneapolis ■ St. Cloud Equal Opportunity Employer



Work Plan and Estimate of Cost Rural Intersection Conflict Warning System City of Grant Washington County

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2	IOIAL PROJECT COST								

Ms. Kim Points Grant Intersection Conflict Warning System June 23, 2014 Page 2

Cost Estimate

The table on the following page provides a breakdown of the estimated hours and costs, by task, to complete the project. The estimated, not-to-exceed cost is \$20,074.50. WSB & Associates, Inc. will bill the City of Grant for the actual hours worked by each employee classification at the current WSB hourly rates for each of those employee classifications up to the maximum of \$20,074.50. WSB will bill the mileage and direct expenses to the City of Grant at the actual costs.

Schedule

WSB & Associates, Inc. will design the system and have plans ready to go within seven weeks of a notice to proceed.

If you have any questions regarding this proposal, please call me at 763-231-4843.

Sincerely,

WSB & Associates, Inc.

Janelle L. Borgen, PE, PTOE

ITS Manager

Enclosure

Cc: PO



Infrastructure ■ Engineering ■ Planning ■ Construction

701 Xenia Avenue South Suite 300

Minneapolis, MN 55416 Tel: 763-541-4800 Fax: 763-541-1700

Memorandum

To:

Honorable Mayor and City Council, City of Grant

Kim Points, Administrator, City of Grant

From:

Phil Olson, PE, City Engineer

WSB & Associates, Inc.

Date:

June 24, 2014

Re:

2014 Seal Coat Project

Staff is requesting authorization to request quotes from contractors for the 2014 seal coat plan.

Last year the City did not complete a seal coat project. Instead, Council chose to complete larger patching projects on specific roadways where the pavement condition has severely degraded. Roadways scheduled for seal coat this year are in adequate condition and are eligible for seal coating. The following roadways are included on the plan in 2014:

- Dellwood Road Lane, south of Hwy 96
- Dellwood Road Court, north of Hwy 96
- Joliet Avenue, south of Hwy 96
- Justen Trail, Jamaca Avenue to Hwy 96
- Isleton Avenue/Court, East of Irish Avenue

A copy of the seal coat/roadway maintenance plan is attached. The budget for 2014 is \$60,000.

Action: Authorize staff to request quotes from contractors for seal coating based on the City's seal coat plan.

				5	SANT SEAL	GRANT SEAL COAT/MAINTENANCE PLAN	FENANCE	PLA	,					
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/e Ct	West of Manning	009	1997	2012										•
McKusick Rd	Hwy 96 to Manning	6100	1988	2008			,							
96th St/Janero Ct	E & W of Justen Trail	3100	1987	2005							3100 \$12,036		!	
101st Street	Joliet to Keswick	3100	1987	2007								3100		
103rd Street/Ct	East of Joliet	4550	1987	2007				_				4550	\$17,666	
107th Street	Jamaca to Joliet	3300	1992	2006							3300 \$12,813			
Jody Ave, Ct, Cir	West of Joliet	3700	1987	2006							3700 \$14,36		_ 1	Victoria-Woodland
Jollet Ave	North of Hwy 96	2900	1987	2006						-		5900	۷,	
Juno Ave	101st to 103rd St	1500	1987	2007				-				1500	\$5,824	
Justen Trail	Hwy 96 to Joliet	4200	1987	2006					+		4200 \$16,307	_		
Kelman Court	Woodland Acres	1200	1987	2007			!			4		1200	54,659	
100th Street	Ideal to Heron	1800	1992	2006				\$6,989	-	1				
Fieldridge Road	North of 101st St	1600	1992	2006			1600 56212	212	1	+				
Hadley Av, Ct, Cir	North of Hwy 96	4300	1992	2004				+		+				Pine Tree Lake
Hidden Glade Av	North of Hwy 96	2000	1992	2004			_	2777		1				
Indigo Trail	East of Ideal	3400	1986	2004			**************************************	201		1				
110th Street	Lansing to Manning	4500	2004	2012						4				
117th Street	Kimbro to Lansing	1200	2004	2012				.	_	1				
	East of Kimbro	400	2002	2012						-	_			
	Kimbro to Keystone	950	2004	2012				+	_	1				Old County 68
Keystone Ave	118th St to 119th St	350	2004	2012				-						
Kimbro Ave	117th St to 118th St	800	2004	2012				\dashv		_	_			
Lansing Ave	110th St to 117th St	4400	2004	2012				+	-	1				
	Hillcrest to Honeye	1900	1998	2009				+	1	+				
Great Oaks Rd	North of 117th St	1300	1996	2010	_			-	_	-	-			_

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				9	RANT	SEAL C	:OAT/I	GRANT SEAL COAT/MAINTENANCE PLAN	ENANC	E PLAI	7	:				
Change Manne	Constitution of	1,000	7577	1000				Seal	Coat/Mair	rtenance l	Seal Coat/Maintenance Length (Feet) by Year	by Year				Aros
אווהבר ואשווה	Adultess relige	rengan (r.)	Laved			2014	2015	:2	2016		2017		2018	7(2019	Al ca
Grenelefe Ave	South of 117th St	3600	0661 (2005							_	98	3600 \$13,977			
Hillcrest Court	North of 115th St	1300	2002	2009												NW Panhandle
Hillcrest Drive	South of 115th St	1060	1998	3 2008												
Honeye Ave	115th St to 120th St	2600	1998	2009						**						
Indian Wells Tr	East of Grenelefe	880		ī	Dellwd											
88th St/Jeffrey Ave	East of Jamaca	2800		2006			0087	7/8/01S								
Dellwood Rd Ln	South of 96	2400		7 2004	2400	\$9,318					_					
Dellwood Rd Ct	North of Hwy 96	700		2004	700	\$2,718										
ideal Ave	South of Hwy 96	4400		,										Mahto		
lvy Ave/Itaska Tr/Ct	East of Jamaca	0029	, ,	2009						Ţ						Hwy 96 Corridor
Joliet Ave	South of Hwy 96	2400		2004	2400	\$9,318										
Justen Trail	Jamaca to Hwy 96	2700	1`'	2004	2700	\$10,483		_		*						,
Kimbro Ave	Hwy 96 to Co Rd 12	8200		2006			0078	2811837								
Knollwood Drive	North of Hwy 96	2800		2004			0087	710871			•					
Irish Ave	11330 to 11896	0059	1994	2001								_				
Irish Ave	11034 to 11049	1460		2012					-							ole I nech
Ironwood Ave	110th to Irish	1050	2003	2012												INIGIIII FARE
Isleton Ave/Ct	East of Irish	4200	,	2001	4200	\$16,307										
65th Street	East of Jasmine	860	;	2008												
97th Street	West of Manning	300	1985	2010												
105th Street	West from Inwood	200		2008												
Imperial Ave	South of 120th St	1800	1985	2010					-							
Ingberg Circle	West of Ingberg Ct	900	` '	2008							_	_	_			
Jamaca Ave	North of 64th St	150	``						150	\$582						Islands
Jamaca Ave	South of CR 12	700	1978	2008												•
Jarvis Ave	North of 60th St	200	Ì	2008						_						-
Jewel Ave	North of 85th St	150	`							_						
Kimbro Ave Ct	10700 to 10990	1500	_	2008							_					
Maple St (85th St)	East of Mahtomedi	700	1986	2008												
Jasmine Avenue	60th St to 65th St	2450	١.,		2450	\$9,512					_					Jasmine Avenue
110th Street	West of Julianne Ave	1140							1140 \$	\$4,426						110th Street
Paved Road	Total Length (Feet)	170860			14850		13800		15690		15000	17900	₽	16250		Feet
Paved Road	Total Length (Miles)	32.36			2.81		2.61				2.84	3.39		3.08		Miles
2014 Cost / Mile		Estimated Cost By Year	Cost B	/ Year		\$57,656		\$53,580	\$	\$60,918	\$58,239	68	\$69,498		\$63,092	
Total 6 Year Cost	\$ 362,982							: 				i				
Average Cost / Year																

Denotes segments scheduled for patching



STAFF REPORT

TO:

Mayor & City Council Members

Date:

June 18, 2014

Kim Points, City Clerk

Nick Vivian, City Attorney

RE:

Preliminary Plat Application for 7-

lot rural residential major

subdivision

From:

Jennifer Haskamp

Background

The Applicant, Jasmine Meadows, LLC has applied for a Preliminary Plat to subdivide the subject property for purposes of creating a 7-lot rural residential subdivision to be called Jasmine Hills. The proposed subdivision divides approximately 74 acres of land generally located east of the Jasmine Avenue and 66th Street intersection. Stu Grubb, on behalf of Jasmine Meadows, LLC presented his Concept Plan for the proposed subdivision to the City Council several months ago, and has subsequently submitted the subject application for formal review and consideration.

Project Summary

The following summary and background is provided with respect to the proposed Jasmine Hills subdivision:

Applicant: Stuart Grub, Jasmine Meadows,	Site Size: 74.06 Acres
LLC	
Zoning & Land Use: A-2	Proposed Plat: Jasmine Hills
Location (PIDs):	Request: Preliminary Plat, 7-lot rural residential
3403021210001	subdivision (per City Code, Major Subdivision)

The proposed preliminary plat includes seven (7) proposed lots, and includes the incorporation of the existing home and accessory buildings which will be located on proposed Lot 1. Although a detailed narrative was not provided, the preliminary plat suggests that the proposed subdivision will include a focus on the horse facilities and arena located on proposed Lot 1 which will be available to those who move into the homes in the subdivision. The Application provided a draft copy of protective covenants for the Jasmine Hills subdivision which are reviewed generally in subsequent sections of the staff report, but generally support the usage of Lot 1 for the indoor and outdoor arenas and associated boarding, and establish architectural and design review of homes within the subdivision among other details of the subdivision.

As depicted on the Preliminary Plat found in the attachments, the proposed subdivision will be accessed from a single cul-de-sac which will be constructed as part of the project. The proposed lots range in size from approximately 5.01 to 25.86 acres, with the largest acreage lot located on the southern edge of the property. There are two Exception parcels from the original 80-acre property which are denoted on the Preliminary Plat



as Exception 1 and Exception 2. The Exception 1 parcel is approximately 3 acres, and is currently developed with an existing single-family home which is accessed directly from Jasmine Avenue. The Exception 2 parcel is a small vacant area, approximately 0.34 acres, and is owned by one of the adjacent single family home owners in the Sunnybrook Lake plat located north of the proposed project. Both of these Exception Parcel have been appropriately considered in the following analysis, but are not included as part of the proposed subdivision.

The following sections will further describe the proposed subdivision characteristics, and their consistency with the City's subdivision ordinance and relevant sections of the zoning ordinance.

Review Criteria

The City's subdivision ordinance is contained within Chapter 30, which defines a Major Subdivision as, "all subdivision not classified as minor subdivisions, including but not limited to subdivisions of three or more lots, or any size subdivision requiring any new street or extension of the local government facilities, or the creation of any public improvements." Since the proposed Jasmine Hills plat contains 7 lots, it is required to follow the major subdivision process described within Article II, Division 2 Preliminary Plat. Section 30-59 establishes that a public hearing regarding all plats must be held, and that reasonable conditions and modifications may be required which the City Council deems necessary to "protect the health, safety, morals, comfort, convenience and general welfare of the city." Each subdivision shall be required to meet the standards of the applicable zoning district as described within Chapter 32 of the City Code.

Existing Conditions

The site is approximately 77.24 Acres including the Jasmine Avenue right-of-way. The site is oriented north-south with approximately 40-acres north of the Jasmine Ave./68th Street bend, and approximately 40-acres south of the bend. There are two exception parcels, 1 and 2, which are identified on the attached Existing Conditions graphic (sheet 5) and the Preliminary Plat (sheet 6). As shown, the parcel designated as Exception 1 is approximately 3 acres and contains an existing home. Exception Parcel 1 is bordered on the west by a 33-foot strip of land, which is contained on the subject subdivision parcel, however as identified on the Existing Conditions graphic contains a public road easement (Doc #276730). Exception 2 is located in the far northeast corner of the site and is approximately 0.34 acres and is owned by an adjacent landowner in the Sunnybrook Lake plat (Doc #355606). Neither Exception parcel is included as part of the proposed plat, and the public road easement adjacent to Exception 1 is not proposed to be modified/vacated and would be included within the Jasmine Hills plat.

The remaining +/-77 acres from the original 80-acres is the subject of the proposed subdivision. Currently there is an existing home on the south side of the property with two existing accessory



buildings. Based upon the aerials, and plans submitted the two accessory buildings total approximately 4,825 square feet and are located to the northeast of the existing home on the property. The existing home and accessory buildings are accessed from a single driveway with direct access onto Jasmine Avenue.

Zoning/Site Review

The following review is based upon the Preliminary Plat submittal dated 5/28/2014. A wetland delineation update was completed and approved in 2013 by the Valley Branch Watershed District (VBWD), and is also referenced in the following review.

Dimensional Standards

The subject parcel is located within the A-2 zoning district, which includes the following dimensional standards as defined within Section 32-245. Each lot within the proposed subdivision is required to meet the minimum standards as identified in the table below:

Standard
5 acres
300'
60'
160*
65°
65°
20'
50'
5'
75' (50')
30%

^{*}At some place on the lot, a circle of 300-foot diameter must be inscribed.

The following detail regarding each proposed lot contained within the Jasmine Hills plat is provided.

Lot#	Lot Size (Gross in Ac.)	Net Acres	Lot Width	Lot Depth*	Frontage
1	25.86	13.52	230'	1,286'	142' (857'
					Jasmine)
2	10.45	2.43	485'	860'	221'
3	5.01	1.15	210'	660'	157
4	5.07	1.63	200'	623'	72'
5	8.12	3.71	160'	623'	62'
6	9.71	5.86	170'	798'	62'



7	8.16	3.56	210'	675'	179'
Outlot A	1.68	0.38	NA	NA	NA
TOTAL	74.06	32.24		-	·····

As presented in the Preliminary Plat, a proposed location for each home site is identified and summarized in the following table where (N) denotes North, (E) denotes East, (S) denotes South, and (W) denotes West:

Lot#	Front Yard	Side Yard	Side Yard	Rear Yard
1*	(NW) 440'	(N) 160°	(S) 675'	(E) 750°
2	(W) 70'	(S) 20'*	(N) 400°	(E) 960'
3	(NW) 108'	(NE) 62'	(SW) 250'	(SE) 550'
4	(W) 90'	(N) 70'	(S) 70'	(E) 392'
5	(S) 365'	(E) 310'	(W) 30'	(N) 270'
6	(S) 470'	(E) 115'	(W) 340'	(N) 250'
7	(E) 310'	(NE) 80'	. (SW) 235'	(W) 320'

^{*}There is an existing home and two accessory buildings which would be located on Lot 1 and are proposed to remain. Per section 32-313, lots/parcels greater than 20-acres in size have no limits on accessory building square footage; however, accessory buildings which are proposed to house animals are required to obtain a Certificate of Compliance. As depicted on the Preliminary Plat, Lot 1 is proposed to contain an indoor arena for horses, which would require the Applicant to obtain a COC prior to construction.

Based upon the presented preliminary plat, all proposed housing pad locations meet the minimum setback requirements. There are several wetland areas throughout the site which are identified with required setbacks as designated by the Valley Branch Watershed District (VBWD) designated with a gray hatch. All proposed structural locations are sited outside of the necessary wetland setbacks.

Subdivision Design

Section 30-107 Lot Requirements describes the site considerations and subdivision design element that are necessary to consider when platting a property. The existing conditions of the property make the site somewhat awkward with various site constrains including the parcel, Exception 1, and the presence of multiple wetlands on the site. The presence of the wetlands, coupled with the topographic changes, contribute to the proposed lot line configuration and design which propose some lot lines that are not entirely within compliance with the standards as set forth within the subdivision ordinance. The following specific items from Section 30-107 are provided for consideration:

(a) side lots. Side lot lines shall be substantially at right angles to straight streets or radial to curved street lines or radial to lake or stream shores unless topographic conditions necessitate a different arrangement.

Generally, the proposed lot lines around the cul-de-sac meet this standard, however those that are adjacent to the roadway are fairly inconsistent with this standard. The property line between Lot 1 and 2 has a slight jog and



is not necessarily consistent with this standard, however, does mee the roadway at a right-angle. It is assumed that the primary reason for the 'jog' is so that Lot 1 is in excess of 20-acres and therefore can be used more easily for the horse facilities including the indoor and outdoor arena. Although the lot line is slightly irregular, it is fairly straight and staff does not see a significant issue with the way in which it is designed. The other lot which departs from this standard is Lot 7 which must exclude the Exception Parcel which automatically creates an irregular lot line. Based upon the proposed location of the cul-de-sac, there does not appear to be an alternate way to address the Exception and an irregular lot line is likely unavoidable.

(j) natural features — regard shall be shown for all natural features, such as tree growth, watercourses, historic spots, or similar conditions...

The proposed subdivision does a fairly good job of preserving natural features including the preservation of significant trees, tree areas and leaving as many wetlands unaltered as possible. Some of the lot lines are slightly irregular due to the location of wetland areas and topography which although not consistent with section (a) do adhere to this standard.

(k) lot remnants, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, or a plan acceptable to the city shown as to future use, rather than allowed to remain as unusable parcels.

As designed, Outlot A would be considered a remnant based upon the above definition. Further clarification from the Applicant with respect to how the Outlot would be maintained is necessary. As shown there is not an adjacent contiguous lot contained within the subdivision that the remnant could be added to because it is isolated due to the cul-de-sac and the Exception parcel. Therefore staff would recommend that the management and restrictions placed upon the Outlot be described and agreed to within the developer's agreement for the plat.

Cul-de-sac/Road Design Section 30-129 Cul-de-sac streets of the subdivision ordinance establishes the design standards for the proposed cul-de-sac. As proposed, the cul-de-sac in the Jasmine Hills plat is approximately 1,100 feet long and connects with Jasmine Avenue approximately 400-feet south of the bend from 68th Street North. The proposed cul-de-sac intersects Jasmine just shy of 90-degrees, and meets the City's ordinances which states that a 90-degree intersection is preferred, but shall not be less than 70-degrees. As designed, the cul-de-sac meets the City's standards for



length, intersection connection and access location. The maximum length allowed for a cul-de-sac is 1,320 feet, and as proposed, the cul-de-sac meets the City's standards.

As designed, the cul-de-sac roadway shows a 66-foot right-of-way dedication, with a standard rural 28-foot section. The cul-de-sac turnaround shows a 24-foot diameter (48') turnaround. As designed the cul-de-sac meets the City's standards. The attached City Engineer's staff report provides greater detail and analysis with respect to the proposed cul-de-sac.

Driveways & Access

As shown on the Preliminary Plat each lot is proposed to be accessed from the new cul-de-sac which will serve all 7 proposed lots. The Exception parcel to the west of the proposed cul-de-sac will continue to be accessed from their existing driveway from Jasmine Avenue. As described in the Existing Conditions, there is an easement for a public roadway 33-feet wide adjacent to the western property line of Exception 1 which is proposed to remain intact as part of this preliminary plat. Additionally, the existing driveway which currently serves the existing home and accessory buildings on proposed Lot 1, will be re-aligned and modified to be accessed from the proposed cul-de-sac and the driveway entrance on Jasmine Avenue will be removed.

Internal to the subdivision, Lots 1 and 2 are proposing shared access (driveway), as are Lots 5 and 6. The proposed shared access is to preserve some wetland areas, stay outside of wetland setbacks and due to grades. Section 32-346 of the Zoning Ordinance regulates shared access and shared driveways. As proposed it is unclear as to whether the proposed driveway configurations on Lots 1 and 2 and then on Lots 5 and 6 are shared access or a proposed shared driveway. Per ordinance a shared access is defined in (g) as, "shared access is permitted for two contiguous parcels. Shared access is a single access onto a public street, within the road rightor-way, for the use of more than one property owner to gain access to a private driveway. The shared access must be within road right-of-way and terminate outside the lot line of an individual parcel." Then section (h) further defines shared access to contiguous properties stating that, "owners of properties that propose shared access shall provide the City a copy of a developer's agreement or other agreement that identifies the owner's responsibilities for maintenance of the shared access." As proposed, the configuration does not appear to meet this definition, as the "shared access" is not confined to only the ROW area and the 'shared' portion extends well into the private lots. As such, the proposed configuration seems to be closer in definition to a "shared driveway" which is defined as "an access way, standing partly on one owner's land and partly on an adjacent owner's land, over which both owners hold a right-of-way. A shared driveway is generally jointly owned by the owners of the properties it gives access to.' Per ordinance, shared driveways are not permitted. As depicted on the preliminary plat, the proposed driveway configuration, specifically for Lots 1 and 2, and then 5 and 6 do not meet the City's zoning ordinance and an alternate



driveway configuration should be considered.

Septic System/Site Location

The site plan identifies a primary and secondary drainfield location on each proposed lot. The Applicant has submitted a soils report which corresponds to the proposed locations for the individual septic system locations which would support a future home on each site. As shown all setbacks appear to be met with respect to the proposed drainfield locations; however, The secondary (identified as Reserve on the preliminary plat) on Lots 2 and 3 appear to be on the 10-foot setback line and shall be required to be outside of the 10-foot setback as final design of these systems are prepared. Additionally, the secondary drainfield on Lot 2 is separated by wetlands and their associated buffer area. The proposed location should be reviewed by Washington County to ensure that the location is reasonable given the presence of the wetlands and low-land areas. The Applicant shall be responsible for working with the builder or homeowner to ensure proper permits are obtained for each lot as they are purchased and/or developed.

Wetlands

There are extensive wetlands throughout the site which are proposed to remain largely undisturbed. A wetland delineation for the site was performed and has been approved by Valley Branch Watershed District in 2013, and the approved boundaries are identified on the Existing Conditions survey. As noted on the Preliminary Plat, the proposed design of the cul-de-sac does involve some wetland disturbance specifically to Wetland C and Wetland O. There are several wetlands on the site which makes finding an appropriate location for the cul-de-sac difficult, and is nearly impossible to find an area where no wetlands would be impacted. Therefore, the proposed location seems to be best given wetland areas and topography of the site. The Applicant will be required to work with the VBWD and the City on a mitigation plan for the impacted wetlands, and will be required to obtain appropriate permits and approvals to perform such work.

Trees/Vegetation

As shown on the Existing Condition and Preliminary Plat, there is a significant amount of vegetation located on the site. Since the lots will contain custom built homes no specific grading plans or architectural plans have been developed for each individual lot. However, based upon the Preliminary Plat, it appears that the vast majority of the vegetation will remain intact, and that no clear cutting will be necessary. Removal of 8 significant trees, per the city's definition, will be removed in order to construct the cul-de-sac, but the design of the roadway was done in a way to avoid as many significant trees as possible and no other significant trees are proposed for removal at this time. At time of individual home construction, future homeowners shall be required to follow the applicable standards within the ordinance related to clear-cutting, and/or tree removal.



Engineering Standards

A full engineering report and analysis is attached from your review and consideration. Primary issues identified within the Engineering Report include analysis of the cul-de-sac design and subsequent Stormwater Management.

Other Agency Review

The Valley Branch Watershed District has approved the wetland delineation for the site, which was completed and approved in 2013 VBWD will also be involved with the stormwater management plan, construction of the cul-de-sac, specifically with the wetland mitigation and replacement plan which will need to be approved and all applicable standards followed.

Draft Findings and Recommendations

Generally the proposed Jasmine Hills subdivision is consistent with the standards of the City's subdivision ordinance and the applicable standards of the A-2 zoning district. The following recommendations/conditions are proposed for your review and consideration related to the plat:

- The Applicant should be required to enter into a Developer's Agreement to ensure execution of the proposed subdivision and necessary infrastructure improvements. Further detail is provided in the attached Engineer's staff report.
- A final plat depicting and necessary changes and/or modification shall be submitted for review and approval within 12-month of preliminary plat approval.
- Site improvements as described within Section 30-194 shall be agreed to and identified within a Developer's Agreement.
- A street name for the proposed cul-de-sac shall be provided, and approved by the City Council.
- The shared driveways shall be modified in compliance with the Ordinance standards, and private access agreements provided for review and approval by the City Attorney. Further, the Covenants for the subdivision should be updated to include addressing the shared-access agreements.
- Review of the Covenants shall be completed by the City Attorney, and any modifications necessary made prior to final plat approval
- The Covenants and Developer's Agreement shall be recorded with the plat.
- A letter from Washington County Environmental Services shall be provided indicating that the proposed primary and secondary septic sites meet their standards and requirements, and that adequate area exists on site to accommodate a septic system on each lot.



Attachments

Engineer's Staff Report – June 23, 2014

Plan Set dated: 5/28/2014 - Sheets 1 through 10

Copies of Stormwater Management Plan, Soil Borings, and Septic Test results available electronically



Infrastructure ■ Engineering ■ Planning ■ Construction

701 Xenia Avenue South

Suite 300

Minneapolis, MN 55416 Tel: 763-541-4800 Fax: 763-541-1700

Memorandum

To:

Honorable Mayor and City Council, City of Grant

Kim Points, Administrator, City of Grant

CC:

Jennifer Haskamp, City Planner

From:

Phil Olson, PE, City Engineer

WSB & Associates, Inc.

Date:

June 23, 2014

Re:

Jasmine Hills: Engineering Plan Review

SUBMITTAL:

Engineering review comments were generated from the following submittals:

- Preliminary Plat Application
- Preliminary Plat Package (10 sheets) including:
 - o Storm Water Pollution Prevention Plan
 - o Details
 - o Existing Conditions
 - o Preliminary Plat
 - o Grading, Drainage, and Erosion Control
 - o Jasmine Court, Storm Sewer, Pond Grading Details
- Soil Survey Report, dated May 8, 2014
- Pavement Design Report, dated April 4, 2014
- Preliminary Assessment of Soils for Onsite Wastewater, dated March 12, 2014
- Storm Water Management Report, dated May 22, 2014 (336 pages)
- Declaration of Protective Covenants for Jasmine Hills

SITE PLAN COMMENTS:

- 1. The pavement thickness is required to be 4 inches thick (1.5 inches wear course, 2.5 inches base course) as recommended in the Pavement Design Report. Detail 2130 on page 4 shows a total thickness of 3.5 inches. The plan set is required to be updated.
- 2. Page 4 shows details for two types of curb and gutter. The plan should specify which type is proposed with this development.
- 3. Street signs are required to be added to the plan.
- 4. The erosion control plan is required to show the location of silt fences or other erosion control devices. The erosion control plan is required to be updated.
- 5. The driveway grades on Lot 7 are too steep. The grading plan is required to be updated to show how the lot can be graded to provide a feasible driveway.
- 6. Lot 5 and Lot 6 propose to have a shared driveway. It appears that the driveway for Lot 6 could be located further west without impacting Wetland J and the driveway for Lot 5 could be installed further east.

7. The ownership and maintenance responsibilities of Outlot A should be defined by the developer.

DEVELOPERS AGREEMENT:

- 8. A City Council approved subdivision agreement is recommended for this development. The following items should be addressed within the subdivision agreement.
 - Pond and storm sewer maintenance responsibilities
 - Cash payment to seal coat the roadway
 - Financial guarantees and warranties
 - Responsibility of costs
 - Record drawings

STORMWATER MANAGEMENT COMMENTS:

- 9. A stormwater permit is required from Valley Branch Watershed District (VBWD). The plan will be reviewed by the watershed on July 10th.
- 10. The applicant shall submit an approved NPDES permit to the City prior to construction.
- 11. Wetland mitigation areas are not shown on the plan. If mitigation is occurring on site, these areas are required to be defined. If not, the developer should provide a plan detailing where mitigation will occur.
- 12. Soil borings for each infiltration basin are required to determine soil infiltration rates and the depth to groundwater. Infiltration basins should draw down within 48 hours.
- 13. Emergency overflow (EOF) elevations differ on plans from HydroCAD model for Ponds 2, 3, and 4. Provide an updated plan or model with the correct EOF elevations.
- 14. The storm water modeling results should be summarized in a table so comparisons can be made.
- 15. The grading plan is required to show pond labels, including normal water level, high water level elevation and the elevation and locations of all emergency overflow routes.
- 16. Drainage and utility easements are required over all ponding areas and storm sewer. It is assumed that the ponds and storm sewer will be publicly owned and maintained following construction.

Should you have any questions or comments regarding the items listed above, please contact me at 763-512-5245.



Phone: 651,426,3383 Fax: 651.429.1998 Email: clerk@cityofgrant.com

Application Date:	-
Fee: \$1,000+\$25/lot	Escrow: \$7,000

PRELIMINARY PLAT (MAJOR SUBDIVISION)

A preliminary plat is required to subdivide or plat a property when more than one additional parcel or lot is created in unplatted land OR two additional parcels or lots are created in platted lands. The preliminary plat is a map or drawing which graphically delineates the boundary or land parcels for the purpose of identification and record of title. The final plat is a recorded document and must conform to all Minnesota State laws, and must be consistent with the City's Comprehensive Plan and Zoning Code.

PARCEL IDENTIFICATION NO (PIN)	340302	1210001	ZONING DISTRICT & COMP PLAN LAND USE:
LEGAL DESCRIPTION:	T30N, F	R21W, S34	A2 – Agricultural Small Scale
	E1/2 of	NW1/4	LOT SIZE: 77 ac
PROJECT ADDRESS:	OWNER:		APPLICANT (IF DIFFERENT THAN OWNER):
	Name:	Jasmine Meadows, LLC	Stuart Grubb
6639 Jasmine Ave. N	Address:	5374 Nolan Parkway	Vice President
	City, State	Stillwater, MN 55082	Jasmine Meadows, LLC
	Phone:	651-275-5487	651-247-2045
	Emailt	hsgrubb@gmail.com	grubbss@aol.com
DESCRIPTION OF REQUEST:			
The property will be subdivide existing buildings will remain			be built off of Jasmine Avenue. The residential.
EXISTING SITE CONDITIONS: The site is primarily agriculture and will remain on Lot 1. A h			consisting of a house, garage, and barn exist of 1.

APPLICABLE ZONING CODE SECTION(S):

Please review the referenced code section for a detailed description of required submittal documents, and subsequent process.

Chapter 30, Article II Platting, Secs. 30-57 - 76

Submittal Materials

The following materials must be submitted with your application in order to be considered complete. To fully understand all information required for submittal, Staff requires an initial meeting prior to submitting any documents for review. If you have any questions or concerns regarding the necessary materials please contact the City Planner.

AP - Applicant check list, CS - City Staff check list

AP	CS	MATERIALS
X		EXISTING CONDITIONS EXHIBIT:
		(All plans shall be at a scale not smaller than 1" = 200")
		A scalable existing conditions analysis, prepared by and certified by a registered land surveyor, including 100-feet of the abutting properties of record, should include the following:
		North arrow, date of survey
	1000	Boundary lines and dimensions with total acreage
		Topographic Map, contour interval of 2' or less, slopes in excess of 12-percent delineated
		Aerial of site and ½ mile vicinity
		Existing zoning classifications for land in and abutting the subdivision
		Location and extent of tree cover including identification of significant trees

Application for: PLATTING City of Grant

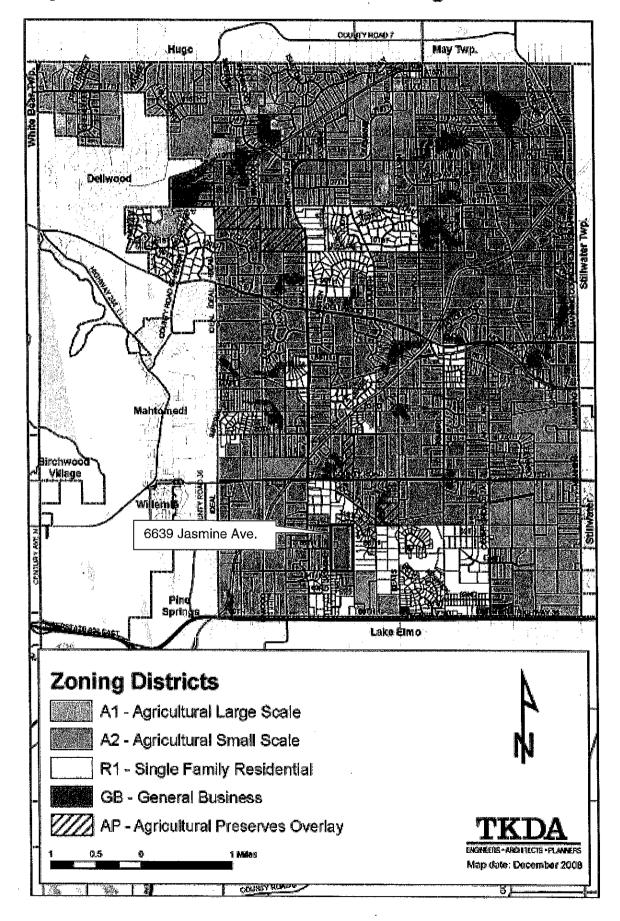
		ory or Grant
x		Drainage Computations
x		Draft Developer's Agreement, Homeowner's Association covenants or deed restricts (if applicable)
X		Mailing labels with names and address of property owners within 1,250 feet, contact Washington County Surveyor's Office: (651) 430-6875
X		Paid Application Fee: \$1,000 + \$25/lot
X		Escrow Paid: \$7,000
MATE	RIALS T	HAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY PLANNER
x		Electronic copy of all submittal documents
		If severe soil limitations for the intended use are noted in the Soil Survey on file at Washington County Soil and Water Conservation District office, a plan or statement indicating the soil conservation practice or practices to be used to overcome said limitation shall be made part of the permit application
		Building elevations and architectural plans
tatements ipproval, d	from the isapprov	emmendation by the Planning Commission. The Planning Commission shall consider oral or written applicant, the public, City Staff, or its own members. It may question the applicant and may recommend and or table by motion the application. The Commission may impose necessary conditions and safeguards in the recommendation.
nade its re	commer	ion by the City Council. The City Council shall review the application after the Planning Commission has addition. The City Council is the only body with the authority to make a final determination and either approve tion for preliminary plat.
		n of time is requested and granted by the City Council, the Applicant shall submit an application for Final Plat freceiving Preliminary Plat approval, or the approval will expire.
This applic	ation mu	ist be signed by ALL owners of the subject property or an explanation given why this not the case.
We, the un	dersigne	ed, have read and understand the above.

 $\frac{5/24/2014}{\text{Date}}$ Date

Signature of Applicant

Signature of Owner
Vice - President
Samne Meadows, LLC

City of Grant: Future Land Use and Zoning





STAFF REPORT

TO:

From:

Mayor & City Council Members

Date:

June 23, 2014

Kim Points, City Clerk

Jennifer Haskamp

Nick Vivian, City Attorney

RE:

CUP to construct a Private

Recreational facility to include an

ice rink and supplemental storage

Background

The Applicants, Chuck and Tami Lucius, have submitted an application to construct a private recreational and equipment storage building on their property located at 6990 117th Street North. The proposed use of the facility includes a proposed ice rink and supplemental storage, and is approximately 304' x 90' or 27,360 square feet. A duly noticed public hearing is scheduled for the July 1st meeting including publication of the hearing in the newspaper and individual letters provided to residents within ½ mile (1,320-feet) of the proposed facility. The following staff report is prepared for your review and consideration of the proposed use.

Project Summary

Applicant & Owner: Chuck & Tami Lucius	Site Size: 40 Acres (Parcel A)
	9.79 Acres (Parcel B)
Owner's Representative: Bob Moser	Zoning & Land Use: A1
Project Address: 6990 117 th Street N	Request: Conditional Use Permit (CUP)
Location Description (PIDs):	
0603021140001 - Parcel A, proposed facility lo	cated on this portion of the property.
0503021230003 – Parcel B, addressed and own	ed by same as west parcel. No operations/construction is
proposed on this parcel as a part of the project.	

The Applicant and Owner, Chuck and Tami Lucius ("Applicant"), have requested approval to construct a new private recreational facility including an ice rink and supplemental storage on the subject west parcel identified above. To construct and operate the proposed facility, the Applicant must obtain a CUP from the City, which is the Subject of this application. The following summary of the proposed facility and operations is provided:

Construct the Facility ("Lucius Arena): The facility is proposed to be constructed on the western 40-acre parcel, PID 0603021140001, near the eastern property line. The facility is identified on the attached plan set as the "Lucius Arena" and is referred to as such through the remainder of this staff report. The proposed facility is 304' x 90' for a total of 27,360 square feet and is oriented north-south parallel to the eastern property line. Based upon the submitted architectural plans the proposed facility includes the following: Ice



Rink, 4 Team Rooms, Women's restroom including 3 stalls, Men's restroom including 2 stalls and 2 urinals, and unisex restroom; Equipment Storage; Arcade Room and other ancillary uses including the refrigeration plant area which is necessary to maintain the ice rink, and the ice re-surfacer area/storage.

Main Access and Parking: The facility is proposed to be accessed from a single access off of 117th Street North (CSAH 7) which is north of the proposed facility. The Applicant is proposing to use the existing driveway and connect the facility and associated parking lot with the driveway. As proposed, the driveway surface and width is not modified from existing conditions. The proposed parking lot includes 33 stalls, which are located in a long and narrow parking area to the east of the proposed facility, with a smaller parking area on the south end of the facility.

<u>Stormwater Control/Ponding:</u> The Applicant has proposed to manage the increased stormwater as a result of the impervious surface coverage in a low-area located directly west of the proposed facility with emergency overflow accommodated to the southwest of the proposed facility. Further detail regarding stormwater and ponding can be found in the attached Engineer's report.

Operations: The Applicant provided an initial narrative, and provided supplemental information on June 10th, which is provided in the Attachments. The narrative states that the facility will be privately managed and maintained and that the facility will be primarily used for their sons and their son's teams. The Applicant has stated that the facility will not be used for structured team practices, games or tournaments. No hours of operation were identified for daily operations; however, the Applicant has stated that the facility will have iceout in the hot summer months but that the facility would be expected to be operational otherwise.

Review Criteria

According to the City Code the proposed uses require a Conditional Use Permit. The City Code states the following for consideration when reviewing a Conditional Use Permit (32-141):

- "(c) Conditional uses as listed in section 32-245 shall be considered only if they support the goals and objectives of the comprehensive plan; protect and enhance the city's rural character; serve, in a general way the needs of the citizens; and do not negatively affect the general welfare, public health and safety.
- (d) In determining whether or not a conditional use may be allowed, the City will consider the nature of the nearby lands or buildings, the effect upon traffic into and from the premises and on adjoining roads, and all other relevant factors as the City shall deem reasonable prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety."
- (e) If a use is deemed suitable, reasonable conditions may be applied to issuance of a conditional use permit, and a periodic review of said permit may be required."

In order to determine the appropriateness of the proposed CUP, the proposal will be reviewed for compliance and consistency with adjacent uses, the zoning district regulations, the performance standards, and other supplemental regulations.



Additional Ordinance Considerations

The proposed CUP for a private recreational facility is a use which has not been reviewed before in the City. Because of the unique nature of the use, the following definitions are offered as a starting point for review of the Application:

Conditional uses, means a land use or development as defined by ordinance that may not be appropriate generally, but may be allowed with appropriate restrictions as provided by official controls upon a finding that:

- 1. Certain conditions as detailed in the zoning ordinances exist;
- 2. The use or development conforms to the comprehensive land use plan of the city; and
- 3. The use or development is compatible with the existing neighborhood.

Principal use, means the primary or predominant use of any lot or parcel, as distinguished from an accessory use. The principal use shall be the purpose for which land is designated, arranged, or intended.

Use, accessory, means a use subordinate to and serving the principal use or structure on the same lot and customarily incidental to such principal use.

Generally, the purpose of the A1 zoning district is defined as, "...A-1 districts provide areas of rural lot density housing with lots large enough for significant agricultural activity to occur." As stated within the previous definition, the Principal use shall be the "purpose for which land is designated, arranged, or intended." Further discussion regarding the principal and accessory uses of the property can be found in the Existing Conditions section and Zoning Code Analysis Summary.

The Applicant has applied for a Conditional Use Permit stating that the facility is a Private Recreational facility with associated storage. The following excerpt from the *Table of Uses* within section 32-245 relates to the proposed facility:

T Too	Conservancy	A1	A2	R1	GB
Recreation areas – private	C	C	С	C	N
Recreation areas – commercial	N	С	N	N	С
Recreation equipment storage –	N	С	C	N	С
commercial			1		
Recreation equipment storage –	A	.A.	Α.	Α	: A
private					i

Section 32-1 does not define "Recreation areas" and therefore the Council should discuss whether the proposed facility (Ice Arena) is consistent with the Use as defined within the Table.



Comprehensive Plan Review

The site is guided A-1 Large Scale Agricultural which calls for large lot single-family residential and low density uses. Generally, most lots within the A-1 zoning district have a rural residential principal use with some exceptions for various CUPs. The Comprehensive Plan prioritizes maintaining the rural character of the community, and that Conditional Uses can be supported with existing infrastructure and won't place unnecessary demands on the community now or in the future. The proposed facility is anticipated to be private and would be managed and maintained by the Owner. The majority of the site would remain in its current agricultural use, which is consistent with the Comprehensive Plan. However, the long term plan for the facility should be discussed with the Applicant since the proposed facility has such a specific use, and if it were to be modified/retrofitted could have an impact on adjacent lands and infrastructure in the future,

Existing Site Conditions

As demonstrated on the attached site plan, there are two parcels, Parcel A and Parcel B, which are included in the proposed Application. The following existing conditions of each Parcel are provided:

Parcel A (PID 0603021140001; 40 Acres)

The proposed facility is located on Parcel A which is approximately 40 Acres. The parcel has approximately 1,320-feet of frontage on 117th Street North (CSAH 7) and is currently accessed from an existing driveway which runs along the eastern property line providing access to both Parcel A and Parcel B. The site is relatively open, with some sparse vegetation providing screening of the existing structures on the site. Based upon the National Wetland Inventory (NWI) there are some small wetlands on site, but the majority of the site is likely upland. There is an existing home on the site setback approximately 600-feet from the road, and there are 4 existing accessory structures which total approximately 5,700 square feet. There is one accessory building which is split, half on Parcel A and half on Parcel B which totals approximately 2,800 square feet. The Applicant has indicated that they do not live in the existing home, but the status of the home, or future residence of the home is unknown. Clarification from the Applicant might necessary to decipher the "principal" and "accessory" use of the property.

Parcel B (PID 0503021230003; 9.79 Acres)

Parcel B is situated adjacent to the eastern property line of Parcel A. For purposes of this application both Parcels and their acreage is considered, however, the proposed facility is entirely contained within Parcel A. Parcel B has approximately 320-feet of frontage on 117th Street North, and is currently accessed from the shared driveway. There are 4 accessory buildings entirely on the Parcel which total approximately 6,830 square feet. As described in Parcel A, there is an accessory building which is half on Parcel A and half on Parcel B that totals approximately 2,800 square feet. The site vegetation and topography is very similar to Parcel A, with sparse vegetation primarily around some of the existing accessory buildings. Southeast of the existing accessory buildings there does appear to be a delineated wetland area, with other small wetlands dispersed on the parcel. Based upon the submitted information, there does not appear to be a principal structure on the Parcel.



Zoning/Site Review

The following review is provided with respect to how the proposed project conforms, is consistent, or inconsistent with the zoning and site regulations.

Dimensional Standards

The following site and zoning requirements in the A-1 district regulate the site and proposed project:

Dimension	Standard	
Lot Size	5 acres	
Frontage /Lot Width on an Improved Public	300'	
Road		
Front yard - centerline of County Road	150'	
(Principal Structure)		
Front Yard Serback - Arterials	150`	
Side Yard Setback	20'	
Rear Yard Setback	50'	
Height of Structure	35'	
Driveway Setback	5'	
Parking Lot setback	10' from ROW	
Wetland Setback Structure (Buffer)	75' (50')	
Impervious surface coverage	50%	
Floor Area Ratio	30%	
Accessory Buildings – Lot Size 40Acres +	No limit	

Lucius Arena Facility (Setbacks & Frontage): The northern property line abuts the 117th Street North right-of-way, and the parcel has approximately 1,320' of frontage, and a total of 1,640' of frontage if considering both Parcel A and Parcel B. As sited, the proposed facility meets the City's ordinances for lot frontage and lot width on a public street.

The proposed facility is located approximately 150' from the northern property line (front yard); 1,115' from the west property line; 108' from the east property line of Parcel A, and 429' from east property line if considering Parcel B; and 974' from the rear property line. As sited, the proposed facility meets the City's ordinances for proper setbacks.

Parking Lot (Location):

The proposed parking lot is located to the east of the proposed facility and runs parallel to the building in a north-south orientation. There are a few parking stalls proposed on the south side of the building which would also be connected to the main parking area and would be accessed from the existing driveway. The proposed location is setback approximately 145-feet from the north property line



and 25-feet from the east property line of Parcel A. The proposed parking lot location for the facility meets the setback requirements identified within the City's zoning ordinance. See Attached Engineering Report prepared by WSB with respect to the Parking Lot design.

Parking:

The City's zoning ordinance does not have a specific parking standard for the proposed private recreational facility (ice arena) and it is difficult to determine an appropriate number of parking stalls that would be necessary based upon the Applicant's proposed use of the facility. Depending on the use, duration and intensity of the facility the number of stalls may be different. The Applicant's plan provide for the following on the site plan:

Parking Area	Number of Stalls
Primary Parking Lot	33
Total Handicap	0
Total	33

As stated within the narrative, and depicted on the site plan, the Applicant is proposing to surface the parking lot and driveways with gravel. The City Engineer has reviewed the design of the proposed parking lot and his comments are attached to this report for your review and consideration. Based upon the submitted information, greater description and understanding of the intensity of the proposed building is necessary to better evaluate the number of parking stalls needed. Additionally, the frequency of use will directly impact what is necessary to maintain a "dustless surface". Further, the number of users and anticipated intensity may require the facility's parking area be designed in a manner that is closer to a commercial standard which would include ADA compliant parking stalls. Staff would recommend that more detail and information be obtained from the Applicant to adequately review the parking lot design, plan and number of stalls.

Driveway/Circulation:

The application proposes to utilize the existing driveway and has not identified any additional improvements to be made to the existing condition of the driveway or access. The existing driveway is connected to 117th Street North which is CSAH 7, a County Road. The driveway runs along the property line between Parcel A and Parcel B and connects to the proposed parking lot on the west side of the driveway. The County has briefly reviewed the application and has stated that they need additional information with respect to intensity of use, duration, number of trips, etc., before they can determine whether any modifications would be necessary. If the Applicant uses the facility for personal use with very limited trips, then the existing access may be adequate. However, if the facility is used more frequently or with greater intensity, then review of the access location, spacing from other access points, etc., would need to be reviewed. The City Engineer has also reviewed the



proposed driveway and circulation plan and his comments are attached in the Engineer's Report. The driveway, as currently located, meets the setback requirements as identified within the City's zoning ordinance. The Applicant should provide additional information with respect to facility programming, intensity and frequency of use, etc., to better determine what improvements, if any, are necessary to the driveway. Additionally, the City Engineer's comments and conditions regarding the access driveway must be reflected in a revised plan set, and submitted for review and approval.

Architecture & Building Height:

The architectural plans and elevations are attached on Sheets A2.1, A2.2 and A3.1. As shown on Sheet A3.1, the proposed height from floor to the peak of the roof is approximately 32.5 feet, with 4 metal pre-finished 4' tall cupolas along the roof ridge. The facility is proposed to be constructed with a metal ribbed roof, assumed to be a standing seam product, and the walls constructed from prefinished insulated concrete panels. The east elevation is proposed as the primary facade, which includes two main entrances, a garage door and several other access doors. With respect to access the south and west elevations will also contain operable doors, including garage doors allowing for larger storage items to easily be moved in and out of the facility. There is minimal fenestration and/or articulation on all elevations, particularly in the areas where the proposed arena is housed within the facility. A description of the proposed color palette and/or materials treatment of the facility was not provided. Considering the large scale of the facility, staff would recommend requesting additional information regarding the materials selection and colors to be used as part of the proposed structure. In particular samples of the roof product may be helpful given the large scale of the facility. The existing building meets the City's standards for height.

FAR and Coverage:

When considering all impervious surface area (coverage), including the proposed parking lot, there is a total of approximately 54,500 square feet of coverage which is equivalent to approximately 1.24 Acres. When considering the total area of the Parcels (Parcels A and B) the total acreage is 49.79 which is then equivalent to 1.24/49.79 = 2.5% coverage. When considering the floor area tatio, the parking lot and drive aisles are excluded which results in approximately 42,690 square feet of building area, which is equivalent to approximately 2% FAR. The proposed site plan meets the City's ordinance standards for Coverage and FAR.

Septic System:

The proposed facility includes a women's restroom containing 3 stalls, a men's restroom containing 2 stalls and 2 urinals, and a unisex bathroom on the mezzanine. The Applicant has provided a copy of their septic tests and submittal which they have made to Washington County Environmental Services for proper permitting. All appropriate permits, including full installation and design of the



system shall be completed in compliance with Washington County standards. If approved, staff would recommend that the Applicant provide a copy of all permits related to the facility for record keeping.

Lighting

Section 32-321 Lighting, Light Fixtures and Glare addresses lighting standards of off-street parking areas and indicates that no more than 1 footcandle may be emitted on a public street, and no more than 0.4 footcandles on adjacent residential property. There are no proposed light fixtures in the parking lot, and lighting is proposed to be accomplished by wall-mounted fixtures affixed to the facility near the entrance doors. The photometric plan submitted indicates that the proposed lighting will adequately light the proposed parking area while filtering out near the property lines. The fixture detail demonstrate that the proposed fixtures are hooded and downward facing. Based upon the plan submitted, the proposed lighting plan for the parking area would meet the City's zoning ordinance standards.

Landscaping/Plantings

Sheet L1.1 shows the proposed landscape plan. As demonstrated the Applicant has indicated that there are existing trees along the eastern edge of the facility, to the north and south of the facility and parking lot. There are a few landscape beds proposed around the facility entrances, but otherwise the Applicant is simply proposing to maintain the existing landscape. Additionally, the Applicant has identified a fenced area north of the proposed building, although based upon the description that it will be a "3 rail fence" is not likely to offer much in the way of screening. As discussed in other sections of this staff report, the question as to whether or not the facility is more commercial in nature would also affect the level of screening necessary on the site. Section 32-318 addresses screening of properties when any business is adjacent to property zoned for residential uses. The section of the code states that the business shall provide screening along the boundary of the residential property. Given the scale of the structure, it is reasonable to consider landscaping and plantings to help screen the proposed activities from adjacent neighbors. The existing vegetation should be adequate to the east and south, but some consideration to the west side of the facility may be necessary as this area is relatively open. Staff would recommend discussion of the proper screening of the east elevation, and whether or not additional buffering is necessary.

Hours of Operation

The Applicant has not proposed any specific hours of operation (see attached Narrative). While the proposed facility is private, it is not clear the frequency or intensity of use anticipated with the structure. Since the floor plan identifies four team rooms, it is reasonable to assume that there may be enough users (kids) regularly to warrant the development of these areas. Therefore, the number of trips



generated may be significant compared to existing conditions, particularly if the hours were late at night, etc. Additionally, the Applicant does not currently live on the property and as such will be coming and going to the facility during use, maintenance, coordination, etc. Therefore, establishing hours of operation may be reasonable depending on the intensity and other factors affecting the use of the site. As such staff would recommend discussing appropriate hours of operation, and what might be reasonable with respect to the proposed use.

Noise

As stated within the hours of operation, it is unclear the anticipated intensity of the proposed use. Greater detail describing the use would be helpful to determine what types of noise, and at what times, the facility may generate. Additionally, the Applicant shall be aware that they will need to operate the facility in compliance with the MPCA's regulations for noise.

Zoning/Use Analysis Summary

As touched on throughout this staff report, the proposed use of an Ice Arena/Recreational storage facility has not been reviewed in the City before. Therefore it is important to review the code and determine whether or not the proposed use is consistent with the City's Comprehensive Plan and Zoning Ordinance which prioritizes maintaining the City's rural character. In addition, discussion regarding the principal use of the property should be had, and a determination as to whether or not the Ice Arena/Storage facility becomes the principal use and whether or not that is consistent with the City's goals and objectives. While the use is private, that does not necessarily mean that it won't be used regularly by several families. Staff would recommend requesting additional information from the Applicant with respect to the anticipated level of use and intensity of the facility, and further clarification as to their intended long term use of the property (do they plan to live on the subject property in the future?) Generally, staff would recommend discussing whether the use is consistent with the Comp Plan, and also whether or not the proposed facility fits within the City's table of uses as a "recreational area – private".

Engineering Standards

A full engineering report and analysis is attached from your review and consideration. Primary issues identified within the Engineering Report include analysis of the Parking Lot design and subsequent Stormwater Management.

Other Agency Review

The property is located within the Rice Creek Watershed District, and the plans have been submitted for their review and consideration. The Applicant provided a copy of their submittal to RCWD with their application, and the City Engineer has reviewed it and provided his comments in the attached staff report. Washington County transportation is also reviewing the application, as well as Washington County environmental services for the septic design.



Draft Findings and Recommendations

The following draft recommendations and conditions are provided for your consideration and discussion as a starting point. The following can be modified, deleted, added to, etc., depending on the public testimony and discretion of the council.

- Additional information should be sought from the Applicant with respect to the proposed intensity of use, anticipated number of users, trips generated, etc.
- Hours of operation should be discussed, and potentially established depending on the anticipated level of use of the facility.
- Additional detail should be provided by the Applicant with respect to principal use (the existing home) and the proposed facility (accessory or principal).
- A materials board should be submitted depicting the proposed roofing, siding and flashing for the facility.
- Discussion about proper buffering along the west façade should address whether or not it is realistic,
 and what type of landscaping would be adequate.
- Depending on the proposed level of intensity of the facility, the parking lot may need to be reviewed to ensure it provides adequate off-street parking for the facility.
- Revisions to the parking lot design must be completed and submitted to the City Engineer for review and approval prior to any construction occurring.
- City Engineer's modifications must be addressed, and updated plans reflecting any proposed changes submitted for review and approval prior to hosting any events.
- All access and driveway permits must obtained from Washington County prior to operations, if applicable.
- All necessary permits from RCWD must be obtained prior to issuance of a grading or building permit for construction of the parking lot.
- Septic design and permit must be obtained from Washington County, and a copy of any approvals and permits submitted to the City for record keeping.
- A building permit must be obtained prior to beginning any work on site.

Action requested:

Staff is requesting the Council review the staff report and direct staff to prepare a resolution of approval with conditions, or denial with findings to be brought back to the regular August Council meeting.

Attachments

Applicant's CUP Narratives Lucius Arena Plan Set City Engineer's Memo, WSB, June 22, 2014



Copies of the septic tests and watershed district submittal will be emailed electronically for your review and consideration.



Infrastructure = Engineering = Planning = Construction

701 Xenia Avenue South Suite 300

Minneapolis, MN 55416 Tel: 763-541-4800 Fax: 763-541-1700

Memorandum

To:

Honorable Mayor and City Council, City of Grant

Kim Points, Administrator, City of Grant

CC:

Jennifer Haskamp, City Planner

From:

Phil Olson, PE, City Engineer

WSB & Associates, Inc.

Date:

June 22, 2014

Re:

Lucius Arena: Engineering Plan Review

SUBMITTAL:

Plans were prepared by Plowe Engineering, Inc. and dated June 10, 2014. Engineering review comments were generated from the following documents included in the submittal:

• Site plans (5 sheets) including:

- Grading and Drainage Plan
- o Details
- O Storm Water Pollution Prevention Plan
- Stormwater Drainage Report, dated June 10, 2014 (44 pages)

SITE PLAN COMMENTS:

1. The existing driveway access is required to be widened to a minimum width of 20 feet between the highway and the southern access to the parking lot. This will prevent congestion issues internal to the site by allowing two-way traffic.

2. The driveway access improvements and the change in driveway use are required to be

approved by Washington County.

3. "No Parking" signs are required to be placed along the driveway to ensure that parking occurs in the parking lot.

4. The existing driveway, access points, site, and buildings should be reviewed by the Fire Marshal to ensure that the site is in compliance with fire code requirements.

5. ADA parking stalls, signage, and an accessible path from the parking area to the building is

required within the parking lot.

6. The proposed gravel parking lot does not meet the City's requirements for an off-street parking area with a durable and dustless surface. As stated in the City Code below, a paved lot is required to meet the requirements for a dustless off-street parking surface. The plan should be updated to meet City Code.

Sec 32-373 Surface and drainage: Off-street parking area shall be improved with a durable and dustless surface. Such areas shall be so graded and drained as to dispose of all surface water accumulation within the parking area. Durable and dustless surface may include crushed rock and similar treatment for parking accessory to one unit residential structures; all other uses shall utilize asphalt, concrete or a reasonable substitute surface as approved by the city engineer.

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STORMWATER MANAGEMENT COMMENTS:

7. A stormwater permit is required from the Rice Creek Watershed District (RCWD). The applicant has submitted the plan for review.

8. The plan shows that the amount of site grading is greater than one acre and an NPDES

permit is required. The applicant shall submit the approved permit to the City.

9. A current wetland delineation report of the site should be submitted to verify that no wetlands are impacted by the proposed improvements and the correct design standards are being used for storm water modeling. Based on general data from the National Wetland Inventory, it appears that the proposed grading may be within an existing wetland. A grading buffer of 50 feet is required outside of the wetland delineation line.

10. The rainfall depths used in the storm water management model should be verified. The model does not seem to match TP 40 or RCWD rules of 7.2-inches for 10-day snowmelt.

11. The storm water management report should be updated to show pervious and impervious areas modeled separately.

12. The applicant should incorporate infiltration into the site. The storm water management

report shows the site contains suitable materials for infiltration.

13. The existing low area pond overtops at the emergency overflow 972.5. The storm water management model should be updated with the discharge from this overflow to Pond 1 to verify Pond 1 and the existing wetland can handle the additional flows.

14. The outlet pipes are shown as 8-inch PVC. The minimum lateral pipe diameter should be 12

inches.

Should you have any questions or comments regarding the items listed above, please contact me at 763-512-5245.



Phone: 651.426.3383 Fax: 651.429.1998 Email: clerk@cityofgrant.com

Application Date:	
Fee: \$400	Escrow: \$3,000

CONDITIONAL USE PERMIT

Certain uses, while generally not suitable in a particular Zoning District, may, under certain circumstances be acceptable. When such circumstances exist, a Conditional Use Permit may be granted. Conditions may be applied to the issuance of the Permit and/or periodic review may be required. The Permit shall be granted for a particular use and not for a particular person or firm.

PARCEL IDENTIFICATION NO (PIN): 06-030-21-14-0001 and 05-030-21-23-0003 LEGAL DESCRIPTION: ZONING DISTRICT & COMP PLAN LAND US A1 - Agricultural large sca	
See survey LOT SIZE: 40 Acres	
PROJECT ADDRESS: OWNER: APPLICANT (IF DIFFERENT THAN OWNER);
6990 117th Name: Chuck & Tami Lucius	
Grant, MN 55082 Address: Lexington Ave. No.	
Arden Hills, MN 55126	
612/819-9761	
clucius@gradientfg.com	
BRIEF DESCRIPTION OF REQUEST:	
Request Conditional Use Permit for construction of a private recreational/equipment.	
EXISTING SITE CONDITIONS:	
Agricultural	
O CONTRACTOR OF THE CONTRACTOR	
APPLICABLE ZONING CODE SECTION(S):	
Please review the referenced code section for a detailed description of required submittal documents, and subsequent process	: <u>.</u>
1. Division 5, Conditional Use Permits 32-141 through 157	

Submittal Materials

The following materials must be submitted with your application in order to be considered complete. If you have any questions or concerns regarding the necessary materials please contact the City Planner.

AP - Applicant check list, CS - City Staff check list

AP,	cs	MATERIALS
Ø	Site Plan: All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arro	
		 Property dimensions Area in acres and square feet Setbacks Location of existing and proposed buildings (including footprint, and dimensions to lot lines) Location of utilities Location of well and septic systems on adjacent properties Location of current and proposed curb cuts, driveways and access roads Existing and proposed parking (if applicable) Off-street loading areas (if applicable) Existing and proposed sidewalks and trails Sanitary sewer and water utility plans
		COPIES: 4 plans at 22"x34", 20 plans at 11"x17"

Application for: CONDITIONAL USE PERMIT City of Grant

Ø		Grading/Landscape Plan: All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow (SEE SURVEY)		
		 Grading Plan Vegetation, landscaping, and screening plans including species and size of trees and shrubs Wetland Delineation Buildable area Topographic contours at 2-foot intervals, bluff line (if applicable) Waterbodies, Ordinary High Water Level and 100 year flood elevation Finished grading and drainage plan sufficient to drain and dispose of all surface water accumulated 		
		COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"		
		Architectural/Building Plan (if Applicable): All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow		
		 Location of proposed buildings and their size including dimensions and total square footage Proposed floor plans Proposed elevations Description of building use 		
		COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"		
Ø		 Written Narrative Describing your request: A written description of your request for the Conditional Use will be required to be submitted as a part of your application. The description must include the following: Description of operation or use 		
	:	 Number of employees (if applicable, if not state why) Sewer and water flow/user rates (if applicable, if not state why) 		
		 Any soil limitations for the intended use, and plan indicating conservation/BMP's 		
		 Hours of operation, including days and times (if applicable) Describe how you believe the requested conditional use fits the City's comprehensive plan 		
		COPIES: 20		
d		Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your property for approvals and necessary permits.		
Ø		Mailing labels with names and address of property owners within ¼ mile (1,320 feet).		
V		Paid Application Fee: \$400		
V		Escrow Paid: \$3,000		
MATE	RIALS T	HAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY PLANNER		
d		Survey of the property: An official survey, by a licensed surveyor, must be submitted with the application. The survey shall be scalable and in an 11" x 17" or 8 ½" x 11" format.		
		Electronic copy of all submittal documents AVAILABLE UPON REQUEST		
This ap	plication	must be signed by ALL owners of the subject property or an explanation given why this not the case.		
We, the	undersi	igned, have read and understand the above.		
Chuck	Luci	us/ 5/02/14		
Signatu	re of Ap	Date		
	Karl	5-2-14		
Signatu	re of Ow	ner (if different than applicant) Date		

Owners: Chuck and Tami Lucius Property address: 6680 117th, Grant, MN Conditional Use Permit Application Narrative May 2, 2014

A conditional use permit application is being submitted for this property to allow for the construction of a recreational/equipment storage building. In addition to accommodating general storage, the proposed building will be constructed in a way to accommodate an indoor private ice rink. Since it will not be constructed for commercial purposes, there will not be any employees working at this facility. The sewer and water needs will be minimal. As illustrated on the concept plans, the only plumbing facilities proposed are those for two full bathrooms, one half bath, a kitchenette, and typical plumbing accommodations for the building's mechanical equipment.

Soil samplings have been taken by American Engineering Testing and no unique soil conditions were encountered. The samples consisted of 6 to 12 inches of top soil with a silty clay layer beneath. Additional testing will be done by AET so that the civil engineer will have information that he needs to complete the required Watershed District application information. We are currently working with Plowe Engineering and the Rice Creek Watershed District to establish a plan for our conformance with BMPs.

Other than working with the City of Grant and the Rice Creek Watershed District, we are not currently working with any other County departments or State agencies. To our knowledge, no others have authority over the property for permits and/or approvals.

Since the building will be used for private purposes, there will be no specified hours of operation.

Listed below are some additional points for your consideration:

- The proposed building is a permitted structure since the subject property is in excess of 20 acres.
- The intended use of this building is consistent with City zoning subject to the issuance of a conditional use permit.
- The building is designed in a way that it is complimentary to the agricultural setting of the site.
- The colors and exterior design proposed are consistent with some of the existing farm buildings that will remain on site.
- Much of the open space surrounding the proposed structure will be planted as a tree farm. This
 capitalizes on the agricultural potential of this land while the trees will serve as a buffer between
 the structure and adjacent properties.
- The owner is committed to working with the Rice Creek Watershed District to assure that
 provisions are made to properly treat water runoff while improving the quality of the wetlands
 that currently exist on site.

In summary, the proposed structure and its intended use is consistent with the City's comprehensive plan. The proposed improvements will be complimentary to the area. We hope that you recognize the merits of this proposal and will approve this application for a Conditional Use Permit.

Thank you for your consideration of our application.

Chuck Lucius

Owners: Chuck and Tami Lucius Property address: 6680 117th, Grant, MN Conditional Use Permit Application Narrative June 9, 2014

This is in response to your letter dated May 19, 2014, regarding the use of our private ice rink.

The rink will be used for our 10 and 11-year-old sons. Our boys play on a summer team that is based out of the western suburbs that contracts ice through St. Louis Park ice arena and Braemar. Their winter team contracts ice through the Super Rink and Fogerty arena in Blaine. We anticipate their friends from both of these teams will come and skate with the boys at our rink. Our rink is not a full-size rink, so it will not be used for structured team practices or games. We will have private instructors come in and work with our boys. Those instructors will use tires, cones, stick handing attack angles, slides boards, etc., as the primary purpose of our rink will be training for our boys. We constructed four smaller rooms that are labeled as locker rooms to allow for storage of these training tools. We will be present when our boys are skating, and my husband and I will resurface the ice using an electric Zamboni. As our boys get older, they too will be trained to clean the ice. We will also be taking the ice out in the hot summer months to minimize costs. There will be no memberships, and we do not anticipate any cash exchanged for services.

Sincerely,

Chuck Lucius

ami Lucius



STAFF REPORT

TO:

Mayor and City Council Members

Date: June 19, 2014

CC:

Kim Points, Administrator/Clerk, Nick

Vivian, City Attorney and Phil Olson,

RE: Text Amendment to revise section

City Engineer

32-337 Livestock, (f) and (g)

From:

Jennifer Haskamp, City Planner

BACKGROUND & REQUESTED CHANGES

At the regular June 1st City Council meeting the Council directed staff to prepare the following text amendment to make certain revisions to Chapter 32, Zoning Section 32-337 related to the keeping of domestic farm animals and grazeable acres. Upon direction of Council, staff has prepared the subsequent text amendment and Ordinance for review a consideration. A public hearing has been noticed for the July 1st City Council meeting in compliance with Section 32-118 of the Zoning Ordinance.

The specific requested changes are identified below, and proposed additions are identified *in italics and underlined*, while proposed deletions have a strikethrough.

Section 32-337. Livestock.

- (a) through (e) No changes.
- (f) Minimum site size for keeping domestic farm animals. The keeping of horses, <u>sheep, swine or</u> cattle of other domestic farm animals on a site with less than two acres of existing grazable land per animal unit is hereby declared to be a nuisance. No domestic farm animals <u>horses, sheep, swine or cattle</u> shall be permitted placed on any site of less than five acres.
- (g) Grazable acres. Grazable acres shall be defined as the area of the parcel or site that excludes 1) wetlands other than Types 1 and 2; 2) any wetland less *greater* than ¼ acre; and 3) the Homesite. For the purposes of determining the number of animals permitted per two Grazable acres, the following animal equivalents apply:

No Changes

ANALYSIS

Division 4, Section 32-116 of the City's Zoning Ordinance allows for amendments to the zoning chapter, if such request is initiated by the City Council, Planning Commission or by a resident's petition. The City Council has initiated this amendment because it is believed that such language was not appropriately codified



several years ago. When considering the proposed amendment the Council should consider, at a minimum, the following:

- 1. Are the proposed changes consistent with the City's adopted Comprehensive Plan?
- 2. Are the proposed changes compatible with existing regulations and standards within the adopted zoning district?
- 3. Will the proposed changes have a negative impact on the health, safety and welfare of the community?
- 4. If the proposed changes are found to be consistent; are there additional considerations which should be addressed within the ordinance modifications?

Comprehensive Plan

The City's adopted comprehensive plan focuses on retaining the Grant's rural lifestyle and ensuring that uses are compatible with existing agricultural and rural residential uses. The proposed modification to section (f) will allow for the keeping of chickens, ducks or turkeys on a property smaller than 5-acres. The keeping of these animals on properties of varying sizes throughout the City is consistent with the objectives of the community to keep neighborhoods rural and true to the agricultural history of the community. Further, the specific domestic farm animals identified can be kept without causing a nuisance in neighborhoods with smaller lot sizes, provided certain conditions are met and the animals are properly boarded.

With respect to the grazable acres calculation, the modification is thought to be a typo that needs to be adjusted to reflect the way in which grazable acres is currently calculated. The correction will make the ordinance consistent with the objectives of the Comprehensive Plan which identifies protection of natural resources, including waters/wetlands, within the City.

Consistency with Zoning

As previously noted, the proposed changes are contained within Section 32-327 Livestock. The primary objective of the text amendment is to provide greater flexibility to smaller rural residential landowners with respect to the keeping of specific domestic farm animals that do not have the same needs and/or demands for grazable acres (chickens, ducks, turkeys). Research of other similar communities demonstrates that many communities provide increased flexibility for smaller domestic farm animals, particularly chickens, on properties with smaller acreage because of the decreased land demands of such animals.

The modifications proposed to section (g) regarding the exclusion of wetlands greater than ¼-acre from the grazable acres calculation is consistent with the City's Environmental Ordinance established within Chapter 12 of the City Code. Additionally, the proposed changes are more consistent with the various standards of the watershed districts which have jurisdiction within the City.



PUBLIC HEARING

Because the proposed changes affect Chapter 32, Zoning Ordinance, a public hearing is required to inform the public of the changes and solicit feedback. A duly noticed public hearing has been schedule for the July 1st City Council meeting.

FINDINGS (draft)

The following draft findings are provided for your review and consideration:

- The proposed modification to Section 32-337 Livestock (f), which eliminates the minimum lot size needed for keeping chickens, turkeys, and ducks, is consistent with the City's stated goals of maintaining the rural quality of the community in every land use designation and zoning district.
- The City's Comprehensive Plan identifies the preservation and encouragement of agricultural
 uses within the community, and allowing chickens and other specified domestic farm animals
 will help support that objective.
- Allowing for the keeping of certain domestic farm animals, specifically chickens, will not be a detriment to the public health, safety or welfare of the community.
- Correcting the grazable acres definition to exclude wetlands greater than a ¼ acre will bring the standard into compliance with Chapter 12 Environment of the City's Code.
- Excluding wetlands greater than ¼ acre from the grazable acres calculation will help further protect the City's wetland quality and natural resources, which is stated as a goal within the City's Comprehensive Plan.

RECOMMENDATIONS

Staff has prepared the attached Ordinance for the Council's discussion and consideration. Modifications could be made to the ordinance upon the direction of the Council, or in response to the testimony provided at the public hearing.

CITY OF GRANT

WASHINGTON COUNTY, MINNESOTA

ORDINANCE 2014-34

An Ordinance Amending the Grant Code of Ordinances Section 32-337 (f) and (g) of Chapter 32, Zoning

The City Council of the City of Grant, Washington County, Minnesota, does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 32, ZONING, OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 32, Article IV. Supplemental Regulations, Division I, Section 32-337 Livestock is hereby AMENDED as follows, where insertions are identified with <u>italics and underlined</u>, and deletions with a <u>strikethrough</u>:

- (f) Minimum site size for keeping domestic farm animals. The keeping of horses, <u>sheep, swine or</u> cattle or other domestic farm animals on a site with less than two acres of existing grazable land per animal unit is hereby declared to be a nuisance. No domestic farm animals <u>horses, sheep, swine or cattle</u> shall be permitted placed on any site of less than five acres.
- (g) Grazable acres. Grazable acres shall be defined as the area of the parcel or site that excludes 1) wetlands other than Types 1 and 2; 2) any wetland less *greater* than ½ acre; and 3) the Homesite. For the purposes of determining the number of animals-permitted per two Grazable acres, the following animal equivalents apply:

	Animal Units
1 slaughter steer or heifer	1
1 horse	1
1 mature dairy cow	0.4
1 swine over 55 pounds	0.4
1 sheep	0.1
1 turkey	0.018
1 chicken	0.01
1 duck	0.02

SECTION 2. SEVERABILITY.

In the event that court of competent jurisdiction adjudges any part of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included within that judgment.

SECTION 5. EFFECTIVE DATE.

This ordinance takes effect upon its adoption and public	cation according to law.	
WHEREUPON, a vote, being taken upon a motion by by Council member, the following		and seconded
Voting AYE:		
Voting NAY:		
Whereupon said Ordinance was declared passed adopted	ed this, 2014.	
	Thomas Carr, Mayor	
Attest: Kim Points City Clerk		

CITY OF GRANT WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2014-18

A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF ORDINANCE NO. 2014-34, TEXT AMENDMENT TO CHAPTER 32, SECTION 32-337 LIVESTOCK (f) TO ALLOW FOR THE KEEPING OF DOMESTICE FARM ANIMALS ON A SITE LESS THATN TWO ACRES IN SIZE; AND (G) TO CORRECT THE WETLAND EXCEPTION IN CALCULATING GRAZABLE ACRES.

WHEREAS, On July 1, 2014, at the regular Grant City Council meeting, by majority vote, the City Council adopted Ordinance No. 2014-34, adopting a text amendment to Chapter 32, Section 32-337 Livestock (f) to allow for the keeping of domestic farm animals on a site less than two acres in size; and (g) to correct the wetland exception in calculating grazable acres.

WHEREAS, State law requires that all ordinances adopted be published prior to becoming effective; and

WHEREAS, the City Council for the City of Grant has determined that publication of the title and a summary of Ordinance No. 2014-34 would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, the City Council for the City of Grant has reviewed the summary of Ordinance No. 2014-34 attached and incorporated herein as **Exhibit A**; and

WHEREAS, the City Council for the City of Grant has determined that the text of the summary clearly informs the public of the intent and effect of Ordinance No. 2014-34.

NOW THEREFORE BE IT RESOLVED, the City Council for the City of Grant hereby:

- 1. Approves the text of the summary of Ordinance No. 2014-34 attached as **Exhibit A**.
- 2. Directs the Administrator/Clerk to post a copy of the entire text of Ordinance No. 2014-34 in all public locations designated by the City Council.
- 3. Directs the Administrator/Clerk to publish the summary in the City's legal newspaper within ten days.
- 4. Directs the Administrator/Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

D 141 141 - CT-1- 2014		
Dated this 1st day of July, 2014.	Tom Carr, Mayor	

ATTEST:

Kim Points, Administrator/Clerk

Ordinance Summary

Ordinance No. 2014-34

AN ORDINANCE AMENDING CHAPTER 32, SECTION 32-337 LIVESTOCK (f) TO ALLOW THE KEEPING OF DOMESTIC FARM ANIMALS ON SITES LESS THAN TWO ACRES; AND (g) CORRECTING THE WETLAND EXCEPTION IN CALCULATING GRAZABLE ACRES.

On July 1, 2014, the City of Grant adopted an ordinance amending Chapter 32, Section 32-337 Livestick (f) domestic farm animals; and (g) wetland exception in grazable acres.

A printed copy of the Ordinance is available for inspection by any person during regular office hours at the office of the Administrator/Clerk or by standard or electronic mail.

AGENDA ITEM 5Ci

STAFF ORIGINATOR

Kim Points

MEETING DATE

July 1, 2014

TOPIC

Ordinance No. 2014-35

VOTE REQUIRED

Majority

BACKGROUND

In 2013, Xcel collected the annual amount of \$55,301.35 for the City of Grant. The fee schedule included in the current franchise fee agreement with Xcel has a sunset clause of 12/31/14.

Xcel Energy and the Public Utilities Commission (PUC) required a 90-day approval period before implementing fee collection. To assure no collection interruption, the fee schedule needs to be submitted by September 1, 2014.

Ordinance No. 2014-35 outlines the same fee schedule that was approved in June, 2009. At that time, the Council discussion related to not being in favor of another tax. However, the Council approved the fee based on the economic conditions as well as levy limits.

The only change in the renewal ordinance is there is no sunset clause. The City is always permitted to review their fee amounts as long and they are not changed more frequently that the franchise agreement is allowed.

If the City Council chooses to increase the fee schedule at this time, the increase must be negotiated and approved by the PUC.

City Attorney Vivian will present Ordinance No. 2014-35 at the regular City Council meeting.

RECOMMENDATION

- 1. Approve the renewed fee schedule as presented.
- 2. Do not approve and negotiate an increase with the PUC.

ORDINANCE NO. 2014-35

AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF GRANT.

THE CITY COUNCIL OF THE CITY OF GRANT DOES ORDAIN:

SECTION 1. The City of Grant Municipal Code is hereby amended to include reference to the following Special Ordinance.

Subdivision 1. Purpose. The Grant City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide electric services within the City of Grant.

(a) Pursuant to City Ordinance 2014-35, a Franchise Agreement between the City of Grant and Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, its successors and assigns, the City has the right to impose a franchise fee on Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, its successors and assigns, in an amount and fee design as set forth in Section 9.1 of the Northern States Power Company Franchise and in the fee schedule attached hereto as Schedule A.

Subdivision 2. <u>Franchise Fee Statement</u>. A franchise fee is hereby imposed on Northern States Power Company, a Minnesota Corporation, d/b/a Xcel Energy, its successors and assigns, under its electric franchise in accordance with the schedule attached here to and made a part of this Ordinance, commencing with the Xcel Energy January 1, 2015 billing month.

This fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. If a premise has two or more meters being billed at different rates, the Company may have an account for each rate classification, which will result in more than one franchise fee assessment for electric service to that premise. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate classification for energy delivered to that premise. In the event any entities covered by this ordinance have more than one premise, each premise (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premise, the Company's manner of billing for energy used at all similar premises in the city will control.

Subdivision 3. Payment. The said franchise fee shall be payable to the City in accordance with the terms set forth in Section 9.4 of the Franchise.

Subdivision 4. <u>Surcharge</u>. The City recognizes that the Minnesota Public Utilities Commission may allow Company to add a surcharge to customer rates of city residents to reimburse Company for the cost of the fee.

Subdivision 5. <u>Enforcement</u>. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

Subdivision 6. <u>Effective Date of Franchise Fee</u>. The effective date of this Ordinance shall be after its publication and ninety (90) days after the sending of written notice enclosing a copy of this adopted Ordinance to Xcel Energy by certified mail. Collection of the fee shall commence as provided above.

Passed and approved:	, 2014.	
	Mayor	
Attest:		
Administrator/ Clerk		

SEAL

SCHEDULE A

Franchise Fee Rates:

Electric Utility

The franchise fee shall be in an amount determined by applying the following schedule per customer premise/per month based on metered service to retail customers within the City:

Customer Classification	Franchise Fee Amount Per Premise Per Month
Residential	\$ 2.35
Small C&I Non-Demand	\$ 2.00
Small C&I Demand	\$ 14.00
Large C&I	\$ 75.00
Public Street Lighting	\$ 2.00
Municipal Pumping Non-Demand	\$ 2.00
Municipal Pumping Demand	\$ 2.00

Franchise fees are to be collected by the Utility at the rate listed below, and submitted to the City on a quarterly basis as follows:

January – March collections due by April 30. April – June collections due by July 31. July – September collections due by October 31. October – December collections due by January 31.

CITY OF GRANT WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2014-19

A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF ORDINANCE NO. 2014-35, AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY

WHEREAS, On July 1, 2014, at the regular Grant City Council meeting, by majority vote, the City Council adopted Ordinance No. 2014-35, Extending the Current Electric Service Franchise Fee on Northern States Power Company; and

WHEREAS, State law requires that all ordinances adopted be published prior to becoming effective; and

WHEREAS, the City Council for the City of Grant has determined that publication of the title and a summary of Ordinance No. 2014-35 would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, the City Council for the City of Grant has reviewed the summary of Ordinance No. 2014-35 attached and incorporated herein as **Exhibit A**; and

WHEREAS, the City Council for the City of Grant has determined that the text of the summary clearly informs the public of the intent and effect of Ordinance No. 2014-35.

NOW THEREFORE BE IT RESOLVED, the City Council for the City of Grant hereby:

- 1. Approves the text of the summary of Ordinance No. 2014-35 attached as **Exhibit A**.
- 2. Directs the Administrator/Clerk to post a copy of the entire text of Ordinance No. 2014-35 in all public locations designated by the City Council.
- 3. Directs the Administrator/Clerk to publish the summary in the City's legal newspaper within ten days.
- 4. Directs the Administrator/Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

Dated this 1st day of July, 2014.		
ATTEST:	Tom Carr, Mayor	

Kim Points, Administrator/Clerk

Ordinance Summary

Ordinance No. 2014-35

AN ORDINANCE EXTENDING THE CURRENT ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY

On July 1, 2014, the City of Grant adopted an ordinance extending the current electric service franchise fee on Northern States Power Company effective January 1, 2015.

A printed copy of the Ordinance is available for inspection by any person during regular office hours at the office of the Administrator/Clerk or by standard or electronic mail.

AGENDA ITEM 6B

STAFF ORIGINATOR

Kim Points

MEETING DATE

July 1, 2014

TOPIC

IT Policy

VOTE REQUIRED

Majority

BACKGROUND

Through the 2013 audit process, the City's independent auditor, CliftonAllenLarson, recommended the City put an IT Policy in place as a safety measure and also as a tool for internal controls.

Several other cities IT Policies were reviewed as a model for the City of Grant IT Policy. The League of Minnesota Cities also had information regarding the development of a computer use policy.

A draft policy is attached for consideration. The draft policy includes all of the key components recommended for inclusion of such policy from the League of Minnesota Cities.

The draft policy has been reviewed by the City Attorney for legal compliance and comment.

RECOMMENDATION

- 1. Adopt IT Policy as presented.
- 2. Revise IT Policy and adopt as amended.

TECHNOLOGY USE POLICY

This policy established guidelines for the proper use of the city's computer and Internet resources. All employees and Council Members have the responsibility to use these resources in a professional, ethical and lawful manner.

Employees are given the use of computers and access to the internet to assist them in the performances of their jobs. The computer and related technology belong to the City and, except as provided in this policy, may only be used for authorized business purposes.

- 1. <u>Provision of Technology.</u> The City provides email, internet access, and computers to its employees because we believe that they will make employees more productive in their work for the City. However, abuse of technology privileges will result in substantial restriction of these privileges. All employees are responsible to understand and follow these policies.
- 2. <u>Prohibited Activities.</u> Sending, receiving, displaying, intentionally viewing, printing, or otherwise disseminating material that is fraudulent, harassing, illegal, sexually explicit, obscene, intimidating or defamatory is prohibited. Employees encountering such material must report it to the Administrator/Clerk.
- 3. Prohibited Uses. Employees may not use the City's computers or internet resources for commercial or personal advertisements, solicitations, gambling, online bidding, promotions, destructive programs (e.g., viruses and/or self-replicating code), or any other unauthorized personal use. If there is any question whether a use is appropriate, it should be forwarded to the Administrator/Clerk for a determination. Limited personal use during non-business hours is permitted as described in this policy. Any personal email must not contain any suggestion that the communication is from the City.
- 4. <u>Email.</u> Employees should exercise the same care in drafting an email as they would for any other written communication. Anything created on the computer or internet could be considered "public data", and likely will be reviewed by others. Email represents the City, should be carefully drafted and reviewed. Keep in mind that email communications, whether internal or external, may be the subject of litigation.

The City provides employees with an email address for work-related use. Some personal use of the city email system by employees is allowed, provided it does not interfere with an employee's normal work and is consistent with all City policies. The City allows employees to access personal email accounts via the internet provided such access occurs during non-work hours and fully complies with this policy. Personal email should not be received at a City email address.

The following related to both business and personal email content sent from the City computer:

- Use common sense and focus primarily on using email for City business.
 Never transmit an email that you would not want other employees to read or that you would be embarrassed to see in the newspaper.
- Do not correspond by email on confidential communications.
- Do not open email attachments or links from an unknown sender. Delete junk or "spam" email without opening if possible, do not respond to unknown senders.
- Do not include personal information about yourself or others in an email.
- Do not use harassing language, including sexually harassing language, or any remarks that include insensitive language or derogatory, offensive or insulting comments or jokes.
- Do not curse or use swear words.
- 5. <u>Internet.</u> The City provides internet access to employees for work on City business. Employees may use this access for work related matters in a professional manner. Occasional person use of the internet is acceptable within the bounds of all City policies. The following considerations apply to all uses of the internet whether business related or personal:
 - There is no quality control on the internet. All information found on the internet should be considered suspect until confirmed by another source.
 - Personal use of the internet during non-work hours (breaks, lunch, etc.,) is permitted. However, employees may not at any time access inappropriate sites. Some examples of inappropriate sites include but are not limited to adult entertainment, sexually explicit material, gambling, or material advocating intolerance of other people, races or religions, or in manners that otherwise violate City policies related to respectful workplace and harassment prevention. If you are unsure whether a site may include inappropriate information, you should not visit it.
- 6. <u>Personal Data.</u> An employee's City email and other personal documents on the City computer, internet use and records of computer usage via a City computer may be considered "public" data and may not be protected by privacy laws. Employees should not expect privacy in an activity conducted on a City owned computer.
- 7. Waiver of Privacy. When you use the city's computers or internet resources, you cannot expect that your correspondence will remain private. The City has the right, but not the duty, to monitor any and all aspects of its computer system, at the City's discretion. Employees waive any right to privacy in anything they create, store, send, or receive on the City computer.

- **8.** Compliance with Applicable Laws and Licenses. Employees must comply with all software licenses, copyrights, and all other state and federal laws governing intellectual property and online activity.
- 9. <u>Personal Use.</u> The City recognizes that some personal use of City owned computers and related equipment has and will occur. Some controls are necessary, however, to protect the city's equipment and computer network and to prevent abuse of this privilege:
 - Only City employees may use City owned equipment.
 - Personal use must take place during non-work hours (breaks, lunch, etc.). Personal use should never preempt work use.
 - Reasonable use of the City's internet access and equipment for personal
 correspondence is allowable, provided it does not interfere with an
 employee's normal work and is consistent with all provisions in this policy.
- 10. <u>Software, Hardware, Games and Screen Savers.</u> Software or downloads (free or purchased), hardware, games, screen savers, toolbars, clipart, music and movie clips, other equipment that may compromise the integrity of the City's computer system and are prohibited and must be removed. Employees are allowed to provide a screen saver on City owned computers that are appropriate and can be removed.
- 11. Storing and Transferring of Documents. Electronic documents, including emails, electronic communication and business related materials created on an employee's home or personal computer, should be stored on the City's network in accordance with City records retention policies and the Minnesota Data Practices Act. Files from appropriate personal use of the city's equipment may be stored on your computer's local hard drive, providing the size of all personal files does not exceed 50 MB and the content complies with this policy. Personal files that contain copyright materials may not be stored on the City computer systems.
- 12. <u>Management of Files Official Records.</u> Because the storage capacity of the network is limited, all users are responsible for deleting outdated files, being sure to adhere to any records retention policies and procedures. If computer files are deleted, employees should take care in maintaining paper copies of any files that must be retained according to the records retention schedule.

All data that is composed, transmitted or received on City owned technology is considered to be part of the official records of the City, and therefore subject to disclosure as appropriate under state and federal laws. Most documents will be considered public records unless classified otherwise by state or federal law. However, employees must use the same caution in releasing information on City technology systems as they do when releasing hard copies of information. If in doubt about whether information is public, employees must wait to release it until they have checked with the City Attorney.

Email and other electronic documents must be saved in accordance with the City's records retention schedule if they are required for ongoing legal, fiscal, administrative, operational or research purposes. These records should be saved to word processing or paper file for storage according to the City's records and retention schedule. An example of this would be official correspondence on a litigated matter. Any email or other documents that does not fall into his category may be deleted immediately. It is up to the discretion of the Administrator/Clerk if the electronic document or a paper file is the official record of the City, per the records retention schedule.

- 13. <u>Portable Files.</u> To facilitate off-site work, employees may copy appropriate files to and from portable media (i.e. CD, DVD, USB drives, memory sticks, etc.). Any portable media used in computers outside of the City of Grant should be checked for viruses before using in a City computer. No other files or information may be copied from City computers.
- 14. <u>Remote Access.</u> Certain employees may be given the ability to access the City's computer systems from remote locations or from home, using either personal equipment or City owned equipment.

Remote access is limited to the Administrator/Clerk, staff classified as exempt and who frequently work independently on City business. Non-exempt staff may be given temporary access from time to time as needed, but only with approval.

- 15. <u>Passwords</u>. All City passwords are the property of the City and must be provided to the City upon request. The changing of passwords is up to the discretion of each employee and must be documented.
- 16. <u>Notice of Computer Problems.</u> Employees are responsible for notifying the appropriate City representatives, website provider, and/or computer repair team about computer problems. The Administrator/Clerk is authorized to order required repairs to the City computer. Employees should err on the side of caution when reporting issues.

INTERNAL CONTROL PROCEDURES

Internal Control consists of five components: control environment, risk assessment, control activities, the information system, and monitoring control performance. The City of Grant analyzes and integrates these five components in to their business practices. Any and all employees, are directly involved in helping the city make sure that these practices are followed and are asked to familiarize themselves with the City's internal control documents and processes.

City Council Report for June 2014

To: Honorable Mayor & City Council Members

From: Jack Kramer Building & Code Enforcement Official

Zoning Enforcement:

- 1. Mr. Marc Mahowald $10851-69^{th}$. St. N. Violation of the City of Grant Zoning Ordinance Section 32-320 and Section 32-345 Table of Uses.
- a. Mr. Mahowald has removed the majority of the outside storage of commercial construction equipment. He has not yet removed the accessory structure which was required to be removed upon one of the conditions set forth by the Certificate of Compliance issued to him in 2003.

I met with Mr. Mahowald on Monday of this week to discuss his reason for the structure not being removed. He indicated that the weather has not cooperated with the removal and he required additional time. I provided another date of August 1, 2014 for him to show a "good faith effort" to comply.

I advised him if he fails to begin the removal of the structure legal action may result. I will meet with him on August 1, 2014 to determine compliance.

- 2. Mr. Jeff Kargel 6782 Jocelyn Rd. N. Violation of the City of Grant Zoning Ordinance Sections 12-20 Moveable Property Declared a Public Nuisance, Section12-25 Abandonment, Section 12-29 Partially Dismantled, Wrecked, Junked,, Discarded or Non- Operating Moveable Property On Public or Private Property, Section 32-320 Reasonable Maintenance Section Required 32-316 Exterior Storage (b), (c) & (d), Section 32-377 Truck Parking in Residential Areas.
- a. The City received a formal complaint regarding the condition of the property. Upon investigation it was noted that construction debris were found on the property as well junk automobiles, boats along with excessive outside storage. One commercial vehicle was parked on the property.

Mr. Kargel contacted me on June 2, 2014 and agreed that he was in violation and needed more than fifteen (15) days to comply. Based on his cooperation I allowed for additional time and provided a July, 1 date for re-inspection. I will meet with Mr. Kargel on that date to determine compliance.

3. Ms. Helen Resong 8177 Jocelyn Ln. N. Violation of the City of Grant Ordinance Sections 12-20 Moveable Property Declared a Public Nuisance, 12-25 Parking, Storage, Repair or Maintenance on Junk Cars or Other Moveable Property.12-27 Partially Dismantled, Wrecked, Junked, Discarded, or Non-Operating Moveable Property on Public or Private Property, Section 32-320 Reasonable Maintenance Required, 32-316 Exterior Storage (B), (C) & (D)..

a. The Washington County Public Health Department filed a formal complaint with the city clerk regarding the condition of the property. Upon my inspection I noted unlicensed vehicles in the driveway, large piles of trash/full trash bags and many junk items located about the yard.

I noticed evidence that animals/rodents have been into the trashed areas. My concerns are for a future vermin problem within the neighborhood.

The letter that was sent indicated that an immediate cleaned up as required, beginning June 6, 2014 and the property to be fully cleaned up by June 23, 2014

The city clerk sent a letter to the property owner by certified mail and also by regular mail to inform her of the violations.

I will work in conjunction with the county health department to obtain compliance.

Building Permit Activity:

Twenty Three (23) Building Permits were issued for a total valuation of \$ 243,833.00.

Respectfully submitted,

Jack Busines

Jack Kramer

Building & Code Enforcement Official

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