

**City of Grant
City Council Agenda
December 1, 2015**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, December 1, 2015, 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

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.

- (1) _____
- (2) _____
- (3) _____
- (4) _____

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF REGULAR AGENDA

4. APPROVAL OF CONSENT AGENDA

- A. Bill List, \$67,357.94
- B. Brochman Blacktopping, Hadley Project, \$16,695.00
- C. City of Stillwater, 2nd Half Fire Contract, 54,266.50
- D. City of Mahtomedi, 4th Quarter Fire Contract, \$31,404.75
- E. Kline Bros. Excavating, Grading/Town Hall Repair, \$10,400.00
- F. Addendum to Council Rules of Procedure, Seating Policy
- G. Ordinance No. 2015-41, Land Use Definitions

- H. Resolution No. 2015-18, Summary Publication of Ordinance No. 2015-41
- I. Resolution No. 2015- 19, Summary Publication of Ordinance No. 2015-42
- J. Resolution No. 2015- 20, Summary Publication of Ordinance No. 2015-43

5. **STAFF AGENDA ITEMS**

A. City Engineer, Brad Reifsteck (no action items)

B. City Planner, Jennifer Haskamp

i. PUBLIC HEARING, Consideration of Dornack Minor Subdivision and Vacation of Easement, 9651 83rd Street N

ii. PUBLIC HEARING, Consideration of Text Amendment Application for Definition of Tavern or Bar

iii. PUBLIC HEARING, Consideration of CUP Application, Cozzies Tavern,

iv. Consideration of Meridian Amended CUP Application (continuation), 11400 Julianne Avenue N

C. City Attorney, Nick Vivian (no action items)

6. **NEW BUSINESS**

A. November 3, 2015 City Council Meeting Minutes (Lanoux and Sederstrom abstain)

B. Consideration of Resolution No. 2015-20, Final City Budget for 2016

C. Consideration of Resolution No. 2015-21, Establishing Final Levy Certification

D. Consideration of Resolution No. 2015-22, Mogrow Inc. 2016 Liquor License

E. Consideration of Resolution No. 2015-23, Gasthaus Bavarian 2016 Liquor License

F. Consideration of Resolution No. 2015-24, Applewood Hills, LLC 2016 Liquor License

G. Consideration of Resolution No. 2015-25, Nicholson-Stillwater Oaks, LLC 2016 Liquor License

H. Consideration of Resolution No. 2015-26, Loggers Trail Golf Club 2016 Liquor License

I. Consideration of Resolution No. 2015-27, Cozzie's Tavern Inc. 2016 Liquor License

J. Consideration of Resolution No. 2015-28, Dellwood Barn Weddings, LLC 2016 Liquor License

7. **UNFINISHED BUSINESS**

8. **DISCUSSION ITEMS**

A. City Council Reports (any updates from Council)

B. Staff Updates

9. **COMMUNITY CALENDAR DECEMBER 2 THROUGH DECEMBER 31, 2015:**

Mahtomedi Public Schools Board Meeting, Thursday, December 10th, 2015, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, December 10th, 2015, Stillwater City Hall, 7:00 p.m.

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

City Office Closed, Thursday and Friday, December 24th & 25th, 2015

10. **ADJOURNMENT**

Disbursements List

11/23/2015

Date range: 11/02/2015 to 11/23/2015

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Total</u>	<u>Description</u>	<u>Void</u>	<u>Account #</u>	<u>Detail</u>
Payroll Period Ending 11/30/2015	11/23/2015	12919	\$3,341.41		No		
Sharon Schwarze	11/23/2015	12920	\$6,000.00	2015 Treasurer Services	No	100-41101-100	\$3,341.41
Sherrill Reid Animal Control	11/23/2015	12921	\$90.00	Animal Control/Inv2015-36	No	100-41104-300	\$6,000.00
CenturyLink	11/23/2015	12922	\$123.95	City Phone	No	100-42006-300	\$90.00
Brochman Blacktopping Co.	11/23/2015	12923	\$17,200.00	Patching	No	100-41309-321	\$123.95
Waste Management	11/23/2015	12924	\$4,140.36	Recycling	No	100-43109-300	\$505.00
Todd Smith	11/23/2015	12925	\$1,991.92	Monthly Assessment Services	No	100-43112-300	\$16,695.00
League of MN Cities Insurance Trust	11/23/2015	12926	\$9,359.00	Inv#31091/51395	No	100-43011-384	\$4,140.36
Pioneer Press	11/23/2015	12927	\$109.10	Definitions Public Hearing	No	100-41208-300	\$1,991.92
City of Stillwater	11/23/2015	12928	\$54,266.50	2nd Half Fire Contract	No	100-41302-361	\$297.00
AirFresh Industries	11/23/2015	12929	\$125.00	PortaPot #21382	No	100-41302-361	\$9,062.00
Ronald Bierbaum	11/23/2015	12930	\$50.00	Mailbox Replacement	No	100-41308-304	\$109.10
City of Mahtomedi	11/23/2015	12931	\$31,404.75	4th Quarter Fire Contract	No	100-42003-300	\$54,266.50
Croix Valley Inspector	11/23/2015	12932	\$1,812.06	Building Inspector	No	100-43007-210	\$125.00
Ken Ronnan	11/23/2015	12933	\$63.00	Video Tech Services	No	100-41306-220	\$50.00
WSB & Associates	11/23/2015	12934	\$2,468.25	Engineering	No	100-42002-300	\$31,404.75
KEJ Enterprises	11/23/2015	12935	\$9,000.00	November 2015 Road Contractor	No	100-42004-300	\$1,812.06
					No	100-41318-100	\$63.00
					No	100-41203-300	\$854.75
					No	100-43125-300	\$329.00
					No	100-43130-300	\$546.50
					No	867-49310-300	\$246.00
					No	902-49310-300	\$492.00
					No	100-41306-300	\$166.14
					No	100-42006-300	\$83.00
					No	100-43006-300	\$125.00
					No	100-43009-300	\$125.00
					No	100-43105-300	\$167.00
					No	100-43106-300	\$20.84
					No	100-43107-300	\$41.67
					No	100-43110-300	\$83.84

City of Grant

Disbursements List

11/23/2015

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Total</u>	<u>Description</u>	<u>Void</u>	<u>Account #</u>	<u>Detail</u>
Eckberg Lammers	11/23/2015	12936	\$6,539.96	Legal Services	No	100-43111-300	\$20.84
						100-43113-300	\$5,416.67
						100-43114-300	\$2,250.00
						100-43115-300	\$500.00
Jeff Huber	11/23/2015	12937	\$75.00	2015 Extra Meetings	No	100-41204-300	\$2,501.10
Loren Sederstrom	11/23/2015	12938	\$75.00	2015 Extra Meetings	No	100-41205-300	\$1,362.00
Tina Lobin	11/23/2015	12939	\$75.00	2015 Extra Meetings	No	100-41206-300	\$1,595.36
Kline Bros Excavating	11/23/2015	12941	\$10,400.00	Road Maintenance	No	878-49310-300	\$12.50
						902-49310-300	\$981.50
						905-49310-300	\$87.50
						100-41006-100	\$75.00
Graphic Resources	11/23/2015	12942	\$1,140.41	Fall Newsletter	No	100-43002-300	\$5,600.00
Xcel Energy	11/23/2015	12943	\$100.30	Utilities	No	100-43101-300	\$4,800.00
SHC, LLC	11/23/2015	12944	\$4,651.20	Planning	No	100-41307-320	\$1,140.41
						100-43004-381	\$43.58
						100-43010-381	\$11.45
Sprint	11/23/2015	12945	\$30.00	City Cell Phone	No	100-43117-381	\$45.27
						100-41209-300	\$1,684.00
						902-49310-300	\$432.00
						905-49310-300	\$984.50
PERA	11/23/2015	12946	\$643.61	PERA	No	906-49310-300	\$974.70
						907-49310-300	\$576.00
						100-43116-321	\$30.00
						100-41102-120	\$344.79
Payroll Period Ending 12/31/2015	11/23/2015	12947	\$2,533.15		No	100-41113-100	\$298.82
Payroll Period Ending 12/31/2015	11/23/2015	12948	\$2,230.25		No	100-41002-100	\$2,533.15
Payroll Period Ending 12/31/2015	11/23/2015	12949	\$2,230.25		No	100-41005-100	\$2,230.25
Payroll Period Ending 12/31/2015	11/23/2015	12950	\$2,230.25		No	100-41005-100	\$2,230.25
Payroll Period Ending 12/31/2015	11/23/2015	12951	\$2,224.04		No	100-41001-100	\$2,230.25
PERA	11/23/2015	12952	\$290.00	PERA	No	100-41005-100	\$2,224.04
						100-41003-100	\$145.00
Tom Carr	11/23/2015	12953	\$75.00	2015 Extra Meetings	No	100-41003-120	\$145.00
						100-41006-100	\$75.00

City of Grant

Vendor
IRS

Date
11/23/2015

Check #
EFT69

Disbursements List

Total Description
\$1,113.77 Payroll Taxes

IRS

11/23/2015 EFT70

\$1,921.70 Payroll Taxes

Total For Selected Checks

\$180,124.19

Void
No

Account #

100-41103-100
100-41107-100
100-41110-100
100-41112-100

No

100-41004-100
100-41008-100

Detail

\$351.69
\$410.39
\$285.03
\$66.66

\$443.70
\$1,478.00

\$180,124.19

11/23/2015

Brochman Blacktopping Co.
12770 Mckusick Rd.
Stillwater, Mn. 55082

Invoice

Date 9/3/2015
Invoice # 3706

Bill To

City Of Grant
111 Wildwood Rd.
Po. Box. 577
Willernie, MN 55090

Terms Due on receipt

Due Date 9/3/2015

Item	Description	Qty	Price	Amount
Road	Labor & materials for special road improvements with pot hole patching repair at Hadley Ave., Hadley Ct., Hadley Circle (Grant) 08/31/2015	1	16,695.00	16,695.00
	Total amount DUE: \$16,695.00			
Thank you! for your business.		Subtotal	\$16,695.00	
		Sales Tax (0.0%)	\$0.00	
		Total	\$16,695.00	
brochmanpaving@msn.com		Payments /Credits	\$0.00	
651-439-5379		Balance Due	\$16,695.00	
651-439-5379				



DATE	INVOICE NO
11/1/2015	0053065

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

DUE DATE
12/31/2015
BALANCE

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
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PREVIOUS ACCOUNT BALANCE

0.00

Fire Contracts 1/1/15 - 12/31/15:

2nd Half Contract \$108,533.00	1.00	54,266.50	54,266.50	0.00	0.00	54,266.50
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INVOICE TOTAL:			54,266.50	0.00	0.00	54,266.50
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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: 0000006 - AR account for 100353

DUE DATE	INVOICE NO
12/31/2015	0053065

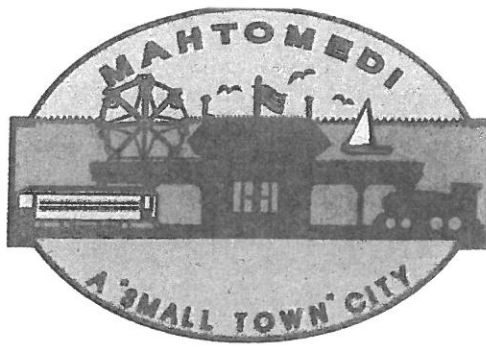


Please remit payment by the due date to:

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

Invoice Total:	54,266.50
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	54,266.50

INVOICE BALANCE: \$54,266.50
AMOUNT PAID: _____



December 16, 2014

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

Dear Kim,

Please remit a check in the amount of \$31,404.75 for the 4th quarter fire contract. Please pay December 1, 2015.

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

Thank you,

A handwritten signature in cursive script that reads 'Jerene Rogers'.

Jerene Rogers
Account Clerk

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



Invoice

DATE	INVOICE #
11/21/15	2386

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROADGRADING 100-43101

DUE DATE
12/1/15

DESCRIPTION	QTY	UNIT COST	AMOUNT
10-30-15 770B	3	80.00	240.00
10-30-15 740	1.5	80.00	120.00
11-02-15 770B	5.5	80.00	440.00
11-02-15 740	10.25	80.00	820.00
11-06-15 770B	6	80.00	480.00
11-06-15 740	6.5	80.00	520.00
11-07-15 770B	4.25	80.00	340.00
11-19-15 770B	6.5	80.00	520.00
11-19-15 740	6	80.00	480.00
11-20-15 770B	5.25	80.00	420.00
11-20-15 740	5.25	80.00	420.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE		Total	4,800.00

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



Invoice

DATE	INVOICE #
11/21/15	2385

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	TOWN HALL REPAIRS 100-43002

			DUE DATE
			12/1/15
DESCRIPTION	QTY	UNIT COST	AMOUNT
NOV 2015 REPLACE EAST RETAINING WALLS			8,500.00
SUPPLIES PURCHASED DEC 2014			-3,000.00
BLOCKS PLACED TO BLOCK UNWANTED ACESS TO BACK YARD	2	50.00	100.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE			
Total			5,600.00

I. Council Member Seating

The Mayor will always be seated in the center of the Council table. The City Attorney is seated to the far right of the Mayor. Senior Council Members may change their seats based on the vacancy of the previous Council seats. When the senior members have chosen their seats, the incoming Council Members may pick their seat. Any seating changes after incoming Council Members have their assigned seats, requires a motion, second and approval of the majority of the Council.

J. Decorum Requirements

Typical rules of decorum require Council Members to:

- Refrain from private conversation while in the Council chamber that interrupts the proceedings of the council.
- Refrain from the use of offensive words, threats of violence, or other objectionable language in or against the council, any Council Member or staff member.
- Limit speech to subject of current debate/agenda item.
- Abide by time limits for speaking.

K. Enforcing Decorum

Council Meetings on important community issues may become contentious very quickly. Establishing rules of decorum before a controversy arises can prevent meetings from becoming unproductive due to conflict. On occasion, however, members of the Council may not follow the rules. On these occasions, the Mayor's role as the meetings presiding officer is particularly important. When Council Members violate rules of order and decorum, the presiding officer is authorized to:

- Not recognize a breaching Council Member's request to speak, limiting their role in debate until decorum is observed.
- Declare the Council Member's actions out of order.
- Order removal from the Council chambers by law enforcement until the Council Member agrees to abide by Council rules of decorum.

State law also prohibits person, including Council Members from disturbing public meetings, through fighting or threatening words and conduct. Council Members who engage in this unlawful conduct may be charged with a misdemeanor.

CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 2015-41

An Ordinance Amending the Grant Code of Ordinances
Amending Sections 32-1 Definitions and 32-245 Table of Uses of
Chapter 32 Zoning regarding Golf Courses, Home Occupations and Recreation Areas

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 I, Section 32-1, "Definitions" is hereby AMENDED to ADD the following identified as underlined, and AMENDED to DELETE as ~~striketrough~~:

Golf Course means an area of land laid out for a minimum of nine (9) holes to play golf each including a tee, fairway, and putting green to include natural and artificial hazards. The Golf Course operations and grounds may include a clubhouse, driving range, maintenance buildings and other uses which support the principal operations (such as, but not limited to swimming pools, tennis courts, etc.) of the golf course.

Home occupation means any gainful occupation or profession engaged in by an occupant only of a dwelling unit which is a use that is clearly incidental to the use of the dwelling unit for residential purposes, when conducted on the premises. The following criteria must be met, or the proposed use must be established as a conditional use in the zoning district proposed and proper permit obtained:

- a) No persons other than members of the Family who reside on the premises shall be engaged in such occupation;
- b) The use of the Dwelling Unit for the Home Occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than thirty percent (30%) of floor area of the Dwelling Unit shall be used in the conduct of the Home Occupation.
- c) Any business operations conducted in an Accessory Building or garage shall be conducted entirely within the accessory building, and no exterior modifications to the building shall be permitted which would indicate that the structure is being used for commercial activity, except as permitted in Section d.

- d) There shall be no change in the outside appearance of the Principal Building or Premises, or other visible evidence of the conduct of such Home Occupation other than any signage as permitted by the City's ordinances.
- e) No traffic shall be generated by such Home Occupation in greater volume than would normally be expected to a residence in a residential neighborhood, and the driveway shall be designed accordingly.
- f) Parking areas may not exceed four (4) stalls and shall not be located in any required yard setback area and must be screened from any adjacent residential use.
- g) No equipment, activity, or process shall be used in such Home Occupation which creates, noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the Lot.
- h) No outside storage is permitted.

Recreation, commercial outdoor means recreational uses conducted almost wholly outdoors for a fee, including, but not limited to golf driving ranges, miniature golf, frisbee golf courses, tennis courts and outdoor skating rinks. Such uses may include support accessory structures such as a ticket booth, warming house, or small bathroom facility, but in all cases shall be clearly incidental to the principal outdoor recreational use.

Recreation, private means an accessory structure and/or use that are customary and incidental to the principal residential use of a site, including swing sets, play structures, sand boxes, tennis courts, sport courts, swimming pools and the like, intended for the enjoyment and convenience of the residents of the principal use and their occasional guests.

SECTION 2. AMENDMENT OF CHAPTER 32, ZONING, OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 32, Article I, Section 32-245, "Table of uses", Item (c) is hereby AMENDED to ADD the following identified as underlined, and AMENDED to DELETE as ~~strickethrough~~ :

USE					
(KEY) CC=Certificate of Compliance N=Not Permitted	Conservancy	Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
Golf courses and country clubs	N	C	C	C	N
Home occupations (meeting criteria)	CC -P	CC -P	CC P	CC P	N
Home occupations (not meeting criteria)	N	C	C	C	N
Commercial recreation <u>Recreation,</u> <u>Commercial indoor</u>	GN	GN	G N	G N	GN
Recreation areas — commercial <u>Recreation,</u> <u>Commercial outdoor</u>	N	C	CN	CN	C
Recreation areas — private <u>Recreation,</u> <u>Private</u>	G <u>P</u>	G <u>P</u>	G <u>P</u>	G <u>P</u>	N

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

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2015-18

**A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY,
MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF
ORDINANCE NO. 2015-41**

WHEREAS, On December 1, 2015, at the regular Grant City Council meeting, by majority vote, the City Council adopted Ordinance No. 2015-41 amending the land uses contained within Chapter 32 Zoning for Golf Course, Home Occupation, Recreation – Commercial Outdoor, and Recreation –Private;

WHEREAS, the amendments and deletions contained in Ordinance No. 2015-41 are contained within Section 32-1 Definitions and 32-245 Table of Uses of the City Code; 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 enacted a moratorium in October of 2014 related to land uses not adequately defined within the City's ordinances; and

WHEREAS, the City Council has studied and prepared land use definitions for the subject uses and made changes to subsequent related sections contained within the city code; and

WHEREAS, the City Council for the City of Grant has determined that publication of the title and a summary of Ordinance No. 2015-41 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 Nos. 2015-41 attached and incorporated herein as **Exhibit A**; and

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

1. Approves the text of the summary of Ordinance No. 2015-41 attached as **Exhibit A**.
2. Directs the City Clerk to post a copy of the entire text of Ordinance No. 2015-41 in all public locations designated by the City Council.
3. Directs the City Clerk to publish the summary in the City's legal newspaper within ten days.
4. Directs the City Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

Dated this 1st day of December, 2015.

Tom Carr, Mayor

ATTEST:

Kim Points, City Clerk

EXHIBIT A

Ordinance Summary

Ordinance No. 2015-41

AN ORDINANCE AMENDING THE CITY'S ZONING ORDINANCE TO DEFINE AND REGULATE GOLF COURSE, HOME OCCUPATION, RECREATION- COMMERCIAL OUTDOOR, AND RECREATION - PRIVATE FOR THE CITY OF GRANT, MINNESOTA

On December 1, 2015, the City of Grant adopted an ordinance to amend Chapter 32, Zoning of the City Code, to further define and regulate Golf Courses, Home Occupations, and Recreational uses including Commercial Outdoor and Private recreational uses in the City of Grant, Minnesota.

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

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2015-19

**A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY,
MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF
ORDINANCE NO. 2015-42**

WHEREAS, On November 3, 2015 at the regular Grant City Council meeting, by majority vote, the City Council adopted Ordinance No. 2015-42 amending Chapter 32 Zoning for Seasonal Business and Greenhouses, Section 32-1 Definitions, 32-245 Table of Uses and 32-313 Accessory buildings and other non-dwelling structures of the City Code; 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 enacted a moratorium in October of 2014 related to land uses not adequate defined within the City's ordinances; and

WHEREAS, the City Council has studied and prepared land use definitions for the subject uses and made changes to subsequent related sections contained within the city code; and

WHEREAS, the City Council for the City of Grant has determined that publication of the title and a summary of Ordinance No. 2015-42 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 Nos. 2015-42 attached and incorporated herein as **Exhibit A**; and

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

1. Approves the text of the summary of Ordinance No. 2015-42 attached as **Exhibit A**.
2. Directs the City Clerk to post a copy of the entire text of Ordinance No. 2015-42 in all public locations designated by the City Council.
3. Directs the City Clerk to publish the summary in the City's legal newspaper within ten days.
4. Directs the City Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

Dated this 1st day of December, 2015.

Tom Carr, Mayor

ATTEST:

Kim Points, City Clerk

EXHIBIT A

Ordinance Summary

Ordinance No. 2015-42

AN ORDINANCE AMENDING THE CITY'S ZONING ORDINANCE TO DEFINE AND REGULATE SEASONAL BUSINESS AND GREENHOUSES FOR THE CITY OF GRANT, MINNESOTA

On December 1, 2015, the City of Grant adopted an ordinance to amend Chapter 32, Zoning of the City Code, to define and regulate Seasonal Businesses and Greenhouses in the City of Grant, Minnesota.

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

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2015-20

**A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY,
MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF
ORDINANCE NO. 2015-43**

WHEREAS, On November 3, 2015, at the regular Grant City Council meeting, by majority vote, the City Council adopted Ordinance No. 2015-43 amending section 32-313 Accessory buildings and other non-dwelling structures;

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

WHEREAS, the City Council determined the need to further regulate the proximity of an accessory building to a principal building; and

WHEREAS, the City Council for the City of Grant has determined that publication of the title and a summary of Ordinance No. 2015-43 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 Nos. 2015-43 attached and incorporated herein as **Exhibit A**; and

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

1. Approves the text of the summary of Ordinance No. 2015-43 attached as **Exhibit A**.
2. Directs the City Clerk to post a copy of the entire text of Ordinance No. 2015-43 in all public locations designated by the City Council.
3. Directs the City Clerk to publish the summary in the City's legal newspaper within ten days.
4. Directs the City Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

Dated this 1st day of December, 2015.

Tom Carr, Mayor

ATTEST:

Kim Points, City Clerk

EXHIBIT A

Ordinance Summary

Ordinance No. 2015-43

AN ORDINANCE AMENDING THE CITY'S ZONING ORDINANCE FOR ACCESSORY BUILDING SETBACK FROM A PRINCIPAL STRUCTURE FOR THE CITY OF GRANT, MINNESOTA

On December 1, 2015, the City of Grant adopted an ordinance to amend Chapter 32, Zoning of the City Code, related to setback of an accessory building from a principal building as defined in section 32-313 in the City of Grant, Minnesota.

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

STAFF REPORT

TO: Mayor & City Council Members Kim Points, City Clerk Nick Vivian, City Attorney	Date: November 19, 2015 RE: Application for Lot Line Rearrangement (Minor Subd.) and Easement vacation -9651 83 rd St. N.
From: Jennifer Haskamp	

Background

The owner has submitted an application for a lot line rearrangement/combination to create two (2) approximately 11-acre lots. Approximately half of the subject property contains seven (7) platted small residential lots that were platted as part of the Wake Robin Acres subdivision in the 1960s and are legally described as Lots 5 through 11, Block 1. At the time of Final Plat in the 1960s the Township took utility easements along each of the residential lot lines, as well as a temporary right-of-way to serve the lots as development of the adjacent roadways progressed. While many of the Lots and Blocks contained within the Wake Robin Acres plat were developed, the Lots and Block contained on the subject property were left largely undeveloped with only an existing home generally located on Lot 9 of the plat. In addition, approximately half of the property remains unplatted and was specifically excluded from the Wake Robin Acres plat. Access to the existing homestead was instead gained from 83rd Street instead of developing the newly platted roadways which bordered the subject property on the south and west borders of the subject site.

As such, in an effort to clean up the legal descriptions as well as applicable easements, the Applicant is requesting a lot line rearrangement/combination to create two lots, and to subsequently vacate all of the utility and right-of-way easements which were dedicated during the 1960s platting process. A duly noticed public hearing has been published for purposes of hearing public testimony related to subdivision and easement vacations at the December 1st meeting.

Project Summary

Applicant & Owner: Tom Dornack	PID: 2203021430023
Address: 9651 83 rd Street North	Site Size: 22.79 Acres
Zoning & Land Use: R-1 and A-2	Request: 1) Combine all platted lots (Lots 5 through 11) Block 1 of the Wake Robin Acres subdivision; 2) Vacate utility easements and temporary ROW on subject property; and 3) Create two equally (approximately) sized 11 acre lots, one containing the existing homestead

All parcels, including those contained in the Wake Robin Acres plat, have the same PID at Washington County, although the parcels are identified on the City's official land use and zoning map with individual lot

lines and corresponding R-1 and A-2 zoning. The platted portion of property is legally described as Lots 5 through 11, Block 1, and this portion of the property contains the existing homestead. In the City's current land use and zoning documents this portion of the property is zoned and guided R-1, and at one time was anticipated to develop with additional housing units on smaller lot sizes. The remaining 11+/- acres are excluded from the plat and are zoned and guided A-2 in the City's comprehensive plan and zoning map.

The Applicant is proposing to accomplish several things through the proposed rearrangement and easement vacation process which are summarized as the following (See Figure Lot Lot Line Rearrangement):

- Combine and eliminate the small lots described as Lots 5 through 11, Block 1.
- Re-arrange the lot line between the combined lots and the unplatted land to create two (2) relatively equal parcels containing approximately 11-acres each.
- Create frontage on 83rd Street North for both lots, and provide access to each homestead using the existing roadway.
- Retain the existing homestead which would be located on the Proposed West Lot, and use the existing driveway to access the existing homestead and accessory structures.
- Vacate the utility easements which were dedicated as part of the 1960s plat process.
- Vacate the Temporary right-of-way easement which was dedicated as part of the 1960s plat process.
- Plat the new subdivision as Lots 1 and 2, Block 1 of the Dornack Addition.

Review Criteria

The City's subdivision ordinance allows for minor subdivisions and lot line adjustments as defined in Section 30-9 and 30-10. The subdivision ordinance states that provided all other aspects of the zoning ordinance are met, that an applicant may request the minor subdivision and lot line rearrangement directly from the City Council through a minor subdivision application.

The sections of the code that relate to dimensional standards and other zoning considerations are provided for your reference:

Secs. 32-246

Existing Site Conditions

The existing property is approximately 22.79 acres and is irregularly shaped largely due to the previous platting and subdivision of the Wake Robin Acres subdivision which was completed/designed in the 1960s. When Wake Robin Acres was platted there were two road extensions that were anticipated that would have served the southwestern portion of this property including an extension of Jody Avenue and the development of Birch Road. The extension of Jody and the development of Birch Road were never completed, but the planned ROW for both roads was dedicated and comprises the west and south property lines of the subject property. Since the roadways were never constructed, the existing homestead is currently accessed by a long driveway which connects to 83rd Street North (North property line). The existing home is setback approximately 900-feet from the roadway, and no access to Jody Avenue to the subject site has ever been created.

The site has significant tree coverage along the northeastern, eastern, southern and southwestern boundaries. There are some areas of clearing particularly in the northwestern corner of the site and in the areas that are dominated by wetlands (see subsequent section for wetland description). Generally, the site has soft rolling topography with some knolls and wetlands dispersed throughout the site.

Finally, there are several utilities crossing the property including an overhead powerline crossing the southwestern portion of the property and a gas line which runs through the south quarter of the property. There is also a Northern Natural Gas (NNG) easement running parallel and extending onto the south property line of subject parcel.

Wetlands & Wetland Delineation

In August of 2014 a wetland delineation was completed on the northern half of the subject site, and four wetland areas were identified. Only the northern half of the site was delineated because the Applicant is proposing that a new homesite be located in the northeast quadrant of the parcel. (See attached Lot Line Rearrangement figure for house location and delineated wetland boundaries).

Comprehensive Plan Review

The adopted comprehensive plan sets a maximum density of 1 unit per 10 acres in both the A-2 and R-1 land use designations. The proposed lot line rearrangement and combination meets the density requirements of the Land Use plan, and in fact will reduce potential future conflicts with lot densities associated with the previous 1960s plat of Wake Robin Acres. The proposed rearrangement/combination meets the intent of the comprehensive plan. However, it should be noted that if the Proposed East Lot (Lot1) is developed with a single-family home, that no additional lots or divisions would be permitted under current density standards.

Zoning/Site Review

Dimensional Standards

The following site and zoning requirements in the R-1 and A-2 district are defined as the following for lot standards and structural setbacks:

Dimension	Standard
Lot Area	5 acres
Lot Width (public street)	300'
Lot Depth	300'
FY Setback	65'
Side Yard Setback (Interior)	20'
Rear Yard Setback	50'
Maximum Height	35'

Lot Area and Lot Width

The proposed lot split and subsequent combination will result in the Proposed East Lot (Lot 1) having approximately 454-feet of frontage, and the Proposed West Lot (Lot 2) having approximately 328-feet of frontage along 83rd Street North respectively. Lot 1 will be approximately 11.11 acres, and Lot 2 will be

approximately 11.09 acres. Approximately 0.59 acres of ROW will be dedicated as part of the process on 83rd Street N. *Both resulting lots will meet the City's Ordinances for lot size and lot area.*

Setbacks

Based on the submitted information, all setback requirements are met for the proposed lot line rearrangement and combination. The existing home and driveway will continue to be in conformance with the zoning standards as proposed. At this time the Applicant is anticipating constructing a new home on the Proposed East Lot (Lot1) and then will sell the existing home. As submitted, the current plan is to construct the new home in the northeast corner of the site setback approximately 150-feet from the north right-of-way line, 90-feet from the east property line, 285-feet from the west property line and over 650-feet from the south property line. The new home will be accessed via a new driveway from 83rd Street North. Septic tests have been completed and were reviewed by Washington County Environmental Services. A copy of the septic report and tests is on file with the City Office and is available for your review and consideration if desired. *Since the location of the house and septic system are not fully designed, the Applicant should be aware that all future construction on the Proposed East Lot (Lot 1) will be subject to all ordinances in place at time of application including setbacks from lot lines and wetland areas. However, based upon information provided, the proposed location will meet current ordinance setback standards.*

Accessory Structures

Based upon the submitted survey there appear to be two sheds on the subject property and an existing detached garage. The rearrangement of the lot lines would result in the Proposed West Lot containing the existing home, a detached garage (700 SF) and a shed (1,200 SF). The total square footage of the garage and shed is approximately 1,900 SF, and it is unknown based upon the information submitted whether or not the existing home has an attached garage. (If not, the square footage of the detached garage may be exempted from the total square footage allowable on the lot up to 720 SF). The Proposed East Lot contains one small shed which is approximately 70 SF.

At the time of this Application, the Applicant should be aware that Section 32-313 regulates the type, total square footage, and number of accessory buildings permitted on a parcel. The current ordinance regulations permit on parcels of size 9.6 to 14.99 acres no more than 4 accessory buildings with a total maximum combined square footage of 3,500 square feet. Currently, both parcels meet this standard; however, both lots will be subject to the standards and ordinances in place at the time any new accessory building is property.

Vacations

As previously discussed approximately half of the subject parcel is platted as part of the Wake Robin Acres subdivision which was platted sometime in the 1960s. When the subdivision was platted the Township (at the time) required the dedication of 5-foot drainage and utility easements on all of the created residential lot lines. Lots 5 through 11 Block 1 are all contained on the southwestern portion of the site, and therefore there are several drainage and utility easements that are associated with the historic lot lines. As part of this process and application, the Applicant is requesting the vacation of these easements since they would no longer correlate to the lots if the subject application for lot line rearrangement is approved.

Secondly, there were several public roadways that were contemplated and planned for as a part of the Wake Robin Acres subdivision. Since many of the lots were never developed, some of the right-of-way was also never developed. As part of that process there was a public temporary cul-de-sac that was dedicated on the far southeast corner of the subject property that has never been used because Birch Road (which would have connected to the cul-de-sac) was never constructed. Since these roadways were never constructed, or used, the Applicant is requesting that the subject ROW easement be vacated with this application.

Vacation Process

While not explicitly addressed in our ordinances, vacations are specifically address in the Minnesota Statutes which require a public hearing for all vacation requests. As such, the subject of vacating the ROW was included within the notice published for this agenda item. The City Council must consider whether the proposed vacation would have a negative impact on any adjacent properties or on the City's transportation system. Staff has looked at the City's transportation plan contained within the Comprehensive Plan, and to the best of Staff's knowledge the construction of Birch Road is not planned for as part of the City's future transportation plans at this time.

Staff Recommendation & Conditions

Staff would recommend approval of the lot line rearrangement and combination with the following findings:

- Approval of the lot line rearrangement will not negatively impact the character of the neighborhood
- Allowing for the lot line combination and rearrangement will eliminate the non-conforming lots associated with the Wake Robin Acres subdivision, Lots 5 through 11 Block 1.
- The proposed vacation of the utility and drainage easements, as well as the cul-de-sac ROW is consistent with the lot line rearrangement as these easements would no longer correspond to any parcels/lots of record.
- The proposed split and combination are consistent with the A-2 and R-1 land use designation as described within the adopted Comprehensive Plan.
- The proposed split and combination are consistent with the dimensional standards for R-1 and A-2 as described within the City's zoning ordinance.

Staff would further recommend the following conditions be placed upon the proposed rearrangement and combination:

- Any future development of the Proposed East Parcel (Lot1) shall be subject to all rules and regulations in place at the time of application, which shall include, but not be limited to, setbacks from lot lines and wetlands.
- Both Lots shall be split zoned at time of this rearrangement, and as such shall be subject to the R-1 use standards identified within the Table of Uses contained in section 32-245, which shall be more restrictive with respect to permitted uses.
- All future development of the Proposed East Parcel (Lot 1) shall require acquisition of a building permit, and any necessary Certificate of Compliance.
- Both resulting lots shall be subject to the accessory building standards which limit quantity, type and total square footage and all existing buildings shall be evaluated and included within this calculation.

Action Needed

Staff is seeking Council comments and recommendations with respect to the Application. If desired, the Council may direct staff to prepare a resolution of approval, or denial with findings to be brought back to the City Council for the regular January meeting.

Minor Subdivision Request

Tom Dornack

9651 83rd St., Grant, MN 55082

October 8, 2015

Mr. Dornack lives at 9651 83rd St. in Grant. His property contains one single family home. He owns 7 small lots (the smallest being 1 acre in size) and one large metes and bounds parcel. The total property size is 22.8 acres with 0.6 acres of it in the existing right-of-way of 83rd Street, leaving 22.2 acres.

Mr. Dornack's request is for a Minor Subdivision to split the 22.2 acres into two lots of 11.1 acres each. His intent would be to sell the westerly parcel, containing his existing home, and construct a new home for himself on the easterly, vacant parcel.

We have had the wetlands delineated that are in the vicinity of where the new home would eventually be built. The wetland report relative to that, by Kjolhaug Environmental Services, is included with this application.

We have had soil tests done and a layout and report prepared in regard to the potential septic system sites for a future home. That report, by SP Testing is included.

We have contacted the other governmental agencies that we are aware of having a role in this approval. They are:

- Washington County Public Health and Environment. Their response letter is included.
- Brown's Creek Watershed District. Their response email is included.

There are also several utility easements and a temporary cul-de-sac easement on the small lots that were platted in 1964 per the plat of Wake Robin Acres. We would request that the City vacate these easements since they no longer have any relevance once we replat the two new lots – if this Minor Subdivision request is approved. A map and descriptions of those areas to vacate is included.

Thank you for the consideration of this request.

Paul McGinley, PLS

Principle Land Surveyor

On Behalf of: Thomas Dornack

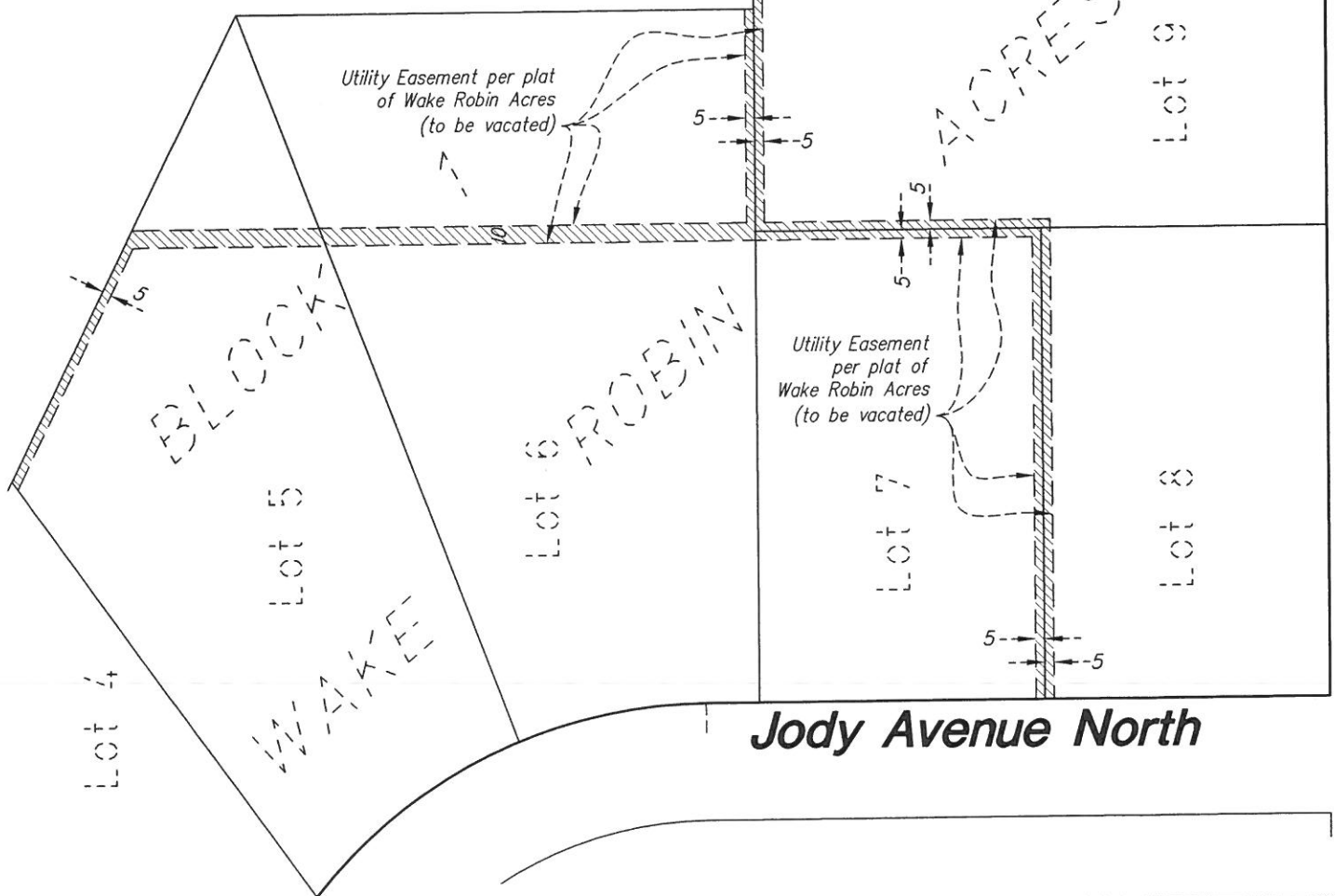
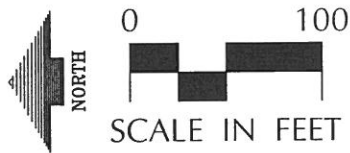
Dornack Subdivision Easement Vacation Exhibit

Existing Easements to be Vacated
Legal Descriptions October 8, 2015

All Utility Easements dedicated per the plat of Wake Robin Acres, Washington County, Minnesota lying within Lots 5, 6, 7, 8, 9, 10 and 11, Block 1, said Wake Robin Acres.

AND

That Temporary Cul-De-Sac Easement dedicated per the plat of Wake Robin Acres, Washington County, Minnesota lying within Lot 11, Block 1, said Wake Robin Acres.



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul J. McGinley
Paul J. McGinley - PLS

License No. 16099

10-08-15
Date

LOUCKS
Loucks Project No. 11372 Sheet 1 of 1

KNOW ALL PERSONS BY THESE PRESENTS: That Thomas J. Dornack, a single person, owner and proprietor of the following described property situated in the County of Washington,

Lots 5, 6, 7, 8, 9, 10 and 11, Block 1, Wake Robin Acres and the Southwest Quarter of the Southeast Quarter of Section 22, Township 30 North, Range 21 West, except that part contained within the plat of Wake Robin Acres, Washington County, Minnesota.

That part of the Southwest Quarter of the Southeast Quarter of Section 22, T.30N., R.21W., Washington County, Minnesota, lying northeasterly of the northeasterly line of Lot 5, Block 1, Wake Robin Acres, said Washington County, as said Lot 5 was platted and monumented per said Wake Robin Acres, lying southeasterly of the northeasterly extension of the northwesterly line of said Lot 5; and lying southeasterly and westerly of the following described line:

Commencing at the Northeast corner of the Southwest Quarter of said Sec 22, thence westerly, along the North line of said Southwest Quarter of the Southeast Quarter, a distance of 782.62 feet, thence southerly, deflecting to the left 63 degrees 52 minutes 00 seconds, a distance of 477.85 feet, to the point of beginning of the line to be described, thence southerly, deflecting to the left 63 degrees 52 minutes 30 seconds, a distance of 440.17 feet, thence southerly, deflecting to the right 63 degrees 52 minutes 30 seconds, a distance of 290.00 feet and thence terminating.

That part of the Southwest Quarter of the Southeast Quarter of Section 22, T. 30N., R. 21W., Washington County, Minnesota, lying north of the north line of Lots 9, 10 and 11, Block 1, Wase Robin Acres, said Washington County, as said lots were platted and monumented per said Wase Robin Acres, lying east of the east line of Lot 6, Block 1, said Wase Robin Acres, as said lot was platted and monumented per said Wase Robin Acres, and lying south of the following described line:

Commencing at the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Sec. 22, thence westerly, along the North line of said Southwest Quarter of the Southeast Quarter, a distance of 782.62 feet, thence southerly, deflecting to the left 63 degrees 10 minutes 00 seconds, a distance of 477.85 feet, thence northeasterly, deflecting to the left 63 degrees 52 minutes, 30 seconds, a distance of 440.17 feet, thence southerly, deflecting to the right 63 degrees 52 minutes 30 seconds, a distance of 290.00 feet, to the point of beginning of the line to be described, thence easterly, at a right angle, a distance of 377.50 feet, to a point on the East line of said Southwest Quarter of the Southeast Quarter and there terminating.



He caused the same to be surveyed and granted as DONORBACK ADDITION, and does hereby dedicate to the public for public use forever the public way and the easement for drainage purposes as shown on this plat:

In witness whereof, said Thomas J. Donack, has hereunto set his hand this _____ day of _____, 2011.

State of Minnesota
County of _____

This instrument was acknowledged before me this _____ day of _____, 2011 _____ by Thomas J. Dornack, a single person.

 (Printed Name)
 Notary Public _____ County, _____
 My Commission Expires January 31, 20____

SURVEYORS CERTIFICATION

¹ Paul J. McGinnis, who hereby certifies that this plat was prepared by me or under my direct supervision, that I am a duly Licensed Land Surveyor in the State of Minnesota, that this plat is a correct representation of the boundary survey, that all mathematical data and labels are correctly designated on this plat, that all monuments depicted on this plat have been, or will be correctly set within one year, that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 550.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat, and all public ways are shown and labeled on this plat.

Paul J. McGinley, Li

This instrument was acknowledged before me this ____ day of _____, 201____, by Paul J. McGinley, a licensed Land Surveyor.

(Signature)

(Printed Name)

Notary Public

My Commission Expires January 31, 20____

County, Minnesota

GRANT, MINNESOTA

This plan was approved by the City Council of GRANT, Minnesota, this _____ day of _____, 201_____, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

Signed _____, May

Signed _____, Client

COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 2011.

By _____
Michael J. Weiling, Washington County Surrogate

COUNTY AUDITOR / TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9 and Section 272.12, taxes payable in the year 201____, on real estate heretofore described have been paid, and there are no delinquent taxes, and transfer has been entered on this day of _____, 201____.

By _____
Washington County Auditor/Treasurer

By _____, Deputy

COUNTY RECORDER

Document Number _____
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this _____ day of _____, 2011 at _____ o'clock _____ M., and was duly recorded in Washington County Records.

Washington County Recorder

By _____ Deputy

MO 10 34 E 1262 91
D 62 80



Dornack Property
Existing Easements to be Vacated
Legal Descriptions October 8, 2015

All Utility Easements dedicated per the plat of Wake Robin Acres, Washington County, Minnesota lying within Lots 5, 6, 7, 8, 9, 10 and 11, Block 1, said Wake Robin Acres.

AND

That Temporary Cul-De-Sac Easement dedicated per the plat of Wake Robin Acres, Washington County, Minnesota lying within Lot 11, Block 1, said Wake Robin Acres.

STAFF REPORT

TO: Mayor and City Council Members **Date:** November 20, 2015

CC: Kim Points, Administrator/Clerk **RE:** Proposed text amendment to
Nick Vivian, City Attorney Chapter 32 of the City of Grant
Zoning Ordinance section 32-1
Jennifer Haskamp Definitions, Tavern or Bar

From:

BACKGROUND

The Applicant is proposing to amend the definition of Bar or Tavern to allow for a full bar and liquor license associated with the subject land use. The Applicant has filed this application concurrently with an application for a Conditional Use Permit (CUP) to operate Cozzie's Bar and Tavern in the General Business district of the city located at 11154 60th Street North. The proposed text amendment would need to be granted in order for the proposed CUP to be permitted due to the current restrictions associated with the Tavern or Bar land use definition.

As the Council is aware, the City has been working through various land use definitions associated with a Moratorium that is in place for land uses currently undefined within the ordinance. In the case of Tavern or Bar, Section 32-1 does provide a definition. However, a closely related land use Café or Restaurant is not defined and is subject to the moratorium. This is important to consider while reviewing the subject application, since the City will need to be able to clearly differentiate between a Tavern or Bar and the Café or Restaurant land use definition, for this reason, staff will reference (briefly) the Café or Restaurant land use throughout this staff report.

PROJECT SUMMARY

Applicant: Chris Cosgrove (Cozzie's Holding LLC)	Request: Text amendment to Section 32-1 Definitions to amend definition of Tavern or Bar
Address: 11154 60 th Street N (<i>proposed change would apply to all GB zoned properties</i>)	Site size: 1.1 Acres

The City's definition of a Tavern or Barn states: *means a building with facilities for the serving of 3.2 beer, wine, set-ups and short-order foods.* The Applicant is proposing to modify this definition to allow a business with a CUP under this land use definition the ability to obtain a full liquor license. The Applicant is suggesting that

the proposed modification would permit the operation of Cozzie's Tavern and Grill, as described in their Application for Conditional Use Permit, to operate with a full liquor license and expanded food offerings. (See following agenda item).

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 Applicant is a landowner of the City and therefore has initiated the amendment for consideration. 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?

It is important to remember when reviewing the proposed application and amendment that any changes to the definition would affect any potential Bar/Tavern user in the City. The definition will apply to any proposed bar/tavern use in the General Business district, not just the property on which Cozzie's would be located. Therefore it important to consider how the definition would be applied throughout the district and whether there are any anticipated issues if the definition were applied to other similarly zoned properties when considering the proposed changes.

Comprehensive Plan (1)

The City's adopted comprehensive plan focuses on retaining the community's rural lifestyle and ensuring new uses are compatible with existing agricultural and rural residential uses. A small area of the city is zoned and guided for General Business uses, and no further expansion of this land use designation was anticipated during the previous planning period. The subject land use Tavern or Bar is currently permitted with a Conditional Use Permit in only the General Business district and was deemed an appropriate use during the planning period. The proposed text amendment does not seem in conflict with the use, as most bars or taverns provide a full selection of alcohol and associated food. Therefore the proposed text amendment would not be in conflict with the comprehensive plan and would continue to affect a very small number of properties and acreage in the community.

Consistency with Zoning (2)

Section 32-243 defines the intent and purpose of the GB zoning district as,

"GB districts provide for a general mix of commercial businesses. General business districts will be located in areas where there is a demand for diversified business districts and in areas capable of supplying the utilities for such development."

The proposed text amendment would apply to the Tavern or Bar definition, which use is only permitted within the GB zoning district after a CUP has been granted. As previously stated, the City's existing definition stated in Section 32-1 of the City Code is:

Tavern or bar means a building with facilities for the serving of 3.2 beer, wine, setups and short-order foods.

Staff's understanding of the Applicant's proposed amendment is represented below, where additions are underlined and deletions identified with a ~~strike through~~:

Tavern or bar means a building with facilities for the serving of ~~3.2~~ liquor and strong beer, wine, setups and short-order foods.

The above amendments seem consistent with what is generally thought of with respect to activities/service offerings associated with a bar or tavern. Additionally, the use itself (as a Bar/Tavern) is already deemed an acceptable use, and therefore is not in conflict with the above stated purpose.

Proposed Changes & Additional Considerations

While the proposed amendment would address the potential concerns of the Applicant regarding the liquor license and concurrent CUP application to operate Cozzie's Tavern and Grill, staff would recommend additional consideration be made with respect to the definition.

As a starting place, staff researched how other communities define "Bars and Taverns" within their codes, and also looked into common definitions of facilities such as bars, taverns, restaurants, cafes, etc. Through research of various codes and other resources, staff was able to identify a few patterns in how these types of facilities were defined; the following summary of that research is provided:

- Bars/Taverns were described for what they were NOT in many cases. For example, some communities said a bar/tavern was *not* a place for live entertainment, and was *not* a place for night club activities.
- The definitions did not specify what type of alcohol could be served (wine/beer, 3.2 beer, etc.), rather it was simply stated that such establishments served alcohol. Staff looking into the state licensing guidelines for liquor and since there are so many types of liquor licenses it does not seem prudent to specifically define the type of liquor license that is available to a facility. It seems that should be determined by the business operations, and if applicable, the number of liquor licenses permitted within a community by ordinance.
- Most definitions included some reference to food service, and that most Bar and Tavern uses would include food service. In fact, many included the word "restaurant" in the definition.
- Finally, most communities seemed to 'choose' a land use that was encompassing for this type of establishment. So, "Restaurant and Tavern" or "Bar and Restaurant", rather than having Restaurants, bars, pubs, etc., broken out separately.

In light of the research, staff would request the council make a couple additional considerations with respect to the amendment. First, currently the Restaurants and Cafés land use is included within the land use moratorium. Based on research, it seems as though there may be redundancy in trying to establish a definition which is differentiated enough between “Bars and Taverns” and “Cafes and Restaurants.” Since Cafes and Restaurants are also only permitted in the GB zoning district with a CUP, it seems practical to consider an amendment that would consolidate the uses to ensure the use is clearly communicated to potential users and business owners. In light of that, staff provides the following draft definition:

Restaurant, Tavern or bar means a building with facilities for the serving of food, 3-2 liquor and beer. The food shall be prepared on site and consumed on the premise at either the bar counter or at tables. wine, setups and short order foods.

Additionally, the portion of the existing definition which states “setups and short order foods” is confusing at best since “setups” nor “short order foods” are defined within the current ordinance. It seems somewhat subjective as to what ‘short order’ might mean. For example, if you look up the definition of ‘short order cook’ it essentially applies to anyone grilling, making burgers or other foods in a short period of time. Therefore it does not seem to clarify or add anything to the definition. Finally, the “Café” portion of Restaurants and Cafes land use does not seem necessary as a key differentiator, but staff will bring this back for discussion at the next phase of the land use moratorium for discussion, if desired. Otherwise, a modification to the land use table could be made to simply remove cafes from the table of uses.

PUBLIC HEARING

A public hearing has been scheduled for the December 1, 2015 City Council meeting.

FINDINGS

Staff has prepared the following draft findings related to the proposed amendments for your consideration. At the Council’s direction, staff will prepare a final ordinance and summary publication for your consideration at the January meeting.

- The proposed amendments to the land use definition for Tavern or Bar will help clarify the land use definition.
- The proposed amendments are consistent with the City’s Comprehensive Plan and General Business district intent and objectives.
- The proposed amendments and additions will not adversely impact the quality of adjacent properties or rural residential neighborhoods.

RECOMMENDATIONS

Staff is seeking direction from the Council with respect to the proposed language. Specifically staff is looking for direction on the following:

- Do you believe the amended language as proposed by the Applicant is adequate, and is consistent with the Comprehensive Plan;
- Are the proposed modifications to the definition consistent with your vision of what a bar or tavern would be? Do you think the modifications significantly change the intent/purpose of the use?
- Do you think the additional modifications as proposed by staff are appropriate? Is consolidation of Bars and Taverns with Restaurants and Cafes reasonable? Is the proposed definition consistent with your vision for these users in the GB?
- Any other comments?

Attachments:

Applicant's Submittal dated 11/16/2015

Draft Ordinance

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



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

Application Date:	
Fee: \$100	Escrow: \$1000

COMPREHENSIVE PLAN OR ZONING AMENDMENT – (MAP OR TEXT)

It is the policy of the City of Grant that the enforcement, amendment, and administration of any components of the Zoning Ordinance be accomplished with due consideration of the recommendations contained in the City's Comprehensive Plan. Therefore, any Comprehensive Plan Amendment, or Zoning Amendment shall be considered for consistency among both documents.

LEGAL DESCRIPTION:	ZONING DISTRICT & COMP PLAN LAND USE:
OWNER: Name: <i>Chris Cosgrove</i> Address: <i>818 Pine St W.</i> City, State: <i>Stillwater, MN</i> Phone: <i>941-330-5964</i> Email: <i>cchriscoz@gmail.com</i>	LOT SIZE: APPLICANT (IF DIFFERENT THAN OWNER):
REQUESTED ACTION: <input type="checkbox"/> Map Amendment <input checked="" type="checkbox"/> Text Amendment <input type="checkbox"/> Map & Text Amendment	
IF, MAP AMENDMENT, REQUEST TO REGUIDE LAND USE AND/OR ZONING FROM: _____ TO: _____ <i>*Please note that you will need to amend both the zoning and land use if a map change is requested</i>	
APPLICABLE ZONING CODE SECTION(S): <i>Please review the following documents to assist with your request.</i> 1. Grant Minnesota City Code 2. City Comprehensive Plan	

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
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Current Text or Map in Comprehensive Plan and/or Zoning Ordinance.</u> The following must be included in your submittal: <ul style="list-style-type: none">Chapter and Section Number <i>32-1</i>Existing Text of the Section <i>see attached</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Proposed Text and/or Map Changes:</u> Submit your proposed changes to the text or Map, or both. Please make sure to consider how your changes affects different chapters in the plan or ordinance, and consider this when you submit your application. Make sure to address all areas that might be affected by your changes. (For example, a land use change might impact the traffic and transportation section, so make sure to address both chapters).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Written Narrative.</u> Your description should include how you intend to use and/or benefit by the Comprehensive Plan of Zoning Ordinance Amendment and should include the following: <ul style="list-style-type: none">Address how the proposed CPA or Zoning Amendment will affect adjacent properties.Does your proposed language affect any other section the Comp Plan or Zoning Ordinance?Does your proposed language affect density? Increase or decrease?

Application for: **COMPREHENSIVE PLAN OR ZONING AMENDMENT**

City of Grant

<input type="checkbox"/>	<input type="checkbox"/>	Any graphic representations of how the amendment(s) will benefit your property (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	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 request.
<input type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and addresses of property owners within 1,250 feet.
<input type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$100
<input type="checkbox"/>	<input type="checkbox"/>	Paid Escrow: \$1000


Review and Recommendation by the Planning Commission. The Planning Commission shall consider oral or written statements from the applicant, the public, City Staff, or its own members. It may question the applicant and may recommend approval, disapproval or table by motion the application. The Commission may impose necessary conditions and safeguards in conjunction with their recommendation.

Review and Decision by the City Council. The City Council shall review the application after the Planning Commission has made its recommendation. The City Council is the only body with the authority to make a final determination and either approve or deny the application.

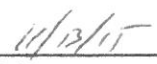
***Please note that if your request is granted, it does not represent any specific project approvals related to your property. Additional applications and processes may be required to obtain your approvals if your amendment is approved.*

This application must be signed by ALL owners of the subject property or an explanation given why this not the case.

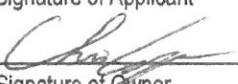
We, the undersigned, have read and understand the above.



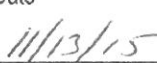
Signature of Applicant



Date

Signature of Applicant


Signature of Owner

Date


Date

Existing text of section 32-1:

Tavern or *bar* means a building with facilities for the serving of 3.2 beer, wine, setups and short-order foods.

Proposed text change:

Serving liquor and strong beer

Narrative:

This change would allow us to run our business the manner it has in previous years.

DRAFT FOR CONSIDERATION

CITY OF GRANT

WASHINGTON COUNTY, MINNESOTA

ORDINANCE 2015-__

**An Ordinance Amending the Grant Code of Ordinances
Amending Sections 32-1 Definitions and 32-245 Table of Uses of
Chapter 32 Zoning regarding Tavern or Bar and Restaurants and Cafes**

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 I, Section 32-1, "Definitions" is hereby AMENDED to ADD the following identified as underlined, and AMENDED to DELETE as ~~striketrough~~:

Restaurant, Tavern or bar means a building with facilities for the serving of food, 3-2 liquor and beer.
The food shall be prepared on site and consumed on the premise at either the bar counter or at tables.
~~wine, setups and short order foods.~~

SECTION 2. AMENDMENT OF CHAPTER 32, ZONING, OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 32, Article I, Section 32-245, "Table of uses", Item (c) is hereby AMENDED to ADD the following identified as underlined, and AMENDED to DELETE as ~~striketrough~~ :

USE					
(KEY) CC=Certificate of Compliance N=Not Permitted		Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
<u>Restaurants, Bars and Taverns.</u>	N	N	N	N	C
Cafes and restaurants.	N	N	N	N	C

DRAFT FOR CONSIDERATION

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

STAFF REPORT

TO: Mayor & City Council Members

Date: November 20, 2015

CC: Kim Points, City Clerk
Nick Vivian, City Attorney
Brad Reifsteck, PE, City Engineer

RE: Conditional Use Permit Application
for Cozzie's Tavern and Grill

From: Jennifer Haskamp

Background

The Applicant is proposing to open a bar and tavern in the existing structure on the site. For many years the subject property has been used as a bar and to the best of staff's information, was last operated as the Windy Acres Saloon. Approximately a year ago the Windy Acres Saloon was closed and the business and property were marketed for sale. In the last year the realtor representing the Windy Acres owner contacted the City offices to find out if there was an existing CUP on the property, and to determine what process would be necessary for a new owner to open and operate a similar facility. City and County records were reviewed and no CUP was found for the previous operations. Since the building and site were for-sale and there was not a CUP on record, it was determined that since the new owner would likely not just continue the business of Windy Acres, but would instead open a new business, that any new owner would need to acquire a CUP from the City and go through the necessary CUP review process.

The Applicant, Cozzie's Holding LLC (Chris and Jenifer Cosgrove), recently purchased the property and the bar facilities with the plan to open a new Bar and Tavern to be known as "Cozzie's Tavern and Grill" (hereafter referred to as "Cozzie's"). The proposed operations would be similar to the previous operations, including use of the facilities and grounds but would include an expanded food offering and eventual improvements to the outdoor uses (see subsequent sections and applicant's narrative for further detail.) As proposed, an amendment to the definition of Bar or Tavern in the City's ordinance would be necessary to accommodate the proposed operations described in the narrative, and the Applicants have made a concurrent application to amend the text of the zoning ordinance to accommodate that request.

A duly noticed public hearing has been set for December 1, 2015 for consideration of the proposed CUP application to operate Cozzie's on the subject property.

Project Summary

Applicant: Cozzie's Holding, LLC Owner: Chris & Jenifer Cosgrove	Site Size: 1.1 Acres
Zoning & Land Use: GB	Request: CUP to operate a Bar/Tavern
Location/Address: 11154 60 th Street North	

The Applicant is proposing to operate Cozzie's from the subject property utilizing the existing facilities on the site. As described in the background, the property and associated facilities have been used as a bar/tavern for the past several decades with various owners over the years, and most recently has been for sale and vacant. The applicant recently purchased the property with the intent of opening a similar operation with some modifications. The following summary of the Applicant's proposed business are provided for your review and consideration:

General business description: The Applicant's narrative describes a tavern and grill operation that is planned to include specialty drinks and food offerings. The proposed operations will require an expansion of the kitchen facilities and offerings, but such expansion will occur in the existing facility and no expansion or exterior modifications of the building footprint is proposed at this time. Cozzie's will have approximately 12 to 18 employees, and the owner/applicant will serve as the general managers of the operations. The existing building is approximately 1,900 square feet with a capacity of approximately 80 patrons (inside seats). In the spring/summer/fall outdoor seating accommodating 40 additional patrons is anticipated. The previous owner also had outdoor facilities including a fire pit and bar from the accessory building, which the new owners also anticipate using as part of their operations. The applicant is also requesting a liquor license subsequent to the approval of the CUP.

Indoor & Outdoor/Recreational Facilities: The Applicant is proposing to use the existing principal and accessory building on the subject property and is not proposing any expansion of the buildings as a part of this application. The Applicant is proposing to use both the principal and accessory building as part of the operations, with the accessory building primarily used as a bar and storage when patrons are outdoors during the warmer months. The Applicant has described a Spring Patio Plan in their materials which would include such activities as installation of a fireplace, water feature, covered deck/patio space. Detailed plans regarding the outdoor use and/or any planned outdoor modifications were not provided in the application materials.

Hours of Operations: The Applicant is proposing to operate Sunday through Thursday from 11:00 am to 12:00 am, and Friday and Saturday 11:00 am to 1:00 am.

Parking: The Applicant is proposing to use the existing parking area for patrons of the business and employee parking. The existing parking lot is gravel and surrounds the front (south) and east side of the building. No improvements to the parking lot are proposed as part of this application.

Access: The site is accessed from 60th Street North which is a frontage road to Highway 36. Entrance into the site is via two curb cuts spaced approximately 85-feet apart. No additional curb cuts are proposed and the current access points will be used to access the parking lot and facility.

Review Criteria

Section 32-245 Table of Uses identifies Bar/Tavern as a permitted use in the General Business zoning district with a Conditional Use Permit. City Code Chapter 32 Division 5 addresses considerations and processes for uses that require a Conditional Use Permit in the City. Some specific considerations to address when reviewing the subject application are found in Section 32-141 and are as follows:

“(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 and any performance standards.

Existing Site Conditions

The site is approximately 1.1 gross acres and is generally oriented north south with the 60th Street frontage on the southern border of the property. The existing principal building is setback approximately 50-feet from the road and is access from two driveways and parking area. The area between the right-of-way and the front of the building is largely graveled and accommodates limited parking; however, the majority of the parking for the facility is located on the east side of the building. There is a small accessory building located behind the principal building which is also accessed from the eastern parking lot area. The site contains some significant vegetation and/or trees in the northwestern quadrant of the site with some sporadic tree cover surrounding the principal and accessory structures. Based upon available wetland data, there do not appear to be any wetlands on the subject property.

Zoning, Site Review, and Operations

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

Dimensional Standards

The following site and zoning requirements in the GB district regulate the site and proposed project:

Dimension	Standard
Lot Size	2.5 Acres

Minimum Frontage	160'
Front Yard Setback	65'
Side Yard Setback (Per Section 32-353)	100'
Rear Yard Setback	20'
Height of Structure	35'
Fence	May be on property line, not within any ROW
Driveway Setback	5'
Parking Lot setback	10' from ROW
Wetland Setback Structure (Buffer)	75' (50')
Impervious surface coverage	80%
Floor Area Ratio	40%

Lot Size:	The subject site is 1.1 acres and was likely created prior to adoption of the minimum lot size standards. As identified above, the minimum lot size in the GB district per the City Code is 2.5 acres. <i>While the lot does not meet this standard, the lot size is deemed to be a legal non-conforming lot as described within Division 3 of Chapter 32.</i>												
Parking:	<p>The Applicant is proposing to use the existing gravel parking area that was associated with the previous operations. As described in the operations section above, Cozzie’s is anticipated to have a maximum capacity of 120 patrons (80 inside seats + 40 outdoor seats). <i>Section 32-374 Required Spaces</i>, calculates that each parking space is equivalent to 300 square feet, and that for Restaurants, cafes, bars, taverns or nightclubs one space for every 2.5 seats shall be provided. So, $120/2.5 = 48$ parking stalls, which correlates to a minimum of 14,400 square feet of dedicated parking area. Additionally, a requisite number of ADA compliant stalls must also be provided (Section 32-375(2)). As previously stated, the Applicant is not proposing any improvements to the gravel parking lot, and therefore no striping was provided on the submitted plan. Based upon the information provided, staff cross referenced the survey provided by the Applicant with the aerial and estimates that the current dedicated parking area is approximately 13,500 square feet. The following table provides the calculation of parking stalls based upon that estimate:</p> <table><tr><td><u>Parking Area (survey & Aerial)</u></td><td><u>City Code SF/Stall</u></td><td><u># of Stalls on Site Plan</u></td></tr><tr><td>13,500 Square feet</td><td>300</td><td>45</td></tr><tr><td><i>Total Handicap</i></td><td></td><td><i>None</i></td></tr><tr><td><i>Total</i></td><td></td><td><i>45</i></td></tr></table> <p>As submitted, the proposed parking area as identified on the survey appears to be short of the necessary parking area; however, it is very difficult to make a full</p>	<u>Parking Area (survey & Aerial)</u>	<u>City Code SF/Stall</u>	<u># of Stalls on Site Plan</u>	13,500 Square feet	300	45	<i>Total Handicap</i>		<i>None</i>	<i>Total</i>		<i>45</i>
<u>Parking Area (survey & Aerial)</u>	<u>City Code SF/Stall</u>	<u># of Stalls on Site Plan</u>											
13,500 Square feet	300	45											
<i>Total Handicap</i>		<i>None</i>											
<i>Total</i>		<i>45</i>											

	<p>assessment based upon the information submitted. There does appear to be adequate area to accommodate the additional 3 stalls necessary, but the Applicant should provide an updated and scalable drawing which clearly identifies the parking area so that staff can perform a more accurate analysis to ensure that the appropriate number of stalls are provided. Additionally, the gravel parking surface is potentially problematic for three reasons: 1) since a gravel parking lot is not striped, an alternate method to ensure orderly parking should be implemented. Information related to how this would be achieved was not provided by the Applicant; 2) gravel parking stalls do not meet ADA compliance; and 3) gravel may not be a dustless surface without significant treatment, and a plan for achieving such quality was not provided.</p> <p>The City Code, Section 32-373 Surfacing and drainage states, “off-street parking areas shall be improved with a durable and dustless surface...all other uses (other than residential) shall utilize asphalt, concrete or a reasonable substitute surface as approved by the city engineer.” The proposed continuation of gravel does not appear to meet this standard. <i>Staff would recommend, at a minimum, that additional detail regarding actual square footage of the parking area as well as plans for accommodating ADA compliance be provided for review and consideration. Finally, if a gravel surface is deemed acceptable by the City Council, then the Applicant should provide a detailed plan for ensuring orderly parking, creating a dustless surface, and adequately providing the number of stalls needed for the operations.</i></p>
Signage	<p>The Applicant has submitted a plan for a sign which is provided as part of the attachments to this staff report. The proposed sign would be affixed to the roof/front facade of the principal building and is approximately 3.5' x 8', or 28-square-feet. The City's zoning ordinance section 32-419 regulates signage within the commercial districts and permits up to 2 square feet for each lineal foot of frontage, with a square footage not to exceed 200 square feet. <i>As proposed, the sign meets the city's standards for signage on the subject property.</i></p>
Lighting	<p>A lighting plan was not submitted as part of the application materials. The Applicant should provide details regarding plans for exterior lighting. Based upon the materials it appears that there may be lighting of the parking lot, and perhaps of the outdoor facility areas. The Applicant should be aware that Section 32-321 Lighting, lighting fixtures and glare regulate the proposed use and property. <i>Once additional detail is known regarding lighting plans, it may be necessary to submit a photometric plan to demonstrate compliance with the ordinance.</i></p>

FAR/Impervious	<p>Based upon the submitted site plan there appears to be approximately 21,780-square feet of impervious surface (buildings and parking lots/driveways). This is equivalent to approximately 51% impervious surface coverage of the site. <i>The city's code permits coverage in the GB up to 80%, and the existing conditions comply with this standard.</i> The FAR (Floor Area Ratio) is calculated by dividing the gross floor area of a building by the net area of the lot. In the case of the subject property, the building and accessory building have a gross square footage of approximately 2,624-SF, and the net area of the site is 0.989 Acres or 43,065 square feet resulting in a calculated FAR of $2,624/43,065 = 6\%$, which is less than the maximum FAR permitted in the GB (40%). <i>The existing facilities meet the FAR standards as identified within the City Code.</i></p>
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Other Standards/Considerations

Hours of Operation	<p>The Applicant is proposing the following hours of operation:</p> <p style="padding-left: 40px;">Sunday through Thursday: Operate until 12:00 AM</p> <p style="padding-left: 40px;">Friday and Saturday: Operate until 1:00 AM</p> <p>Cozzie's property is surrounded by other businesses on the west, north and east which are all zoned and guided General Business (GB). The property's southern property line is 60th Street North which is a frontage road to Highway 36. Details regarding the intended hours of operation for the outdoor patio and/or recreational types of activities was not provided. Staff would recommend some discussion as to whether the hours of operation for outdoor uses should be modified from those of the indoor operations. Additional clarification from the Applicant with respect to the outdoor operations may be helpful in determining the appropriate hours. <i>Based upon the surrounding properties and the business nature of the area, staff believes the proposed hours of operation seem reasonable for the indoor operations of the principal building. Staff would suggest discussion, and additional clarification regarding anticipated outdoor operations of the proposed business.</i></p>
Noise/Sound	<p>The Applicant provided some references to a "Spring Patio Plan" in which several outdoor improvements and activities were summarized. One of the items on the list was identified as "Live Music/how and where". Since the plan for this potential use is unknown it is difficult to analyze whether it may (or may not) impact neighbors further north of the subject property. The Applicant should be aware that the MPCA noise standards and section 32-332 <i>Noise control</i> of the City's zoning ordinance would regulate any outdoor uses, and that compliance with those regulations is necessary for any and all activities conducted on the site whether indoor or outdoor. <i>Staff would recommend including a condition in the CUP to</i></p>

	<i>require compliance with the noise standards for any outdoor uses. Further staff would suggest obtaining additional clarification from the Applicant regarding the proposed outdoor patio if the Applicant wants the use/plan to be considered as part of this application.</i>
Utilities	Cozzie's is proposing to serve the facility with individual well and septic. The previous owner recently upgraded and installed a new individual septic system which was designed for a "bar" use on the site. Washington County Environmental Services (WCES) permitted the installation of the system which was completed in the spring of 2015. A copy of the correspondence from WCES is attached for your reference. <i>Staff is working with WCES to ensure that the system was adequately sized to serve the proposed number of patrons Cozzie's has identified in their application.</i>
Zoning Text Amendment	<p>In conjunction with this application, the Applicant has applied for an amendment to section 32-1 Definitions of the City's Zoning Ordinance which currently defines Tavern or Bar as, "means a building with facilities for the serving of 3.2 beer, wine, setups and short-order foods." (See previous agenda item for full staff report and information). It should be noted that this CUP application would not be consistent with the existing definition because of the following:</p> <ol style="list-style-type: none"> 1. The Applicant is proposing a use that would require a full liquor license. Based upon the information submitted a 3.2 beer and wine license would not be sufficient to accommodate the proposed operations. 2. A more extensive menu is proposed. While "short-order" is not defined within the City's ordinance, it would be up for discussion whether the proposed food offering would meet this definition. <p>The Council should be aware of the previous operations which were permitted to have a full liquor license, yet were defined within the City's land uses as a Bar/Tavern. Additionally, some food was served; however, staff is not sure of exactly what was offered since there is no permit on record with the city or county. <i>The CUP for Cozzie's should only be approved if the text amendment application is approved, and the amendment to the City's Code should be put into effect before the permit should be issued.</i></p>

Engineering Standards

A formal review by the City Engineer was not performed since the Applicant has not proposed any alterations to the site plan or existing buildings. If any changes are proposed on the site (including to the parking lot) the Engineer will be required to review the plans and updates to ensure compliance with city standards.

Other Agency Review

Prior to the Applicant acquiring the property, the previous owner worked with Washington County Environmental Services to install a new septic system that would serve a bar/tavern user. Staff contacted WCES and their permit and correspondence related to the installation of a new ISTS is provided for your review and reference. Other than WCES, the Applicant will be required to obtain all necessary permits to operate a bar/tavern on the subject site. No other agencies are involved at this time since no alterations to the site, or significant operational changes are proposed at this time.

Recommendations and Additional Clarification

Staff has placed the corresponding text amendment application before this application for CUP on the December agenda so a recommendation and decision can be made with respect to amending the definition of Tavern/Bar first. If the Council determines amending the definition of Tavern/Bar is consistent with the goals and objectives for the GB zoning district, then the proposed use (Cozzie's) could be deemed consistent with the newly defined Tavern/Bar depending on the City Council's recommended language. Staff would request, at a minimum, additional information and detail from the Applicant including the following in order to prepare a draft permit, if directed by the Council:

- Updated and scalable site plan which identifies the following:
 - Parking lot area including number of stalls, drive aisles, and ADA accessible stall location and quantity.
 - Proposed outdoor patio plan, if Applicant wishes to have this activity permitted within the CUP
- Either a plan for upgrading the parking lot to a dustless surface (asphalt/concrete/etc.), or other solution deemed acceptable by the City Council
- Exterior Lighting Plan – information and detail regarding lighting plan, whether affixed to the building, lighting of the sign, or parking lot should be provided for review and consideration.
- Additional detail regarding planned outdoor operations and activities associated with the “Spring Patio Plan” as referenced within the submitted materials.

Staff is seeking input from the Council regarding some of the following items which would be memorialized in the conditions of a CUP, if directed:

- The proposed hours of operation seem reasonable for indoor operations. Staff would like feedback from the Council regarding outdoor operations. For example, the recently approved supper club was restricted to dusk or 10 pm, whichever occurred first, for all outdoor service and recreational activities.
- City Council direction on parking lot surface material.
- Outdoor plans – how much detail with respect to the outdoor activities is desired by the Council? Or, if no plan is submitted, should a condition be added to the CUP that any outdoor expansion, including installation of a patio, will require an amendment to the permit?

- Any other concerns?

Action requested:

Staff is requesting direction from the Council to prepare a Resolution reflecting one of the following options:

- Resolution of Approval and Conditional Use Permit
- Resolution of Denial with Findings

Attachments

Applicant's Narrative

Certificate of Survey

Cozzie's Sign Detail

Aerial of Site, from Washington County GIS

WCES – Septic correspondence

CERTIFICATE OF SURVEY

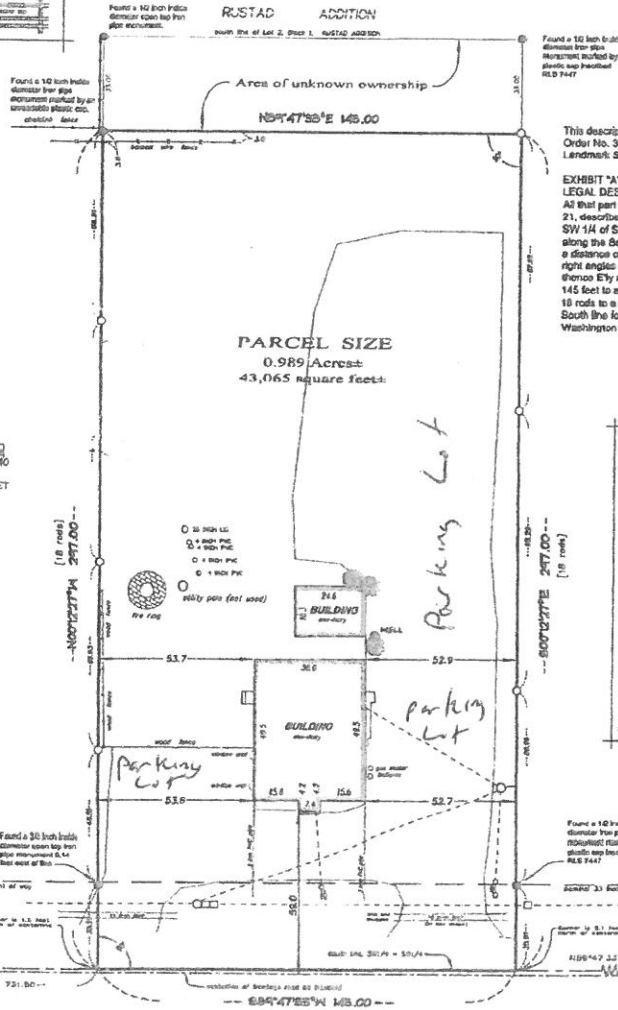
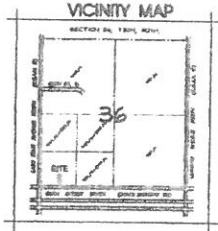
PART OF THE SOUTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 20 NORTH, RANGE 21 WEST, CITY OF GRANT,
WASHINGTON COUNTY, MINNESOTA

BOUNDARY AND TOPOGRAPHY

PREPARED FOR:
BIG T BAR LLC.

SITE ADDRESS:
11154 60th Street North
Stillwater, Minnesota 55082

PID 36.030.21.30.0000
ZONING GENERAL BUSINESS



This description is from an Owner and Encumbrance Report,
Order No. 34121 prepared by Thiesman Inc. Provided to
Landmark Surveying Inc. by JP Bush Homes.

EXHIBIT "A"
LEGAL DESCRIPTION
All that part of SW 1/4 of SW 1/4, Section 36, Township 20, Range 21, described as follows, to-wit: Commencing at the SW corner of SW 1/4 of SW 1/4 of said Section 36 and running thence East along the South line of said quarter section of said quarter section a distance of 731.5 feet to the place of beginning; thence N71°E at right angles to said South line a distance of 16 feet to a point; thence E71° along a line parallel with said South line a distance of 145 feet to a point; thence South at right angles for a distance of 18 feet to a point; thence South line thence West along the said South line for a distance of 145 feet to the point of beginning, Washington County, Minnesota.

LEGEND

- Division of the bearing system is the Washington County Geographic System, North American Datum of 1883, NAD 83 adjustment.
- Distances are in feet and decimals of a foot.
- Denotes a 1/2 inch iron survey pin placed in the ground, marked by a plastic cap bearing with it S.L. 1375.
 - Denotes a 3/4 inch iron pin placed in the ground, marked as above.
 - Denotes boundary line.
 - Denotes existing utility line.
 - Denotes utility pole.
 - Denotes telephone pole.
 - (18 rods) Denotes dimension of record.

60TH STREET NORTH
also known as STATE HIGHWAY 36

SURVEY PREPARED BY:
Landmark Surveying, Inc.
3000 County Trail North, Suite 200 - P.O. Box 45
Stillwater, Minnesota 55082

REVISION: April 6, 2010
Changes made at request of:

Original copies of this map are being retained.
I hereby certify that this survey was made by me or under my direct supervision and that I am a duly Licensed Surveyor.
Landmark Surveying, Inc.
April 3, 2010
Job Number 2010-18

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

This drawing is the result of the compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

Cozzie's Tavern & Grill
Descriptive Narrative

Cozzie's Tavern & Grill will be a full service tavern and grill. The business will be serving traditional bar food with the majority of the menu items being scratch made. We will offer burgers, sandwiches, appetizers, soups, salads, pizza and weekly specials. Our focus will be on providing customers with a warm and friendly atmosphere, good prices, exceptional food, and consistent customer service. The business will be family owned and operated with silent minority investors. Cozzie's will employ approximately 12 to 18 employees with the owners working as the General Managers. The establishment is approximately 1900 square feet and will consist of 80 inside seats and approximately 40 outdoor seats during the summer months. Cozzie's will focus on providing local families and residents with fresh delicious food in a relaxing and clean environment.

Cozzie's will be open Sunday through Thursday 11:00am to 11:00/12:00pm and Friday and Saturday 11:00am until 1:00am. Cozzie's well and septic has been inspected and meets requirements. Cozzie's is currently awaiting the certificate via the mail. Parking is currently set up to accommodate 80 vehicles. Cozzie's Tavern & Grill is an allowed use within the general business district. The owners are enhancing and improving an already existing business.

Jenifer and Chris Cosgrove
Owners
Cozzie's Tavern & Grill

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



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

PA 10/23/15 \$3,400.00

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):		ZONING DISTRICT & COMP PLAN LAND USE:
LEGAL DESCRIPTION:		LOT SIZE:
PROJECT ADDRESS: 11154 60th St N Stillwater, MN 55082	OWNER: Name: Chris Cosgrove Address: 818 Pine St. W. City, State: Stillwater, MN Phone: 941-330-5964 Email: cchriscos@gmail.com	APPLICANT (IF DIFFERENT THAN OWNER): Cozzie's Holding LLC 818 Pine St. W Stillwater, MN 55082
BRIEF DESCRIPTION OF REQUEST:		
EXISTING SITE CONDITIONS:		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 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
<input type="checkbox"/>	<input type="checkbox"/>	<u>Site Plan:</u> All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow <ul style="list-style-type: none">Property dimensionsArea in acres and square feetSetbacksLocation of existing and proposed buildings (including footprint, and dimensions to lot lines)Location of utilitiesLocation of well and septic systems on adjacent propertiesLocation of current and proposed curb cuts, driveways and access roadsExisting and proposed parking (if applicable)Off-street loading areas (if applicable)Existing and proposed sidewalks and trailsSanitary sewer and water utility plans COPIES: 4 plans at 22"x34", 20 plans at 11"x17"

Application for: **CONDITIONAL USE PERMIT**
City of Grant

<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Grading/Landscape Plan:</u> All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow</p> <ul style="list-style-type: none"> ▪ 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 <p>COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Architectural/Building Plan (if Applicable):</u> All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow</p> <ul style="list-style-type: none"> ▪ Location of proposed buildings and their size including dimensions and total square footage ▪ Proposed floor plans ▪ Proposed elevations ▪ Description of building use <p>COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><u>Written Narrative Describing your request:</u> 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:</p> <ul style="list-style-type: none"> ▪ 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 <p>COPIES: 20</p>
<input type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within ¼ mile (1,320 feet).
<input type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$3,000
MATERIALS THAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY PLANNER		
<input type="checkbox"/>	<input type="checkbox"/>	<u>Survey of the property:</u> 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.
<input type="checkbox"/>	<input type="checkbox"/>	Electronic copy of all submittal documents

This application must be signed by ALL owners of the subject property or an explanation given why this not the case.

We, the undersigned, have read and understand the above.

Signature of Applicant

Date

Signature of Owner (if different than applicant)

Date

2.0 Company Description

Cozzie's Bar & Grill will be located at 11154 60th St. N. Stillwater, Minnesota 55082. The restaurant will be owned and operated by majority owners Jenifer and Chris Cosgrove along with one or two minority investors. The restaurant will serve a variety of classic favorites from burgers, pizza, and appetizers to a delicious Bloody Mary.

The Restaurant will be open 7 days a week with hours as follows:

Monday	11:00 am – 12:00 pm
Tuesday	11:00 am – 12:00 pm
Wednesday	11:00 am – 12:00 pm
Thursday	11:00 am – 12:00 pm
Friday	11:00 am – 1:00 am
Saturday	11:00 am – 1:00 am
Sunday	11:00 am – 12:00 pm

2.1 Ownership

The restaurant will be owned by Jenifer and Chris Cosgrove with minority silent investors. Jenifer began her restaurant career before even graduating from college as she worked at two very successful and long standing restaurants in the area. She also grew up in a family of bar and restaurant owners. Jenifer and Chris Cosgrove owned and operated a successful restaurant for nearly ten years before they sold it, tripling their investment. Jenifer also has a BA degree in Organizational Management and Communication with several years of experience in Human Resources. Chris began his restaurant career working at two very successful local restaurants and then owning and operating his own restaurant with Jenifer for nearly ten years. He has also held several management positions outside of the restaurant business accounting for nearly twenty years of experience in sales and managing others.

2.2 Legal Form

Cozzie's Bar & Grill will be organized as a Corporation with shares divided up based on ownership interests. Dividends will be paid out based on percentage of ownership.

2.3 Start-Up summary

The cost to open the restaurant is approximately \$110,000. The majority of the expenses include a kitchen build-out and purchasing some furniture and fixtures. The location also needs some maintenance and cosmetic improvements, including residing the exterior of the building. The Cosgrove's will do most of the work themselves and use their local connections to do some minor sub-contracting work.

2.4 Location and Facility

The 1900 square foot building plus one outbuilding is located on the frontage road of highway 36 just west of Stillwater in Grant. The property is Highway 36 frontage with extremely high volume of traffic that will continue to grow as the new bridge is scheduled to be completed in 2016 prompting more people to use highway 36.

1.0 Executive Summary

Cozzie's Tavern & Grill will be a reasonably priced 130 seat combined indoor/outdoor restaurant offering traditional bar food and service. The overall theme of the Tavern & Grill will be a throwback to the yesteryears of how small town bars looked and felt 30 years ago, all the while staying true to the cozy, welcoming, neighborhood bar feel. The bar will have a vintage and eclectic feel. We want to stay away from the latest trends but at the same time inconspicuously and systematically create our own trend...the vintage neighborhood bar that ~~Windy Acres~~ once was but much more. The newest trends with bars and restaurants is creating an upscale bar and grill which results in higher end décor, menu items and prices. Many new establishments specialize in mixology and unique drinks. We would like to go the other direction and stay true to tradition. Offering cheap tap beer but also offering a wide variety of popular craft beers and a full range of liquor and mixed drinks. We want to change things up and stay true to our roots and what people have always loved. We will offer exceptional burgers, sandwiches, wings, pizza, appetizers and specials. We will be known for some unique and "off the chart" delicious items ranging from secret sauce wings, sliders, fresh cut french fries, spicy deep fried pickles with a homemade dipping sauce, and pizza people crave!

The restaurant will be family owned and operated with one or two ~~minority investors~~. The majority owners Jenifer and Chris Cosgrove together have over 15 collective years of experience owning, operating and working at various Bar and Grills. The Cosgrove's purchased a restaurant in 2000, and when they sold the business in 2008 they were able to triple their initial investment, a 300% return on their investment. Jenifer and Chris have a proven track record of creating and managing a successful restaurant establishment.

The Cosgrove's will be purchasing a 1900 square foot building with an additional outside building that houses an outdoor bar. The property was previously a Bar, located on a 1.09 acres of land at 11454 60th St. N. in Stillwater, Minnesota. Although the location was previously utilized as a Bar, the business is currently not in operation. Some fixtures and equipment are included in the purchase price of the building.

The décor will be old school. Black vinyl bar stools and booths with vintage looking chairs and tables. The owners want customers to feel comfortable and most importantly that the establishment is clean and well maintained. Nothing "froufrou" about it, but a place that just makes you feel good, prompting people to want to come back for more. Over time, the Cosgrove's would like to continue to add vintage décor to add to the uniqueness and ambiance of the restaurant.

change dollar amounts
Sales projections assume net profits to be ~~\$65,400~~ the first year (open four months), ~~\$326,242~~ the second year (patio open), and ~~\$369,695~~ the third year. Please see Profit and Loss Projection chart for more detailed information. This equates to strong sales annually which positions Cozzie's as a highly desirable concept for ownership in a table service market, making Cozzie's a solid business investment with a high rate of return on investment. Numbers indicate investors would receive an annual return rate of their investment between 10% and 30%. Total startup costs will be around ~~\$110,000~~, which will be contributed by majority owners Jen and Chris Cosgrove and ~~minority investors~~. Cozzie's should be considered a moderately low risk

\$127,435

- Corn Hole – there will be a separate space for corn hole leagues and for people who wish to play
- Possible Bocce ball area
- There will be a stage built or an area for live music
- We will offer Pig Roasts
- Smoking Oyster nights
- Host special events – Bike Runs, Old Car Nights, Bingo Outside

6. Menu – Offering a variety of options on our menu – something for everyone! Cozzie's will take traditional bar food and through much research, detail and testing, Cozzie's will create a menu that differs from other bar and grill establishments. We want people to crave Cozzie's! Cozzie's will also offer a reasonably priced kids meals to cater to families.

7. Cozzie's will be known for –

- Bloody Mary's – We want to create a bloody Mary like no other, one that people talk about and will travel to get. A good value for their money. Delicious recipe that offers an array of items with the drink (pickle, olives, Wisconsin cheese curds, beef stick, celery stick, slider, and somehow incorporate bacon or something else unique)
- Happy Hour – Create a unique happy hour and prices to attract local customers
- Burgers – Create flat top burgers that people crave!! Special meat and killer buns are key
- Sliders – hand patties, special meat, Hawaiian buns
- Fresh Cut French Fries
- Deep Fried Spicy Pickle with secret sauce with bite!
- Prime Rib Sandwich
- Pizza – need to develop a crust and sauce that creates the perfect pizza that people crave and will drive to get – one that is talked about and offered at a great value!
- Popcorn machine – free
- Loaded Coney Dog – Special mini dogs that SO unique!! Loaded! Double duce or three amigos
- Killer Chili recipe – red and white

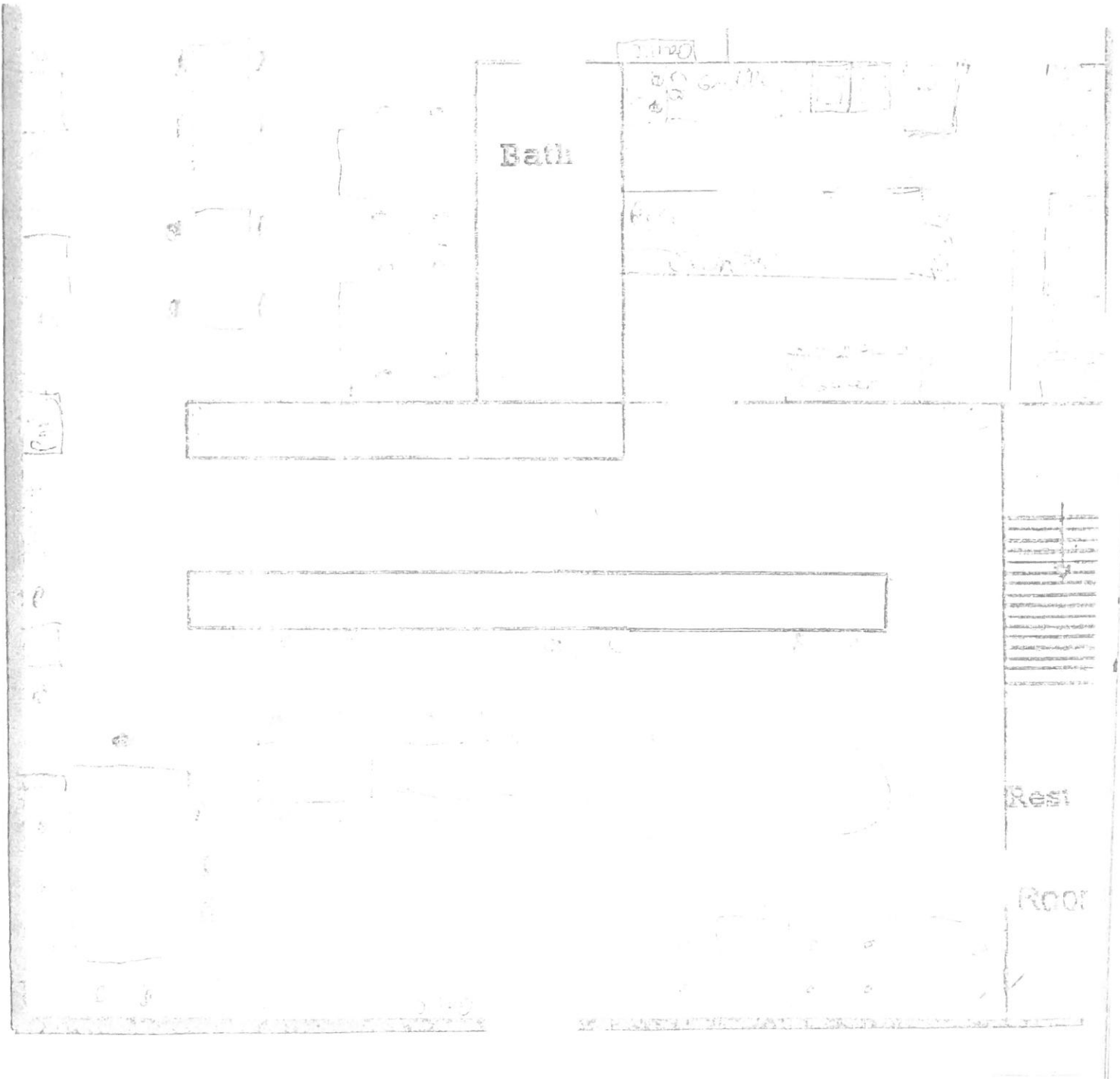
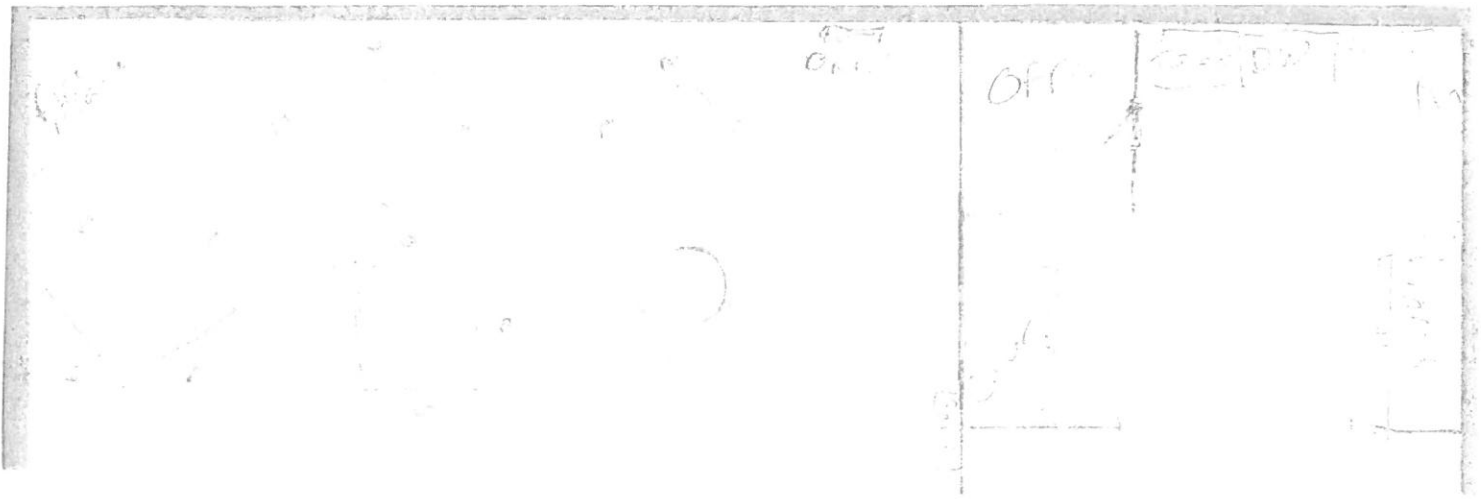
9.0 Spring Patio Plan

In the Spring of 2106 Cozzie's will renovate the back of the building to create an outdoor patio space. The following is a list of anticipated projects.

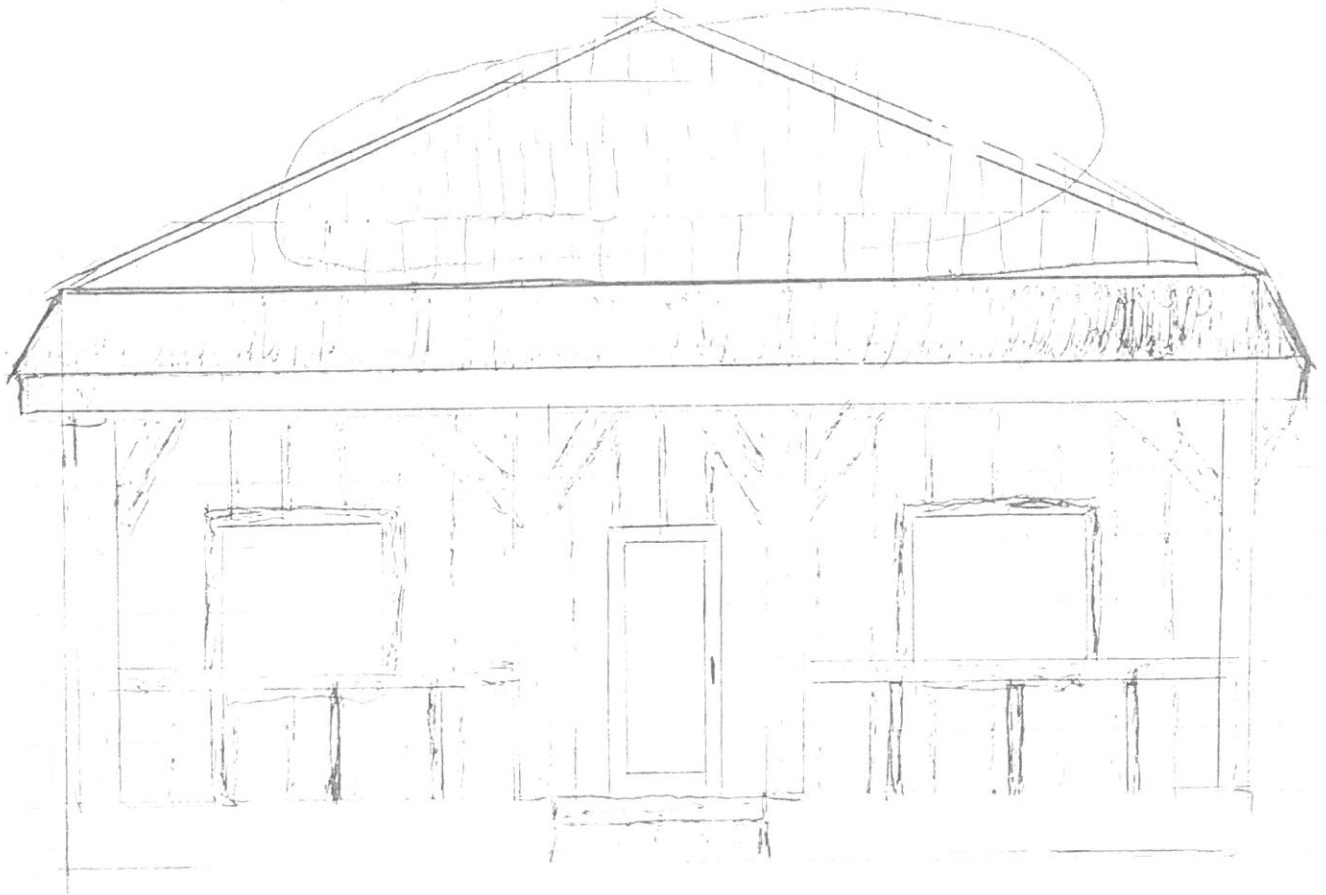
Table 8.1 Outdoor Patio Expenses

Expense	Amount
Area Cleared and dirt hauled in	
Parking Lot Gravel Added	
Trees cut down	
Concrete Patio installed	
Fence built	
Trees planted to buffer noise	
Fireplace built	
Water Feature Built	
Heaters purchased	
White Lights	
Covered deck/patio space	
New door installed	
Shanty floor installed	
Bar purchased for shanty	
Coolers for shanty?	
TV's purchased	
Doors/window for open bar on shanty	
Stools for Shanty	
Table and Chairs for patio	
Corn hole boards	
Live Music/how and where	

\$16,150



Proposed
Front View



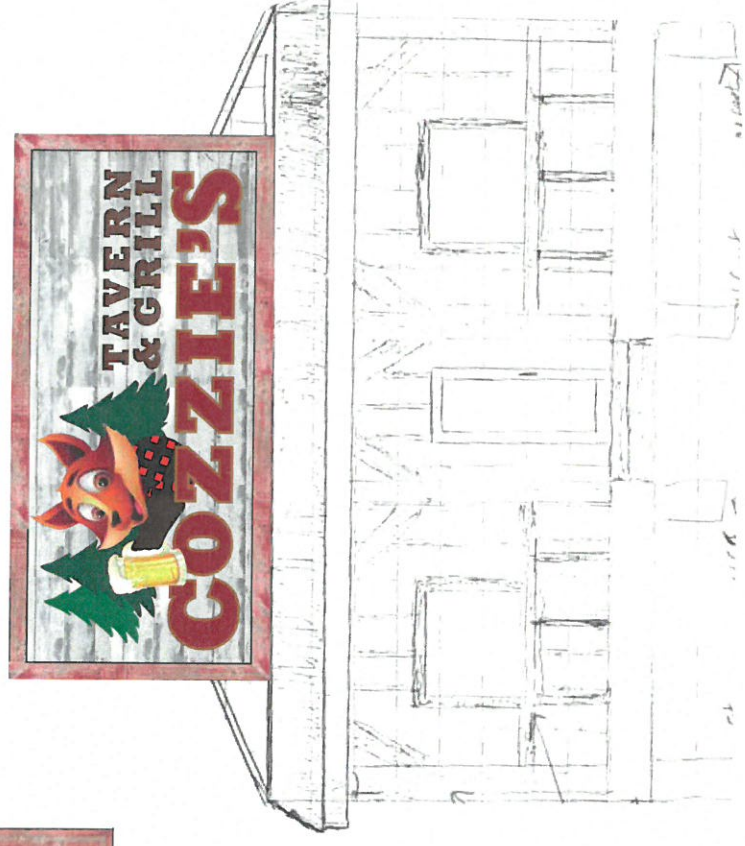
COZZIE'S TAVERN & GRILL

LOGO 2



Wooden Base Size: 3.5 ft x 8 ft

White washed wooden sign has painted graphics. Wood texture and slats to make this sign look like old west tavern type paint and will be "crustier" than sign depicted here.





Jennifer Haskamp <jhaskamp@swansonhaskamp.com>

Septic inquiry for 11154 60th St N (New Cozzie's old Windy Acres Site)

3 messages

Jennifer Haskamp <jhaskamp@swansonhaskamp.com>

Fri, Nov 20, 2015 at 4:01 PM

To: Pete Ganzel <Pete.Ganzel@co.washington.mn.us>

Hi Pete,

I'm working on a CUP request for the new Cozzies Tavern and Grill in the City of Grant. In their materials they said they have been working with Washington County on getting the septic system up to snuff.

Do you know anything about the project? Have you guys issued them a new permit? Any info you might be able to provide to me would be very helpful.

Have a great weekend, thanks!

Jennifer Haskamp

SHC, LLC

(d) 651.341.4193

Pete Ganzel <Pete.Ganzel@co.washington.mn.us>

Mon, Nov 23, 2015 at 11:09 AM

To: Jennifer Haskamp <jhaskamp@swansonhaskamp.com>

Jennifer:

A new system was finished in April, including an aerobic treatment unit for the potential high strength waste from a restaurant.

They will also be operating the system under a County operating permit once the facility opens.

I've attached a scan of the permit.

Pete Ganzel

Senior Environmental Specialist

(651)275-7283

From : Jennifer Haskamp [mailto:jhaskamp@swansonhaskamp.com]**Sent:** Friday, November 20, 2015 4:02 PM**To:** Pete Ganzel**Subject:** Septic inquiry for 11154 60th St N (New Cozzie's old Windy Acres Site)

[Quoted text hidden]

STAFF REPORT

TO:	Mayor & City Council Members Kim Points, City Clerk Nick Vivian, City Attorney	Date:	November 24, 2015
From:	Jennifer Haskamp	RE:	Application to Amend the Conditional Use Permit (CUP) for the Cedar Ridge Treatment Facility (Meridian Behavioral Health, LLC)

Background

At the regular November City Council meeting Meridian Behavioral Health, LLC (“Meridian” or “Applicant”) provided additional background as requested by the City Council during the October City Council meeting and public hearing. After some discussion, some additional information and clarification was sought by the City Council from the Applicant.

The following is a summary of the information requested by the Council in November:

1. Information/clarification with respect to the client admissions process specifically as it related to the information stated in the November materials about sex-offender admissions.
2. The Applicant was asked to provide a method for notifying the neighbors of an elopement.
3. More information regarding the current fencing at the facility was requested, and some consideration for new perimeter fencing was requested.
4. The Council asked the applicant to consider a provision which would restrict the Applicant from proposing any expansion of the number of beds at the facility, once the new facility was constructed.
5. The Council asked staff to review the section related to compliance/non-compliance and timing related to construction of the new facility.

In an effort to answer these questions, the Applicant has provided the attached supplemental information including copies of some of the operational policies in place at the Cedar Ridge facility.

Additionally, staff has prepared an updated draft permit based upon the discussion at the meeting which is attached for your review and consideration. The updated permit includes some of the recommendations made by Meridian to more accurately reflect the process and procedures at the facility, recommendations and changes as directed by the Council at the November meeting, and some small editing/clean-up changes.

Action requested:

Staff is requesting direction from the Council to prepare a Resolution reflecting one of the following options:

- Resolution of Approval with Findings and Amended Conditional Use Permit
- Resolution of Denial with Findings

Attachments

Exhibit 1: Draft Amended CUP

Exhibit 2: Updated Meridian Materials

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

**AMENDED CONDITIONAL USE PERMIT FOR
Cedar Ridge Residential Treatment Facility**

Date: April 1, 1997 amended December X, 2015

Washington County Plat/Parcel No.: 0303021130001, 0303021420001, 0303021430001

Street Address of Subject Property: 11400 Julianne Avenue North
Grant, Minnesota 55082

Legal Description: Attached A

Owner: Meridian Behavioral Health, LLC ("Owner")

Facility Name: Cedar Ridge

Present Zoning District: A-1

Permitted Uses Set Forth in Grant City Code, Chapter 32, Section 32-245 – Medical Use.

**I. CONDITIONAL USE PERMIT FOR: Meridian Behavioral Health, LLC,/Cedar Ridge
Residential Treatment Facility**

All uses shall be subject to the following amended conditions and/or restrictions imposed by the City Council of the City of Grant.

- A. General Description: A Conditional Use Permit for a chemical dependency residential treatment facility.

II. RESTRICTIONS AND PROVISIONS:

- A. The following conditions and restrictions shall apply to any and all operations of the Residential Chemical Dependency Treatment Facility regardless of the number of client beds served by the facility:
1. Meridian Behavioral Health, LLC/Cedar Ridge shall secure all State and County licenses required to operate an adult chemical dependency facility on the property. Such license shall be acquired for the appropriate number of client beds

served by the facility, which shall be in compliance with the terms and conditions of this Permit.

2. Chemical Dependency Licensed Treatment Facilities are currently regulated by the Minnesota Department of Human Services and licensed operations are subject to Minnesota Rules 9530.6405 through 9530.6505. Such statutes address operational requirements such as, but not limited to: qualifications of staff including required education and training, client admission process and procedures, and permitted client level of service per facility type. The Owner shall ensure all operations of the Cedar Ridge Treatment Facility are performed in compliance with these rules, and shall be required to maintain compliance with any future modifications or amendments to said Minnesota statutes or regulations relating to Chemical Dependency Treatment Facilities.
3. Cedar Ridge shall not permit admittance of any clients which are considered dangerous to themselves or others, where dangerous is described as a direct threat to the health or safety of other individuals or themselves. The facility may not accept court ordered referrals for treatment in lieu of incarceration for violent crimes that have resulted in injury of another person. Further, the facility shall not be permitted to admit any registered or non-registered sex-offenders. This shall be required to be contained and/or stated within Owner's Service Initiation/Individuals Not Served policy for the Cedar Ridge Facility.
4. No client shall be permitted to park or operate vehicles on the property. Transportation of clients shall be provided by the Owner. This prohibition does not include visitors and does not include transportation of clients on the first or last day of treatment.
5. Emergency contact information of the corporate officers of Meridian Behavioral Health, LLC or the Owner Cedar Ridge shall be on file and part of the public record with the City of Grant.
6. The Cedar Ridge facility shall be equipped with a security system that shall be operational, and engaged, when clients are present. An up-to-date copy of the Owner's Details regarding the security system policy including how the Owner intends to maintain and monitor the facility shall be submitted to the city for record keeping. If applicable, a current copy of the operations manual/system components shall be provided to the city for record keeping.
7. The Minnesota Department of Human Services has established a standardized assessment tool methodology (currently referred to as Rule 25 Assessment) based on the ASAM model of the 6 dimensions to assist with determining the appropriate facility and level of care for each client. The Rule 25 assessment is accepted by MN placement authorities in determining the appropriate level of

care of a client. For clients who are not referred and/or funded by MN placement authorities, any substance use disorder assessment that addresses the 6 dimensions (MN Matrix or ASAM 6 dimensions) is acceptable in determining admission criteria, per MN Department of Human Services Chemical Dependency Licensing Requirements. All potential admissions will have a Substance Use Disorder assessment conducted by Licensed Alcohol and Drug Counselors (LADC) or Mental health Professionals prior to admission in order to demonstrate the need for Substance Use Disorder treatment in a residential care facility. Current and past criminal justice history must be obtained as part of the assessment process. Each client is required to have a Rule 25 Assessment completed prior to admittance into the Cedar Ridge facility, which involves evaluation by Chemical and Drug Treatment Counselors, and Mental Health professionals (if applicable). The Owner shall follow all processes and procedures as laid out within the Minnesota Statutes and Rules for appropriate evaluation of clients prior to, and once admitted into the Cedar Ridge facility. Such assessment procedure shall also include a thorough background check to determine whether the client meets the conditions of this Permit.

8. If, once a client is admitted, there are any signs that the client requires a level of care beyond the LADC and Mental Health Professional, a psychiatric provider shall be available to provide an evaluation as soon as practical after admission. The evaluation will include recommendations as to whether or not a different level of care is appropriate. If once a client is admitted there are any signs that the Rule 25 Assessment incorrectly determined the appropriate level of care, a psychiatrist shall be available to provide an evaluation as soon as practical after admission. Such evaluation shall include a determination that the individual does not pose a significant threat to himself or others, and that Cedar Ridge provides the appropriate level of care for the client, and ultimately whether the individual should be allowed to continue as a client.
9. Cedar Ridge rules shall state that clients may not leave the grounds unless accompanied by a staff member. The admission procedure shall clearly state this condition and all clients will be given written notification of Cedar Ridge's ~~transportation~~Property Lines ~~Policy~~. An up to date copy of the ~~transportation~~Property Lines ~~Policy~~ shall be on file with the city for record keeping at all times. The ~~transportation~~Property Lines ~~Policy~~ shall state that Cedar Ridge will provide prompt, no-charge transportation to their home or other reasonable locations in the metro area. If a client is being discharged, transportation arrangements must be completed before the client is notified of the discharge. Once the client is notified of his discharge, he shall not be left unsupervised.
10. In the event that a client leaves the facility without being accompanied by a staff member, the staff shall check all buildings and grounds to confirm that the client

has, indeed, entirely left the premises. The Owner agrees to call the Washington County Sheriff's Department within fifteen (15) minutes of staff's discovery that a client has left the facility (elopement).

11. The Owner agrees to maintain and establish an ~~email~~-list of neighbors who wish to be notified of any elopement via text message. The neighbors shall submit their ~~email~~cell phone numbers to the Owner, via a web form or other method as agreed to with the city, and will then be placed on the notification/subscription ~~email~~text message list. The Owner shall have a method for neighbors to "subscribe" and "unsubscribe" to the notification ~~email~~text messages. The Owner further agrees to send the notification ~~email~~text message ~~no more than~~within fifteen (15) minutes ~~after~~of staff's discovery of the elopement. Concurrently to the neighborhood text notification, An email copy of any the notification email~~text message~~ shall be provided to the City offices for record keeping.

B. The following conditions and restrictions are related to Owner's request to expand the number of beds permitted from a maximum of 34 client beds to 50 client beds. Such request to increase the number of client beds includes the construction of a new facility as presented in the Plan Set dated July 24, 2015.

1. The Owner is permitted to maintain a maximum of 34 client beds at the Cedar Ridge facility, ~~as generally permitted within the 1997 Conditional Use Permit.~~
2. Expansion of the operations to a maximum of 50 client beds shall only be permitted if the Cedar Ridge facility is deemed to be in full material compliance with the conditions and restrictions as stated within Sections A and D of this permit; and expansion is further subject to the following:
 - i. Owner shall demonstrate compliance with the conditions of Sections A and D for a minimum of 12 consecutive months before any expansion of the number of client-beds is permitted.
 - ii. Owner shall submit a report addressing operational compliance with the above stated section (i) every 6-months. The report shall be signed and certified by a corporate officer of the Owner. Such report shall be reviewed by the City staff to determine if operations are in compliance with the stated conditions.
 - iii. If it is determined by the City staff through the City's standard complaint process or as described in (ii) above that any part of the operations are non-compliant, the owner shall be given written notice of the violation and given a reasonable amount of time and a process for correcting the non-compliance issue. The owner shall provide the City staff with evidence that the operations have gained compliance with the operational

- conditions, and the process as described within previous sections (i) and (ii) shall be resumed from the date in which compliance was gained.
- ~~iii~~.iv. In the event of habitual non-compliance, or if the compliance issue is related to a policy issue that is not resolvable by staff, then the matter may be brought back to the City Council for their review and determination as to whether expansion of the facility shall be permitted.
- ~~iv~~.v. If operations are compliant, Owner shall be permitted to proceed with plans to expand the operations to accommodate a maximum of 50 client beds through construction of a new facility as conditioned in Section C of this Permit.
- ~~v~~.vi. If a new facility is not constructed, the number of client beds may not be expanded beyond the 34-client beds permitted at the existing facility. All operations at the existing facility shall also be subject to the conditions stated within Sections A and D of this permit.

C. Upon demonstrated compliance with Section B of this Permit, Owner shall be permitted to construct a new facility to accommodate a maximum of 50 client beds. The following conditions and restrictions are related to construction of the new facility and subsequent site improvements:

1. The Owner shall be permitted to construct a new facility as demonstrated on the Plan Set dated July 24, 2015 subject to the following conditions.
2. All access to the new facility shall be from the existing driveway which connects to Julianne Avenue North. No new access is approved as part of this permit.
- 2.3. No construction traffic shall be permitted on Jasmine Avenue North for construction of the facility. All construction traffic shall enter the site from the existing driveway off of Julianne Avenue North.
- 3.4. A total of twenty-eight (28) paved and marked parking spaces shall be maintained on the property. ADA compliance stalls shall be provided in compliance with applicable building codes and shall be designated and marked.
- 4.5. Owner shall provide for the maintenance of the evergreen screen between the facility and the current residential neighbors adjoining the property. If trees are removed or damaged during construction the Owner shall replace such trees with in-kind vegetation to reestablish the screening.
- 5.6. The Owner shall install a fence around the perimeter of the facility area, which should encompass the facility, parking lot and any formal outdoor gathering areas. The fence shall be designed in a manner architecturally compatible with the facility, and shall be reviewed and approved by the city planner prior to a building permit being issued for the new building. The site plan shall be updated

to reflect the location of the new, and any existing fences on the grounds. Such fence shall be maintained and kept in good repair. The updated site plan shall be submitted within 30-days of this permit being issued, and such site plan shall be attached to and made a part of this permit.

~~6-7.~~ Any lighting associated with the new facility, parking lot or any other site improvements shall comply with Section 32-321 which regulates lighting, lighting fixtures and glare. The Owner shall submit a photometric plan with the building permit application to ensure that the lighting plan meets the City's ordinances.

~~7-8.~~ The existing facilities shall be demolished according to the plan identified on Sheet C-103 of the Plan Set. The owner shall cease interim operations at the time when site work and/or demolition begins. All operations shall remain closed for the duration of the construction of the new building.

~~8-9.~~ A chain link fence six (6) feet in height and at least Two Hundred Seventy-five (275) feet in length shall be installed and maintained to block the Jasmine Trail entrance to the facility. The fence may have a gate, six (6) feet in height, for access to the mail box and to permit entry by emergency vehicles; however, it must be locked when not in use.

~~9-10.~~ Water meters must be installed at the new facility and actual water use must be determined monthly once the new building is operational. If the water use exceeds the current design capacity in any thirty (30) day period, the system must be increased in size to deal with the actual use.

~~10-11.~~ Soil testing and septic design must be submitted to Washington County Environmental Services (WCES) for review and approval. The appropriate permits must be obtained from WCES for the new facility prior to a building permit being issued for the new facility.

~~11-12.~~ The Owner shall submit an approved stormwater permit from the Brown's Creek Watershed District (BCWD) demonstrating the plans compliance with the BCWD's standards. If any site plan modifications are required as a result of that process the owner shall submit an updated Plan Set for review and approval by the City Engineer prior to any building permit being issued for construction of the new building.

~~12-13.~~ The Owners shall submit a NPDES permit to the City prior to any construction or site activity occurring on site.

~~13-14.~~ The Owner shall obtain a demolition from the City's Building Official prior to removal of any of the existing structures on site.

15. The Owner shall obtain a building permit for construction of the new building. Once the building is complete the Owner shall submit a set of as-built plans to remain on file at the City offices.

~~14.~~16. Once a Certificate of Occupancy (CO) is issued for the new 50-client bed facility, the Owner agrees not to request any increase in the number of beds for a period of 15-years from the date on which the CO was granted.

~~15.~~17. The fire sprinkler system, prior to operation, shall be inspected and approved by the State Fire Marshal.

~~16.~~18. The security system shall be operational prior to any clients being admitted to the new facility.

~~17.~~19. Any modifications to the architectural plans or Plan Set dated July 25, 2015 which were reviewed as part of this permit process may require an amendment to this Conditional Use Permit.

~~18.~~20. The Owner must obtain all necessary, applicable federal, state, and local agency permits prior to construction of the new building.

21. The new building shall conform to the State Building, Electrical and Plumbing Codes.

D. The following general standards and conditions shall apply to the subject use:

1. The Staff at the Washington County Department of Health, or other similar City agent or employee, shall have the right to inspect the property during normal business hours after providing reasonable notice to the owner.
2. If it appears that additional conditions should be added to this Conditional Use Permit to protect the health, safety and general welfare of the City, County and/or clients being treated, this Conditional Use Permit can be reviewed at a public hearing preceded by published notice in the official newspaper at least ten (10) days prior to said public hearing, and notice shall also be sent to the holder of this Conditional Use Permit ten (10) days prior to said hearing.
3. The conditions of this Permit shall apply to the land described and shall not in any way be affected by any subsequent sale, lease or other change in ownership. The City of Grant must be notified of any change in ownership.
4. The Owner shall mail to the City of Grant on an annual basis (and within thirty (30) days of obtaining them) copies of all annual inspections generated by the Minnesota Department of Health, Minnesota Department of Human Services,

~~and State Fire Marshal.~~ The Owner shall mail to the City of Grant offices copies of any inspections generated by the Minnesota Department of Health, Minnesota Department of Human Services, or the State Fire Marshall that require corrective action that may have an impact on any of the terms of this Permit.

5. Any modifications, change in use or expansion contemplated beyond those identified within this Permit shall require an amendment to this Permit.
6. 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 the subject property.
7. All escrow amounts shall be brought up to date and kept current.
8. Any violation of the conditions of this permit may result in revocation of said permit.

III. REVIEW

Pursuant to Section 32-156 of the Zoning Ordinance of the City of Grant, periodic review of this Conditional Use Permit is imposed as a condition of its grant. This permit shall be reviewed in compliance with the City's CUP review process, which may occur on an annual basis. If the Planning Commission or City Council wishes to review this permit, they shall notify the permit holder of the date of the annual review at least ten (10) days prior to the review hearing.

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

CITY OF GRANT:

Date: _____

Tom Carr, Mayor

Date: _____

Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this _____ day of _____, 2015, 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:
MERIDIAN BEHAVIORAL HEALTH, LLC

Date: _____

By: _____

Its: _____

Date: _____

Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this _____ day of _____, 2015, before me, a Notary Public, personally appeared
_____ the _____ of Meridian Behavioral Health who
acknowledged that said instrument was authorized and executed on behalf of said Company.

Notary Public

1. Section 2.B.1: Could this be clarified somehow to make sure that the 34 beds are allowed? The reference to 1997 seems to bring in other issues.
2. Section 2.A.3.: In the last sentence of the paragraph, replace “Service Initiation Policy” with “Individuals Not Served Policy”.
3. Section 2.A.6.: Request removal of last 2 sentences. If we need to include anything regarding the monitoring of the system, request replacing the second sentence with the following: The process for the monitoring of the security system will be provided to the city for record keeping purposes. Basically, this reads like there is an ongoing reporting requirement. Can that be changed to reflect the intent, which I believe is just to have a description of the system and procedure on file with the city?
4. Section 2.A.7.: The Rule 25 Assessment referred to in this paragraph is not the only tool used to assess a client’s needs for Chemical Dependency Treatment, and is simply the tool that is accepted by MN Placement Authorities. With this being the case, we are requesting that the language in this paragraph be replaced with the following: Replace language with: The Minnesota Department of Human Services has established a standardized assessment tool (Rule 25 Assessment) based on the ASAM model of the 6 dimensions. The Rule 25 assessment is accepted by MN placement authorities in determining the appropriate level of care. For clients who are not referred and/or funded by MN placement authorities, any substance use disorder assessment that addresses the 6 dimensions (MN Matrix or ASAM 6 dimensions) is acceptable in determining admission criteria, per MN DHS Chemical Dependency Licensing Requirements. All potential admissions will have a Substance Use Disorder assessment conducted by Alcohol and Drug Counselors or Mental Health Professionals prior to admission in order to demonstrate the need for Substance Use Disorder treatment in a residential level care. Current and past criminal justice history is obtained as part of the assessment process.
5. Section 2.A.8.: Replace this paragraph with the following to accurately reflect the process that occurs: If, once a client is admitted, there are any signs that the client requires a level of care beyond the LADC and Mental Health Professional, a psychiatric provider shall be made available to provide an evaluation as soon as practical after admission. The evaluation will include recommendations as to whether or not a different level of care is appropriate.
6. Section 2.A.9: Replace Transportation Policy with Property Lines Policy
7. Section 2.A.10: Add the word “within” between “Department” and “fifteen” in the last sentence
8. Section 2.A.11: Clarify that notification will be via text and not email.
9. Section 2.D.4: As licensing reviews are not conducted on annual basis, we would request that the language in this paragraph be replaced with the following: The owner shall mail to the City of Grant copies of any inspections generated by the Minnesota Department of Health, Minnesota Department of Human Services, and the State Fire Marshall that require corrective action that could impact the terms of this Permit.



Cedar Ridge – Admission Process

1. A referral is received at the Access Center
2. The accompanying paperwork including the Chemical Health Assessment (Rule 25 Assessment or equivalent) is received and assessed by Access Center staff. As a part of the assessment process, criminal justice history is obtained.
3. Additional collateral information is requested and obtained if needed.
4. Access center staff reviews all information and screens for exclusionary criteria i.e. medical issues; mental health issues; criminal history as disclosed in the documentation to determine appropriateness for placement at facility.
5. Program intake coordinator is informed of referral for admission at facility.
6. Client is placed on wait list for admission.
7. Client arrives at the facility.
8. Client is immediately assessed by licensed nursing and/ or LADC staff and ISP (Initial Services Plan) and IAPP (Individual Abuse Prevention Plan) is completed.
9. Client sees Physician Assistant for History and Physical within 72 hours of admission.
10. Comprehensive Assessment is completed by LADC and Nursing staff within 3 days of admission. (per state statute)
11. A diagnostic assessment is completed by a Mental Health Professional within 10 days of admission unless a diagnostic assessment has been completed within the last 180 days; 6 months. (per state statute)
12. Client is assessed on an on-going basis every day of the week through- out his treatment stay.
13. If, once a client is admitted, there are any signs that the client requires a level of care beyond the LADC and Mental Health Professional, a psychiatric provider shall be made available to provide an evaluation as soon as practical after admission.



Cedar Ridge Treatment Center

Individuals Not Served

Policy #	Established Date:	Revision Dates:
6.0702	09/15/2005	12/9/2008; 03/10/2010; 09/25/2013; 01/21/2014; 11/16/15

CRITERIA FOR DENYING SERVICES

Criteria for denying services would include:

- Men in need of medical care that can't be provided within the constraints of the program and/or would interfere with the treatment experience.
- Men who exhibit behaviors that are considered dangerous to self and/or others.
- Men who are considered for treatment in lieu of incarceration for a violent crime or injury of another person.
- Men who do not meet the criteria for substance abuse disorder and are not in need of residential treatment.
- Men who are psychotic, not amenable to psychotropic medication so they are disruptive or unable to benefit from programming.
- Men who are planning suicide.
- Men with a specific homicidal plan toward another person.
- Men in need of emergency medical care which cannot be provided by the program.
- Men who are convicted sex offenders.

PROCEDURES FOR DENYING SERVICES

- A confidential record is kept of individuals denied for services. This record includes name, county, referral agency, reason for denial, name of resource client is referred to, and consideration of future admission to Cedar Ridge.
- Denials because an individual is in need of medical care that cannot be provided within the constraints of the program will be referred to a facility that is capable of admitting them.
- Denials because an individual is in need of a higher level of substance disorder treatment will be referred to a facility that is capable of admitting them
- Denials based on a medical emergency for men who pose a substantial likelihood of physical harm to self or others will be referred to a medical or psychiatric facility capable of admitting the individual.



Cedar Ridge – Basic Expectations

1. **Group attendance.** Clients are expected to attend every group meeting.
 - **First non-attendance:** Verbal warning and no outside groups for rest of day and the next day (excluding church).
 - **Second non-attendance:** Verbal warning and no outside events for the rest of the day and the next day (excluding church)
 - **Third non-attendance:** No outside events for the rest of the week.
 - **Fourth non-attendance:** Focus Plan or Client writes a letter on why they should be allowed to stay in treatment. This includes how they will fix the issue of missing groups/completing chores.
 - If you are 10 minutes late for group with no pass it is considered a missed group, 1-10 minutes is considered late.
 - Three times late to group equals a missed group.
 - If you do not do assigned chores it's considered a missed group.
 - The medication window is open from 6:30am-8:00am, 12:00pm-12:45pm, 4:15pm-5:00pm, and 8:15pm-10:00pm for scheduled medications. If you are late for medications 3 times it's a missed group. If you are 10 minutes late for medications it's a missed group.
2. **Assignments:** Clients are expected to complete every assignment issued by counseling staff before completing treatment at Cedar Ridge. Non-completion of assignments equates to non-completion of Cedar Ridge treatment program, unless otherwise approved by counselor.
3. **Chemical Use:** Clients are expected to remain sober while in treatment at Cedar Ridge. If a client engages in chemical use while in programming at Cedar Ridge or any Cedar Ridge sponsored activities, they will be subject to being discharged from the program.
4. **Aggressive Behaviors:** there will be no hitting, kicking, biting, etc. If a client engages in any of these aggressive behaviors, or make other individuals feel unsafe in treatment, they will be discharged immediately from Cedar Ridge.
5. **Contraband:** If contraband is discovered upon admission, staff will remove the items. If any contraband is found by staff while at Cedar Ridge after the initial admission, and not brought forward by clients, the clients may be subject to discharge from the program.
6. Cedar Ridge has a no tolerance policy on theft, destruction of property, vandalism, and graffiti. If a client engages in any of these activities, they will be responsible to pay any damages and will be subject to discharge from the program.

Intake Staff Signature:	
Client Signature:	
Date signed:	



Cedar Ridge – Expectations While in Treatment

You received a copy of the Guidelines for Cedar Ridge when you were admitted into the program. This is to remind you of the agreement you made when you signed that form and to clarify any confusion you may have about behavior expectations. To summarize:

1. All groups and programming are mandatory.
2. You may be excused from group for the following:
 - If the nurse excuses you for being sick. You must go talk to the nurse, if you are too sick to go to the nurse, ask your roommate or a tech to request a nurse to come to you.
 - If you are being seen by the psychiatrist, psychologist or nurse practitioner.
 - If your counselor excuses you.
3. You are expected to remain in group for the duration of the hour. Please get your bathroom needs met before group, and if you need a beverage get it before group begins. If group lasts more than one hour, a break will be negotiated with you.
4. You are expected to get up on time for breakfast and attend focus group.
5. Bedtime will be enforced. You need sleep and rest to stay healthy.

Being in treatment means you are expected to be present and involved in all programming. If you are unable to do that, you may not be ready for treatment. Any infraction of these expectations is justification for immediate discharge from Cedar Ridge.

Client Signature

Date

Witness Signature

Date



Cedar Ridge – Property Lines

Effective immediately, you are notified that if you do not stay within Cedar Ridge property lines, you will be discharged from treatment immediately. Also, the neighbors have been encouraged by the Sheriff's Department to prosecute anyone who trespasses on their property.

- Do not go behind the north or south dorm, stay within the areas where the grass is cut.
- Do not go in the parking lot, unless taking out garbage or approved by staff.
- Do not walk down the driveway unless accompanied by a staff member.

If you choose to leave treatment, please notify staff so we can make arrangements to drive you where you decide to go. PLEASE do not leave Cedar Ridge on foot. You are putting yourself at risk as well as Cedar Ridge.

Sign below to indicate that you understand and agree to abide by these rules.

Client Signature

Date

Witness Signature

Date



November 23, 2015

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

Re: Cedar Ridge - Meridian Behavioral Health
Conditional Use Permit Amendment

Dear Mayor and Council:

I am writing in response to information requested by the Council at its meeting on November 3, 2015.

1. Neighborhood Notification

At the Council Meeting, one of the Councilmembers asked Meridian to propose a method for notifying neighbors of elopements. The method that had been proposed by the City Planner in the draft conditional use permit, email notification with an online signup, would be acceptable to Meridian. Meridian agrees with the initial assessment by City Staff that this method is calculated to quickly notify a large number of residents. However, multiple Councilmembers voiced concern about email notification.

Because of that concern, Meridian proposes notification of neighbors by text message; a method raised by members of the Council during the November 3rd meeting. Meridian will provide a simple online signup form on its website where neighbors can enroll to receive text message notifications of elopements. Once residents have enrolled, their information will be kept on the notification list. Residents will be able to unsubscribe if they no longer wish to receive notifications.

Meridian will send notification to the entire list within fifteen minutes of confirming that an elopement has occurred. The text message will be a way to quickly notify residents of an elopement. The method will also create an electronic record of the notification, which will be useful for showing compliance; an issue discussed at length during the Council Meeting.

2. Fencing at the Property

In the 1997 Conditional Use Permit, the City Council authorized up to 36 beds at the Cedar Ridge property, and required the owners of Cedar Ridge to put in 275 feet of 6' tall fencing. Cedar Ridge has installed the 275 feet of 6' tall fencing as requested.

In fact, the fencing requirements are greatly exceeded. Staff estimates that over 1000 feet of fencing currently exists at the Cedar Ridge property. In addition, there are significant natural boundaries such as ponds, swamps, and heavily wooded areas. The natural place for anyone on foot to exit the property is the driveway.

Cedar Ridge has had three or fewer elopements from the property per year since 2012. None of these elopements involved any form of violence. Instead, these elopements typically occur during daytime hours, and involve a resident who simply wants to go home.

History illustrates that the current fence and current CUP fencing requirements are sufficient for the number of residents at Cedar Ridge. It would be unreasonable to require additional fencing without an increase in

the number of residents at Cedar Ridge. Meridian instead proposes tying the additional fence requirements to the construction of the new facility. When a new building is constructed at the property (once allowed by the conditions of the proposed CUP), Meridian would agree to install the perimeter fencing as described in the draft conditional use permit provided by the City Planner to the City Council in its November Council Packet. The perimeter fencing would be required prior to reopening following construction.

3. Cedar Ridge Policies

There were several questions that came out of the November Council Meeting about Cedar Ridge Policies. Here is some additional information:

- a. Cedar Ridge does not admit sex offenders. All residents are screened for sex offenses. A Councilmember pointed out that the admission policy provided by Cedar Ridge states that "registered" sex offenders are not admitted, not that "all" sex offenders are refused admittance. This is a problem with wording, but not with practice. It has been the Cedar Ridge policy at all times not to admit *any* convicted sex offenders, whether or not they are required to register. Residents are screened prior to admittance, and, in keeping with Cedar Ridge's ongoing assessment policy, if a resident was ever found to have a conviction for a sex offense in their background, they would immediately be transferred. This is a zero tolerance policy. An updated policy is attached.
- b. The Council asked for a copy of the patient code of conduct and admission documents. Copies three policies, titled Basic Expectations, Expectations While in Treatment, and Property Lines are attached.
- c. The Council asked for a short statement of the post admission procedure for screening residents. The post-admission process supplements the pre-admission process, which has been described in previous submissions. A short description titled Cedar Ridge Admission Process is attached.

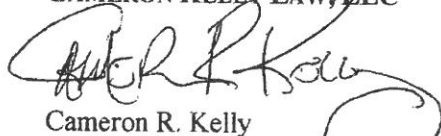
4. Commitment Regarding Future Applications

One of the council members has brought up the idea of a moratorium on future expansion by Meridian. The question was also posed by the City Attorney at the end of the meeting, who asked whether Meridian would be willing to agree to refrain from requesting additional beds for a period of fifteen years. Meridian is willing commit to not requesting an expansion beyond fifty beds for a period of fifteen years from the date of the new conditional use permit.

Please feel free to contact me with any questions you may have.

Sincerely,

CAMERON KELLY LAW, LLC



Cameron R. Kelly

Cc: Meridian Behavioral Health
Enclosures

City Council Report for November 2015

To: Honorable Mayor & City Council Members

From: Jack Kramer Building & Code Enforcement Official

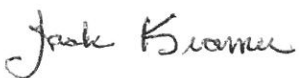
Zoning Enforcement:

1. No new violations to report.

Building Permit Activity:

1. Eighteen (18) building permits were issued for this period with a total valuation of \$ 1,210,900.00.

Respectfully submitted,

A handwritten signature in black ink that reads "Jack Kramer". The signature is written in a cursive, flowing style.

Jack Kramer

Building & Code Enforcement Official

[illegible]

CITY OF GRANT
MINUTES

DATE : November 3, 2015
TIME STARTED : 7:01 p.m.
TIME ENDED : 9:21 p.m.
MEMBERS PRESENT : Councilmember Sederstrom (part), Lobin, Huber,
Lanoux (part) and Mayor Carr
MEMBERS ABSENT : None

Staff members present: City Attorney, Nick Vivian; City Planner, Jennifer Haskamp; City Treasurer, Sharon Schwarze; and Administrator/Clerk, Kim Points

CALL TO ORDER

Mayor Carr called the meeting to order at 7:01 p.m.

PUBLIC INPUT

There was no public input.

PLEDGE OF ALLEGIANCE**SETTING THE AGENDA**

Mayor Carr advised there has been an issue with Council seating. The City has had a long standing procedure for Council seating. He requested Council Member Sederstrom move from Council Member Lobin's seat and return to his seat.

Council Member Sederstrom stated he is avoiding conflict with Council Member Huber.

Mayor Carr stated he has to preserve order and decorum at meetings. Authority of the Council is needed to move seats.

Mayor Carr moved to have Council Member Sederstrom move back to his original chair. Council Member Lobin seconded the motion.

Council Member Lanoux stated he does not want Council Member Sederstrom to sit by Council Member Huber. He stated Council Member Lobin does not want to sit by him so they should switch places. There needs to be a safe environment in Council chambers and he asked to see the formal written policy for seating.

Motion carried with Council Member Lanoux and Sederstrom voting nay.

1 **Mayor Carr made a motion authorizing Council Member Huber and Council Member Lobin to**
2 **switch seats. Council Member Lobin seconded the motion.**

3
4 Council Member Lanoux stated he will not sit by Council Member Huber if you want a cohesive
5 meeting.

6
7 **Motion carried with Council Member Lanoux and Sederstrom voting nay.**

8
9 Mayor Carr requested Council Member Sederstrom move seats. Council Member Sederstrom refused
10 to move and stated he would have to be taken out of the meeting.

11
12 The Deputy on duty escorted Council Member Sederstrom from the meeting at 7:08 p.m.

13
14 Council Member Huber and Council Member Lobin switched Council seats.

15
16 Council Member Lanoux indicated he would not participate in the meeting and excused himself at
17 7:09 p.m.

18
19 **Council Member Huber moved to approve the agenda, as presented. Council Member Lobin**
20 **seconded the motion. Motion carried unanimously.**

21
22 **CONSENT AGENDA**

23
24 October 6, 2015 City Council Meeting Minutes Approved

25
26 October 19, 2015, Certification of Election
27 Meeting Minutes Approved

28
29 Bill List, \$49,123.13 Approved

30
31 Kline Bros. Excavating, Road Work, \$11,237.50 Approved

32
33 Pioneer Press, Special Election
34 Publications, \$36,341.70 Approved

35
36 **Council Member Lobin moved to approve the consent agenda as presented. Council Member**
37 **Huber seconded the motion. Motion carried unanimously.**

38
39 **STAFF AGENDA ITEMS**

40
41 **City Engineer, Brad Reifsteck (No action items)**

42
43 **City Planner, Jennifer Haskamp**
44

1 **Consideration of Meridian Amended CUP Application, 11400 Julianne Avenue North** – City
2 Planner Haskamp advised At the regular October City Council meeting Meridian Behavioral Health,
3 LLC (“Meridian” or “Applicant”) requested consideration to amend their existing Conditional Use
4 Permit to allow for the construction of a new facility and increase the number of client-beds
5 associated with their operations. A duly noticed public hearing was held and public testimony given
6 regarding the application. Much of the public hearing testimony focused on safety of the
7 neighborhood, procedure and notification of “walk-offs”, and general concerns over compliance with
8 the existing permit conditions. The Council closed the public hearing and discussed the Applicant’s
9 request giving consideration for the public testimony as well as the information provided in the staff
10 report. The Council requested additional information with respect to the current operations and asked
11 for information which would address the issues brought up during the public hearing.

12
13 The following is a summary of the information requested by the Council in October:

- 14
15 1. Information/clarification with respect to the client admissions process. Specifically the Council
16 requested information regarding the credentials of the responsible person(s) that determines whether a
17 client can be served at the Cedar Ridge facility. Further clarification regarding the role of a
18 psychiatrist in the evaluation process was specifically requested.
- 19 2. Information/clarification regarding Cedar Ridge’s neighborhood notification process with respect
20 to ‘walk-offs’ was requested. The Council wanted to know whether Meridian was complying with
21 the condition stated within the permit with respect to neighborhood notification, and if not, why.
- 22 3. Further detail regarding the security system at the facility as well as additional consideration of
23 security of the grounds was requested. The discussion regarding this item was primarily focused on
24 ‘walk-offs’, but also included some discussion about the overall ‘pinch-points’ of the facility and
25 grounds as well.
- 26 4. The. Council also generally questioned the overall compliance of Meridian’s Cedar Ridge
27 operations with the conditions of the existing CUP and requested some evaluation by both the staff
28 and Applicant to determine if operational compliance was an issue.

29
30 City Planner Haskamp stated that in an effort to answer these questions staff has prepared the
31 information based upon a discussion with the Applicant and was included in the Council packet. The
32 report does not include the information provided in the October staff report in an effort to reduce
33 duplication of information.

34
35 City Planner Haskamp provided a summary of the report relating to client admissions, walk-offs and
36 neighborhood notifications, security and the facility/grounds and general compliance.

37
38 City Planner Haskamp advised that based upon the additional information obtained through staff’s
39 meeting on October 24th, staff is requesting that the City Council consider a stepped or phased
40 approach to the Applicant’s request. First, staff would request that the Council consider amending
41 and updating the operational conditions to more accurately reflect the Applicant’s operations and
42 statutory requirements. Then for a period of 12-consecutive months the Applicant would need to
43 demonstrate compliance with the amended operational conditions with the existing bed count (34). If

1 the Applicant demonstrates compliance for that period of time (or some other agreed to duration) they
2 would be permitted to construct the new facility with the expanded number of client-beds (50). In an
3 effort to demonstrate how this permit might be implemented, staff has prepared a draft amended CUP
4 which is attached for your consideration and discussion. The following summary of the permit is
5 provided for your information as you review the draft permit:

- 6
7 • The Permit's conditions and requirements are broken up into four sections: A, B, C, and D which
8 address the following:

9
10 Section A: this section identifies the operational conditions which would apply to the Cedar Ridge
11 facility regardless of the number of client-beds served. This set of conditions would be used to
12 demonstrate compliance for a period of time.

13 Section B: this section states the conditions that would need to be met for Meridian to be able to
14 expand their operations and construct a new facility. This section would require the Applicant to
15 comply with the operational and general conditions (sections A and D) for a minimum of 12
16 consecutive months before they would be permitted to expand the number of client-beds.

17 Section C: If the Applicant demonstrates compliance with Sections A and D for 12 consecutive
18 months, they would be able to obtain a building permit to construct a new facility with a maximum
19 occupancy of 50 client-beds, with no further amendment of this permit. This section identifies the
20 conditions related to the construction of the new facility.

21 Section D: These are the general conditions of the permit that would apply to the Cedar Ridge facility
22 regardless of the number of client beds.

23 This approach allows for the conditions of the existing permit to be updated and modified to more
24 appropriately reflect state statutes, and better protect the health, safety and welfare of the community.
25 Additionally, as laid out the conditions require the Applicant to demonstrate compliance with the
26 amended operational conditions for a minimum of 12 consecutive months before the expansion of the
27 number of client-beds would be permitted.

28
29 City Planner Haskamp advised staff is requesting direction from the Council to prepare a Resolution
30 reflecting one of the following options:

31
32 *Resolution of Approval with Findings and Amended Conditional Use Permit

33 *Resolution of Denial with Findings
34

35 Mayor Carr asked for clarification regarding not building a new facility until there is proof of
36 compliance of all conditions, the process for compliance and the ability to limit further expansion.
37

38 City Planner Haskamp stated the applicant must demonstrate compliance with all of the conditions for
39 twelve consecutive months. Any violation of any of the conditions within the permit. The process
40 for compliance is the same process as used today. If there is demononstrated compliance for twelve
41 consecutive months the applicant could build the new facility. The conditions that related to

1 operations have to carry over to the new permit and the additional number of beds in the new facility.
2 No expansion would be allowed until the new facility is built.

3
4 Council Member Huber referred to the elopment rate and expressed concern relating to screening and
5 time of public safety response. He stated he wants economic viability of the facility but the rural
6 character of Grant doesn't call for more expansion.

7
8 Mr. Cameron Kelley, Attorney for Meridian, came forward and stated he did provide all the follow up
9 information to the City and he will take questions on that. The elopment rate is at 11% but that is
10 difference that the State. The police reports that were cited during the public hearing related to
11 vulnerable adults. Everyone in the facility is a vulnerable adult by definition.

12
13 Ms. Martha Kluge, Director of Cedar Ridge, came forward and explained the walk-off process noting
14 the Sheriff is always called and there are no physical restraints.

15
16 Mr. Jim Smith, Chief Operational Officer, came forward and explained the assessment process at the
17 facility noting no level of sex offenders are admitted. If the facility determines a sex offender is there
18 they are removed. Licensed staff does check on that.

19
20 Ms. Kluge stated 65% of those admitted do have some sort of court involvement when they come to
21 the facility. There are no out patient services at Cedar Ridge. The facility offers mental health and
22 chemical dependency treatment and the facility can prescribe medication.

23
24 Mr. Kelley noted that even if a client is court referred no violent or sex offenders are admitted and
25 everyone has to go through the admittance process.

26
27 Council Member Huber inquired about the number of staff on site during a typical day, role of the
28 psychiatrist and documentation relating to going through the process of Rule 25.

29
30 Ms. Kluge provided the staff members that are present on a typical day including nights and weekend
31 shifts.

32
33 Mr. Kelley advised a psychiatrist does review every clients chart once they have been admitted.

34
35 Council Member Huber inquired about fencing at the facility and requested fencing be installed
36 around the whole perimeter to ensure elopments only occur through the driveway. He also inquired
37 about the Rule 25 assessment criteria and noted many more trees should be put in for screening.

38
39 Mr. Smith stated fencing is not around the perimeter. The fencing in place does meet the current
40 condition in the CUP. They can work on that issue but there needs to be a turnaround for emergency
41 vehicles.

42
43 Ms. Kluge advised the assessment criteria outlines that clients have to be a two or a three to be
44 admitted to the facility.

1 Mayor Carr spoke to the phone tree with the neighborhood and draft CUP condition #11. He stated
2 there has to be a way to contact the neighbors of run-offs with a combination of email, text and phone
3 calls.

4
5 Ms. Kluge explained the process for run-offs noting she is responsible for the calls. Timing is an
6 issue though.

7
8 City Planner Haskamp stated there are web forms available that will generate a list and contact those
9 who wish to be contacted. The calls would go out quickly and can accommodate any number of
10 people. Robocall was looked at but it is not a good option.

11
12 Council Member Huber stressed the importance of simultaneous notification to neighbors and the
13 City. An updated list of who is on that list must be provided to the City.

14
15 Mayor Carr stated when and if a new facility is built, construction traffic needs to stay off of Jasmine.
16 The City needs to have documentation of compliance and that if there is a violation. In addition, there
17 needs to be a mechanism included in the Cup for resetting the clock if there is a violation. He stated
18 he would also like to see a condition relating to no further expansion.

19
20 City Planner Haskamp reviewed the process for non-compliance noting if there is something clear
21 that shows a violation and that violation has not been addressed and eliminated, it is typically brought
22 before the Council for discussion and enforcement options. If the applicant is demonstrating
23 compliance and there are no complaints, the expansion would not be brought back to the Council for
24 review.

25
26 Mr. Kelley advised he would bring back information to the Council relating to the limiting of future
27 expansions. A discussion will be held regarding an agreement for no further expansion for a certain
28 period of time.

29
30 Council Member Huber stated he received the additional information from the applicant two days
31 prior to the meeting this evening. He stated he needs the information prior to that and all information
32 should be included in the Council packets to allow for review time.

33
34 This item will be on the December 1, 2015 City Council meeting agenda.

35
36 **PUBLIC HEARING, Consideration of Amendments to Certain Seasonal Land Use Definitions,**
37 **Ordinance No. 2015-42** – City Planner Haskamp advised that as directed by the City Council in
38 October and July staff has prepared two draft ordinances for review and consideration and included in
39 the Council packets. The following summary of the ordinance is provided:

- 40
41 • Ordinance #2015-42: This draft ordinance addresses two land use definitions which are
42 included within the City's Land Use Definitions Moratorium. The ordinance provides a draft
43 definition for Seasonal Businesses, and also addresses Greenhouses (commercial production
44 only).

1 Staff is requesting direction from the City Council to prepare a resolution, final ordinance and
2 summary publication for each draft ordinance listed above. If directed, staff will prepare the
3 documents and place them on the December consent agenda for review and approval.

4
5 Mayor Carr opened the public hearing at 8:50 p.m.

6
7 There were no public comments.

8
9 Mayor Carr closed the public hearing 8:51p.m.

10
11 **Council Member Huber moved to approve Ordinance No. 2015-42, as presented. Council**
12 **Member Lobin seconded the motion. Motion carried unanimously.**

13
14 **PUBLIC HEARING, Consideration of Amendments to Certain Sections of the Accessory**
15 **Building Standards, Ordinance No. 2015-43** – City Planner Haskamp advised that as directed by
16 the City Council in October and July staff has prepared two draft ordinances for review and
17 consideration. A draft ordinance was included in the Council packets. The following summary of the
18 ordinance is provided:

- 19
20 • Ordinance #2015-43: This draft ordinance amends the Accessory buildings and other non-
21 dwelling structures section of the ordinance, subsections (e) and (f) to address location of
22 accessory buildings in relation to a principal building. This draft ordinance amendment is not
23 subject to the City's Land Use Definitions Moratorium.

24 •
25 Staff is requesting direction from the City Council to prepare a resolution, final ordinance and
26 summary publication for each draft ordinance listed above. If directed, staff will prepare the
27 documents and place them on the December agenda for review and approval.

28
29 City Planner Haskamp noted that additionally, staff would include the first group of land use
30 definitions reviewed by the City Council (which have already been through the public hearing
31 process) in the final resolution, ordinance and summary publication. This will allow for publication
32 all at once, reducing publication expenditures. Once adopted, the seven (6) land uses addressed to-
33 date would be released from the moratorium.

34
35 Council Member Huber clarified that the six feet is consistent with the state fire code and building
36 code.

37
38 City Plannner Haskamp stated the revised ordinance does solve the issues and it will be consistent
39 with the state fire code of building code and does not penalize anyone.

40
41 Mayor Carr opened the public hearing at 9:02 p.m.

42
43 There were no public comments.

1 Mayor Carr closed the public hearing at 9:03 p.m.

2
3 **Council Member Huber moved to approve Ordinance No. 2015-43, as presented. Council**
4 **Member Lobin seconded the motion. Motion carried unanimously.**

5
6 **City Attorney, Nick Vivian**

7
8 **Responsible Party for Charter Commission Data Practices/Censure Criteria** – City Attorney
9 Vivian advised a complaint was filed with the City at the last Council meeting. The complaint was
10 reviewed and it was determined there is no violation. Council Member Huber did submit a data
11 practices request to the Chair of the Charter Commission. The Clerk did assist the Chair in copying
12 Charter meeting DVD's and they were supplied to Council member Huber. The Charter is required to
13 do that and the DVD's are the property of the individual who submitted the data practices request.

14
15 City Attorney Vivian added there is no basis to censure Council Member Huber. The Council did
16 previously take action to censure Council Member Lanoux to protect the City's records.

17
18 Council Member Huber stated he did want to clear the record with a response to the formal complaint
19 submitted by Council Member Lanoux. However, in his absence he will not read the response. He
20 asked anyone to please contact him if they have any questions relating to the false allegations.

21
22 **NEW BUSINESS**

23
24 There was no new business.

25
26 **UNFINISHED BUSINESS**

27
28 **Discussion of Draft City of Grant Planning Commission Manual** – Mayor Carr stated he would
29 like to get a Planning Commission put back in place as the City is now getting more applications. He
30 noted the Planning Commission needs to work Council for many reasons that include eliminating
31 confusion to the applicants.

32
33 Council Member Huber stated the Planning Commission has to follow the law and City ordinances.
34 The Planning Commission is an advisory group and is not separate from the Council.

35
36 Mayor Carr referred to page 10, section 4 and requested a statement be added relating to agenda items
37 being added by staff recommendation.

38
39 **Council Member Huber moved to approve the City of Grant Planning Commission Manual, as**
40 **amended. Council Member Lobin seconded the motion. Motion carried unanimously.**

41
42 The Council determined the City would advertise for Planning Commission applications through
43 January with interviews held in February.

44
45 **DISCUSSION ITEMS**

City Council Reports:

Council Member Huber updated the Council on the Comcast extension within the City of Grant. Permission is required from the property owners as there is no dedicated right-of-way.

Council Member Huber read the letter from the Fire Department that provided information as to why the dry hydrant could not be utilized during the recent house fire near Mann Lake.

Staff Updates:

There were no staff updates.

COMMUNITY CALENDAR NOVEMBER 4 THROUGH NOVEMBER 30, 2015:

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

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

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

City Office Closed, Thursday, November 26th and Friday, November 27th, 2015

ADJOURN

Council Member Huber moved to adjourn at 9:21 p.m. Council Member Lobin seconded the motion. Motion carried unanimously.

These minutes were considered and approved at the regular Council Meeting December 1, 2015.

Kim Points, Administrator/Clerk

Tom Carr, Mayor

City of Grant
Draft 2016 Budget
December 1, 2015

	2014	2015			2015	2016	% of
	Jan - Dec	November	Budget	\$ Over Budget	Estimate	Budget	2015 Budget
Income							
301-000 - TAXES							
301-100 - General Tax Levy	957,766	533,168	1,017,143	-483,975	1,017,143	1,063,207	105%
303-100 - Franchise Tax - Cable	14,865	26,381	15,000	11,381	15,000	26,381	176%
303-150 - Cable Expense Reimbursement	14,942	820	2,000	-1,180	2,000	2,000	100%
303-200 - Franchise Tax - Utilities	55,292	41,679	55,260	-13,581	55,260	55,290	100%
334-400 - Non Levy Mobile Home	67	0	50	-50	50	50	100%
Total 301-000 - TAXES	1,042,932	602,048	1,089,453	-487,405	1,089,453	1,146,928	105%
304-001 - LICENSES AND PERMITS							
304-000 - Liquor Licenses	13,400	11,000	13,400	-2,400	11,000	11,000	82%
305-000 - Other Licenses/Permits/Fees	1,003	1,108	2,000	-892	2,000	2,000	100%
305-500 - Utility Permits	1,200	400	500	-100	500	500	100%
306-000 - Permits-Building	101,607	116,718	60,000	56,718	105,000	72,000	120%
306-010 - Permits-Heating	5,185	3,506	5,000	-1,494	5,000	5,000	100%
306-020 - Permits-Plumbing	2,489	1,494	1,000	494	1,000	2,000	200%
306-045 - Permits - Variance	800	0	800	-800	800	800	100%
306-046 - Permits-CUP	2,400	800	1,200	-400	1,200	1,200	100%
306-050 - Certificate of Compliance	500	300	250	50	250	250	100%
306-053 - Pre-Application Mtg Fee	400	300	800	-500	800	800	100%
306-055 - Grading Permit	1,455	0	900	-900	900	900	100%
306-060 - Animal Control Fees	147	-197	0	-197	0	0	0%
307-000 - Subdivision-Adm Fee	400	400	1,200	-800	1,200	1,200	100%
Total 304-001 - LICENSES AND PERMITS	130,986	135,828	87,050	48,778	129,650	97,650	112%
334-000 - INTERGOVERNMENTAL REVENUE							
Small City Road Aid		31,029	0	0	0	0	0%
334-201 - Ag Preserve	2,830	0	0	0	0	0	0%
334-300 - Fiscal Disparity-City	35,251	26,285	37,535	-11,250	37,535	33,649	90%
334-500 - PERA Rate Increase	155	78	155	-78	155	155	100%
334-700 - Recycling Grant Washington Cty	7,938	7,942	8,000	-58	8,000	8,000	100%
	46,174	65,333	45,690	19,643	45,690	41,804	91%

City of Grant
Draft 2016 Budget
December 1, 2015

	2014	2015				2015	2016	% of
	Jan - Dec	November	Budget	\$ Over Budget	% of Budget	Estimate	Budget	2015 Budget
Tot: 334-600 - Assessment Searches	40	80	120	-40	67%	120	120	100%
389-361-000 - Fines and Fees-County	13,613	14,869	10,000	4,869	149%	15,000	12,000	120%
361-100 - Penalties	1,882	366	0	366	100%	0	0	
388-000 - Lease Revenue-Tower	20,318	864	22,867	-22,003	4%	22,867	19,167	84%
389-300 - Refunds and Reimbursements	1,169	11,078	1,000	10,078	1108%	1,000	1,000	100%
389-400 - Misc Income-Roads	5,227	5,092	6,000	-908	85%	6,000	6,000	100%
390-000 - Interest Income	3,126	1,178	2,000	-822	59%	2,000	2,000	100%
	45,374	33,526	41,987	-8,461	80%	46,987	40,287	96%
Tot: 301-700 - Special Assessments Levy	13,038	6,123	10,000	-3,877	61%	10,000	10,000	100%
390-001 - DEBT SERVICES	13,038	6,123	10,000	-3,877	61%	10,000	10,000	100%
Total Income	1,278,504	842,858	1,274,180	-431,322	66%	1,321,780	1,336,669	105%

City of Grant
Draft 2016 Budget
December 1, 2015

Exp Total 390-001 - DEBT SERVICES

	2014 Jan - Dec	November	Budget	2015 \$ Over Budget	% of Budget	2015 Estimate	2016 Budget	% of 2015 Budget
401-001 - Mayor and Council								
400-000 401-000 - Mayor Salary	2,900	0	2,900	-2,900	0%	2,900	2,900	100%
401-010 - Mayor-City PERA	145	0	377	-377	0%	377	377	100%
401-020 - Mayor-City FICA/Medicare	222	0	222	-222	0%	222	222	100%
401-200 - Election Salary (Judges)	2,890	0	0	0	0%	0	3,000	100%
403-000 - Council Salaries	12,560	0	9,660	-9,660	0%	9,660	9,660	100%
403-001 - Council Meeting Per Diem	650	0	1,000	-1,000	0%	1,000	1,000	100%
403-010 - Council-City PERA	0	0	672	-672	0%	672	672	100%
403-020 - Council-City FICA/Medicare	739	0	784	-784	0%	784	784	100%
403-030 - Council Mileage	0	0	250	-250	0%	250	250	100%
408-100 - Election Expense	1,239	300	470	-170	64%	470	1,500	319%
Total 401-001 - Mayor and Council	21,345	300	16,335	-16,035	2%	16,335	20,365	125%
402-001 - Finance								
402-000 - City Clerk Salary	53,560	50,570	55,167	-4,597	92%	55,167	56,822	103%
402-010 - Clerk-PERA	3,883	3,793	4,138	-345	92%	4,138	4,262	103%
402-020 - Clerk-FICA/Medicare	4,429	3,517	4,220	-703	83%	4,220	4,347	103%
402-040 - Clerk Miscellaneous Expense	0	0	0	0	0%	0	300	
405-010 - Accounting Services	0	0	0	0	0%	0	0	
409-000 - Treasurer	4,000	6,000	6,000	0	100%	6,000	6,180	103%
Total 402-001 - Finance	65,871	63,879	69,525	-5,646	92%	69,525	71,911	103%
405-001 - Consultants								
405-000 - Audit Fees	12,000	11,535	12,500	-965	92%	12,500	12,500	100%
406-000 - Engineering Fees-General	22,160	15,665	20,000	-4,335	78%	20,000	22,000	110%
406-100 - MS 4 Expenses	7,067	10,318	17,000	-6,682	61%	17,000	17,650	104%
407-100 - Legal Fees - General	37,819	38,605	25,000	13,605	154%	40,000	35,000	140%
407-150 - Legal Fees - Complaints	17,605	23,471	9,000	14,471	261%	9,000	9,000	100%
407-300 - Legal Fees - Criminal	18,729	16,006	18,500	-2,494	87%	18,500	18,500	100%
413-100 - Assessor	26,038	21,960	23,600	-1,640	93%	23,600	26,000	110%
Total 405-001 - Consultants	141,418	137,559	125,600	11,959	110%	140,600	140,650	112%

City of Grant
Draft 2016 Budget
December 1, 2015

	2014	2015			2015	2016	% of
	Jan - Dec	November	Budget	\$ Over Budget	Estimate	Budget	2015 Budget
406-001 - Other Services & Charges							
406-010 - Dry Hydrants	0	0	250	-250	250	250	100%
406-030 - Grading Permit Expense	170	0	0	0	0	0	100%
408-000 - Insurance	7,861	9,864	9,000	864	9,000	9,000	100%
410-120 - Dues	4,282	4,417	4,000	417	4,000	4,000	100%
410-125 - Workshops	250	790	1,000	-210	1,000	1,000	100%
410-290 - Miscellaneous Expense	190	1,163	200	963	200	200	100%
410-300 - Newsletter Costs	2,260	2,285	2,500	-215	2,500	2,500	100%
410-301 - Publishing Costs	761	2,008	2,000	8	2,000	2,000	100%
410-400 - Telephone	1,967	1,787	2,000	-213	2,000	2,000	100%
410-411 - Postage	300	298	500	-202	500	500	100%
410-412 - Post Office Box Rental	112	112	112	0	112	112	100%
410-420 - Web Site Costs	150	150	1,000	-850	1,000	1,000	100%
410-500 - Office Supplies	984	385	1,000	-615	1,000	1,000	100%
410-510 - Bank Fees	70	0	100	-100	100	100	100%
410-600 - Rental City Office	5,577	2,879	6,514	-3,635	6,514	6,514	100%
411-100 - Equipment Repair	3,668	0	500	-500	500	500	100%
411-250 - Charter Commission Expense	0	37,748	1,500	36,248	37,748	1,500	100%
Total 406-001 - Other Services & Charges	28,601	63,886	32,176	31,710	68,424	32,176	100%
	257,235	265,624	243,636	21,988	294,884	265,102	109%
Total 413-200 - Zoning Administrator/Planner	15,270	15,010	20,000	-4,990	20,000	20,000	100%
413-413-205 - Zoning Admin Pre-App Meeting	200	500	800	-300	800	800	100%
417-000 - Police Services	112,775	54,437	119,433	-64,996	119,433	114,166	96%
417-100 - Siren Warning System	18,484	0	250	-250	250	250	100%
418-100 - Fire Services - Mahtomedi	121,960	125,619	125,224	395	125,224	128,981	103%
418-200 - Fire Services - Stillwater	105,373	108,533	108,533	0	108,533	111,789	103%
419-100 - Building Inspector	58,378	68,196	45,000	23,196	72,000	60,000	133%
419-400 - Surcharge Building Permit	2,845	3,942	6,000	-2,058	6,000	6,000	100%
420-000 - Animal Control	866	319	1,500	-1,181	1,500	1,500	100%
	436,149	376,556	426,740	-50,184	453,740	443,486	104%

City of Grant
Draft 2016 Budget
December 1, 2015

	2014	2015			2015	2016	% of
	Jan - Dec	November	Budget	\$ Over Budget	% of Budget	Budget	2015 Budget
Total 414-001 - City Hall							
414-000 - City Hall Supplies	642	676	750	-74	90%	750	100%
414-200 - City Hall Repairs	24,035	13,033	7,500	5,533	174%	7,500	100%
414-300 - Utilities - 8380 Kimbro Avenue	1,992	1,464	2,500	-1,036	59%	2,500	100%
414-400 - City Hall Yardman	1,185	875	1,500	-625	58%	1,500	100%
490-000 - Real Estate Taxes City	2,666	2,566	2,700	-134	95%	2,700	100%
Total 414-001 - City Hall	30,520	18,614	14,950	3,664	125%	14,950	100%
414-002 - Other Services and Charges							
414-401 - Park Upkeep Expense	1,300	1,645	1,500	145	110%	1,500	100%
430-225 - Porto Pot Expense	1,643	1,500	1,700	-200	88%	1,700	100%
430-226 - Well House-7175 - 101st St. No.	1,178	693	500	193	139%	500	100%
431-380 - Street Lighting	1,130	280	800	-520	35%	800	100%
432-300 - Recycling	52,169	41,486	52,000	-10,514	80%	52,000	100%
480-000 - Cable Costs	820	775	2,000	-1,225	39%	2,000	100%
Total 414-002 - Other Services and Charges	58,239	46,379	58,500	-12,121	79%	58,500	100%
414-003 - Roads							
501-300 - Grader Contractor	47,000	53,645	50,000	3,645	107%	50,000	100%
503-020 - Mower Maintenance	0	0	400	-400	0%	400	100%
505-000 - Engineering Fees	9,015	0	6,400	-6,400	0%	17,600	275%
510-500 - Road Supplies	120	0	500	-500	0%	500	100%
510-600 - Garbage Removal-Roads	749	2,381	1,000	1,381	238%	1,000	100%
510-700 - Gravel Costs-Roads	55,731	54,647	55,000	-353	99%	55,000	100%
510-701 - Gravel Reclaiming	2,400	2,400	2,400	0	100%	2,400	100%
510-702 - Ditch Repair	19,359	18,168	18,000	168	101%	18,000	100%
510-721 - Magnesium Chloride	48,718	56,997	53,000	3,997	108%	53,000	100%
510-722 - Road Shouldering	10,335	8,398	10,000	-1,603	84%	10,000	100%
510-723 - Road Potholes & Asphalt Repair	58,891	82,722	67,000	15,722	123%	67,000	100%
510-724 - Sign Replacement	8,896	5,229	5,000	229	105%	5,000	100%
510-725 - Culverts	35,606	19,906	20,000	-94	100%	20,000	100%
510-728 - Seal Coating & Crack Filling	66,506	48,532	68,000	-19,468	71%	68,000	100%
510-730 - Snow & Ice Removal-Roads	88,111	62,141	95,000	-32,859	65%	95,000	100%

City of Grant
Draft 2016 Budget
December 1, 2015

	2014	2015			2015	2016	% of
	Jan - Dec	November	Budget	\$ Over Budget	Estimate	Budget	2015 Budget
510-740 • Brushing-Roads	21,461	15,750	27,000	-11,250	27,000	27,000	100%
510-741 • Mowing-Roads	5,828	3,500	6,000	-2,500	6,000	6,000	100%
510-745 • Road Expenses-Other	820	1,516	500	1,016	500	500	100%
510-750 • Street Lights	0	579	0	579	0	600	
Total 414-003 • Roads	479,544	436,510	485,200	-48,690	485,200	497,000	102%
414-004 • Street Projects							
510-770 • Special Road Projects	30,084	27,814	25,000	2,814	25,000	86,969	348%
510-790 • County/ State Road Projects	0	0	20,000	-20,000	20,000	20,000	100%
Total 414-004 • Street Projects	30,084	27,814	45,000	-17,186	45,000	106,969	238%
Total 414-000 • PUBLIC WORKS	598,387	529,318	603,650	-74,332	603,650	677,419	112%
Total Expense	1,291,770	1,171,498	1,274,026	-102,528	1,352,274	1,386,006	109%
Net Income	-13,266	-328,640	154	-328,794	-30,494	-49,338	-32037%
Small City Reserve		-61,969				61969	
Unbudgeted Election:							
County Election Cost			6,284				
Puplication			35,269				
Total Estimate			41,553				
Ending Fund Balance*	1,042,385		1,000,986		1,011,891	1,024,522	
Balance as % of Spending	0.806943		0.78568742		0.748289	0.73919	

*Note that the 50% fund reserve is needed to cover expenses as the tax levy is sent to the City twice per year. The remainder is used as our emergency reserve.

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2015-20**

RESOLUTION ADOPTING FINAL CITY BUDGET FOR 2016

WHEREAS, the City of Grant established a preliminary certification of the City of Grant's levy at its September 1st, 2015 meeting; and

WHEREAS, the City of Grant is not required to and will not hold public hearings for the 2016 final budget; and

WHEREAS, the City Council for the City of Grant wishes to establish its final 2016 budget which must be certified to the Washington County Auditor/Treasurer by December 28, 2015;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, as follows:

BE IT RESOLVED, that the City Council of the City of Grant, Washington County, Minnesota hereby adopts a final City budget for 2016 in the amount of \$1,386,006.

The motion for adopting the foregoing resolution was acted upon by motion and seconded, and upon a vote being taken thereon, the following voted via voice:

Mayor Tom Carr
Council Member Sederstrom
Council Member Lobin
Council Member Huber
Council Member Lanoux

Whereupon, said resolution was declared duly passed and adopted and signed by the Mayor and attested by the City Clerk, passed by the City Council, City of Grant, Washington County, Minnesota, on this 1st day of December, 2015.

Thomas Carr, Mayor

Kim Points, Administrator/Clerk

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2015-21**

**RESOLUTION ESTABLISHING THE FINAL LEVY CERTIFICATION FOR THE
CITY'S GENERAL FUND AT \$1,096,856**

WHEREAS, the State of Minnesota requires the City to adopt a final levy certification for its General Fund; and

WHEREAS, the City Council is required to adopt its 2016 Final Levy Certification on or before December 28, 2015; and

WHEREAS, the City Council of the City of Grant wishes to comply with State law in this area;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA**, as follows:

Establish the 2016 General Fund Final Levy's certification at \$1,096,856

The motion for adopting the foregoing resolution was acted upon by motion and seconded, and upon a vote being taken thereon, the following voted via voice:

Mayor Tom Carr
Council Member Sederstrom
Council Member Lobin
Council Member Huber
Council Member Lanoux

Whereupon, said resolution was declared duly passed and adopted and signed by the Mayor and attested by the City Clerk, passed by the City Council, City of Grant, Washington County, Minnesota, on this 1st day of December, 2015.

Thomas Carr, Mayor

Attest:

Kim Points, Administrator/Clerk

AGENDA ITEM 6 D-J

STAFF ORIGINATOR Kim Points
MEETING DATE December 1, 2015
TOPIC 2016 Liquor License

BACKGROUND

Every year at the December City Council meeting, liquor licenses are approved for the following year, based on state approval, insurance, background checks and all fees paid.

Resolutions for each of the City's license holders that submitted their renewals are attached and states approval is based on the outlined conditions.

Staff is requesting a separate motion, second and vote be taken for each individually.

Included in the 2016 Liquor License renewals are two new applications for a liquor license.

ACTION REQUESTED

Council action to approve or deny.

Resolution No. 2015-22

Resolution to Approve On-Sale/Sunday Liquor License for MoGrow Inc.

(DBA: Indian Hills)

WHEREAS, MoGrow Inc. submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2016 through December 31, 2016:

MoGrow Inc.

6667 Keats Avenue N

Stillwater, MN 55082

Licensee: Michael Regan

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk.

PASSED: December 1, 2015 by the City Council of the City of Grant

Tom Carr, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2015-23

Resolution to Approve On-Sale/Sunday Liquor License for Schone's Inc.

(DBA: Gasthaus Bavarian Hunter)

WHEREAS, Shone's Inc. submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2016 through December 31, 2016:

Schone's Inc.

8390 Lofton Avenue N

Stillwater, MN 55082

Licensee: Kimberly Quade

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk..

PASSED: December 1, 2015 by the City Council of the City of Grant

Tom Carr, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2015-24

Resolution to Approve On-Sale/Sunday Liquor License for Applewood Hills LLC

(DBA: Applewood Hills)

WHEREAS, Applewood Hills LLC submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2016 through December 31, 2016:

Applewood Hills, LLC

11840 60th Street N

Stillwater, MN 55082

Licensee: Jason Esch

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk..

PASSED: December 1, 2015 by the City Council of the City of Grant

Tom Carr, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2015-25

Resolution to Approve On-Sale/Sunday Liquor License for Nicholson-Stillwater Oaks LLC.

(DBA: Stillwater Oaks Golf Course)

WHEREAS, Stillwater Oaks Golf Course . submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2016 through December 31, 2016:

Stillwater Oaks Golf Course

11177 McKusick Road

Grant, MN 55082

Licensee: Nicholson-Stillwater Oaks LLC

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk..

PASSED: December 1, 2015 by the City Council of the City of Grant

Tom Carr, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2015-26

Resolution to Approve On-Sale/Sunday Liquor License for Loggers Trail Golf Club.

(DBA: Loggers Trail Golf Club)

WHEREAS, Loggers Trail Golf Club . submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2016 through December 31, 2016:

Loggers Trail Golf Club

11950 80th Street N

Stillwater, MN 55082

Licensee: Daniel Pohl

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk..

PASSED: December 1, 2015 by the City Council of the City of Grant

Tom Carr, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2015-27

Resolution to Approve On-Sale/Sunday Liquor License for Cozzie's Tavern Inc.

(DBA: Cozzie's Tavern)

WHEREAS, Cozzie's Tavern Inc. submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2016 through December 31, 2016:

Cozzie's Tavern Inc.

11154 60th Street N

Stillwater, MN 55082

Licensee: Chris Cosgrove

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk..

PASSED: December 1, 2015 by the City Council of the City of Grant

Tom Carr, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2015-28

Resolution to Approve On-Sale Liquor License for Dellwood Barn Weddings, LLC (DBA: Dellwood Barn Weddings)

WHEREAS, Dellwood Barn Weddings, LLC submitted an application for the issuance of an On-Sale Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale Intoxicating Liquor License to the applicant listed below for the period of January 1, 2016 through December 31, 2016:

Dellwood Barn Weddings, LLC
7373 120th Street North
White Bear Lake, MN 55082
Licensee: Julie Varney

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk..

PASSED: December 1, 2015 by the City Council of the City of Grant

Tom Carr, Mayor

Kim Points, Administrator/Clerk