

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: *March 29, 2015*

Re: *2015 Special Road Project*

Background

Each year the city completes a special road project within the city. In past years, the projects have addressed specific areas with drainage problems on the roadway and/or areas where small patches are no longer a cost efficient solution.

This year, Keats Avenue is a candidate for a special road project. Keats Avenue is approximately 3700 feet long with potholes along the length of the roadway. Due to the extent of patching needed the entire length of roadway would benefit from a large patch/overlay. With the current budget, this would likely be a 2 to 3 year project.

An alternate roadway for consideration is Joliet Avenue between Highway 96 and Jody Avenue. This roadway has more isolated issues that could be completed with one year of funding.

The 2015 budget for special road projects is \$25,000.

Action: Discussion. Direct staff to prepare plans and request quotes from contractors for the 2015 Special Road Project.

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: *March 29, 2015*

Re: *2015 Roadway Patching*

Background

In 2013, Council adopted a revised Seal Coat/Roadway Maintenance Plan that includes both seal coat and patching roadways based on the pavement condition. The plan alternates patching and seal coating projects every other year in an effort to keep costs lower by maintaining larger project areas. In 2015, patching is planned on Hadley Avenue, 88th Street/Jeffrey Avenue, and Kimbro Avenue.

The Seal Coat/Roadway maintenance plan allows the city to give residents an opportunity to utilize the patching money for a larger overlay or rehabilitation project. By notifying residents that their road is scheduled for patching in the near future, residents would have the ability to petition the city for a project with partial funding from this project.

A standard letter has been attached for council review prior to mailing to the property owners along each roadway. Letters can be mailed by the end of April and will request resident feedback by the end of May. If residents and the city elect to move forward with the planned patching, Brochman Blacktopping is already under contract for the city's patching work and is prepared to complete the work.

The budget for 2015 is \$68,000. The 2015 Seal Coat/Roadway Maintenance Plan is attached for review.

Action: Discussion. Direct staff to send letters to residents along Hadley Avenue, 88th Street/Jeffrey Avenue, and Kimbro Avenue.



Memorandum

To: *Residents of ROAD*

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

Date: *March 29, 2015*

Re: *Potential Roadway Project: ROAD*

The City of Grant would like to inform the residents on ROAD that their roadway has been identified for major patching improvements in the summer of 2015. These patching improvements are in addition to the normal city patching completed by the city on an annual basis.

If desired, residents can request that the City apply this funding toward a major roadway project. To initiate a major roadway project, the residents on ROAD must submit a petition to the City to request the improvements. The petition must contain the signatures of at least 35% of the property owners with driveways along ROAD. The City will then authorize a feasibility study which will more accurately define the project scope, project cost, and funding responsibilities. The results of the feasibility study will be shared with the property owners. The City Council will then consider moving forward with a project if at least 75% of the property owners are in favor of the project.

Per city policy, major roadway projects are funded by benefiting property owners. For ROAD, the benefiting property owners are those which have driveway access to the roadway. Preliminary cost estimates are based on a typical reclamation project and more detailed information is required to determine the exact project costs. At this time, it is estimated that the project would cost between \$XX and \$XX per property. By incorporating funding from the City's patching project, project costs are anticipated to be reduced by \$XX per property.

On past road improvement projects, the City has helped property owners with financing by offering assessments. This allows property owners to pay for improvements over a longer period of time, typically 5 or 10 years, instead of one large payment. If desired, the exact details of the assessment process and estimated interest rate will be determined in the feasibility study.

If residents are interested in applying the patching funds to a road project, a petition is required by May 31, 2015. After that date, the City will move forward with the scheduled patching project.

Potential Overlay Project

May 28, 2013

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If you have any questions or concerns regarding this memo please contact me at 763-512-5245. I am also available to answer any questions regarding the petition process. Thank you.

GRANT SEAL COAT/MAINTENANCE PLAN

Street Name	Address Range	Length (FT)	Paved	Last SC	Seal Coat/Maintenance Length (Feet) by Year					Area	
					2015	2016	2017	2018	2019		
Maintenance											
60th St Ln/61st St	North of 60th St	3500	1974	2007				3500	\$13,589		
65th Street	East of Keats	1000	1974	2007				1000	\$3,883		
67th Street/Ln	East of Keats	4700	1975	2007				4700	\$18,248		Indian Hills
Keats Ave	60th St to 67th St	3800	1973	2007				3800	\$14,754		
Kelvin/Keswick Ave	North of 60th St Ln	2000	1974	2007				2000	\$7,765		
62nd Street	West of Lake Elmo Av	2500	1993	2006			2500	\$9,706			Lake Elmo Spurs
66th Street	East of Lake Elmo Av	1500	1999	2008							
66th Street	West of Lake Elmo Av	400	1980	2008							
79th St/Leeward Ave	Lake Elmo to 75th	4100	1978	2007							
71st Street	West of Jocelyn Ln	1200	2000	2010							
Jocelyn Ln/Cir	East of Jocelyn Rd	2900	2001	2010							
Jocelyn Road	6900 to 7490	4900	2001	2010							Sunnybrook Lake
80th Street	West of Manning	1200	2004	2010							
102nd Street/Ct	West of Manning	2450	2006	2010			2450	\$9,512			
115th Street	West of Manning	2450	1983	2006			2450	\$9,512			
Lockridge Ave	North of 115th St	1900	1984	2008							
Lofton Ave	South of McKusick	900	2002	2010							
Manning Ave Ct	West of Manning	600	1997	2012							
McKusick Rd	Hwy 96 to Manning	6100	1988	2008							
96th St/Janero Ct	E & W of Justen Trail	3100	1987	2006							
101st Street	Joliet to Keswick	3100	1987	2007				3100	\$12,036		
103rd Street/Ct	East of Joliet	4550	1987	2007							
107th Street	Jamacia to Joliet	3300	1992	2006							
Jody Ave,Ct,Cir	West of Joliet	3700	1987	2006							Victoria-Woodland
Joliet Ave	North of Hwy 96	5900	1987	2006							
Juno Ave	101st to 103rd St	1500	1987	2007							
Justen Trail	Hwy 96 to Joliet	4200	1987	2006							
Kelman Court	Woodland Acres	1200	1987	2007							
100th Street	Ideal to Heron	1800	1992	2006			1800	\$6,989			
Fieldridge Road	North of 101st St	1600	1992	2006			1600	\$6,212			
Hadley Av, Ct, Cir	North of Hwy 96	4300	1992	2004			4300	\$16,695			
Hidden Glade Av	North of Hwy 96	2000	1992	2004							
Indigo Trail	East of Ideal	3400	1986	2004							
110th Street	Lansing to Manning	4500	2004	2012			3400	\$13,201			
117th Street	Kimbro to Lansing	1200	2004	2012							
118th Street	East of Kimbro	400	2002	2012							
118th Street	Kimbro to Keystone	950	2004	2012							
Keystone Ave	118th St to 119th St	350	2004	2012							Old County 68
Kimbro Ave	117th St to 118th St	800	2004	2012							
Lansing Ave	110th St to 117th St	4400	2004	2012							
115th Street	Hillcrest to Honeye	1900	1998	2009							
Great Oaks Rd	North of 117th St	1300	1996	2010							

MEMORANDUM

To: <u>Mayor and Grant City Council</u>	Date: <u>March 30, 2015</u>
CC: <u>Kim Points, City Clerk</u>	RE: <u>Staff Report</u>
<u>Nick Vivian, City Attorney</u>	<u>Recreation, commercial indoor</u>
From: <u>Jennifer Haskamp, City Planner</u>	<u>Recreation, commercial outdoor</u>

Background

At the March 3rd City Council meeting a staff report was prepared soliciting feedback and comments from council members regarding performance standards for Recreation, Commercial (indoor and outdoor) uses. Some of the comments that were passed on to Staff included the following:

- Request for inclusion of 'grandfathering' clause

Staff also provided the opportunity to council members to email comments to the Clerk/Administrator, and none have been received to date. With respect to the 'grandfathering' clause, staff would ask council members to review Sections 32-79 through 32-86 of the City Code which addresses Nonconformities in the City to determine whether additional language is necessary. Staff has reviewed this section and believes it would adequately address a legal non-conforming use moving forward, and therefore has not provided additional language in the attached draft ordinance.

As stated in the February staff report, a draft ordinance with initial thoughts on performance standards is provided for your discussion at the April meeting. Staff is looking for general feedback regarding the ordinance, and would specifically call your attention to the following questions:

- Should there be a principal residential use required as part of an outdoor facility?
- Should there be restrictions on the number of Accessory Facilities and allowable square footage? How should this be determined if the Principal use is outdoors (if it is determined that a residential use is not required)?
- Should lighting of outdoor facilities be permitted? (i.e. lighting of a baseball field, or an outdoor ice rink?)
- Should there be a maximum occupancy of Outdoor facilities? (Indoor will automatically be regulated through the building code).
- What are the appropriate setbacks of such facilities? What is reasonable to 'buffer' between a recreational use and an adjacent residential area?
- Should there be restrictions on "covered" areas? For example, picnic pavilions?

Action Requested:

Staff is looking for your comments on the above items and the attached DRAFT Ordinance, which can be emailed to the City Clerk/Administrator or shared during the April meeting.

CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 2015-__

An Ordinance Amending the Grant Code of Ordinances
Establishing Section 32-354 of Chapter 32, Zoning
Regarding *Recreation, Commercial Uses*

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

SECTION 1. ESTABLISHMENT OF SECTION 32-354 OF ARTICLE IV, CHAPTER 32, ZONING, OF THE CITY’S CODE OF ORDINANCES.

That City Code Chapter 32, Zoning, Article IV, Division 1, Section 32-354 “**Recreation, Commercial (Outdoor and Indoor)**” is hereby ADDED as follows:

“Sec. 32-354. Recreation, Commercial (Outdoor and Indoor).”

- (a) *Purpose and intent.* The purpose is to establish regulations and performance standards related to Commercial Recreational uses, whether such uses are predominantly indoor or outdoor, to ensure compatibility of land uses within the City. Any proposed facility shall be subject to reasonable conditions and standards that protect existing rural residential neighborhoods and uses from incompatible and more intense uses.
- (b) *Permitted use.* The principal use of a property for an indoor commercial recreational facility is a permitted use within the GB zoning district with the issuance of a Conditional Use Permit. The principal use of a property for an outdoor commercial recreational facility is a permitted use within the A-1, A-2 and GB zoning district with the issuance of a Conditional Use Permit.
- (c) *Performance standards.* A commercial recreational facility and/or use must comply with all rules and regulations of the City’s ordinances, Federal, State, County, and local agencies and the following additional performance standards:
 - 1) **Recreation, Commercial (Indoor and Outdoor)** facilities in the GB zoning districts must adhere to the following standards:
 - a. Uses must be consistent with the rural residential and rural business character of the area. High intensity uses which are more consistent with suburban scale development shall not be permitted.

- b. An indoor commercial recreation facility may not exceed _____ square feet, and the number of buildings and allowable square footage of any accessory buildings shall be regulated by Section 32-313.
 - c. No public utilities shall be permitted, and adequate utilities, including sewage disposal, must be available on the site.
 - d. The applicable portion of the building code shall determine the appropriate number of bathroom facilities required on a site, and any on-site sewage treatment facilities needed shall be installed under a permit issued by Washington County.
 - e. The facility shall provide on-site parking sufficient to handle all patrons, deliveries, and employees. Such facilities shall be sized to accommodate daily activity as well as any anticipated tournament or special event traffic. All standards for parking areas and sizing shall be consistent with those stated within the City's Code of Ordinance.
 - f. The facility must comply with all rules and regulations of Federal, State, County and Local agencies.
 - g. The City may impose conditions related to landscaping, access, security, sanitary sewer, liability or other insurance requirements, and other conditions as necessary.
- 2) ***Recreation, Commercial (Outdoor)*** facilities located in the A1 and A2 zoning districts must meet the following standards:
- a. Any proposed outdoor commercial recreational facility shall be located on a parcel of 20 acres or greater, and may not be combined with any adjacent lot to meet such standard, where lot size is defined consistently with Section 32-246 (c) 4 of this zoning ordinance.
 - b. The facility shall have its primary frontage on a County or State road, and such road shall be used for the exclusive and only access to the facility.
 - c. All outdoor commercial facilities shall have a maximum occupancy of _____. Such occupancy limits shall apply to all daily activities, special events and any tournaments (if applicable).
 - d. The facility shall provide on-site parking sufficient to handle all patrons, deliveries and patrons. A parking plan, including plans for ADA accessible stalls (if applicable) shall be provided.
 - e. Adequate utilities to serve the facility shall be available onsite and no public utilities shall be permitted.
 - f. No outdoor lighting shall be permitted, with the exception of the facility's parking lot or accessory structure, if applicable, and any necessary security lighting.
 - g. A security plan shall be submitted including how the site will be regulated during operations, as well as how the site will be secured when not in use.

- h. The outdoor commercial facility and area must be located at least ___feet from any side lot line, and additional screening may be required as determined by the Council. Such setbacks shall include any component of such facility (i.e. goal posts of a soccer field, fencing backstop of a baseball field, or boards surrounding a skating rink all must be located outside of all setbacks.)
- i. Indoor support facilities, that are clearly secondary in nature to the principal outdoor commercial use shall be permitted as further defined in section (d). Examples of such uses include indoor restrooms, a warming house, snack/vending area.
- j. No more than _____ buildings, not to exceed _____ combined square feet, shall be permitted to support an outdoor recreational use.
- k. All enclosed facilities shall be designed to be consistent with the principal structure, if applicable; or shall be designed to blend in with the site, environment and its surroundings. The facility must comply with all rules and regulations of Federal, State, County and Local agencies.
- l. The facility must comply with all rules and regulations of Federal, State, County and Local agencies.
- m. The City may impose conditions related to landscaping, access, security, sanitary sewer, liability or other insurance requirements, and other conditions as necessary.

SECTION 4. 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 publication according to law.

WHEREUPON, a vote, being taken upon a motion by Council member _____ and seconded by Council member _____, the following upon roll call:

Voting AYE:

Voting NAY:

Whereupon said Ordinance was declared passed adopted this ___ day of _____, 2015.

Thomas Carr, Mayor

Attest: Kim Points, City Clerk

ECKBERG LAMMERS
MEMORANDUM

To: Honorable Mayor and City Council
From: Nicholas J. Vivian
Date: March 30, 2015
Re: CUP Compliance Review – 7373 120th Street – Scott Jordan

City Staff is currently in the process of reviewing the Conditional Use Permit issued for 7373 120th Street. A copy of the Conditional Use Permit is provided as **Attachment A**. Staff has met to discuss the review of the Permit. The City's Building Official has visited the property and has noted a number of items which require follow-up with the property owner.

Additionally, on March 25, 2015, a complaint was filed with the City regarding the use of property and the operation of the business. Staff is in the process of reviewing the complaint.

At this time, it is recommended the City Council table the CUP Compliance agenda item for this property until such time as Staff completes its annual review as required by the Permit and completes its review of the information contained within the complaint.

ATTACHMENT A
CONDITIONAL USE PERMIT

**DELLWOOD BARN WEDDINGS
CONDITIONAL USE PERMIT
CITY OF GRANT**

PROPERTY OWNER/APPLICANT: Scott Jordan

GENERAL LEGAL DESCRIPTION: See Attached Site Plan
PID 0503021210005
PID 0503021210004

ADDRESS: 7373 120th Street North
Grant, MN 55110

This is a Conditional Use Permit to allow for the development of a Rural Event Facility hereafter named "Dellwood Wedding Barn." The Dellwood Wedding Barn will operate from an existing barn on the subject site that will be renovated for compliance with commercial building code standards. Any additional product lines or expansions of the business shall require an amendment to this Conditional Use Permit.

All uses shall be subject to the following conditions and/or restrictions imposed by the City Council, City of Grant, Washington County, Minnesota, in addition to all previous permits and applicable ordinances, statutes or other laws in force within the City:

1. The Dellwood Wedding Barn shall be permitted to operate seasonally from May 1st through October 31st of each year.
2. The Dellwood Wedding Barn shall be permitted to conduct no more than three (3) events per week.
3. The maximum occupancy of the facility shall be limited to 253 persons, to include all event staff, caterers, musicians, etc., or anyone onsite for the duration of an event.
4. The Hours of Operation, defined as actual event time, shall be limited to the following:
 - a. Monday through Thursday: 11 AM to 2 PM
 - b. Friday and Saturday: 1:00 PM to 11:00 PM, where the site shall be fully vacated and dark by 11:00 PM.
 - c. No events shall be permitted on Sundays
 - d. Staff, caterers, deliveries, musician setup and other support activities shall not be subject to the hours of operations, but may not begin prior to 9:00 AM, and must cease by 12:00 AM daily.

5. All events shall be in compliance with the Minnesota Pollution Control Agency's (MPCA) noise standards and regulations at all times. The Applicant shall obtain a Decibel Meter, acceptable to the City, and shall keep the device on the premise during all events.
6. All recorded music (i.e. DJ, iPod mix, etc.) shall only be permitted within the barn and may not exceed 85 decibels.
7. The barn doors on the north façade shall be secured and closed at all times when amplified music is playing.
8. No amplification of live music shall be permitted; unless the Applicant submits a Sound Study and Plan that accounts for the maximum anticipated site conditions that includes crowd noise, and which demonstrates compliance with MPCA standards. The Study shall be provided for review and approval by the City staff, and if necessary City Council.
9. No amplification of outdoor services shall be allowed after 7:00 PM, and all outdoor activities must be performed in compliance with MPCA noise standards.
10. A landscape plan, which may include a row of evergreen trees, or arborvitae, or some combination, shall be provided for review and approval by the City Engineer and Planner. The vegetation shall be planted on the north side of the barn to offer additional sound and light mitigation for times when the barn doors are open.
11. No outdoor gathering shall occur on the north side of the building.
12. A sign shall be posted at each door of the facility indicating patrons should be considerate of the neighbors and to go to their cars expeditiously and quietly.
13. An updated lighting plan including specification sheet of proposed fixture (which must be downward facing and hooded), locations, and if necessary a photometric plan shall be submitted for review and approval by the City Engineer and Planner.
14. Revisions to the parking lot design must be completed and submitted to the City Engineer for review and approval prior to any construction occurring.
15. The parking lot shall be surfaced with crushed limestone which shall require dust control in order to be deemed a dustless surface per the City's Ordinance. Dust control shall be applied a minimum of two (2) times per year, or as many times as required to maintain a dustless surface, and shall be applied to the parking lot and driveways at the facility. Evidence of such treatment shall be provided annually to the City in a form acceptable to the City Engineer.
16. A Grading Permit shall be obtained from the City Engineer prior to beginning any site work, including but not limited to, installation of the parking lot, widening of the driveways and ponding areas.
17. The City Engineer's recommendations and conditions shall be addressed, and updated plans reflecting necessary changes submitted for review and approval prior to any site grading or improvements.
18. A parking attendant shall be required to be present beginning an hour prior to any events and must remain on the premise throughout the event.

19. All access and driveway permits shall be obtained from Washington County prior to commencing operations.
20. All necessary permits and approvals from RCWD shall be obtained prior to issuance of a grading or building permit for construction of the parking lot.
21. Installation of the septic system shall be completed in compliance Washington County standards and the permit dated 4/14/2014 prior to hosting any events.
22. The Parking lot, including installation of the ADA parking stalls shall be constructed prior to hosting any events.
23. Any future signage onsite may not be illuminated and shall meet the City's ordinances and regulations in place at time of proposal.
24. A building permit shall be obtained prior to commencing any renovations on the proposed facility (Wedding Barn).
25. All proposed renovations, as depicted in the submitted plan set and any revisions stated within these conditions, shall be completed prior to hosting any events at the facility.
26. All vendors, including food and beverage, shall be licensed within Washington County prior to serving at any event.
27. An off-duty officer shall be onsite during all events from 8 PM until 12 AM
28. All work shall be done in compliance with the directions of the RCWD, the MPCA, Department of Health or any governmental or regulatory agency having jurisdiction over the site.
29. No structures or improvements shall be constructed in areas identified with an easement.
30. All escrow amounts shall be brought up to date and kept current. The Applicant shall maintain an escrow balance of \$2,500 at the City through the duration of site work and implementation of the proposed plan. Once the conditions related to construction have been completed and approvals obtained, any remaining escrow will be returned to the Applicant.
31. This permit shall be reviewed after the first year of facility operations (2014) for compliance with the conditions and to implement any necessary modifications. After such time the permit will be reviewed according to the City's adopted CUP review process, and may result in annual review.
32. Any violation of the conditions of this permit may result in the revocation of said permit.
33. The Owner shall obtain all necessary permits from Washington County, Minnesota Department of Health, MPCA, and the United States Government which are necessary in carrying out its operations on the premises including a building permit.
34. Any change in use, building, outdoor gathering areas, lighting, parking, storage, screening, traffic circulation shall require an amendment to the Conditional Use Permit.

IN WITNESS WHEREOF, the parties have executed this agreement and acknowledge their acceptance of the above conditions.

CITY OF GRANT:

Date: 6/3/14

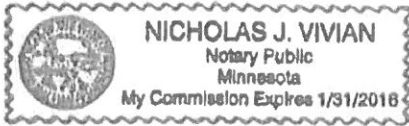

Tom Carr, Mayor


Date: 6/3/14


Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this 3rd day of June, 2014, before me, a Notary Public, personally appeared Tom Carr and Kim Points, of the City of Grant, a Minnesota municipal corporation within the State of Minnesota, and that said instrument was signed on behalf of the City of Grant by the authority of the city council and Tom Carr and Kim Points acknowledge said instrument to be the free act and deed of said City of Grant.




Notary Public

APPLICANT/OWNER:
DELLWOOD WEDDING BARN/ SCOTT
JORDAN

Date: 6-4-14

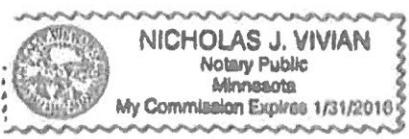
By: *Scott Jordan*
Its: owner

Date: 6-4-14

Kim Pojnts
Kim Pojnts, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this 4th day of June, 2014, before me, a Notary Public, personally appeared Scott Jordan the owner of Dellwood Wedding Barn who acknowledged that said instrument was authorized and executed on behalf of said Company.



N. J. Vivian
Notary Public

**ECKBERG LAMMERS
MEMORANDUM**

To: Honorable Mayor and City Council
From: Nicholas J. Vivian
Date: March 30, 2015
Re: Liquor License Application – 7373 120th Street – Scott Jordan

City Staff is currently in the process of reviewing the Conditional Use Permit issued for 7373 120th Street. Additionally, on March 25, 2015, a complaint was filed with the City regarding the use of property and the operation of the business. Staff is in the process of reviewing the complaint.

Until Staff finalizes its annual review of the applicant's compliance with his Conditional Use Permit and resolves the complaint filed on March 25, 2015, it is recommended the City Council table the Liquor License Application.

ECKBERG LAMMERS
MEMORANDUM

To: Honorable Mayor and City Council
From: Nicholas J. Vivian, City Attorney
Date: March 30, 2015
Re: City of Grant / Councilmember Lanoux Censure Review

On February 3, 2015, the Grant City Council adopted Resolution No. 2015-07, a Resolution of the City of Grant, Washington County, censuring Councilmember Larry Lanoux ("Censure Resolution"). See **Attachment A**. The Censure Resolution was adopted following an incident which took place on January 27, 2015 in which the City's Administrator / Clerk notified the City Council of a breach in the security of the City's files and public documents. The breach was a result of certain actions taken by Councilmember Lanoux in which he unlawfully removed the City's property file for 9711 Keswick Avenue from the City's office without authorization. The City Council was notified of this breach immediately following the incident. See **Attachment B**.

The circumstances surrounding the January 27, 2015 incident led the City's Administrator / Clerk to file a letter with the City Council on February 3, 2015 requesting "immediate and effective protections be imposed by the City Council or other authority as I am unable to control the situation on my own and cannot fairly be asked to do so." The letter went on to state "As the custodian of the City records, public, private and confidential documents, it is my responsibility to protect and preserve these records. Because of the incident it is clear to me I cannot be responsible for the files without implementation of meaningful protections." The full text of the Administrator / Clerk's February 3, 2015 letter is provided as **Attachment C**.

Based on the circumstances of the incident and the Administrator / Clerk's request, the City Council by a 3-0-2 adopted the Censure Resolution. The Censure Resolution imposed the following sanctions on Councilmember Lanoux:

1. Councilmember Lanoux was to have no physical contact with the City's office located at 111 Wildwood Road, Willernie, Minnesota, for a period of sixty days from the date of the Resolution, pending review by the City Council upon the expiration of the sixty day period.
2. All correspondence from Councilmember Lanoux to City employees or City staff, in writing or any form of electronic communication, was to be copied to the Mayor.
3. Councilmember Lanoux was to refrain from frequent, disordered, burdensome communications and demands to city employees or City staff.

The sixty day Censure period expires on April 4, 2015. As provided by the Censure Resolution, the matter is now before the City Council for review.

The Administrator / Clerk has advised this office that on three occasions since the adoption of the Censure Resolution, she has received written communication from Mr. Lanoux without copy to the Mayor as required by the Censure Resolution. The communications are summarized as follows:

On February 11, 2015, Councilmember Lanoux contacted the Administrator / Clerk seeking notice of staff meetings so he could plan to attend. He also sought information responsive to a prior request, the City policy related to placement of articles in the City newsletter, and a summary of the prior month's staff meeting. The communication further stated repercussions may be forthcoming for continued "lack of due process, city policy and procedure". The full text of the February 11, 2015 communication is provided as **Attachment D**.

On February 19, 2015, Councilmember Lanoux contacted the Administrator / Clerk seeking the Minnesota Statute requiring the city to keep personal and property files on its citizens and business in the City. The communication sought minimum information required to be in a property file and the Grant policy allowing councilmen to access these files looking for suspected violations. The communication concluded by indicating that recent complaints "will undoubtedly will cost the city monies in litigation . . ." The full text of the February 19, 2015 communication is provided as **Attachment E**.

On February 23, 2015, Councilmember Lanoux forwarded a message to the Administrator / Clerk which was also sent to two other email addresses. The email contained a forwarded message advising to watch a link provided to a YouTube video. The full text of the February 23, 2015 communication is provided as **Attachment F**.

Additionally, on March 4, 2015, Councilmember Lanoux contacted the Administrator / Clerk by phone and notified her that he was outside the City's Office in his truck. He requested certain information including the Council's meeting DVD and told her that she could either let him into the City office or he could wait outside for her to deliver the DVD. To comply with this request, the Administrator / Clerk had to run the DVD out to Councilmember Lanoux to avoid having him enter the City's Office.

RECOMMENDATION

It is the City Council's obligation to review the Censure Resolution and determine whether Councilmember Lanoux has strictly complied with the sanctions or whether he has materially violated or ignored the City's direction. The City Council should determine whether the sanctions have sufficiently deterred the conduct involved in the January 27 incident or whether the Resolution should be extended for an additional period of time.

As part of this review, the Council should allow Councilmember Lanoux to comment on the Censure Resolution, his efforts at compliance since adoption of the Resolution and the need for the Resolution to be extended for an additional period of time.

Upon hearing from Councilmember Lanoux, the Council should make a determination as to how it desires to proceed.

ATTACHMENT A

RESOLUTION NO. 2015-07

**RESOLUTION OF THE CITY OF GRANT,
WASHINGTON COUNTY, MINNESOTA, CENSURING COUNCILMEMBER
LARRY LANOUX**

WHEREAS, recent behavior by Councilmember Larry Lanoux has created great concern by the Councilmembers regarding his leadership and ability to interact with City staff; and

WHEREAS, these concerns include the following:

1. Deceitful conduct with City staff.
2. Unauthorized and wrongful removal of governmental property from the City's office.
3. Outbursts of anger in public toward other City Council members and City staff.
4. Outbursts of anger directed toward City staff creating an unsafe, unfriendly, unsecure and intolerable environment in the workplace.
5. Disregard for City procedures and protocol.

WHEREAS, Councilmember Lanoux's conduct prompted a report by the City's Administrator / Clerk to the City Council on January 27, 2015 notifying the Council of a breach in the security of the City's files and documents; and

WHEREAS, the conduct prompted a follow up request by the City's Clerk / Administrator for immediate and effective City Council action to 1.) protect the public, private and confidential documents she is responsible to maintain, and 2.) remedy the intolerable working environment created for all staff working at the City's office as created by Councilmember Lanoux.

WHEREAS, the City Council believes it has an affirmative duty to maintain the safety, security and availability of its public record and provide a safe workplace for the employees working in the City's office, free of the kind of behavior Councilmember Lanoux has exhibited.

WHEREAS, the City Council has determined that Councilmember Lanoux's conduct is unbecoming of the office of Councilmember in the City of Grant.

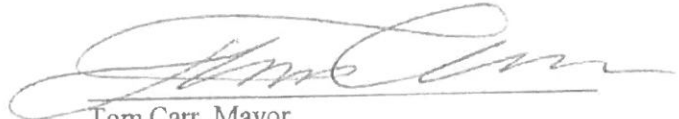
NOW, THEREFORE, be it resolved that by the City Council of the City of Grant, Washington County, Minnesota as follows:

1. A formal censure of Councilmember Lanoux is hereby issued by the City Council for his inappropriate conduct.
2. Councilmember Lanoux shall have no physical contact with the City's office located at 111 Wildwood Road, Willernie, Minnesota, for a period of sixty (60) days from the date of this Resolution, pending review by the City Council upon the expiration of the sixty day period.
3. All correspondence from Councilmember Lanoux to City employees or City staff, in writing or by any form of electronic communication, shall be copied to the Mayor.
4. Councilmember Lanoux shall refrain frequent, disordered, burdensome communications and demands to city employees and City staff.

WHEREUPON the following members voted in favor: Mayor Carr, Councilmember Huber, Councilmember Lobin.

WHEREUPON the following members voted against:

This Resolution was declared duly passed and adopted and signed by the Mayor this 3rd day of February, 2015.



Tom Carr, Mayor

ATTEST:



Kim Points, City Clerk

ATTACHMENT B

Nick Vivian

From: Administrator/Clerk <clerk@cityofgrant.us>
Sent: Tuesday, January 27, 2015 1:43 PM
To: Tom Carr (Tom Carr); Isederstrom@cityofgrant.us; Tina Lobin; Jeff Huber; llanoux@cityofgrant.us
Cc: Nick Vivian
Subject: City Office

Mayor and City Council Members,

I regret to inform you City property has been stolen from the City Office. Council Member Lanoux requested to look at his property file, which I pulled out for him and put on the counter for his review.

Council Member Lanoux then took the file and proceeded to take it out of the office. I repeatedly told him he could not take the file and he stated he was taking the file.

He did leave the premises with the address file.

Kim Points

ATTACHMENT C

Nick Vivian

From: Administrator/Clerk <clerk@cityofgrant.us>
Sent: Tuesday, February 03, 2015 1:29 PM
To: Tom Carr (Tom Carr); Isederstrom@cityofgrant.us; Tina Lobin; Jeff Huber; llanoux@cityofgrant.us
Cc: Nick Vivian
Subject: City Office Incident
Attachments: SBizhub15020313250.pdf

Mayor and Council Members:

I am deeply saddened that I am sending you the attached request but firmly believe I have no other choice.

Please do not reply all.

Kim Points

As a follow-up to the City office incident that occurred on Tuesday, January 27, 2015, I am requesting Council action to remedy the intolerable environment at the City office. I invite you to review the matter with others present that day.

Specifically, I am requesting immediate and effective protections be imposed by the City Council or other authority as I am unable to control the situation on my own and cannot fairly be asked to do so. A structure needs to be put in place to protect not only the City records, but the other cities and their records that are maintained at this office, as well as me and other employees.

As the custodian of the City records, public, private and confidential documents, it is my responsibility to protect and preserve these records. Because of the incident it is clear to me I cannot be responsible for the files without implementation of meaningful protections. This is a very unacceptable situation and one I did not think I would ever have to address. I cannot maintain the City records when my efforts to provide copies of public information to the City Council is refused. I can't physically stop a Council Member from coming into the office and taking what they want.

The incident that occurred is unacceptable to myself and others in the office. I don't know how to rectify this problem alone. Among other things, these measures must ensure protection of records, protection of staff and an end to frequent, disordered and burdensome email and other demands. It will not be acceptable to me to have the physical demand for records simply replaced by phone or emailed or mailed demands that are time consuming, disruptive and gratuitously burdensome.

I look to the City Council to implement necessary protections. Thank you.

Hjem Points
Administrator/Clerk

ATTACHMENT D

Nick Vivian

From: Administrator/Clerk <clerk@cityofgrant.us>
Sent: Wednesday, February 11, 2015 11:07 AM
To: Nick Vivian
Subject: FW: City policy and Procedures

-----Original Message-----

From: Larry Lanoux [<mailto:llanoux@cityofgrant.us>]
Sent: Wednesday, February 11, 2015 9:32 AM
To: clerk Clerk
Subject: City policy and Procedures

Kim Points
Administrator/Clerk
City of Grant

Please provide two days notice of all staff meetings so that I can arrange to attend.

I am also waiting for a response from requests dated Jan /13 Jan /14

I feel that 30 days is more than adequate to expect a response

Please provide city policy as to who is allowed to place articles in city news letter and the time frame needed to ensure that articles are placed in news letter.

As I was not provided any information as to the time and place of last months staff meeting I am requesting a summery of the meeting .

As an elected city official I will not tolerate the current course of action take by Mayor Carr Councilpersons Jeff Huber and Tina Lobin to limmit participation in city business. there lack of due process, city policy and procedure cannot continue to occur with out repercussions.

Thank You

Larry Lanoux Councilman

City of Grant

No virus found in this message.
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ATTACHMENT E

Nick Vivian

From: Administrator/Clerk <clerk@cityofgrant.us>
Sent: Thursday, February 19, 2015 12:44 PM
To: Nick Vivian
Subject: FW: Personal Files

FYI

-----Original Message-----

From: Larry Lanoux [<mailto:llanoux@cityofgrant.us>]
Sent: Thursday, February 19, 2015 10:27 AM
To: clerk Clerk
Subject: Personal Files

City of Grant
Administraror/ Clerk
Kim Points

Please provide me the Minnesota Stautte that requires a city to keep personal and property files on its citizens and business in its city.

Please provide me the Minnesota Statuate which explains the minimum information required to be in a file.

Please provde me the City of Grant policy that allows councilman to access these files looking for suspected violations when there have been no formal complaints on properties which require action.

Recent complaints filed by Councilman Huber will undoubtedly will cost the city monies in litigation that could be better spent on our failing infrastructure.

Thank You,
Larry Lanoux Councilman

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Version: 2015.0.5646 / Virus Database: 4284/9138 - Release Date: 02/18/15

ATTACHMENT F

Nick Vivian

From: Administrator/Clerk <clerk@cityofgrant.us>
Sent: Tuesday, February 24, 2015 9:57 AM
To: Nick Vivian
Subject: FW: AllAround Grant

From: Larry Lanoux [mailto:lxlanoux@icloud.com]
Sent: Monday, February 23, 2015 2:12 PM
To: chezmoiarabians@msn.com; cflug@comcast.net; clerk Clerk
Subject: Fwd: AllAround Grant

Begin forwarded message:

From: Larry Lanoux <lxlanoux@icloud.com>
Subject: AllAround Grant
Date: February 22, 2015 7:46:14 PM CST
To: Larry Lanoux Lanoux <lxlanoux@icloud.com>, "whitebearnews@presspubs.com" <whitebearnews@presspubs.com>, Loren Sederstom <gatewaystables@gmail.com>
Return-Path: <lxlanoux@icloud.com>
Received: from nk11p12im-asmtmp002.me.com ([17.158.88.161]) by ms12552.mac.com (Oracle Communications Messaging Server 7u4-27.08 (7.0.4.27.7) 64bit (built Aug 22 2013)) with ESMTP id <0NK700HMJBL5GF20@ms12552.mac.com> for lxlanoux@icloud.com; Mon, 23 Feb 2015 01:46:17 +0000 (GMT)
Received: from [10.0.0.4] (unknown [73.164.91.198]) by nk11p12im-asmtmp002.me.com (Oracle Communications Messaging Server 7.0.5.35.0 64bit (built Dec 4 2014)) with ESMTPSA id <0NK700DLUBL3MW30@nk11p12im-asmtmp002.me.com> for lxlanoux@icloud.com (ORCPT lxlanoux@icloud.com); Mon, 23 Feb 2015 01:46:17 +0000 (GMT)
Original-Recipient: rfc822;lxlanoux@icloud.com
X-Proofpoint-Virus-Version: vendor=fsecure engine=2.50.10432:5.13.68,1.0.33,0.0.0000 definitions=2015-02-23_01:2015-02-20,2015-02-22,1970-01-01 signatures=0
X-Proofpoint-Spam-Details: rule=notspam policy=default score=0 spamscore=0 suspectscore=0 phishscore=0 adultscore=0 bulkscore=0 classifier=spam adjust=0 reason=mlx scancount=1 engine=7.0.1-1412110000 definitions=main-1502230016
Content-Type: text/plain; charset=us-ascii
Content-Transfer-Encoding: 7bit
Message-Id: <0DC97811-BE5A-42CE-84F8-AF7886A0E58E@icloud.com>
Mime-Version: 1.0 (Mac OS X Mail 6.6 \ (1510\))
X-Mailer: Apple Mail (2.1510)

Please watch this video

<https://www.youtube.com/watch?v=m4JZb8TOSBc>

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.5646 / Virus Database: 4293/9151 - Release Date: 02/20/15

CITY OF GRANT
MINUTES

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DATE : March 3, 2015
TIME STARTED : 7:02 p.m.
TIME ENDED : 8:17 p.m.
MEMBERS PRESENT : Lobin, Huber, Lanoux
MEMBERS ABSENT : Sederstrom and Mayor Carr

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

CALL TO ORDER

Acting Mayor Huber called the meeting to order at 7:02 p.m.

PUBLIC INPUT

1. Jerry Helander, 6251 Jasmine – Commented on the City logo being used for flyers not put out by the City.
2. Bob Tufty 6365 Jasmine – Legal costs incurred by City Council Members data practices submittals and litigation.
3. Ron Vasco, 10105 101st St. – Video taping of Charter Commission meetings.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Acting Mayor Huber moved to approve the agenda with the addition of Item 6C, Charter Commission Update and Expenditure Request, Item 6D, Planning Commission, and Item 6E, City Attorney Seating. Council Member Lobin seconded the motion. Motion carried with Council Member Lanoux voting nay.

CONSENT AGENDA

February 3, 2015 City Council Meeting Minutes	Approved
Bill List, \$48,421.48	Approved
KEJ Enterprises, Snow Removal/Sign Replacement, \$7,312.50	Approved

1 City of Mahtomedi, 1st Quarter Fire
2 Contract, \$31,404.75 Approved

3
4 Resolution No. 2015-03, Verizon Cell Tower
5 10629 Jamaca Avenue North Approved

6
7
8 **Acting Mayor Huber moved to approve the consent agenda, as presented. Council Member**
9 **Lobin seconded the motion. Motion carried with Council Member Lanoux voting nay.**

10
11 **STAFF AGENDA ITEMS**

12
13 **City Engineer, Phil Olson**

14
15 **Consideration of Resolution No. 2015-08, CSAH 15 Turn Lane Project, Municipal Consent –**
16 City Engineer Olson advised Washington County is requesting municipal consent to install new turn
17 lanes on County State Aid Highway 15 (CSAH 15) near the Gateway Trail Bridge. Washington
18 County has provided three figures showing the approximate location of the new turn lanes along with
19 a summary of the proposed improvements (attached). There is no city cost for this project.

20
21 **Council Member Lobin moved to adopt Resolution No. 2012-08, as presented. Acting Mayor**
22 **Huber seconded the motion. Motion carried unanimously.**

23
24 **Consideration of Resolution No. 2015-02, CSAH 12/CSAH 17 Traffic Signal Project, Municipal**
25 **Consent and Cooperative Agreement –** City Engineer Olson advised Washington County is
26 requesting municipal consent to install a new traffic signal at the intersection of County State Aid
27 Highway 12 (CSAH 12) and County State Aid Highway 17 (CSAH 17). The project includes
28 removing the existing stop signs on CSAH 17 and installing with a new traffic signal. Turn lanes,
29 pedestrian improvements, and paving are also included in the project. A plan sheet of the intersection
30 improvements is attached for review.

31
32 The north leg of the intersection is currently gravel and is owned by Grant. Roadway widening and
33 paving are required on this leg of the intersection to align the drive lanes across the intersection.
34 Also, loop sensors for the signal will be installed in the new pavement.

35
36 A cooperative agreement between Grant and Washington County is required for this project. The
37 cooperative agreement establishes the cost participation and requires city funding for the surface
38 improvements to the north leg of the intersection. The current estimate of city funding is \$20,164
39 based estimated construction and construction engineering costs. All other project costs will be
40 funded by Washington County. The current funding split from Washington County is attached.

41
42 A resolution of municipal consent is also required for this project.

43

1 With the approval of the cooperative agreement and a resolution of municipal consent, Washington
2 County will move forward with the bidding process and begin construction in the spring. It is
3 anticipated that construction will be finalized in the fall.

4
5 **Council Member Lanoux moved to adopt Resolution No. 2015-02 as presented and authorize**
6 **the execution of a cooperative agreement for the installation of a signal at the intersection of**
7 **County State Aid Highway 17 and County State Aid Highway 12. Council Member Lobin**
8 **seconded the motion. Motion carried unanimously.**

9
10 **PUBLIC HEARING, Consideration of Ordinance No. 2015-38 and Ordinance No. 2015-39,**
11 **MS4 Requirements** – City Engineer Olson advised the Minnesota Pollution Control Agency
12 (MPCA) requires that the City of Grant obtain a Municipal Separate Storm Sewer System (MS4)
13 Permit on a 5-year cycle. The City’s MS4 Permit was reissued by the MPCA on April 3, 2014. With
14 the reauthorization of the permit, the City is required to come into compliance with the most current
15 permit requirements and update their Stormwater Pollution Prevention Plan (SWPPP). This updated
16 SWPPP contains six program components:

- 17 • Public education and outreach;
- 18 • Public participation;
- 19 • Illicit discharge detection and elimination;
- 20 • Construction site stormwater runoff control;
- 21 • Post-construction stormwater management; and
- 22 • Good housekeeping and pollution prevention practices for municipal operations.

23 24 ***Ordinance Analysis***

25 Staff has reviewed the City’s ordinances and identified where the current ordinances have deficiencies
26 according to the new requirements of the MS4 Permit. Additionally, staff compared the City’s
27 ordinances to the Environmental Protection Agency’s model ordinances, and ordinances that have
28 been adopted by other cities that are representative of the type of language and content needed to
29 satisfy the new permit requirements. The revisions to the ordinance are designed to bring the City’s
30 ordinances into compliance with the new regulatory mechanism requirements of the MS4 General
31 Permit.

32
33 An additional memo has been prepared by the City Planner. The memo provides specific information
34 regarding the new ordinance changes.

35 36 ***Partnership Update***

37 WSB staff has initiated contact with Angie Hong, the education coordinator of the East Metro Water
38 Resource Education Program (EMWREP) to form a potential partnership. The EMWREP is a
39 partnership formed in 2006 to serve 18 local units of government in the east metro area. The purpose
40 of the shared education program is to provide education about the impacts of non-point source
41 pollution on local lakes, rivers, streams, wetlands and groundwater resources and to engage people
42 and communities in projects that will help to protect and improve water quality in the region. By
43 joining the EMWREP, the City will be able to meet the education and outreach, and public
44 participation requirements of the MS4 permit for \$560 per year.

1 An agreement for the city to join the EMWREP will be added to the consent agenda in April.

2
3 City Engineer Olson reviewed the City Planner staff report noting staff has been working to update
4 the City’s Ordinances for compliance with the Minnesota Pollution Control Agency’s stormwater
5 program for municipal separate storm sewer systems (MS4). The proposed amendments and additions
6 include modifications to Chapter 30 Subdivisions and Chapter 32 Zoning of the City Code. Since
7 some of the proposed changes affect the land use chapters of the City Code, a duly noticed public
8 hearing was published for the March 3, 2015 regular City Council meeting.

9
10 City Engineer Olson reviewed the following summary of the proposed ordinance amendments and
11 additions, is provided for your review and consideration:

- 12 • **Chapter 30 Subdivisions:** The attached draft Ordinance 2015-38 includes amendments to the
13 following sections: 30-1 Definitions; 30-3 Enforcement; 30-58 Data required (for Preliminary
14 Plat); and 30-173 Land Requirements. Additions to Chapter 30 include the following:
15 Sections 30-16 Incorporation by Reference; 30-172 Erosion and Sediment Control Plans; and
16 30-173 Stormwater Management Plans.

17 The proposed changes relate primarily to addressing stormwater management and erosion
18 control when any land altering activities are proposed. This change will require applicants to
19 prepare the appropriate plans related to these components for review by the City Engineer
20 during a project application process. The plans must be submitted and approved prior to any
21 activity on the site. The enforcement section of this ordinance was also amended to help
22 assure compliance with these requirements and clarify the process if any activity that requires
23 a plan and review is conducted without appropriate approvals.

- 24 • **Chapter 32 Zoning:** The attached draft Ordinance 2015-39 includes amendments to the
25 following sections: 32-32 Violations; 32-35 Certificate of Compliance; 32-143 Application
26 (for Conditional Use Permit); 32-181 Building permit and compliance with building code
27 requirements; 32-185 Grading permit required, exceptions; and 32-341 Drainage. Additions
28 to Chapter 32 include: 32-7 Incorporation by Reference.

29 The proposed amendments relate to those sections of the zoning ordinance which have the
30 potential to permit and approve activities and projects that may disturb the land. For example,
31 if an Applicant proposes to construct a new supper club and therefore needs a Conditional Use
32 Permit, there would likely be significant construction and land altering activities that would
33 occur. In these cases, the Applicant will be required to submit the appropriate stormwater
34 management plans and erosion control plans to ensure compliance with the City’s Ordinances.
35 With respect to the enforcement of such requirements, the code is also updated and refers back
36 to the process contained within Chapter 30 to ensure uniform enforcement of any potential
37 issues.

- 38
39 • **Illicit Discharge Ordinance 2015-40.** In 2011, the City of Grant City Council adopted ordinance
40 number 2011-25 Illicit Discharge and Connection Stormwater Ordinance. To comply with the new
41 MS4 standards additions to the ordinance are required. As such, staff is recommending that the

1 Council simply repeal all of Ordinance 2011-25, and adopted ordinance number 2015-40 in
2 replacement. Since this Ordinance is not contained within Chapter 30 or 32 a public hearing
3 regarding these changes is not required.

4
5 Acting Mayor Huber provided the background regarding this issue and noted the City did budget
6 for the permit, which is a federal government mandate. The permit was not initiated by the City
7 and the City has no choice. He did inquire as to how much flexibility the city has with the
8 language of the ordinance in relation to being within the permit guidelines.

9
10 City Engineer Olson advised the language in the draft ordinance is standard language for the
11 surrounding communities. The MS4 staff at WSB would have to determine if the language could
12 be changed if that would depend on the affect of that change.

13
14 Council Member Lanoux stated there are four watershed districts within the City and there is no
15 citizen involvement with any of them as it was turned over to staff. The Council no longer has any
16 input on City issues.

17
18 City Engineer Olson advised there are two watershed districts that are subject to the MS4 permit
19 and are going through the same process. They are asking for citizen participation and have public
20 hearings. Staff does not want to duplicate effectos and the watersheds are doing some of the same
21 requirements for the permit. All watersheds have these same goals and intent. Ordinances are in
22 draft form and staff is asking for Council feedback. It is not intended that the draft ordinances will
23 be approved this evening.

24
25 Council Member Lanoux stated that the Council had no input on the draft ordinances because
26 Council is not allowed to attend staff meetings.

27
28 Acting City Attorney Sandstrom stated Council Members attending staff meetings would be a
29 problem as there is the potential of violating open meeting laws. The City Council packets are the
30 primary way for Council Members to get information and then provide input at the Council
31 meetings.

32
33 Acting Mayor Huber opened the public hearing at 7:44 p.m.

34
35 Mr. Bob Zick, Press, came forward and stated that it would be nice if citizens can see plans when
36 they are being developed. He referred to the School District CUP and the site being contaminated.
37 The MS4 is supposed to be monitoring this type of thing.

1 Mr. Jim Frosty, 6082 Jamaca, came forward and stated the term best management practices is too
2 vague and needs more specificity.

3
4 Mr. Tim Dewusky, 170 View Road, came forward and stated he submitted questions last year at
5 the MS4 hearing and the answers he was provided was in the form of one sentence. He has many
6 questions and would like them to be answered.

7
8 Acting Mayor Huber closed the public hearing at 7:55 p.m.

9
10 Council directed staff to address the issue of the distance of time required to allow for compliance,
11 in terms of violations, and specifics relating to the term of best practices.

12
13 **Council Member Lanoux moved to table Ordinance No. 2015-38, 2015-39, and 2015-40 to the**
14 **April City Council Meeting. Council Member Lobin seconded the motion. Motion carried**
15 **unanimously.**

16
17 **Consideration of Ordinance No. 2015-40, Repealing Ordinance No. 2011-25 and Providing New**
18 **Illicit Discharge Ordinance**

19
20 **City Planner, Jennifer Haskamp**

21
22 **Performance Standards for Recreation Areas** – Acting Mayor Huber reviewed the staff report
23 providing the following:

24
25 At the February 3, 2015 regular City Council meeting a public hearing was held for the consideration
26 of draft land use definitions that are currently undefined, or inadequately defined, within the City’s
27 adopted city code in association with the recently enacted moratorium. After public testimony during
28 the public hearing, and after discussion, the City Council agreed that some additional detail and
29 clarification with respect to the *Recreation, commercial indoor* and *Recreation, commercial outdoor*
30 *definitions* would be helpful to ensure such facilities are appropriately located within the City, if they
31 were to be proposed.

32
33 Based upon that direction, staff has prepared the following memo for your initial thoughts and
34 consideration. Staff is not looking for a formal recommendation at the March meeting, but instead
35 offers the following for your initial thoughts and direction.

36
37 **Proposed Addition/Location within ordinance:**

38
39 Recently, the city adopted new performance standards for Supper Clubs and Rural Event facilities
40 with the intent on ensuring that such facilities were properly located. Staff would suggest that a
41 “*Recreation, commercial indoor*” and “*Recreation, commercial outdoor*” use would have the
42 potential to impact the City’s character and infrastructure similarly, and as such similar performance

1 standards would be relevant. The following items that staff would recommend for inclusion are
2 summarized below:

- 3 ▪ Add a new section **32-354 Recreation, commercial (outdoor and indoor)** Staff believes that
4 the same performance standards would likely be applicable to both indoor and outdoor
5 facilities. Therefore, we would only need to add one section to the ordinance.
- 6 ▪ The Purpose and Intent would be summarized to include protection of existing rural
7 residential neighborhoods, while providing opportunities, where reasonable, for operation of
8 commercial recreational facilities.
- 9 ▪ The required permits would be summarized based upon whether a proposed use was primarily
10 an indoor or outdoor facility. As currently drafted in the land use definitions, commercial
11 indoor recreational uses would only be permitted with a CUP in the General Business (GB)
12 District, and commercial outdoor recreational uses would be permitted with a CUP in the A1,
13 A2 and GB zoning districts.
- 14
- 15
- 16 ▪ A section addressing Performance standards would be drafted. Staff would request the City
17 Council to consider such items as:
 - 18 ○ Should there be a requirement in residential districts (A1 and A2) that the use should
19 be accessory to a principal residential use? Or is that unnecessary?
 - 20 ○ Should there be an occupancy limit on a facility/operation? Should there be a
21 correlation with the site acreage? Location within the community?
 - 22 ○ How would the building sizes be regulated – for example a ticket booth, warming
23 house, or community gathering space? Are these ‘accessory’ uses acceptable? Should
24 there be a quantity/size limit?
 - 25 ○ Should a facility/operation be required to have primary frontage on a County or State
26 road?
 - 27 ○ Should there be an acreage requirement? Such as, no facility shall be permitted on a
28 site zoned A1 or A2 that is smaller than 20 acres.
 - 29 ○ Should there be increased yard setbacks if adjacent to existing residential areas?
 - 30 ○ Others?
- 31
- 32
- 33 ▪ In addition, staff would recommend including some language similar to the following:
 - 34
 - 35 1) Any commercial recreation facility, whether indoor or outdoor, shall provide on-site
36 parking sufficient to handle all guests, staff, and any other vehicles necessary to support
37 the operations of the facility. All parking standards shall be, at a minimum, consistent
38 with those stated within the City’s Code of Ordinance.

- 1 2) Any enclosed structure proposed to support a commercial recreational use, indoor or
2 outdoor, shall be architecturally designed to be consistent with the principal structure if
3 applicable; or shall be designed to blend in with the site and environment.
- 4 3) The commercial recreation use, indoor or outdoor, must comply with all rules and
5 regulations of Federal, State, County and Local agencies.
- 6 4) The City may impose conditions related to landscaping, access, security, sanitary sewer,
7 liability or other insurance requirements, and other conditions as necessary.

8 **It should be noted that an Applicant would still be required to submit the materials as requested in
9 *Section 32-143 Application* for a Conditional Use Permit; and the items above are Performance
10 Standards that are tailored specifically to this type of use and would be required in addition for
11 consideration.

12 Staff is not seeking any action on this item at the March meeting. Staff is looking for your comments
13 on the above items, which can be emailed to the City Clerk/Administrator prior to the April City
14 Council meeting. A draft ordinance will be brought forward in April compiling and integrating the
15 Council’s comments, upon your direction.

16
17 **City Attorney, Nick Vivian (No action items)**

18
19 **NEW BUSINESS**

20
21 **Consideration of Eagle Project, Drew Osterman** – Acting Mayor Huber provided a quick overview
22 of the proposed project noting more detail will be provided at a future date.

23
24 **Acting Mayor Huber moved to approve Drew Osterman Eagle Scout project as presented.**
25 **Council Member Lobin seconded the motion. Motion carried unanimously.**

26
27 **Consideration of Eagle Project, Luke Osterman** – Acting Mayor Huber provided a quick overview
28 of the proposed project noting more detail will be provided at a future date.

29
30 **Acting Mayor Huber moved to approve Luke Osterman Eagle Scout project as presented.**
31 **Council Member Lobin seconded the motion. Motion carried unanimously.**

32
33 **Charter Update and Request for Expenditure, Charter Liaison Steve Bohnen** – Charter
34 Commissioner and Charter Liaison Steve Bohnen distributed questions for the City Council to
35 consider relating to Charter expenditures, a special election, donations, educational materials and the
36 City’s legal newspaper. He requested Council direction regarding these issues.

37
38 **Council Member Lanoux moved to authorize up to \$4,500 for a legal review of the draft**
39 **Charter. Motion failed with no second.**

40
41 After discussion, it was determined that the questions submitted would need a legal opinion from the
42 City Attorney and the full Council should be present for the discussion.

1 It was the consensus of the Council to give the presented questions to staff and direct staff to provide
2 a legal memo addressing the questions.

3
4 Acting Mayor Huber called for a five minutes break at 8:43 p.m.

5
6 Acting Mayor Huber reconvened the meeting at 8:49 p.m.

7
8 **Planning Commission** – Acting Mayor Huber advised the need for a Planning Commission has been
9 discussed. The City did adopt a resolution stating the City Council was reviewing applications. He
10 stated he does want to discuss putting a Planning Commission back in place. He asked for the
11 consensus of the Council to place this issue on the April City Council meeting agenda.

12
13 It was the consensus of the Council that Planning Commission Discussion will be on the April
14 meeting agenda.

15
16 **City Attorney Seating** – Council Member Lanoux stated the City never had the Attorney sitting at
17 the Council table as he is not elected. He said he would rather have the Road Commissioner seated
18 with the Council. None of the City’s staff lives in Grant. City staff is taking over the City. He stated
19 he does not think the Attorney should be seated with the Council.

20
21 **UNFINISHED BUSINESS**

22
23 **January 6, 2015 City Council Meeting Minutes** – Administrator/Clerk Points stated Council
24 Member Sederstrom questioned the vote after the Mayor called the question.

25
26 Acting City Attorney Sandstrom stated calling the question does not require a vote. The vote taken
27 was on the motion and second.

28
29 Council Member Lanoux advised he did not vote on the Code of Conduct and would like the minutes
30 to reflect that. Council agreed that the vote on that item should be amended.

31
32 **Acting Mayor Huber moved to approve the January 6, 2015 City Council Meeting Minutes, as**
33 **amended. Council Member Lobin seconded the motion. Motion carried with Council Member**
34 **Lanoux voting nay.**

35
36 **Council Member Lanoux moved to add to the minutes a statement regarding censuring and not**
37 **being able to make motions. Motion failed with no second.**

38
39 **Consideration of Resolution No. 2015-05, Comcast-Midwest/Greatland Transfer, Cable,**
40 **Commissioner Huber** – Cable Commissioner Huber advised the merger will take place and
41 Greatland will be taking over Comcast. The franchise has been extended until 2018 and the City did
42 get a mile and a half extension of cable within the City of Grant.

43
44 **Acting Mayor Huber moved to adopt Resolution No. 2015-05, as presented. Council Member**
45 **Lobin seconded the motion. Motion carried with Council Member Lanoux voting nay.**

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DISCUSSION ITEMS

City Council Reports:

Council Member Lanoux stated the GRP Youth Scholarship Program information will not be put on the City website or in the City newsletter.

Acting Mayor Huber referred to and read a letter from the University of Minnesota Equestrian Team per their request. The letter outlined the contributions of Council Member Lanoux. He then advised the letter was not written by the individual that submitted the letter.

Council Member Lanoux stated he helped them write the letter.

Acting Mayor Huber confirmed that no one from that group wrote the letter.

Mr. Steve Bohnen approached the podium and commented on respect and getting it back on this current City Council. Good decorum is very important.

Staff Updates:

Administrator/Clerk reminded Council the deadline for newsletter articles is Friday, March 6.

COMMUNITY CALENDAR MARCH 4 THROUGH MARCH 31, 2015:

Mahtomedi Public Schools Board Meeting, Thursday, March 12th and 26th, 2015, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, March 12th 2015, Stillwater City Hall, 7:00 p.m.

Charter Commission Meeting, Thursday, March 19th, Mahtomedi City Hall, 7:00 p.m.

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

ADJOURN

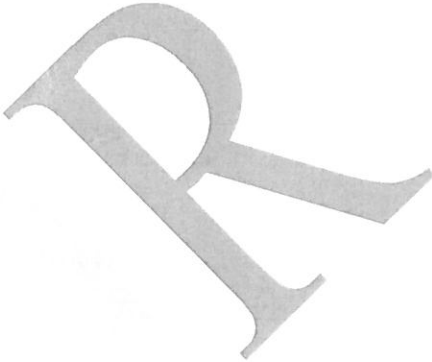
There being no further business, Acting Mayor Huber moved adjourn at 9:25 p.m. Council Member Lobin seconded the motion. Motion carried unanimously.

These minutes were considered and approved at the regular Council Meeting April 7, 2015.

Kim Points, Administrator/Clerk

Tom Carr, Mayor

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AGENDA ITEM 9B

STAFF ORIGINATOR	City Clerk
MEETING DATE	April 7, 2015
TOPIC	City Council Inquiry Updates
VOTE REQUIRED	None

BACKGROUND

There have been some Council inquiries regarding procedures within the City of Grant. The following is provided for your informational purposes only:

Staff Meetings – Staff meetings are typically held monthly after the regular Council meeting. Staff does not discuss policy but rather reviews the action taken by the City Council and determines the most efficient means of providing the necessary follow through on that action. Staff also discusses the next meeting agenda and what actions are needed by the Council relating to land use, inquiries, mandates, budgets and other required functions of the City.

City Attorney Seating – An informal quick survey of member cities of the Washington County Clerks survey was conducted. Below is a brief overview:

- St. Paul Park – City Attorney sits with Council
- Willernie – City Attorney sits with Council
- Dellwood – City Attorney sits with Council
- City of Lakeland – City Attorney sits with Council
- City of Scandia – City Attorney sits with Council

Of ten cities surveyed, only one does not have the City Attorney sit with the Council during Council meetings. Also attached is a letter the City received with the request to distribute it to the Council.

City Staff living within the City – In addition, a brief sampling of City employees living within the City is provided:

- St. Paul Park – 22 employees with one residing within the City – population of 5251
- Willernie – 2 employees, zero residing within the City – population 507
- Dellwood – 2 employees, zero residing within the City – population of 1067
- City of Lakeland – 10 employees, two live within the City – population of 5251
- City of Scandia – 10 employees, one residing within the City – population of 3936

None of the cities have any requirement for employees, consultants, contractors, etc. to live within the City with the exception of volunteer fire fighters.

OPTIONS

1. For informational purposed only – no action required.

STAFF RECOMMENDATION

None

8650 Kimbro Lane North

Stillwater, MN 55082

March 22, 2015

Grant City Council

City of Grant

P.O. 577

Willernie, MN 55090

Dear Council Members:

At the March 2015 Grant Council meeting Councilman Larry Lanoux objected to the fact that the city attorney was seated at the table with the council members. He stated that this had never happened before. He apparently is ignorant of the past history of Grant.

In all the 18 years that I served on the Grant Town Board, the attorney sat at the same table with the three board members. I observed that to be also true when I served 2 years as treasure and when I attended meetings prior to my time in office. This practice continued to be true up until the time when Grant became a city in 1996. Then the governing body went from three members to five members. The reason that the attorney was seated elsewhere was simply because the table could not accommodate a larger number of people. There was only room for the five on the council.

With the newly installed table it is now possible to go back to the practice of the attorney sitting at the table where he is readily available and visible to give legal advice. This is a common practice with a number of city councils. I would say with reinstalling the attorney at the table, it restores a long-existing tradition. It is sort of a restoration project keeping touch with our past.

Sincerely,

A handwritten signature in black ink, appearing to read "Eugene J. Eastlund". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Eugene J. Eastlund

City Council Report for March 2015

Date; March 19, 2015

To: Honorable Mayor & City Council Members

From: Jack Kramer Building & Code Enforcement Official

Zoning Enforcement:

1. No new violations to report.

Building Activity Report:

1. (11) Eleven Building Permits issued for a total valuation of \$ 172,885.00

Respectfully submitted,

A handwritten signature in black ink that reads "Jack Kramer". The signature is written in a cursive style with a large initial "J".

Jack Kramer

Building & Code Enforcement Official

Grant Master Form

Permit	Permit Type	Name	Project Address	Date Issued	Valuation:	City Fee:	75% Plan CK Fe	Surcharge	Paid
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2015-11	HVAC	Braden Co	10121-83rd. St. N.	2/17/2015	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2015-12	Windows	Pohl	6636 indian Wells trail	2/27/2015	\$ 17,885.00	\$ 296.75	\$ 222.56	\$ -	\$ 8.94
2015-13	HVAC	Kim	6480 Jamaca Ave. N.	3/2/2015	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2015-14	Bath Remodel	Grubb	6639 Jasmine Ave. N.	3/3/2015	\$ 3,000.00	\$ 83.25	\$ 62.43	\$ -	\$ 1.50
2015-15	Addition	Demko	10847 -88th. St. N.	3/3/2015	\$ 42,000.00	\$ 408.92	\$ 306.69	\$ 265.79	\$ 21.00
2015-16	HVAC	Gunderson	10691 -75th. St. N.	3/10/2015	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2015-17	Siding/Roof	Willet	11625-115th. St. N.	3/11/2015	\$ 30,000.00	\$ 396.80	\$ 297.60	\$ -	\$ 15.00
2015-18	Garage	Weber	9718-83rd. St. N.	3/12/2015	\$ 25,000.00	\$ 391.75	\$ 293.81	\$ 241.76	\$ 12.50
2015-19	Deck	Lindo	8700 Jeffrey Ave.N.	3/12/2015	\$ 20,000.00	\$ 321.25	\$ 240.93	\$ 208.81	\$ 10.00
2015-20	Re-Siding	Krinke	11797- 97th. St. N.	3/12/2015	\$ 15,000.00	\$ 251.25	\$ 188.43	\$ -	\$ 7.50
2015-21	Fence Permit	Maht. Schd	Quad '6" Ballfield	3/17/2015	\$ 20,000.00	\$ 321.25	\$ 240.93	\$ -	\$ 10.00
Monthly total					\$ 172,885.00	\$ 2,711.22	\$ 2,033.38	\$ 716.36	\$ 101.44