

**City of Grant
City Council Agenda
January 5, 2016**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, January 5, 2016, 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. December 1, 2015 City Council Meeting Minutes
- B. Bill List, \$63,045.06
- C. 2016 Tort Liability, City DOES NOT Waive Monetary Limits
- D. Charitable Gambling Permit, American Legion Post 491, Cozzies Tavern
- E. Pay Equity Report, Per MN Management & Budget
- F. Resolution No. 2016-03, Meridian CUP
- G. Resolution No. 2016-04, Dornack Subdivision

5. **2015 YEAR END REVIEW, MAYOR CARR4**
6. **STAFF AGENDA ITEMS**
 - A. City Engineer, Brad Reifsteck (no action items)
 - B. City Planner, Jennifer Haskamp
 - i. Consideration of Resolution No. 2016-05, CUP Application, Cozzies Tavern, 11460 60th Street (continuation)
 - ii. Consideration of Sex Offender Ordinance
 - C. City Attorney, Nick Vivian
 - i. Consideration of Council Member Censure
7. **NEW BUSINESS**
 - A. Consideration of Ordinance No. 2016-45, 2016 Fee Schedule
 - B. Consideration of Resolution No. 2016-01, Summary Publication of Ordinance No. 2016-45
 - C. Consideration of Resolution No. 2016-02, Summary Publication of Ordinance No. 2015-44
 - D. Consideration 2016 Council Meeting Schedule
 - E. Consideration of 2016 Appointment List
8. **UNFINISHED BUSINESS**
9. **DISCUSSION ITEMS**
 - A. City Council Reports (any updates from Council)
 - B. Staff Updates
10. **COMMUNITY CALENDAR JANUARY 6 THROUGH JANUARY 31, 2016:**

Mahtomedi Public Schools Board Meeting, Thursday, January 14th and 28th Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, January 14th Stillwater City Hall, 7:00 p.m.

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

CITY OF GRANT
MINUTES

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DATE : December 1, 2015
TIME STARTED : 7:07 p.m.
TIME ENDED : 9:35 p.m.
MEMBERS PRESENT : Councilmember Sederstrom, Lobin, Huber,
Lanoux and Mayor Carr
MEMBERS ABSENT : None

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

CALL TO ORDER

Mayor Carr called the meeting to order at 7:07 p.m.

PUBLIC INPUT

Mr. Steve Bohnen, 60th Street – commented on the Keats Avenue Road Work.

Ms. Sharon Schwarze, Joliet Avenue – commented on the work being done on the Meridian amended CUP application

Mr. Jim Cross, 8682 Jamaca – commented on authority of local governments.

Mr. Dan Ruth, Justin Trail – prepared statement regarding childlike behavior of the City Council

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Council Member Huber moved to approve the agenda, as presented. Council Member Lobin seconded the motion. Motion carried with Council Member Lanoux and Sederstrom voting nay.

CONSENT AGENDA

Bill List, \$67,357.94 Approved

Brochman Blacktopping, Hadley Project, \$16,695.00 Approved

City of Stillwater, 2nd Half Fire

| | | |
|----|---|----------|
| 1 | Contract, \$54,266.50 | Approved |
| 2 | | |
| 3 | City of Mahtomedi, 4 th Quarter Fire | |
| 4 | Contract, \$31,404.75 | Approved |
| 5 | | |
| 6 | Kline Bros. Excavating, Grading/Town | |
| 7 | Hall Repair, \$10,400.00 | Approved |
| 8 | | |
| 9 | Addendum to Council Rules of Procedure, | |
| 10 | Seating Policy | Approved |
| 11 | | |
| 12 | Ordinance No. 2015-41, Land Use Definitions | Approved |
| 13 | | |
| 14 | Resolution No. 2015-18, Summary Publication of | |
| 15 | Ordinance No. 2015-41 | Removed |
| 16 | | |
| 17 | Resolution No. 2015-19, Summary Publication of | |
| 18 | Ordinance No. 2015-42 | Removed |
| 19 | | |
| 20 | Resolution No. 2015-29, Summary Publication of | |
| 21 | Ordinance No. 2015-43 | Removed |
| 22 | | |

23 **Council Member Huber moved to approve the consent agenda moving Items 4H, 4I and 4J to**
 24 **Items 6K, 6L and 6M under New Business. Council Member Lobin seconded the motion.**
 25 **Motion carried with Council Member Lanoux and Sederstrom voting nay.**

26
 27 **STAFF AGENDA ITEMS**

28
 29 **City Engineer, Brad Reifsteck (No action items)**

30
 31 **City Planner, Jennifer Haskamp**

32
 33 **PUBLIC HEARING, Consideration of Dornack Minor Subdivision and Vacation of Easement,**
 34 **9651 83rd Street** – City Planner Haskamp advised the owner has submitted an application for a lot
 35 line rearrangement/combination to create two (2) approximately 11-acre lots. Approximately half of
 36 the subject property contains seven (7) platted small residential lots that were platted as part of the
 37 Wake Robin Acres subdivision in the 1960s and are legally described as Lots 5 through 11, Block 1.
 38 At the time of Final Plat in the 1960s the Township took utility easements along each of the
 39 residential lot lines, as well as a temporary right-of-way to serve the lots as development of the
 40 adjacent roadways progressed. While many of the Lots and Blocks contained within the Wake Robin
 41 Acres plat were developed, the Lots and Block contained on the subject property were left largely
 42 undeveloped with only an existing home generally located on Lot 9 of the plat. In addition,
 43 approximately half of the property remains unplatted and was specifically excluded from the Wake
 44 Robin Acres plat. Access to the existing homestead was instead gained from 83rd Street instead of

1 developing the newly platted roadways which bordered the subject property on the south and west
2 borders of the subject site.

3
4 As such, in an effort to clean up the legal descriptions as well as applicable easements, the Applicant
5 is requesting a lot line rearrangement/combination to create two lots, and to subsequently vacate all of
6 the utility and right-of-way easements which were dedicated during the 1960s platting process. A
7 duly noticed public hearing has been published for purposes of hearing public testimony related to
8 subdivision and easement vacations.

9
10 City Planner Haskamp stated the Applicant is proposing to accomplish several things through the
11 proposed rearrangement and easement vacation process which are summarized as the following (See
12 Figure Lot Lot Line Rearrangement):

- 13
- 14 ▪ Combine and eliminate the small lots described as Lots 5 through 11, Block 1.
- 15 ▪ Re-arrange the lot line between the combined lots and the unplatted land to create two (2)
16 relatively equal parcels containing approximately 11-acres each.
- 17 ▪ Create frontage on 83rd Street North for both lots, and provide access to each homestead using
18 the existing roadway.
- 19 ▪ Retain the existing homestead which would be located on the Proposed West Lot, and use the
20 existing driveway to access the existing homestead and accessory structures.
- 21 ▪ Vacate the utility easements which were dedicated as part of the 1960s plat process.
- 22 ▪ Vacate the Temporary right-of-way easement which was dedicated as part of the 1960s plat
23 process.
- 24 ▪ Plat the new subdivision as Lots 1 and 2, Block 1 of the Dornack Addition.

25
26 City Planner Haskamp provided the an analysis of the application and recommended approval of the
27 lot line rearrangement and combination with the following findings:

- 28
- 29 ▪ Approval of the lot line rearrangement will not negatively impact the character of the
30 neighborhood
- 31 ▪ Allowing for the lot line combination and rearrangement will eliminate the non-conforming
32 lots associated with the Wake Robin Acres subdivision, Lots 5 through 11 Block 1.
- 33 ▪ The proposed vacation of the utility and drainage easements, as well as the cul-de-sac ROW is
34 consistent with the lot line rearrangement as these easements would no longer correspond to
35 any parcels/lots of record.
- 36 ▪ The proposed split and combination are consistent with the A-2 and R-1 land use designation
37 as described within the adopted Comprehensive Plan.
- 38 ▪ The proposed split and combination are consistent with the dimensional standards for R-1 and
39 A-2 as described within the City's zoning ordinance.

40
41 Staff would further recommend the following conditions be placed upon the proposed rearrangement
42 and combination:

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

12
13 City Planner Haskamp advised staff is seeking Council comments and recommendations with respect
14 to the Application. If desired, the Council may direct staff to prepare a resolution of approval, or
15 denial with findings to be brought back to the City Council for the regular January meeting.

16
17 Council Member Huber inquired about the costs of vacating the easements and if the cul-de-sac
18 would be included.

19
20 City Planner Haskamp stated the cost of vacating the easements is the responsibility of the owner and
21 there is not a need for the cul-de-sac as both parcels have access of off 80th Street.

22
23 Mayor Carr opened the public hearing at 7:21 p.m.

24
25 Mr. Everet Meiers, 9798 785th Street, came forward and stated he was the property owner to the
26 south. He asked for clarification regarding the gas utility line and what exactly would be vacated.

27
28 Mayor Carr closed the public hearing 7:25 p.m.

29
30 City Planner Haskamp referred to the site plan and pointed out the easement area that is being
31 proposed for vacation. None of the easements are on Jody Avenue and all of them are on the Dornack
32 property. City easements are taken periodically and this easement is controlled by the City. The
33 proposed vacated easement does not adjoin the property owner.

34
35 Mayor Carr stated he prefers straight lot lines which are not indicated on the plan but does make sense
36 in this situation.

37
38 Mr. Tom Dornack, applicant, came forward and stated he is just trying to clean up the 23 acres parcel
39 and the interior lot lines. The line jogs on the plan are due to the pond on the property.

40
41 **Council Member Lanoux moved to approve Dornack Minor Subdivision and Vacation of**
42 **Easement, as presented. Council Member Sederstrom seconded the motion. Motion carried**
43 **unanimously.**

1 **PUBLIC HEARING , Consideration of Text Amendment Application for Definition of Tavern**
2 **or Bar** – City Planner Haskamp advised the Applicant is proposing to amend the definition of Bar or
3 Tavern to allow for a full bar and liquor license associated with the subject land use. The Applicant
4 has filed this application concurrently with an application for a Conditional Use Permit (CUP) to
5 operate Cozzie’s Bar and Tavern in the General Business district of the city located at 11154 60th
6 Street North. The proposed text amendment would need to be granted in order for the proposed CUP
7 to be permitted due to the current restrictions associated with the Tavern or Bar land use definition.

8
9 As the Council is aware, the City has been working through various land use definitions associated
10 with a Moratorium that is in place for land uses currently undefined within the ordinance. In the case
11 of Tavern or Bar, Section 32-1 does provide a definition. However, a closely related land use Café or
12 Restaurant is not defined and is subject to the moratorium. This is important to consider while
13 reviewing the subject application, since the City will need to be able to clearly differentiate between a
14 Tavern or Bar and the Café or Restaurant land use definition, for this reason, staff will reference
15 (briefly) the Café or Restaurant land use throughout this staff report.

16
17 City Planner Haskamp advised the City’s definition of a Tavern or Barn states: *means a building with*
18 *facilities for the serving of 3.2 beer, wine, setups and short-order foods.* The Applicant is proposing
19 to modify this definition to allow a business with a CUP under this land use definition the ability to
20 obtain a full liquor license. The Applicant is suggesting that the proposed modification would permit
21 the operation of Cozzie’s Tavern and Grill, as described in their Application for Conditional Use
22 Permit, to operate with a full liquor license and expanded food offerings. (See following agenda
23 item).

24
25 While the proposed amendment would address the potential concerns of the Applicant regarding the
26 liquor license and concurrent CUP application to operate Cozzie’s Tavern and Grill, staff would
27 recommend additional consideration be made with respect to the definition.

28
29 As a starting place, staff researched how other communities define “Bars and Taverns” within their
30 codes, and also looked into common definitions of facilities such as bars, taverns, restaurants, cafes,
31 etc. Through research of various codes and other resources, staff was able to identify a few patterns
32 in how these types of facilities were defined; the following summary of that research is provided:

- 33
- 34 • Bars/Taverns were described for what they were NOT in many cases. For example, some
35 communities said a bar/tavern was *not* a place for live entertainment, and was *not* a place for
36 night club activities.
 - 37 • The definitions did not specify what type of alcohol could be served (wine/beer, 3.2 beer, etc.),
38 rather it was simply stated that such establishments served alcohol. Staff looking into the state
39 licensing guidelines for liquor and since there are so many types of liquor licenses it does not
40 seem prudent to specifically define the type of liquor license that is available to a facility. It
41 seems that should be determined by the business operations, and if applicable, the number of
42 liquor licenses permitted within a community by ordinance.
 - 43 • Most definitions included some reference to food service, and that most Bar and Tavern uses
44 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.

City Planner Haskamp stated 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.

City Planner Haskamp requested direction from the Council with respect to the proposed language.

Mayor Carr stated it is a good idea to put the uses together and only allow them in the General Business District.

1 Mayor Carr opened the public hearing at 7:44 p.m.

2
3 Mr. Steve Bohnen, 9224 60th Street, came forward and stated he was confused about the 3.2 liquor
4 license designation as the previous business did have a strong liquor license. He added he does not
5 see any change in the use and has no issue with a full service bar being his neighbor.

6
7 Mayor Carr closed the public hearing at 7:46 p.m.

8
9 Mayor Carr stated there has been hard liquor at that location for quite some time but there was never a
10 CUP.

11
12 Council Member Huber added he sees no impact with the change in definition and it is a good
13 opportunity to clean up the ordinance and use.

14
15 **Council Member Huber moved to approve Text Amendment Application for Definition of**
16 **Tavern or Bar, as presented. Council Member Lobin seconded the motion. Motion carried**
17 **unanimously.**

18
19 **PUBLIC HEARING, Consideration of CUP Application, Cozzies Tavern, 11540 60th Street –**
20 City Planner Haskamp advised the Applicant is proposing to open a bar and tavern in the existing
21 structure on the site. For many years the subject property has been used as a bar and to the best of
22 staff's information, was last operated as the Windy Acres Saloon. Approximately a year ago the
23 Windy Acres Saloon was closed and the business and property were marketed for sale. In the last year
24 the realtor representing the Windy Acres owner contacted the City offices to find out if there was an
25 existing CUP on the property, and to determine what process would be necessary for a new owner to
26 open and operate a similar facility. City and County records were reviewed and no CUP was found
27 for the previous operations. Since the building and site were for-sale and there was not a CUP on
28 record, it was determined that since the new owner would likely not just continue the business of
29 Windy Acres, but would instead open a new business, that any new owner would need to acquire a
30 CUP from the City and go through the necessary CUP review process.

31
32 The Applicant, Cozzie's Holding LLC (Chris and Jenifer Cosgrove), recently purchased the property
33 and the bar facilities with the plan to open a new Bar and Tavern to be known as "Cozzie's Tavern
34 and Grill" (hereafter referred to as "Cozzie's"). The proposed operations would be similar to the
35 previous operations, including use of the facilities and grounds but would include an expanded food
36 offering and eventual improvements to the outdoor uses (see subsequent sections and applicant's
37 narrative for further detail.) As proposed, an amendment to the definition of Bar or Tavern in the
38 City's ordinance would be necessary to accommodate the proposed operations described in the
39 narrative, and the Applicants have made a concurrent application to amend the text of the zoning
40 ordinance to accommodate that request.

41
42 City Planner Haskamp reviewed the application and project summary in detail noting that prior to the
43 Applicant acquiring the property, the previous owner worked with Washington County
44 Environmental Services to install a new septic system that would serve a bar/tavern user. Staff
45 contacted WCES and their permit and correspondence related to the installation of a new ISTS is

1 provided for your review and reference. Other than WCES, the Applicant will be required to obtain
2 all necessary permits to operate a bar/tavern on the subject site. No other agencies are involved at this
3 time since no alterations to the site, or significant operational changes are proposed at this time.
4

5 City Planner Haskamp stated staff has placed the corresponding text amendment application before
6 this application for CUP on the December agenda so a recommendation and decision can be made
7 with respect to amending the definition of Tavern/Bar first. If the Council determines amending the
8 definition of Tavern/Bar is consistent with the goals and objectives for the GB zoning district, then
9 the proposed use (Cozzie’s) could be deemed consistent with the newly defined Tavern/Bar
10 depending on the City Council’s recommended language.
11

12 City Planner Haskamp added that additionally, staff would request, at a minimum, additional
13 information and detail from the Applicant including the following in order to prepare a draft permit, if
14 directed by the Council:
15

- 16 ■ Updated and scalable site plan which identifies the following:
 - 17 ○ Parking lot area including number of stalls, drive aisles, and ADA accessible stall
18 location and quantity.
 - 19 ○ Proposed outdoor patio plan, if Applicant wishes to have this activity permitted within
20 the CUP
- 21 ■ Either a plan for upgrading the parking lot to a dustless surface (asphalt/concrete/etc.), or other
22 solution deemed acceptable by the City Council
- 23 ■ Exterior Lighting Plan – information and detail regarding lighting plan, whether affixed to the
24 building, lighting of the sign, or parking lot should be provided for review and consideration.
- 25 ■ Additional detail regarding planned outdoor operations and activities associated with the
26 “Spring Patio Plan” as referenced within the submitted materials.
27

28 City Planner Haskamp requested input from the Council regarding some of the following items which
29 would be memorialized in the conditions of a CUP, if directed:
30

- 31 ■ The proposed hours of operation seem reasonable for indoor operations. Staff would like
32 feedback from the Council regarding outdoor operations. For example, the recently approved
33 supper club was restricted to dusk or 10 pm, whichever occurred first, for all outdoor service
34 and recreational activities.
- 35 ■ City Council direction on parking lot surface material.
- 36 ■ Outdoor plans – how much detail with respect to the outdoor activities is desired by the
37 Council? Or, if no plan is submitted, should a condition be added to the CUP that any outdoor
38 expansion, including installation of a patio, will require an amendment to the permit?
- 39 ■ Any other concerns?
40

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

- 1 ▪ Resolution of Approval and Conditional Use Permit
- 2 ▪ Resolution of Denial with Findings

3
4 Mayor Carr stated this was an existing business for quite some time which is different that a new
5 business. He indicated he does not see a need to pave the parking lot but there will have to be
6 handicapped parking installed.

7
8 Council Member Lanoux inquired about the parking lot lighting being cast down and height limit.
9 City Planner Haskamp advised the city does have exterior standards for lighting as well as a section of
10 the code that relatings to limits in height at 25 feet as well as other lighting requirements. There will
11 be language in the draft CUP that includes refers to lighting and meeting the City ordinance.

12
13 Council Member Huber stated there is no footprint change but he does need more information on the
14 patio plans, noise levels, entertainment plan, and parking.

15
16 Mayor Carr opened the pubic hearing at 8:10 p.m.

17
18 Mr. Steve Bohnen, 9224 60th Street, came forward and stated he hopes the septic system is in place
19 now and is the right system. The music inside the building has never been a problem but music
20 outside could be as the neighborhood is very sensitive to noise. If amplified music is allowed they
21 should identify how many times a year that will occur as well as the ending time. He suggested
22 enough lighting be installed for the safety of the patrons as it is very dark there. He inquired about the
23 number of ADA parking stalls would be required and stated he doesn't believe the lot should have to
24 be paved.

25
26 Mayor Carr closed the public hearing at 8:14 p.m.

27
28 After discussion, it was the consensus of the Council that a gravel parking lot is acceptable with the
29 addition of ADA parking, a lighting plan should be submitted as well as patio plans.

30
31 Mr. Chris Cosgrove, applicant, came forward and stated the patio will be a small area with 10-12
32 tables, nice landscaping and subdued music. He will request that some the events held there include
33 amplified music. A galvanized down light will be on the business sign.

34
35 Council Member Huber requested the applicant work with staff to include everything he wants within
36 the CUP. There will be a lot of questions about what is being done with the outdoor space.

37
38 Mayor Carr added that additional screening should be included as well as a statement relating to no
39 further expansion.

1 This item will appear on the regular Council agenda Tuesday, January 5, 2016.

2 **Consideration of Meridian Amended CUP Application (continuation), 11400 Julianne Avenue**
3 **North** – City Planner Haskamp stated at the regular November City Council meeting Meridian
4 Behavioral Health, LLC (“Meridian” or “Applicant”) provided additional background as requested by
5 the City Council during the October City Council meeting and public hearing. After some discussion,
6 some additional information and clarification was sought by the City Council from the Applicant.

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

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

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

20 City Planner Haskamp stated that additionally, staff has prepared an updated draft permit based upon
21 the discussion at the meeting which is attached for Council review and consideration. The updated
22 permit includes some of the recommendations made by Meridian to more accurately reflect the
23 process and procedures at the facility, recommendations and changes as directed by the Council at the
24 November meeting, and some small editing/clean-up changes.

25

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

28

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

31

32 Mayor Carr stated he does appreciate the work that was done on this application. The issue for him
33 was compliance for twelve consecutive months prior to a building permit being issued for expansion.
34 Staff determines if there is non-compliance. The other issue was further expansion that has been
35 addressed.

1 City Planner Haskamp explained the concern was that a complaint would be deemed as a violation of
2 non-compliance. If operations are compliant the expansion can occur. She referred to page 5 of the
3 draft CUP relating to compliance.

4
5 Council Member Lanoux stated if there is a clear violation, the compliance time starts over. He stated
6 he does not want to make decisions for the next City Council. He suggested compliance relating to
7 future expansion should depend upon the next Council.

8
9 Acting City Attorney Sandstrom stated this Council has determined that the expansion is permissible
10 if all conditions are met. Future councils should be bound by that in fairness to the applicant.

11
12 Mayor Carr stated there is a trust issue with this as well. He asked how the City will know that sex
13 offenders are not allowed there.

14
15 Mr. Cameron Kelly, Attorney for Meridian, stated the facility has to live by all rules. There is not an
16 easy way to verify sex offenders being there. Most small communities are complaint driven.

17
18 Council Member Lanoux stated the City does not have the ability to monitor the facility with only one
19 employee.

20
21 Mr. Kelly stated the City will not have any idea who is there and federal law prohibits providing that
22 type of information.

23
24 Mayor Carr referred to the notification of neighbors requirements and stated he does not think texting
25 is the best method.

26
27 Council Member Huber stated the notification system is open to anyone that wants to be on the list.
28 Texting is an accepted technology and is the most efficient way to notify citizens.

29
30 Council Member Sederstrom asked about a option to opt out of texting for older individuals that want
31 notification another way.

32
33 Mr. Kelly explained they did look into other systems and many include a que that may not allow
34 notifications to go out right away. They wanted the best system to notify the biggest number of
35 people. There will be over 100 subscribers.

36
37 Council Member Lobin added that texting is the best way to go. If someone has a neighbor that does
38 not text they can share the information. The notification process was discussed in detail at the last
39 meeting.

1
2 **Mayor Carr moved to approve Meridian Amended CUP Application, as amended. Council**
3 **Member Lobin seconded the motion. Motion carried with Council Member Lanoux and**
4 **Sederstrom voting nay.**

5
6 **City Attorney, Nick Vivian (no action items)**

7
8 **NEW BUSINESS**

9
10 November 3, 2015 City Council Meeting Minutes (Lanoux and Sederstrom abstain) – Council
11 **Member Huber moved to approve November 3, 2015 City Council Meeting Minutes, as**
12 **presented. Council Member Lobin seconded the motion. Motion carried with Council Member**
13 **Lanoux and Sederstrom abstaining.**

14
15 **Consideration of Resolution No. 2015-20, Final City Budget for 2016 – City Treasurer Schwarze**
16 **advised Resolution No. 2015-20 approves the 2016 Final Budget in the amount of \$1,386,006.00.**

17
18 **Mayor Carr moved to adopt Resolution No. 2015-20, as presented. Council Member Huber**
19 **seconded the motion. Motion carried with Council Member Lanoux and Sederstrom voting**
20 **nay.**

21
22 **Consideration of Resolution No. 2015-21, Establishing Final Levy Certification – City Treasurer**
23 **Schwarze advised Resolution No. 2015-21 approves the 2016 Levy Certification in the amount of**
24 **\$1,096,856.00.**

25
26 **Mayor Carr moved to adopt Resolution No. 2015-21, as presented. Council Member Lobin**
27 **seconded the motion. Motion carried with Council Member Lanoux voting nay.**

28
29 **Consideration of Resolution No. 2015-22, Mogrow Inc. 2016 Liquor License – Council Member**
30 **Huber moved to adopt Resolution No. 2015-22, as presented. Council Member Lobin seconded**
31 **the motion. Motion carried unanimously.**

32
33 **Consideration of Resolution No. 2015-23, Gasthaus Bavarian 2016 Liquor License – Council**
34 **Member Huber moved to adopt Resolution No. 2015-23, as presented. Council Member**
35 **Lanoux seconded the motion. Motion carried unanimously.**

36
37 **Consideration of Resolution No. 2015-24, Applewood Hills, LLC 2016 Liquor License - Council**
38 **Member Huber moved to adopt Resolution No. 2015-24, as presented. Council Member**
39 **Lanoux seconded the motion. Motion carried unanimously.**

40
41 **Consideration of Resolution No. 2015-25, Nicholson-Stillwater Oaks, LLC 2016 Liquor License**
42 **- Council Member Huber moved to adopt Resolution No. 2015-25, as presented. Council**
43 **Member Lobin seconded the motion. Motion carried unanimously.**

1 **Consideration of Resolution No. 2015-26, Loggers Trail Golf Club 2016 Liquor License -**
2 **Council Member Huber moved to adopt Resolution No. 2015-26, as presented. Council**
3 **Member Lobin seconded the motion. Motion carried unanimously.**

4
5 **Consideration of Resolution No. 2015-27, Cozzie's Tavern Inc. 2016 Liquor License - Council**
6 **Member Huber moved to adopt Resolution No. 2015-27, as presented. Council Member Lobin**
7 **seconded the motion. Motion carried unanimously.**

8
9 **Consideration of Resolution No. 2015-28, Dellwood Barn Weddings, LLC 2016 Liquor License -**
10 **Council Member Huber moved to adopt Resolution No. 2015-28, as presented. Council**
11 **Member Lobin seconded the motion.**

12
13 Council Member Lanoux stated the liquor license for Dellwood Barn Weddings should not be
14 approved as they were waiting for one year of compliance and the neighbors have not been notified of
15 the application.

16
17 Mayor Carr advised the business is closed right now. The applicant withdrew the license application
18 last spring and one season has gone by. Notifications are not required for liquor licenses.

19
20 Council Member Huber stated the wedding barn has always served alcohol during events. It was
21 served by an outside vendor. He advised he has been to the venue and from his perspective they are
22 running a good operation. The liquor license actually puts more liability on them.

23
24 Mr. Steve Bohnen came forward and stated the owner would like to have more control over who is
25 being served alcohol. The license will actually improve the safety of the facility.

26
27 **Motion carried with Council Member Lanoux and Sederstrom voting nay.**

28
29 **Consideration of Resolution No. 2015-18, Summary Publication of Ordinance No. 2015-41 -**
30 **Council Member Huber moved to adopt Resolution No. 2015-18, as presented. Council**
31 **Member Lobin seconded the motion. Motion carried unanimously.**

32
33 **Consideration of Resolution No. 2015-19, Summary Publication of Ordinance No. 2015-42 -**
34 **Council Member Lobin moved to adopt Resolution No. 2015-19, as presented. Council Member**
35 **Huber seconded the motion. Motion carried unanimously.**

36
37 **Consideration of Resolution No. 2015-29, Summary Publication of Ordinance No. 2015-43 -**
38 **Council Member Huber moved to adopt Resolution No. 2015-29, as presented. Council**
39 **Member Sederstrom seconded the motion.**

40
41 Council Member Sederstrom stated he does not care who makes the second to the motion as long as it
42 passes.

43
44 Council Member Lanoux stated citizens should see the entire document.

45

1 **Motion carried with Council Member Lanoux voting nay.**

2
3 **UNFINISHED BUSINESS**

4
5 There was no unfinished business.

6
7 **DISCUSSION ITEMS**

8
9 **City Council Reports:**

10
11 Mayor Carr suggested the City look at a sex offender ordinance at the next meeting. It was the
12 consensus of the Council that would be included on the agenda for discussion.

13
14 Council Member Lanoux suggested the City look at fire protection in Grant and extending Stillwater
15 coverage within the City. He stated he wants to be in the Stillwater Department coverage area. The
16 Mahtomedi Fire Department did not utilize the dry hydrant and they won't ever use it. That does
17 affect insurance rates for residents. He stated he would also like to address maintenance of the dry
18 hydrant as well as the installation of a dock.

19
20 Council Member Huber referred to the letter from Mahtomedi Fire Chief that provided the
21 information relating to use of the dry hydrant. He would be interested in knowing who said the
22 Department would not every use it. He stated the intake level is 8 feet from the bottom. A dry
23 hydrant is not made to fill trucks. The Mahtomedi Fire Department flushes the hydrant.

24
25 It was the consensus of the Council that Fire Protection in Grant would be on the next Council agenda
26 for discussion.

27
28 Council Member Sederstrom noted he received a complaint relating to the parking issue by the dance
29 school.

30
31 **Staff Updates:**

32
33 There were no staff updates.

34
35 **COMMUNITY CALENDAR DECEMBER 2 THROUGH DECEMBER 31, 2015:**

36
37 **Mahtomedi Public Schools Board Meeting, Thursday, December 10th, 2015, Mahtomedi District**
38 **Education Center, 7:00 p.m.**

39 **Stillwater Public Schools Board Meeting, Thursday, December 10th, 2015, Stillwater City Hall,**
40 **7:00 p.m.**

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

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

1 **ADJOURN**

2

3 **Council Member Huber moved to adjourn at 9:35 p.m. Council Member Lobin seconded the**
4 **motion. Motion carried unanimously.**

5

6

7

8 These minutes were considered and approved at the regular Council Meeting January 5, 2016.

9

10

11

12

13 _____
Kim Points, Administrator/Clerk

Tom Carr, Mayor

14

15

DRAFT

City of Grant

Disbursements List

12/29/2015

Date range: 11/30/2015 to 12/29/2015

| <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 12/31/2015 | 12/28/2015 | 12954 | \$3,341.41 | | No | 100-41101-100 | \$3,341.41 |
| Xcel Energy | 12/28/2015 | 12955 | \$413.17 | Utilities | No | 100-43004-381 | \$208.04 |
| | | | | | | 100-43010-381 | \$160.44 |
| | | | | | | 100-43117-381 | \$44.69 |
| CenturyLink | 12/28/2015 | 12956 | \$105.15 | City Phone | No | 100-41309-321 | \$105.15 |
| Washington County Property Records | 12/28/2015 | 12957 | \$6,134.00 | Special Election | No | 100-41211-300 | \$6,134.00 |
| Todd Smith | 12/28/2015 | 12958 | \$1,991.92 | Monthly Assessment Services | No | 100-41208-300 | \$1,991.92 |
| AirFresh Industries | 12/28/2015 | 12959 | \$125.00 | PortaPot #21638 | No | 100-43007-210 | \$125.00 |
| KEJ Enterprises | 12/28/2015 | 12960 | \$9,000.00 | December 2015 Road Contractor | No | 100-41306-300 | \$166.14 |
| | | | | | | 100-42006-300 | \$83.00 |
| | | | | | | 100-43006-300 | \$125.00 |
| | | | | | | 100-43009-300 | \$125.00 |
| | | | | | | 100-43105-300 | \$167.00 |
| | | | | | | 100-43106-300 | \$20.84 |
| | | | | | | 100-43107-300 | \$41.67 |
| | | | | | | 100-43110-300 | \$83.84 |
| | | | | | | 100-43111-300 | \$20.84 |
| | | | | | | 100-43113-300 | \$5,416.67 |
| | | | | | | 100-43114-300 | \$2,250.00 |
| | | | | | | 100-43115-300 | \$500.00 |
| Pioneer Press | 12/28/2015 | 12961 | \$132.60 | Legals | No | 905-41308-304 | \$132.60 |
| Waste Management | 12/28/2015 | 12962 | \$4,140.36 | Recycling | No | 100-43011-384 | \$4,140.36 |
| Ken Ronnan | 12/28/2015 | 12963 | \$68.25 | Video Tech Services | No | 100-41318-100 | \$68.25 |
| Halogen Web Studio | 12/28/2015 | 12964 | \$616.62 | Domain Name/Updates/Upgrades | No | 100-41312-320 | \$616.62 |
| League of MN Cities Insurance Trust | 12/28/2015 | 12965 | \$466.00 | Inv#31105/Workman's Comp | No | 100-41302-361 | \$466.00 |
| WSB & Associates | 12/28/2015 | 12966 | \$877.00 | Engineering | No | 100-41203-300 | \$346.00 |
| | | | | | | 100-43125-300 | \$321.00 |
| | | | | | | 100-43130-300 | \$77.00 |
| | | | | | | 867-49310-300 | \$133.00 |
| Eckberg Lammers | 12/28/2015 | 12967 | \$6,704.86 | Legal Services | No | 100-41204-300 | \$3,212.50 |
| | | | | | | 100-41205-300 | \$1,657.50 |
| | | | | | | 100-41206-300 | \$1,589.86 |

City of Grant

Disbursements List

12/29/2015

| <u>Vendor</u> | <u>Date</u> | <u>Check #</u> | <u>Total</u> | <u>Description</u> | <u>Void</u> | <u>Account #</u> | <u>Detail</u> |
|----------------------------------|-------------|----------------|--------------------|--------------------|-------------|------------------|--------------------|
| Croix Valley Inspector | 12/28/2015 | 12968 | \$19,950.00 | Building Inspector | No | 902-49310-300 | \$157.50 |
| Sprint | 12/28/2015 | 12969 | \$32.34 | City Cell Phone | No | 906-49310-300 | \$87.50 |
| Petty Cash | 12/28/2015 | 12970 | \$200.00 | Postage/Supplies | No | 100-42004-300 | \$19,950.00 |
| Kline Bros Excavating | 12/28/2015 | 12971 | \$3,035.00 | Road Maintenance | No | 100-43116-321 | \$32.34 |
| SHC, LLC | 12/28/2015 | 12972 | \$3,076.00 | Planning | No | 100-41310-210 | \$100.00 |
| | | | | | | 100-41313-210 | \$100.00 |
| PERA | 12/28/2015 | 12973 | \$643.61 | PERA | No | 100-43101-300 | \$2,760.00 |
| | | | | | | 100-43108-300 | \$275.00 |
| | | | | | | 100-41209-300 | \$1,756.00 |
| | | | | | | 905-49310-300 | \$264.00 |
| | | | | | | 906-49310-300 | \$360.00 |
| | | | | | | 907-49310-300 | \$288.00 |
| | | | | | | 908-49310-300 | \$408.00 |
| Buildtec Contracting | 12/28/2015 | 12974 | \$542.00 | COC Escrow Refund | No | 100-41102-120 | \$344.79 |
| SHC, LLC | 12/28/2015 | 12975 | \$336.00 | Planning | No | 100-41113-100 | \$298.82 |
| IRS | 12/28/2015 | EFT71 | \$1,113.77 | Payroll Taxes | No | 908-49310-810 | \$542.00 |
| | | | | | | 902-49310-300 | \$336.00 |
| | | | | | | 100-41103-100 | \$351.69 |
| | | | | | | 100-41107-100 | \$410.39 |
| | | | | | | 100-41110-100 | \$285.03 |
| | | | | | | 100-41112-100 | \$66.66 |
| Total For Selected Checks | | | \$63,045.06 | | | | \$63,045.06 |



LIABILITY COVERAGE – WAIVER FORM

LMCIT members purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage. Please return the completed form to your underwriter or email to pstech@lmc.org

This decision must be made by the member's governing body every year. You may also wish to discuss these issues with your attorney.

League of Minnesota Cities Insurance Trust (LMCIT) members that obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits apply regardless of whether the city purchases the optional excess liability coverage.
- *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$2,000,000 for a single occurrence. (Under this option, the tort cap liability limits are waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2 million.) The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name

Check one:

- The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.
- The member **WAIVES** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04 to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council/governing body meeting _____

Signature _____ Position _____

LG214 Premises Permit Application

Annual Fee \$150 (NON-REFUNDABLE)

REQUIRED ATTACHMENTS TO LG214

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to "**State of Minnesota**."

Mail the application and required attachments to:

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

Questions? Call 651-539-1900 and ask for Licensing.

ORGANIZATION INFORMATION

Organization Name: American Legion Post 491 License Number: 00467-020

Chief Executive Officer (CEO) Richard Eder Daytime Phone: 651-439-5463

Gambling Manager: Marion Coffman Daytime Phone: 651-491-2418

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: Cozzie's Tavern & Grill

List any previous names for this location:

Windy Acres

Street address where premises is located: 11154 60th St. N
(Do not use a P.O. box number or mailing address.)

| | | |
|--|---------------------------|------------------------|
| City: OR Township: <u>Grant</u> | County: <u>Washington</u> | Zip Code: <u>55082</u> |
|--|---------------------------|------------------------|

Does your organization own the building where the gambling will be conducted?

Yes No **If no, attach LG215 Lease for Lawful Gambling Activity.**

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site? Yes No Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? Yes No Don't know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: 1St State Bank & Trust Bank Account Number: 49-70047

Bank Street Address: 950 N. HWY 95 City: Bayport State: **MN** Zip Code: 55003

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

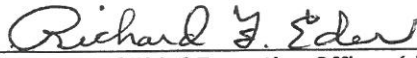
| Address (Do not use a P.O. box number): | City: | State: | Zip Code: |
|---|-------------------|-----------|--------------|
| <u>350 St. Croix Trail N.</u> | <u>Lakeland</u> | MN | <u>55043</u> |
| <u>5710 Memorial Ave. N.</u> | <u>Stillwater</u> | MN | <u>55082</u> |
| _____ | _____ | MN | _____ |

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

| CITY APPROVAL for a gambling premises located within city limits | COUNTY APPROVAL for a gambling premises located in a township |
|--|--|
| City Name: _____ | County Name: _____ |
| Date Approved by City Council: _____ | Date Approved by County Board: _____ |
| Resolution Number: _____ (If none, attach meeting minutes.) | Resolution Number: _____ (If none, attach meeting minutes.) |
| Signature of City Personnel: _____ | Signature of County Personnel: _____ |
| Title: _____ Date Signed: _____ | Title: _____ Date Signed: _____ |
| <p>Local unit of government must sign.</p> | <p>TOWNSHIP NAME: _____</p> <p>Complete below only if required by the county. On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)</p> <p>Print Township Name: _____</p> <p>Signature of Township Officer: _____</p> <p>Title: _____ Date Signed: _____</p> |

ACKNOWLEDGMENT AND OATH

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises. 2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law. 3. I have read this application and all information submitted to the Board is true, accurate, and complete. 4. All required information has been fully disclosed. 5. I am the chief executive officer of the organization. | <ol style="list-style-type: none"> 6. I assume full responsibility for the fair and lawful operation of all activities to be conducted. 7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them. 8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect. 9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license. 10. I understand the fee is non-refundable regardless of license approval/denial. |
|--|---|

| | |
|---|-----------------|
|  | <p>12/15/15</p> |
| <p>Signature of Chief Executive Officer (designee may not sign)</p> | <p>Date</p> |

| | | |
|--|--|--|
| <p>Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public</p> | <p>information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;</p> | <p>Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.</p> |
|--|--|--|

This form will be made available in alternative format, i.e. large print, braille, upon request.

LG215 Lease for Lawful Gambling Activity

LEASE INFORMATION

| | | |
|---|--|---------------------------------------|
| Organization: American Legion Post 491 | License/Site Number: 00467-020 | Daytime Phone: 651-439-5463 |
| Address: 263 N.3rd St. | City: Bayport | State: Zip: MN 55003 |
| Name of Leased Premises: Cozzie's Tavern & Grill | Street Address: 11154 60th St. N. | |
| City: Grant | State: Zip: MN 55082 | Daytime Phone: |
| Name of Legal Owner: <i>Cozzie's Tavern Inc.</i> | Business/Street Address: <i>818 Pine St. W.</i> | |
| City: <i>Stillwater</i> | State: Zip: <i>MN 55082</i> | Daytime Phone: <i>941-330-5964</i> |
| Name of Lessor (if same as legal owner, write "SAME"): <i>same</i> | Address: | |
| City: | State: Zip: | Daytime Phone: |

Check applicable item:

New or amended lease. Effective date: Feb. 1, 2016. Submit changes at least ten days **before** the effective date of the change.

New owner. Effective date: _____. Submit new lease **within** ten days after new lessor assumes ownership.

CHECK ALL ACTIVITY THAT WILL BE CONDUCTED (no lease required for raffles)

| | |
|--|---|
| <input checked="" type="checkbox"/> Pull-Tabs (paper) | <input checked="" type="checkbox"/> Electronic Pull-Tabs |
| <input type="checkbox"/> Pull-Tabs (paper) with dispensing device | <input checked="" type="checkbox"/> Electronic Linked Bingo |
| <input type="checkbox"/> Bar Bingo <input type="checkbox"/> Bingo | Electronic games may only be conducted: |
| <input type="checkbox"/> Tipboards | 1. at a premises licensed for the on-sale of intoxicating liquor or the on-sale of 3.2% malt beverages; or |
| <input type="checkbox"/> Paddlewheel <input type="checkbox"/> Paddlewheel with table | 2. at a premises where bingo is conducted as the primary business and has a seating capacity of at least 100. |

PULL-TAB, TIPBOARD, AND PADDLEWHEEL RENT (separate rent for booth and bar ops)

BOOTH OPERATION: Some or all sales of gambling equipment are conducted by an employee/volunteer of a licensed organization at the leased premises.

ALL GAMES, including electronic games: Monthly rent to be paid: 10%, not to exceed **10%** of gross profits for that month.

- Total rent paid from all organizations for only booth operations at the leased premises **may not exceed \$1,750.**
- The rent cap does not include BAR OPERATION rent for electronic games conducted by the lessor.

BAR OPERATION: All sales of gambling equipment conducted by the lessor or lessor's employee.

ELECTRONIC GAMES: Monthly rent to be paid: 15%, not to exceed **15%** of the gross profits for that month from electronic pull-tab games and electronic linked bingo games.

ALL OTHER GAMES: Monthly rent to be paid: _____%, not to exceed **20%** of gross profits from all other forms of lawful gambling.

- If any booth sales conducted by a licensed organization at the premises, rent may not exceed **10%** of gross profits for that month and is subject to booth operation **\$1,750** cap.

BINGO RENT (for leased premises where bingo is the primary business conducted, such as bingo hall)

Bingo rent is limited to one of the following:

- Rent to be paid: _____%, not to exceed **10%** of the monthly gross profit from all lawful gambling activities held during bingo occasions, excluding bar bingo.
- OR -
- Rate to be paid: \$ _____ per square foot, not to exceed 110% of a comparable cost per square foot for leased space, as approved by the director of the Gambling Control Board. The lessor must attach documentation, verified by the organization, to confirm the comparable rate and all applicable costs to be paid by the organization to the lessor.
 - ⇒ **Rent may not be paid for bar bingo.**
 - ⇒ Bar bingo does not include bingo games linked to other permitted premises.

LEASE TERMINATION CLAUSE (must be completed)

The lease may be terminated by either party with a written 60 day notice. Other terms:

LG215 Lease for Lawful Gambling Activity

Lease Term: The term of this agreement will be concurrent with the premises permit issued by the Gambling Control Board (Board).

Management: The owner of the premises or the lessor will not manage the conduct of lawful gambling at the premises. The organization may not conduct any activity on behalf of the lessor on the leased premises.

Participation as Players Prohibited: The lessor will not participate directly or indirectly as a player in any lawful gambling conducted on the premises. The lessor's immediate family and any agents or gambling employees of the lessor will not participate as players in the conduct of lawful gambling on the premises, except as authorized by Minnesota Statutes, Section 349.181.

Illegal Gambling: The lessor is aware of the prohibition against illegal gambling in Minnesota Statutes 609.75, and the penalties for illegal gambling violations in Minnesota Rules 7865.0220, Subpart 3. In addition, the Board may authorize the organization to withhold rent for a period of up to 90 days if the Board determines that illegal gambling occurred on the premises or that the lessor or its employees participated in the illegal gambling or knew of the gambling and did not take prompt action to stop the gambling. Continued tenancy of the organization is authorized without payment of rent during the time period determined by the Board for violations of this provision, as authorized by Minnesota Statutes, Section 349.18, Subd. 1(a).

To the best of the lessor's knowledge, the lessor affirms that any and all games or devices located on the premises are not being used, and are not capable of being used, in a manner that violates the prohibitions against illegal gambling in Minnesota Statutes, Section 609.75.

Notwithstanding Minnesota Rules 7865.0220, Subpart 3, an organization must continue making rent payments under the terms of this lease, if the organization or its agents are found to be solely responsible for any illegal gambling, conducted at this site, that is prohibited by Minnesota Rules 7861.0260, Subpart 1, item H, or Minnesota Statutes, Section 609.75, unless the organization's agents responsible for the illegal gambling activity are also agents or employees of the lessor.

The lessor must not modify or terminate the lease in whole or in part because the organization reported, to a state or local law enforcement authority or to the Board, the conduct of illegal gambling activity at this site in which the organization did not participate.

Other Prohibitions: The lessor will not impose restrictions on the organization with respect to providers (distributor or linked bingo game provider) of gambling-related equipment and services or in the use of net profits for lawful purposes.

The lessor, the lessor's immediate family, any person residing in the same residence as the lessor, and any agents or employees of the lessor will not require the organization to perform any action that would violate statute or rule. The lessor must not modify or terminate this lease in whole or in part due to the lessor's violation of this provision. If there is a dispute as to whether a violation occurred, the lease will remain in effect pending a final determination by the Compliance Review Group (CRG) of the Board. The lessor agrees to arbitration when a violation of this provision is alleged. The arbitrator shall be the CRG.

Access to Permitted Premises: Consent is given to the Board and its agents, the commissioners of revenue and public safety and their agents, and law enforcement personnel to enter and inspect the permitted premises at any reasonable time during the business hours of the lessor. The organization has access to the premises during any time reasonable and when necessary for the conduct of lawful gambling.

Lessor Records: The lessor must maintain a record of all money received from the organization, and make the record available to the Board and its agents, and the commissioners of revenue and public safety and their agents upon demand. The record must be maintained for 3-1/2 years.

Rent All-Inclusive: Amounts paid as rent by the organization to the lessor are all-inclusive. No other services or expenses provided or contracted by the lessor may be paid by the organization, including but not limited to:

- trash removal
- electricity, heat
- snow removal
- storage
- janitorial and cleaning services
- other utilities or services
- lawn services
- security, security monitoring
- cost of any communication network or service required to conduct electronic pull-tabs games or electronic bingo
- in the case of bar operations, cash shortages.

Any other expenditures made by an organization that is related to a leased premises must be approved by the director of the Board. Rent payments may not be made to an individual.

ACKNOWLEDGMENT OF LEASE TERMS

I affirm that this lease is the total and only agreement between the lessor and the organization, and that all obligations and agreements are contained in or attached to this lease and are subject to the approval of the director of the Gambling Control Board.

Other terms of the lease:

Signature of Lessor:

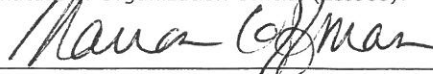
Date:



12/14/15

Signature of Organization Official (Lessee):

Date:



12/14/15

Print Name and Title of Lessor:

Chris Cosgrove owner

Print Name and Title of Lessee:

Marion Coffman

Questions? Contact the Licensing Section, Gambling Control Board, at 651-539-1900. This publication will be made available in alternative format (i.e. large print, braille) upon request. **Data privacy notice:** The information requested on this form and any attachments will become public information when received by the Board, and will be used to determine your compliance with Minnesota statutes and rules governing lawful gambling activities.

Posting date: 1/6/16

Jurisdiction Name: Grant

NOTICE

2016 Pay Equity Report

This jurisdiction is submitting a pay equity implementation report to Minnesota Management & Budget as required by the Local Government Pay Equity Act, Minnesota Statutes 471.991 to 471.999. The report must be submitted to the department by January 31, 2016.

The report is public data under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. That means that the report is available to anyone requesting this information.

This notice is being sent to all union representatives (if any) in this jurisdiction. In addition, this notice must remain posted in a prominent location for at least 90 days from the date the report was submitted.

For more information about this jurisdiction's pay equity program, or to request a copy of the implementation report, please contact:

City Office
Willernie, MN 55090
651-426-3383
(local contact person's name, address, telephone)

For more information about the state pay equity law, you may contact:

pay.equity@state.mn.us

Pay Equity Office
Minnesota Management & Budget
400 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2016-03**

**RESOLUTION APPROVING AN AMENDED CONDITIONAL USE PERMIT FOR
A CHEMICAL DEPENDENCY RESIDENTIAL TREATMENT FACILITY
(CEDAR RIDGE OPERATED BY MERIDIAN BEHAVIORAL HEALTH)**

WHEREAS, Meridian Behavioral Health, LLC (“Applicant”) has submitted an application for an Amended Conditional Use Permit to construct a new building and expand the number of client-beds at the Cedar Ridge Residential Treatment Facility (“Cedar Ridge”) located at 11400 Julianne Avenue North in the City of Grant, Minnesota; and

WHEREAS, the subject property has been used for a chemical dependency residential treatment facility since the original special use permit was granted in 1971 which has been subsequently amended from time-to-time; and

WHEREAS, the Applicant acquired and began managing the Cedar Ridge facility in 2007 and determined after several years of operation that a new facility would better meet the needs of their clients, and

WHEREAS, the Applicant requested consideration to replace the existing facilities which currently serve up to 36 client beds with a new building to serve a maximum of 50 client beds; and

WHEREAS, the City Council has considered the Applicant’s request at a duly noticed Public Hearing which took place on October 6, 2015 and subsequently considered the application at the regular meetings on October 6, November 3, and December 1, 2015.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of Meridian Behavioral Health, LLC for an Amended Conditional Use Permit, based upon the following findings pursuant to Section 32-147 of the City’s Zoning Ordinance which provides that a Conditional Use Permit may be granted “if the applicant has

proven to a reasonable degree of certainty” that specific standards are met. The City Council’s Findings relating to the standards are as follows:

- Medical uses are designated in Section 32-245, table of uses, as a conditional use for the Agricultural A1 zoning district.
- The use conforms to the city’s comprehensive plan, and maintains large lot sizes in compliance with the guided land used designation.
- The use has been on the subject property since 1971, and the amendment does not alter or modify the current use which was most recently permitted in the amended 1997 CUP.
- The modifications at the site and facility will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood if conditions of the permit are met.
- The use meets conditions or standards adopted by the city (through resolutions or other ordinances).
- The use will not create additional requirements for facilities and services at public cost beyond the city’s normal low density residential and agricultural uses provided the conditions of the permit are met.
- The use will not result in the destruction, loss or damage of natural, scenic, or historic features of importance.
- The use will not increase flood potential or create additional water runoff onto surrounding properties provided conditions of the permit are met.

FURTHER BE IT RESOLVED that the following conditions of approval of the Conditional Use Permit shall be met:

1. The Applicant shall meet and comply with all of the conditions stated within the Amended Conditional Use Permit dated January 5, 2015 (the “Permit”).
2. The plan set dated July 2015 shall be updated as required within the Permit, and the revised drawings shall be made a part of the Permit. Any proposed changes, modifications or expansions beyond those demonstrated on the updated plan set may require an amendment to the Permit.
3. The Applicant shall obtain all necessary licenses and permits from Washington County, Minnesota Department of Health, Minnesota Department of Human Services, MPCA, and the United States Government which are necessary in carrying out its operations on the premises including a building permit, if applicable.
4. All escrow amounts shall be brought up to date and kept current.

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

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

Date: April 1, 1997 amended January 5, 2016

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

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

Legal Description: Attachment 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 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 security system policy including how the Owner intends to 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 (currently referred to as 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 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. 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.
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 Property Lines Policy. An up to date copy of the Property Lines Policy shall be on file with the city for record keeping at all times. The 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 a list of neighbors who wish to be notified of any elopement via text message. The neighbors shall submit their 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 text message list. The Owner shall have a method for neighbors to "subscribe" and "unsubscribe" to the notification text messages. The Owner further agrees to send the notification text message within fifteen (15) minutes of staff's discovery of the

elopement. Concurrently to the neighborhood text notification, an email copy of the notification 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.
 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 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 this permit shall be deemed in violation. 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 restarted from the date in which compliance was gained.
 - 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.
 - 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.
 - 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.
 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.
 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.
 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.
 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.
 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.

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.
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.
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.
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.
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.
13. The Owners shall submit a NPDES permit to the City prior to any construction or site activity occurring on site.
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.
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.
17. The fire sprinkler system, prior to operation, shall be inspected and approved by the State Fire Marshal.

18. The security system shall be operational prior to any clients being admitted to the new facility.
 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.
 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 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 _____, 2016, 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 _____, 2016, 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

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2016-04**

**RESOLUTION APPROVING A REQUEST FOR MINOR SUBDIVISION
(PRELIMINARY AND FINAL PLAT) AND EASEMENT VACATION AT
9651 83RD STREET NORTH, GRANT, MINNESOTA**

WHEREAS, Tom Dornack (“Applicant”) has submitted an application for a Lot Line Combination and Rearrangement, a subsection of the Minor Subdivision process, for the property located at 9651 83rd Street North in the City of Grant, Minnesota; and

WHEREAS, the Applicant has made a concurrent request to vacate certain right-of-way and utility easements which were dedicated with the previous platting of a portion of the subject property; and

WHEREAS, a portion of the subject property was previously platted into nine (9) smaller rural residential lots in the 1960s and such lot sizes no longer comply with the City’s ordinances and standards; and

WHEREAS, such non-conforming lots also include a right-of-way easement and utility easements along the lot lines; and

WHEREAS, the lot line rearrangement and combination would result in the creation of two (2) legally conforming lots, and would eliminate the non-conforming lots which were created during the previous platting process; and

WHEREAS, vacation of the right-of-way and utility easements associated with the previous non-conforming plat will clean up the legal description and encumbrances on the subject property and result in the creation of conforming lots; and

WHEREAS, the City Council for the City of Grant has considered the application and held a duly noticed public hearing at its December 1, 2015 City Council meeting;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of Tom Dornack for a lot line rearrangement and combination and vacation of certain right-of-way and utility easements as described in Chapter 30, based upon the following findings pursuant to Section 30-4 of the City's Subdivision Ordinance. The City Council's Findings relating to the standards are as follows:

- The lot line rearrangement and combination will not negatively affect the physical characteristics of the lots or the neighborhood.
- The proposed lot line rearrangement conforms to the city's comprehensive plan.
- The lots resulting from the lot line rearrangement will meet all standards and requirements for lot dimensions, and size as described in Section 32-246.
- The rearrangement will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.
- The vacation of certain right-of-way will not negatively impact access to the subject property or adjacent properties and is not a part of the City's long term transportation plan.
- The vacation of the utility easements will not negatively affect the subject property, resulting lots or adjacent properties associated with the Wake Robin Acres subdivision.

FURTHER BE IT RESOLVED that the following conditions of approval of the lot line rearrangement and combination shall be met:

- Any future development of Lots 1 and 2, Dornack Addition as described on the Final Plat shall be subject to all rules and regulations in place at the time of application, which shall include, but not be limited to lot line setbacks, wetland setbacks and accessory building standards.
- All future development of Lot 1 shall require acquisition of a building permit to construct a principal building, and Certificate of Compliance, if necessary.
- The Applicant shall submit the mylars for the final plat and any other information requested by the City Attorney to effectuate the recording of the final plat and easement vacations as approved.

Adopted by the Grant City Council this 5th day of January 2016.

Tom Carr, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2016 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this ____ day of _____, 2016.

Kim Points
Clerk
City of Grant

**COZZIE'S TAVERN AND GRILL
CONDITIONAL USE PERMIT
CITY OF GRANT**

DATE: January 5, 2016

PROPERTY OWNER/APPLICANT: Cozzie's Holding LLC

LEGAL DESCRIPTION: All that part of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 36, Township 30, Range 21, described as follows, to-wit: Commencing at the SW corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ 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 N'y at right angles to said South line a distance of 18 rods to a point; thence South at right angles for a distance of 18 rods to a point in said South line; thence West along the said South line for a distance of 145 feet to the point of beginning, Washington County, Minnesota.

ADDRESS: 11770 Dellwood Road N
Grant, MN

This is a Conditional Use Permit to allow for the operations of a Restaurant, Bar or Tavern as defined in Section 32-1 of the City's Zoning Ordinance hereafter named "Cozzie's Tavern and Grill." Any additional product lines or expansions of the business shall require an amendment to this Conditional Use Permit.

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

1. The Applicant shall submit an updated scalable site Plan reflecting all conditions of this permit, which shall be attached to and made a part of this Permit.
2. Any modifications to the updated Site Plan beyond those approved during this Application process may require an amendment to this permit.
3. The restaurant and bar indoor operations shall be limited to 11 AM to 12 AM Sunday through Thursday, and 11 AM to 1 AM Friday and Saturday.
4. The outdoor recreational facilities, as depicted on the Site Plan shall be limited to 11 AM to Dusk, but in no case shall extend beyond 10 PM.
5. No food or beverage services shall be provided to outdoor patio areas after 10 PM daily.

6. The facility shall operate in compliance with the MPCA's noise standards, including indoor and outdoor facility operations.
7. The parking lot shall be maintained, and if necessary expanded, to accommodate a minimum of 48 parking stalls, including 2 ADA compliant stalls. The building official shall verify that the existing gravel parking lot meets this requirement.
8. Two ADA compliant parking stalls shall be installed within six (6) months of approval of this permit. The Applicant shall provide a detailed grading and paving plan for such improvements to the building official and city engineer for their review and approval.
9. No new driveways or accesses to the facility are approved as part of this application. No expansion of the existing principal or accessory structure is permitted as part of this permit.
10. The Applicant shall be required to obtain all necessary building permits for any internal and external modifications.
11. The "Area for Bands" must be moved to meet all setback requirements, which shall be submitted on an updated site plan for review and approval by the City Planner and Building Official.
12. The Applicant may host amplified and acoustic bands according to the following schedule:
 - a. Amplified Music: Shall be permitted on one weekend night, Friday or Saturday, once a month in the months of June, July and August. The band shall be permitted to perform on from the designated location identified on the Site Plan. The Applicant shall notify the City Clerk/Administrator of the date in writing not less than 2-weeks in advance of the scheduled performance. All amplification shall meet the MPCA's noise standards, and shall cease no later than 10 PM.
 - b. Acoustic Music: Shall be permitted on Sundays from 3:00 to 7:00 PM. All acoustic music shall meet the MPCA's noise standards.
13. The existing pine trees and vegetative screening along the western property line shall be maintained and kept in good repair. Replacement with in-kind trees shall be planted when/if a tree dies to maintain the screening of the outdoor areas.
14. The outdoor patio areas must be constructed as identified on the Site Plan which identifies approximately 1,100 square feet of patio area, and must be constructed outside of all applicable setbacks.
15. Construction of an outdoor patio space to accommodate 40 seats is permitted after obtaining the appropriate permits, which may include: a building permit, grading permit and any other permits which may be required from the watershed district.
16. All necessary permits from Valley Branch Watershed District must be obtained prior to issuance of a grading or building permit. No wetland or marsh area may be filled for the purposes of creating the patio or band areas.
17. A copy of the septic design and permit must be kept on file with the City for record keeping.
18. All outdoor lighting must comply with the City's ordinance standards as stated within Section 32-321. Evidence that proposed lighting will meet the City's standards should be submitted for review approval of the City's building official and planner.
19. A building permit shall be obtained prior to commencing any grading or construction onsite.
20. Any future expansion of the outdoor patio areas shall require an amendment to this Permit.
21. The proposed sign submitted as part of this application meets the City's standards and regulations. Any modifications to the plan may require an amendment to this permit.

22. All required permits related to food and beverage service, including any permits related to construction of the kitchen facilities, shall be obtained from Washington County, the Minnesota Department of Health or any other regulatory authority having jurisdiction over the facility.
23. A liquor license shall be obtained prior to any operations commencing at the Bar and Tavern. Such liquor license shall be kept current in compliance with all local and state requirements.
24. All work shall be completed in compliance with the direction of the Valley Branch Watershed District, the MPCA, Department of Health or any governmental or regulatory agency having jurisdiction over the site.
25. No structures or improvements shall be constructed in areas encumbered by an easement.
26. This permit will be reviewed according to the City's adopted CUP review process, and may result in annual review.
27. The violation of any condition of this permit may result in the revocation of this permit.
28. Any change in use, building, outdoor patio areas, lighting, parking, storage, screening, traffic circulation shall require an amendment to the Conditional Use Permit.

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

CITY OF GRANT:

Date: _____

Tom Carr, Mayor

Date: _____

Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this _____ day of _____, 2016, 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:
COZZIE'S HOLDING LLC /CHRIS
COSGROVE

Date: _____

By: _____

Its: _____

Date: _____

Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this _____ day of _____, 2016, before me, a Notary Public, personally appeared _
_____ the _____ of White Pines Supper Club & Banquet
Facility who acknowledged that said instrument was authorized and executed on behalf of said
Company.

Notary Public

Cozzie's Tavern & Grill would like the opportunity to offer live amplified music one night a month during the months of June, July and August. The designated night will be on a weekend night (Friday or Saturday night) and will be between the hours of 7:00pm and finish by 10:00pm. The music played will face highway 36.

Cozzie's Tavern & Grill would also like the opportunity to offer acoustic music on Sunday afternoons from 3:00pm until no later than 6:00pm. This music will be more for background music and soft music.

The existing detached building located directly behind the main building to the North, will be used during summer months as a full service outdoor bar supporting patio patrons. It is a bar that will be accessed by walk up service only. No inside seating and no food prepared from this building. Hours of operation will be weekends during summer months not to exceed 10pm.

All outdoor lighting will comply with the City of Grant ordinances.

ADA parking spots will have asphalt surfaces from parking spots to ADA access door.



Jennifer Haskamp <jhaskamp@swansonhaskamp.com>

ADA Parking - Quick Question

2 messages

Jennifer Haskamp <jhaskamp@swansonhaskamp.com>

Tue, Dec 15, 2015 at 10:01 AM

To: Jack Kramer <inspjack@msn.com>

Hi Jack,

Quick question (I hope) related to the Cozzie's CUP application (they're the folks proposing to convert the old Windy Acres into a Tavern and Grill). They will need to put in the necessary ADA parking stalls since they will be operating a new facility and the existing parking lot is gravel. The Council was comfortable with leaving the parking lot as gravel, but will require them to put the ADA stalls in. The Applicant asked me whether or not there were any rules about layout regarding the ADA stalls. They are considering installing the ADA stalls as parallel parking stalls (they will need 2). I believe that's acceptable, do you happen to know?

Hope all is well on your end!

Jennifer Haskamp

SHC, LLC

(d) 651.341.4193

JOHN T <INSPJACK@msn.com>

Tue, Dec 15, 2015 at 3:13 PM

To: Jennifer Haskamp <jhaskamp@swansonhaskamp.com>

Hello Jennifer,

I will address your questions with minimal detail.

I would ask the applicant to draw or sketch his design for the parking. Code Sections 302,502 & 1106 of the Minnesota Accessibility Code apply to his establishment.

Based on the information within these chapters, The codes describe how many stalls are required according to the total of parking spaces. The parking surface shall be stable & firm. The width 96" Min. and shall not have a slope greater than 1:48. Signage is also required.

I suggest he send me his proposed design for parking so I may reference the required code items.

" Have a great Christmas " !!

Jack

CERTIFICATE OF SURVEY

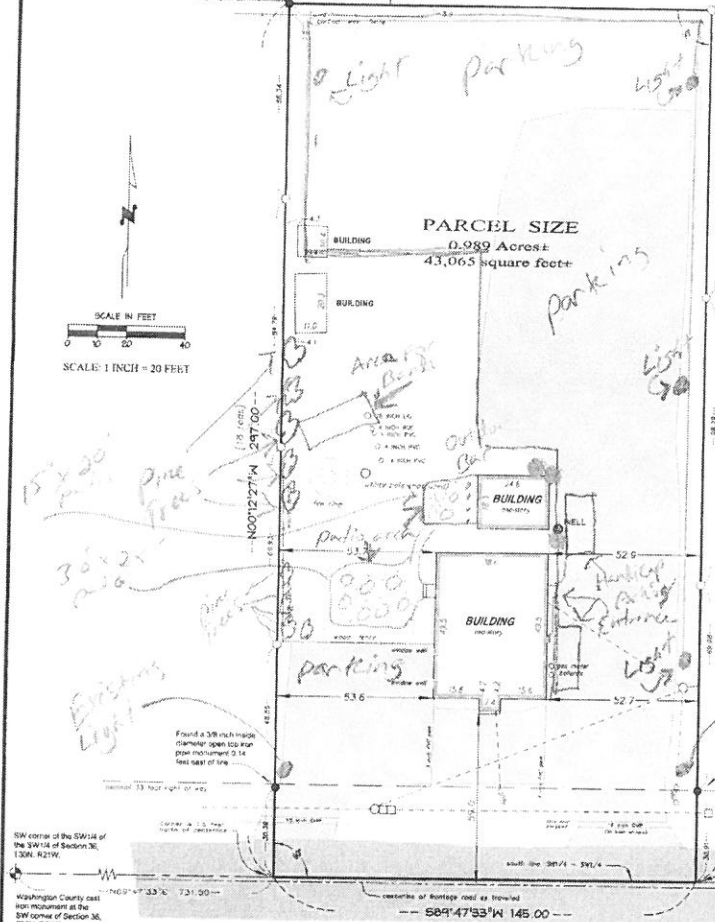
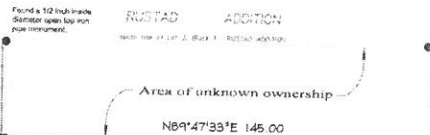
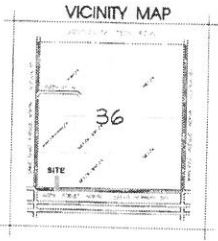
PART OF THE SOUTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 30 NORTH, RANGE 21 WEST, CITY OF GRANT,
WASHINGTON COUNTY, MINNESOTA

BOUNDARY AND TOPOGRAPHY

PREPARED FOR
BIG T BAR L.L.C.

SITE ADDRESS
11154 60th Street North
Stakebaker, Minnesota 55082

PID 36 030 21 33 0066
ZONING GENERAL BUSINESS



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

EXHIBIT "A"
LEGAL DESCRIPTION
All that part of SW 1/4 of SW 1/4, Section 36, Township 30, 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 N 7/4° at a distance of 18 rods to a point; thence E by 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 rods to a point in said South line; thence West along the said South line for a distance of 145 feet to the point of beginning. Washington County, Minnesota.

| LEGEND | |
|--------|---|
| | Represents 1/2 inch diameter iron pipe monument with 1/2 inch diameter cap marked with 4187 91, 4187 92 |
| | Represents 3/4 inch diameter iron pipe monument, recorded in chain |
| | Represents 2 inch diameter iron pipe monument, recorded in chain |
| | Represents 4 inch diameter iron pipe monument, recorded in chain |
| | Represents 6 inch diameter iron pipe monument, recorded in chain |
| | Represents 8 inch diameter iron pipe monument, recorded in chain |
| | Represents 10 inch diameter iron pipe monument, recorded in chain |
| | Represents 12 inch diameter iron pipe monument, recorded in chain |
| | Represents 14 inch diameter iron pipe monument, recorded in chain |
| | Represents 16 inch diameter iron pipe monument, recorded in chain |
| | Represents 18 inch diameter iron pipe monument, recorded in chain |
| | Represents 20 inch diameter iron pipe monument, recorded in chain |
| | Represents 22 inch diameter iron pipe monument, recorded in chain |
| | Represents 24 inch diameter iron pipe monument, recorded in chain |
| | Represents 26 inch diameter iron pipe monument, recorded in chain |
| | Represents 28 inch diameter iron pipe monument, recorded in chain |
| | Represents 30 inch diameter iron pipe monument, recorded in chain |
| | Represents 32 inch diameter iron pipe monument, recorded in chain |
| | Represents 34 inch diameter iron pipe monument, recorded in chain |
| | Represents 36 inch diameter iron pipe monument, recorded in chain |
| | Represents 38 inch diameter iron pipe monument, recorded in chain |
| | Represents 40 inch diameter iron pipe monument, recorded in chain |
| | Represents 42 inch diameter iron pipe monument, recorded in chain |
| | Represents 44 inch diameter iron pipe monument, recorded in chain |
| | Represents 46 inch diameter iron pipe monument, recorded in chain |
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| | Represents 76 inch diameter iron pipe monument, recorded in chain |
| | Represents 78 inch diameter iron pipe monument, recorded in chain |
| | Represents 80 inch diameter iron pipe monument, recorded in chain |
| | Represents 82 inch diameter iron pipe monument, recorded in chain |
| | Represents 84 inch diameter iron pipe monument, recorded in chain |
| | Represents 86 inch diameter iron pipe monument, recorded in chain |
| | Represents 88 inch diameter iron pipe monument, recorded in chain |
| | Represents 90 inch diameter iron pipe monument, recorded in chain |
| | Represents 92 inch diameter iron pipe monument, recorded in chain |
| | Represents 94 inch diameter iron pipe monument, recorded in chain |
| | Represents 96 inch diameter iron pipe monument, recorded in chain |
| | Represents 98 inch diameter iron pipe monument, recorded in chain |
| | Represents 100 inch diameter iron pipe monument, recorded in chain |

60TH STREET NORTH
also known as **STATE HIGHWAY 36**

SURVEY PREPARED BY
Landmark Surveying, Inc.
2780 Plaza Park North, Suite B - P.O. Box 45
Stamba, Minnesota 55072
Phone number 952-421-5401
E-mail address: info@landmarksurveying.com

REVISED: April 6, 2015
City and State of Minnesota
Official Seal of Landmark Surveying, Inc.
April 3, 2015
Job Number 2015-16

Official copies of this map are kept sealed.
Any copy made from this map shall be void and of no effect unless it is made from the original map and is certified by the Surveyor.
Landmark Surveying, Inc.
April 3, 2015
Job Number 2015-16

Permit was prepared as directed by the City Council at the December meeting and is attached for your consideration.

Site/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 | |

Revisions and Supplemental Information

The Applicant submitted a revised site plan which is attached to the staff report and is labeled as “Certificate of Survey.” The site plan is not scalable and therefore it is difficult for staff to fully review the application for compliance. However, based on the information submitted, the following review summary is provided to correlate to the requested items identified on page 1 of this staff report:

1. Site Plan with Outdoor Improvements:

The Applicant has identified the proposed general location of the site improvements contemplated as part of this application. There are two patio areas identified, 1) directly west of the principal building (main restaurant) and north of the parking lot that would be approximately 30’x25’; and 2) directly west of the accessory building which would be used as an outdoor bar area and is sized at approximately 15’x20’. The Applicant has identified approximately 1,050 square feet of patio area, and has also indicated that the two patios would likely be connected with a walkway. It appears that the western most edge of the patio would be setback approximately 20’ from the western property line; however, it cannot be verified based upon the information provided. The site plan has also been updated to include an area identified as “Area for Bands” however, it is unclear based on the information provided how the area would be improved (structure/pavers/stage/etc.) or exact dimensions of the area since dimensions were not provided. Additionally, this area appears to encroach upon the west side-yard lot line setback. No new vegetative screening is proposed, however there is a fair number of existing trees existing along the western property line in this location.

***Staff Recommendation:** Staff would recommend that a condition be placed into the CUP that a scalable site plan must be submitted to verify that all improvements meet the required setbacks. Additionally, the “Area for Bands” must be moved to meet the side-yard setback, and detail regarding what site improvements area associated with the “Area for Bands” should be provided. Staff would also recommend that condition be included requiring that the existing pine trees shall be maintained, and replaced as needed to ensure a vegetative screen along the property line. Finally, a condition should be placed in the permit to ensure that a grading permit is pulled for the patio improvements, if warranted per the City’s ordinances.*

2. **Music and Outdoor Operations:**

The Applicant provided a brief narrative describing the anticipated activities associated with the “Area for Bands” and the outdoor patios which is attached to this staff report for your consideration. As described in the narrative, the Applicant is requesting the opportunity to host outdoor amplified bands, one weekend night per month during the months of June, July and August. The bands would presumably play in the “Area for Bands” and would be oriented towards the patios and Highway 36. The music would be restricted to the hours between 7:00 PM and 10:00 PM. In addition, the Applicant would like the opportunity to offer acoustic music on Sunday afternoons from 3:00 PM until 6:00 PM.

***Staff Recommendation:** As previously stated detail regarding the “Area for Bands” should be provided to better understand how the space will be used. Per the site plan, the Band Area is estimated to be located more than 50-feet from the outdoor patio area so amplification may become an issue depending on the intent (event vs. regular show, etc.) Also, as previously stated the band area does not appear to meet the side-yard setback standards and should be relocated to ensure the setback is met. Regardless of whether the music is amplified or not, staff would recommend including a condition that all live music must meet MPCA noise guidelines. However, it does seem reasonable to allow amplified music once a month during the summer, provided appropriate conditions are included within the CUP.*

3. **ADA Parking Stall and Number of Parking Stalls:**

The Applicant identified both additional parking area and the proposed designated area to install the ADA stalls on the updated site plan. Staff contacted the City’s building official for specific design standards which must be followed for design and installation of the ADA stalls. The correspondence is attached to this staff report. ***Staff Recommendation:** Staff would recommend including a condition in the CUP that the design must be reviewed and approved by the Building Official to ensure compliance with the ADA standards. Further, since the CUP will likely be issued during the winter a condition should be added to address the timing of installation of the ADA parking stalls.*

As stated within the November staff report, based on the previous certificate of survey information the parking lot identified an area to accommodate approximately 45 cars which was approximately 3 stalls short of what would be required to meet the ordinance standards. (48 total stalls needed). In response the Applicant identified an area on the north quadrant of the property to include within the parking area. First, the area identified appears to exceed the square-footage necessary to accommodate 3 additional stalls. Second, it is unclear based on the information whether or not the Applicant is proposing to grade and gravel this entire area. A grading plan was not submitted and it appears that a fair amount of tree removal would also be required to create this parking area. Since only three additional spaces are needed, staff believes that there is no need to expand the parking area to this extent, unless there is some reason not identified with the Applicant’s materials. ***Staff Recommendation:** Staff has identified an area on the attached aerial which appears to already be graveled which could be added to the parking area. Staff would recommend including a condition that the Applicant should present a scalable site plan that identifies a parking area to accommodate 48-50 vehicles.*

If expansion of the graveled area is necessary, then a grading plan and review by the City Engineer may be necessary.

4. Exterior Lighting:

The Applicant identified potential parking lot lighting locations on the updated site plan. There are two existing lights on the south frontage of the property, and identified additional lighting along the eastern edge of the property. Finally, a light fixture was also identified on the northwest portion of the parking lot that may not be necessary if the parking lot is not extended in this location. A light fixture detail and/or photometric plan were not submitted with the application. The updated plan did not identify any exterior lighting plan for the patio area of the “Area for Bands”. *Staff*

Recommendation: Staff would recommend including a condition that all exterior lighting shall meet the applicable ordinance standards and that if any exterior lighting is in question that the Applicant may be required to submit a photometric plan confirming that the lighting meets all standards.

Action requested:

Staff has prepared a draft Conditional Use Permit incorporating the recommendations and comments from the Council at the December meeting. At the direction of the Council a draft Resolution of Approval of the permit has also been prepared for your consideration.

Attachments

- Supplemental Applicant’s Narrative
- Certificate of Survey – Site Plan
- Email from Jack Kraemer, ADA Parking requirements
- Aerial w/Parking Area
- Draft Conditional Use Permit
- Draft Resolution of Approval



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.

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2016-05**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
A BAR AND TAVERN
(COZZIE'S TAVERN AND GRILL)**

WHEREAS, Cozzie's Holding, LLC ("Applicant") has submitted an application for a Conditional Use Permit to operate a Restaurant, Bar and Tavern ("Cozzie's Tavern and Grill") located at 11154 60th Street North in the City of Grant, Minnesota; and

WHEREAS, the subject property has been used for a bar and tavern for the recent past; and

WHEREAS, the Applicant recently purchased the property and has proposed to operate a new business which requires modifications and improvements to the existing facilities on site; and

WHEREAS, the City Council has considered the Applicant's request at a duly noticed Public Hearing which took place on December 1, 2015.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of Cozzie's Holding, LLC for Conditional Use Permit, based upon the following findings pursuant to Section 32-147 of the City's Zoning Ordinance which provides that a Conditional Use Permit may be granted "if the applicant has proven to a reasonable degree of certainty" that specific standards are met. The City Council's Findings relating to the standards are as follows:

- Restaurants, Bars or Taverns are designated in Section 32-245, table of uses, as a conditional use for the General Business (GB) zoning district.
- The use conforms to the city's comprehensive plan, and maintains business uses in the General Business district in compliance with the guided land used designation.

- A similar use has been on the subject property for the past several decades, and the proposed modifications will be consistent with previous uses of the property.
- The modifications at the site and facility will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood if conditions of the permit are met.
- The use meets conditions or standards adopted by the city (through resolutions or other ordinances).
- The use will not result in the destruction, loss or damage of natural, scenic, or historic features of importance.
- The use will not increase flood potential or create additional water runoff onto surrounding properties provided conditions of the permit are met.

FURTHER BE IT RESOLVED that the following conditions of approval of the Conditional Use Permit shall be met:

1. The Applicant shall meet and comply with all of the conditions stated within the Conditional Use Permit dated January 5, 2015 (the "Permit").
2. The site plan shown on the Certificate of Survey dated April 3, 2015 shall be updated as required within the Permit, and the revised site plan shall be made a part of the Permit. Any proposed changes, modifications or expansions beyond those demonstrated on the updated site plan may require an amendment to the Permit.
3. The Applicant shall obtain all necessary licenses and permits from Washington County, Valley Branch Watershed District, Minnesota Department of Health, and the MPCA which are necessary in carrying out its operations on the premises including a building permit, if applicable.
4. All escrow amounts shall be brought up to date and kept current.
5. The Permit shall be reviewed in compliance with the City's CUP review process, which may be on an annual basis.
6. Any violation of the conditions of the Permit may result in the revocation of said Permit.

Adopted by the Grant City Council this 5th day of January, 2016.

Tom Carr, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2016 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this _____ day of _____, 2016.

Kim Points
Clerk
City of Grant

MEMORANDUM

| | |
|---|---------------------------------|
| To: Mayor and Grant City Council | Date: December 28, 2015 |
| CC: Kim Points, City Clerk | RE: Preliminary Research |
| Nick Vivian, City Attorney | Sex Offender Ordinance |
| From: Jennifer Haskamp, City Planner | |

During the discussion at the regular December meeting council members briefly addressed the possibility of enacting a new ordinance which would regulate where registered sex offenders could reside in the city. The Council referenced both the City of Mahtomedi and Birchwood Village as potential ordinance models, since both communities recently adopted ordinances (Mahtomedi adopted an interim ordinance, see description below). The discussion was timely given recent discussions associated with the sex offender policy at the Cedar Ridge residential treatment facility; however, it should be noted that they do not admit sex offenders to their facility regardless of whether they are registered or not. In light of the neighboring communities and recent discussion, the Council directed staff to conduct some preliminary research and provide brief background information to the Council to aid in the Council's determination as to whether an ordinance may be prudent.

Background information

Very few communities have ordinances in place regulating where registered sex offenders can reside, and based on research it appears that less than 15 communities throughout the state have any such ordinance. However, of those communities that do have ordinances in place, they generally address the following:

- Regulates all Designated Offenders and/or Registered (Level III) sex offenders
- Identifies a radius from public places where children congregate such as schools, parks, libraries, churches and other gathering places that an offender may not permanently reside.
- The prescribed distances generally range between 1,000 and 2,000 feet
- The ordinances identify exceptions to the distance/radius

As brought up by the Council at the December meeting, Birchwood Village recently adopted an ordinance in response to a notification that a Level III Sex Offender was moving into their community. Part of the State's required notification process for Level III registered offenders involves a public meeting. Birchwood Village held the informational meeting and invited a speaker from the Jacob Wetterling Resource Center (JWRC). The meeting and presentation were videotaped and can be found on YouTube (https://www.youtube.com/watch?v=daNE8cI_eFo). Staff watched the meeting, and would recommend watching the speaker and presentation. It was very informative and could be helpful when thinking through whether adoption of this type of ordinance is warranted, and if so, what regulations should be addressed in such an ordinance.

Additionally, staff has attached both the Birchwood Village and City of Albertville ordinances for your reference and background. Staff has also contacted the City of Mahtomedi to get a copy of their interim ordinance and will distribute it as soon as it is available.

Action Requested

Staff has prepared this item for discussion purposes. If the Council desires and directs, staff can prepare a draft ordinance for consideration at an upcoming meeting.



AGENDA OF THE EMERGENCY MEETING
OF THE CITY COUNCIL
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
November 24, 2015
7:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

OPEN PUBLIC FORUM

CITY BUSINESS – REGULAR AGENDA

- A. Second Reading of Ordinance 2015-08-03: Sexual Offenders and Sexual Predators*
 - a. Public Hearing
 - b. Council Deliberation and Consideration of Approval

ADJOURN

* Denotes items that have supporting documentation provided

ORDINANCE 2015-08-03

**CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA**

**AN ORDINANCE ENACTING SECTION 408 OF CITY CODE IN BIRCHWOOD
SEXUAL OFFENDERS AND SEXUAL PREDATORS**

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Birchwood Village hereby enacts Section 408 of City Code as follows:

408.010: FINDINGS AND INTENT:

408.020: DEFINITIONS:

408.030: RESIDENCE PROHIBITION; PENALTIES; EXCEPTIONS:

408.040: RENTING REAL PROPERTY; PENALTIES:

408.050: SEVERABILITY:

408.010: Findings and Intent

- A. Repeat sexual offenders, sexual offenders who use physical violence and sexual offenders who prey on children are sexual predators who present an extreme threat to the public safety. Sexual offenders are extremely likely to use physical violence and to repeat their offenses, and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.
- B. It is the intent of this chapter to serve the city's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the city by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residence.

408.020: Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

DESIGNATED OFFENDER: Any person who has been convicted of a designated sexual offense, regardless of whether adjudication has been withheld, in which the victim of the offense was less than sixteen (16) years of age, or has been categorized as a level III sex offender under Minnesota statutes section 244.052 or successor statute.

DESIGNATED SEXUAL OFFENSE: A conviction, adjudication of delinquency, commitment under Minnesota statutes chapter 253B, or admission of guilt under oath without adjudication involving any of the following offenses:

Minnesota statutes sections: 609.342; 609.343; 609.344; 609.345; 609.352; 609.365; 617.23; 617.246; 617.247; 617.293; successor statutes; or a similar offense from another state.

PERMANENT RESIDENCE: A place where the person abides, lodges, or resides for fourteen (14) or more consecutive days.

TEMPORARY RESIDENCE: A place where the person abides, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where the person routinely abides, lodges, or resides for a period of four (4) or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

408.030: Residence Prohibition; Penalties; Exceptions

A. **Prohibited Location of Residence:** It is unlawful for any designated offender to establish a permanent residence or temporary residence: 1) within one thousand five hundred feet (1,500') of any school, licensed daycare center, park, or playground; or 2) any other public recreational facilities.

B. **Prohibited Activity:** It is unlawful for any designated offender to participate in a holiday event involving children less than eighteen (18) years of age, such as distributing candy or other items to children on Halloween. Holiday events in which the offender is the parent or guardian of the children involved, and no nonfamilial children are present, are exempt from this subsection.

C. Measurement of Distance:

1. For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence to the nearest outer property line of a school, daycare center, park, playground, or other place where children regularly congregate.

2. The city clerk shall maintain an official map showing prohibited locations as defined by this chapter. The clerk shall update the map at least annually to reflect any changes in the location of prohibited zones.

D. Penalties: Any person violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 408.040 of this code. Each day a person maintains a residence in violation of this chapter constitutes a separate violation.

E. Exceptions: A designated offender residing within a prohibited area as described in subsection A of this section does not commit a violation of this section if any of the following applies:

1. The person established the permanent residence or temporary residence and reported and registered the residence pursuant to Minnesota statutes sections 243.166, 243.167, or successor statute, prior to adoption and publication of this section.
2. The person was a minor when he/she committed the offense and was not convicted as an adult.
3. The person is a minor.
4. The school or daycare center within one thousand five hundred feet (1,500') of the person's permanent residence was opened after the person established the permanent residence or temporary residence and reported and registered the residence pursuant to Minnesota statutes section 243.166 or 243.167.
5. The residence is a property owned or leased by the Minnesota department of corrections.

408.040: Renting Real Properties; Penalties

A. It is unlawful to let or rent any place, structure, or part thereof, trailer or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to this chapter, if such place, structure, or part thereof, trailer or other conveyance, is located within a prohibited location zone described in subsection 408.030 A of this chapter.

B. A property owner's failure to comply with provisions of this section shall constitute a violation of this section.

C. If a property owner discovers or is informed that a tenant is a designated offender after signing a lease or otherwise agreeing to let the offender reside on the property, the owner or property manager may evict the offender.

408.050: Severability

Should any section, subdivision, clause or other provision of this chapter be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of this chapter as a whole, or of any part thereof, other than the part held to be invalid.

Chapter 6

SEXUAL OFFENDERS AND SEXUAL PREDATORS

6-6-1: FINDINGS AND INTENT:

- A. Repeat sexual offenders, sexual offenders who use physical violence, and sexual offenders who prey on children are sexual predators who present an extreme threat to the public safety. Sexual offenders are extremely likely to use physical violence and to repeat their offenses, and most sexual offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.
- B. It is the intent of this chapter to serve the city's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the city by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residence. (Ord. 2006-10, 7-5-2006)

6-6-2: DEFINITIONS:

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

DESIGNATED OFFENDER: Any person who has been convicted of a designated sexual offense, regardless of whether adjudication has been withheld, in which the victim of the offense was less than sixteen (16) years of age, or has been categorized as a level III sex offender under Minnesota statutes section 244.052 or successor statute.

DESIGNATED SEXUAL OFFENSE: A conviction, adjudication of delinquency, commitment under Minnesota statutes chapter 253B, or admission of guilt under oath without adjudication involving any of the following offenses:

Minnesota statutes sections: 609.342; 609.343; 609.344; 609.345; 609.352; 609.365; 617.23; 617.246; 617.247; 617.293; successor statutes; or a similar offense from another state.

PERMANENT RESIDENCE: A place where the person abides, lodges, or resides for fourteen (14) or more consecutive days.

TEMPORARY RESIDENCE: A place where the person abides, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the

person's permanent address, or a place where the person routinely abides, lodges, or resides for a period of four (4) or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence. (Ord. 2006-10, 7-5-2006)

6-6-3: RESIDENCE PROHIBITION; PENALTIES; EXCEPTIONS:

- A. **Prohibited Location Of Residence:** It is unlawful for any designated offender to establish a permanent residence or temporary residence: 1) within one thousand feet (1,000') of any school, licensed daycare center, park, or playground; or 2) within one thousand feet (1,000') of any place of worship which provides regular educational programs (i.e., Sunday school), or other places where children are known to congregate.
- B. **Prohibited Activity:** It is unlawful for any designated offender to participate in a holiday event involving children under eighteen (18) years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, or wearing an Easter bunny costume on or preceding Easter. Holiday events in which the offender is the parent or guardian of the children involved, and no nonfamilial children are present, are exempt from this subsection.
- C. **Measurement Of Distance:**
1. For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence to the nearest outer property line of a school, daycare center, park, playground, place of worship, or other place where children regularly congregate.
 2. The city clerk shall maintain an official map showing prohibited locations as defined by this chapter. The clerk shall update the map at least annually to reflect any changes in the location of prohibited zones.
- D. **Penalties:** Any person violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-4-1 of this code. Each day a person maintains a residence in violation of this chapter constitutes a separate violation.
- E. **Exceptions:** A designated offender residing within a prohibited area as described in subsection A of this section does not commit a violation of this section if any of the following applies:

1. The person established the permanent residence or temporary residence and reported and registered the residence pursuant to Minnesota statutes sections 243.166, 243.167, or successor statute, prior to July 10, 2006.
2. The person was a minor when he/she committed the offense and was not convicted as an adult.
3. The person is a minor.
4. The school or daycare center within one thousand feet (1,000') of the person's permanent residence was opened after the person established the permanent residence or temporary residence and reported and registered the residence pursuant to Minnesota statutes section 243.166 or 243.167.
5. The residence is also the primary residence of the person's parents, grandparents, siblings, spouse, or children.
6. The residence is a property owned or leased by the Minnesota department of corrections. (Ord. 2006-10, 7-5-2006)

6-6-4: RENTING REAL PROPERTY; PENALTIES:

- A. It is unlawful to let or rent any place, structure, or part thereof, trailer or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to this chapter, if such place, structure, or part thereof, trailer or other conveyance, is located within a prohibited location zone described in subsection 6-6-3A of this chapter.
- B. A property owner's failure to comply with provisions of this section shall constitute a violation of this section.
- C. If a property owner discovers or is informed that a tenant is a designated offender after signing a lease or otherwise agreeing to let the offender reside on the property, the owner or property manager may evict the offender. (Ord. 2006-10, 7-5-2006)

6-6-5: SEVERABILITY:

Should any section, subdivision, clause or other provision of this chapter be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of this chapter

as a whole, or of any part thereof, other than the part held to be invalid. (Ord. 2006-10, 7-5-2006)

ECKBERG LAMMERS MEMORANDUM

To: Honorable Mayor and City Council
From: Nicholas J. Vivian, City Attorney
Date: December 29, 2015
Re: Councilmember Lanoux Censure Review

On February 3, 2015, the City Council voted to approve Resolution 2015-07 (“Resolution”) censuring Councilmember Larry Lanoux. The Resolution directed the City Council to review compliance with the Resolution after sixty days.

On April 7, 2015, the City Council voted by motion to extend Resolution 2015-07 by an additional 90 days. The extension of the Resolution expired on July 6, 2015.

On July 7, 2015, the City Council again voted by motion to extend Resolution 2015-07 by an additional 60 days. In addition, the Council authorized the filing of an injunction to keep Mr. Lanoux from violating the Censure Resolution.

On October 6, 2015, the City Council again voted by motion to extend Resolution 2015-07 by an additional 90 days. The Resolution calls for City Council review as of January 6, 2016.

During the October 6, 2015 – January 6, 2016 time period, City staff noted and documented at least three substantive violations of the Resolutions which included emails to City staff without copy to the Mayor and a personal visit to City Hall.

The status of the Resolution is again before the Council for review and consideration. The Council should determine whether the sanctions contained within the censure resolution have sufficiently deterred Mr. Lanoux’s conduct or whether the resolution should be extended for an additional period of time. The resolution principally concerns Mr. Lanoux’s conduct with staff arising from the unauthorized removal of governmental property from the City’s office, outbursts of anger privately and in public toward City staff and members of the City Council, the creation of an unsafe, unfriendly, unsecure and intolerable environment in the City’s workplace and a disregard for City procedures and protocol.

The Council may take the following actions:

1. Consider the Censure of Councilmember Lanoux to be complete.
2. Approve an extension of Resolution 2015-07 for a period of 90 days, for engaging in conduct which creates a difficult, unsafe, unfriendly, unsecure and intolerable work environment for staff.

RESOLUTION NO. 2015-17

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

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

WHEREAS, these concerns include the following:

1. Deceitful conduct with City staff.
2. Unauthorized and wrongful removal of governmental property from the City's office.
3. Outbursts of anger in public toward other City Council members and City staff.
4. Outbursts of violent and erratic behavior against City Council members including Jeff Huber which caused injury to Mr. Huber's eye.
5. Outbursts of anger directed toward City staff creating an unsafe, unfriendly, unsecure and intolerable environment in the workplace.
6. Disregard for City procedures and protocol.
7. The filing of complaints against staff which were dismissed without investigation.
8. Continued unauthorized entry into City Hall despite the specific directive of the City Council.
9. Unauthorized electronic communications with City Clerk without copying the Mayor.

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

WHEREAS, the conduct prompted a follow up request by the City's Clerk / Administrator

for immediate and effective City Council action to 1.) protect the public, private and confidential documents she is responsible to maintain, and 2.) remedy the intolerable working environment created for all staff working at the City's office as created by Councilmember Lanoux.

WHEREAS, Councilmember Lanoux's conduct has prompted a number of reports to the Washington County Sheriff's Department by staff and Council members.

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

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

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

1. A formal censure of Councilmember Lanoux is hereby issued by the City Council for his inappropriate conduct.
2. Councilmember Lanoux shall have no physical contact with the City's office located at 111 Wildwood Road, Willernie, Minnesota, for a period of ninety (90) days from the date of this Resolution, pending review by the City Council upon the expiration of the ninety day period.
3. All correspondence from Councilmember Lanoux to City employees or City staff, in writing or by any form of electronic communication, shall be copied to the Mayor.
4. Councilmember Lanoux shall refrain frequent, disordered, burdensome communications and demands to city employees and City staff.

5. In the event Councilmember Lanoux violates this Resolution of the City of Grant, the City Attorney shall, without further direction from the City Council, file a civil action against Councilmember Lanoux seeking injunctive relieve compelling his immediate compliance with the directive of the City Council.

WHEREUPON the following members voted in favor:

WHEREUPON the following members voted against:

This Resolution was declared duly passed and adopted and signed by the Mayor this _____ day of October, 2015.

Tom Carr, Mayor

ATTEST:

Kim Points, City Clerk



Ordinance No. 2016-45 2016 FEE SCHEDULE FEES, CHARGES, AND ESCROW

CITY OF GRANT

Mailing Address: P.O. Box 577
Willernie, Minnesota 55090
Town Hall: 111 Wildwood Road
Phone: (651) 426-3383 Fax: (651) 429-1998
E-mail: clerk@cityofgrant.us

Make checks payable to City of Grant.

Under State and local planning laws, any property owner may petition for rezoning and/or platting. The City, upon receipt of such a petition, will process the application in accordance with the procedures and provisions of the ordinances.

The City charges the petitioner a filing fee for this processing, as well as requiring that he/she pay all costs the City may incur in processing and "hearing" the application. An escrow amount will be required at the time application fees and the application is received by the City's Consultant.

| <i>For Each Application</i> | <i>Application Fees</i> | <i>Escrow*</i> | <i>TOTAL</i> |
|--|--|---------------------------------------|---|
| Minor Subdivision | \$400 | \$4,000 | \$400 plus \$4,000 escrow |
| Major Subdivision | \$1,000 + \$25 per lot | \$7,000 | \$1,000 + \$25 per lot plus \$7,000 escrow |
| Variance | \$400 | \$3,000 | \$400 plus \$3,000 escrow |
| Conditional Use Permit (CUP) (Amended and New) | \$400 | \$3,000 | \$400 + \$3,000 escrow |
| Conditional Use Permit (CUP) Annual Review Fee | N/A | | N/A |
| All other Land Use Issues | \$100 | \$1,000 | \$100 + \$1,000 escrow |
| Certificate of Compliance (COC) | \$50 | \$900** | \$50 + \$950 escrow** |
| COC Amendment | \$50 | \$200 | \$50 + \$200 escrow |
| Grading Permit Fees | \$150 for 50 - 100 Cubic yards \$300 <100 Cubic Yards | No Escrow \$1000- \$3000 Escrow | Dependent upon number of yards |

- * Unused escrow amounts will be returned to the applicant.
- * COC Escrow required only for issues that require City Planner analysis or review. Examples include:
 - Accessory buildings in front of the primary structure
 - Projects involving issues related to animal units per grazable acres
 - Buildings meeting the state definition of an "agricultural building"
 - Other complex zoning issues requiring Planner analysis or review
- * For additional information, see also the Escrow Account Policies Form.
- Permits applied for after work has begun will be two times the standard fee.

Below are listed other permits required for various activities in the City of Grant.

| <i>Other Permits</i> | <i>Permit Fees</i> |
|---------------------------------------|---------------------------|
| Sign Permit | \$50 |
| Charitable Gambling Operations Permit | \$100 |

| | |
|--------------------------|------------------------------------|
| Demolition Permit | \$100 |
| Mann Lake Parking Permit | \$10/resident OR \$50/non-resident |
| Burn Permits | \$10 |

Below are listed other fees associated with City services.

| False Alarm Fees | Commercial | Residential |
|--------------------------------|--|-------------------------|
| False Fire Alarms (Alarms 1-2) | No Charge | No Charge |
| False Fire Alarms (Alarms 3+) | Actual cost of response Minimum charge: \$50 Maximum charge: \$400 | Varies with actual cost |

| Other False Alarms | Commercial | Residential |
|---------------------------|-------------------|--------------------|
| Alarms 1-2 | No Charge | No Charge |
| Alarms 3-6 | \$60 each | \$50 each |
| Alarms 7+ | \$100 each | \$75 each |

| Permit/Escrow Fees | Application Fee | Escrow Fee |
|----------------------------|------------------------|-------------------|
| Qwest | \$200 | \$3,000 |
| Comcast | \$200 | \$3,000 |
| Koch Pipeline | \$200 | \$3,000 |
| Xcel Energy (gas/electric) | \$0 | \$0 |

| Liquor License Fees | Fee |
|----------------------------|------------|
| On-Sale Liquor | \$2,000 |
| On-Sale Sunday | \$200 |
| On-Sale Beer 3.2 | \$200 |
| Off-Sale Liquor | \$200 |

| Miscellaneous Fees | Fee |
|--------------------------------|--------------------|
| Subdivision Ordinance-Copy | \$20 |
| Zoning Ordinance-Copy | \$25 |
| Comprehensive Plan-Copy | \$10 |
| Special Assessment | \$20 |
| Dishonored Check | \$40 |
| Copies | .25 per page |
| Notary Fee – Non-resident | \$5.00 |
| Solicitor's License Fee | \$75 |
| Meeting DVD-Copy | \$10 |
| Wetland Review Specialist | \$100/\$500 Escrow |
| MLCCS Review Fee | \$75 |
| Driveway Permit | \$50 |
| Preapplication Meeting/Planner | \$300 |

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2016-01

A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF ORDINANCE NO. 2016-45, AN ORDINANCE ESTABLISHING A FEE SCHEDULE FOR THE CITY OF GRANT, MINNESOTA

WHEREAS, On January 5, 2016, at a Regular Meeting of the Grant City Council, by majority vote, the City Council adopted Ordinance No. 2016-45 which establishes the fee schedule for 2016 for the City of Grant; and

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

WHEREAS, the City Council for the City of Grant has determined that publication of the title and a summary of Ordinance No. 2016-45 would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, the City Council for the City of Grant has reviewed the summary of Ordinance No. 2016-45 attached and incorporated herein as **Exhibit A**; and

WHEREAS, the City Council for the City of Grant has determined that the text of the summary clearly informs the public of the intent and effect of Ordinance No. 2016-45.

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

1. Approves the text of the summary of Ordinance No. 2016-45 attached as **Exhibit A**.
2. Directs the City Clerk to post a summary publication of Ordinance No. 2016-45 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 5th day of January, 2016.

Tom Carr, Mayor

ATTEST:

Kim Points, Administrator/Clerk

Exhibit A

Ordinance Summary

Ordinance No. 2016-45

**AN ORDINANCE ESTABLISHING A FEE SCHEDULE
FOR THE CITY OF GRANT, MINNESOTA**

On January 5, 2016, the City of Grant adopted an ordinance amending its annual fee schedule (the "Ordinance"). The Ordinance restated the fee schedule for 2016, with the addition utility company permit fees and escrows.

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. 2016-02

**A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY,
MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF
ORDINANCE NO. 2015-44**

WHEREAS, On December 1, 2015 at the regular Grant City Council meeting, by majority vote, the City Council adopted Ordinance No. 2015-44 amending Chapter 32 Zoning for Tavern or Bar and Cafes and Restaurants, Sections 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 has studied and prepared land use definition for the subject use 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. 2015-44 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 Number 2016-01 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. 2015-44 attached as **Exhibit A**.
2. Directs the City Clerk to post a copy of the entire text of Ordinance No. 2015-44 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 5th day of January, 2016.

Tom Carr, Mayor

ATTEST:

Kim Points, City Clerk

EXHIBIT A

Ordinance Summary

Ordinance No. 2016-01

**AN ORDINANCE AMENDING THE CITY'S ZONING ORDINANCE TO DEFINE
AND REGULATE RESTAURANT, TAVERN AND BAR
FOR THE CITY OF GRANT, MINNESOTA**

On January 5, 2016 the City of Grant adopted an ordinance to amend Chapter 32, Zoning of the City Code, to define and regulate Restaurants, Taverns and Bars 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.

2016 City of Grant Meeting Calendar

All meetings are at 7 PM @ the Town Hall (8380 Kimbro Ave.) unless otherwise noted.
 Land Applications are due approximately 6 weeks before the Council meetings.

| Month | City Council Regular Meeting | City Council Workshop Meeting | Special Council Meeting |
|-----------|------------------------------|-------------------------------|-------------------------|
| January | 01/05/16 | | |
| February | 02/02/16 | | |
| March | 2/29 or 3/2 | | |
| April | 04/05/16 | | |
| May | 05/03/16 | | |
| June | 06/07/16 | | |
| July | 07/6 or 7/7 | | |
| August | 08/02/16 | | |
| September | 09/06/16 | | |
| October | 10/04/16 | | |
| November | 11/01/16 | | |
| December | 12/06/16 | | |
| January | 01/03/17 | | |

*** March 1 - State Caucus***

*** July 5 - 4th of July Holiday***

***Meeting Schedule Subject to Change ***

**CITY OF GRANT
2016 APPOINTMENT LIST**

Schedule A

| City Council Member Appointments/ Per Council Members | |
|--|----------------------------------|
| Liaison/ Appointments | Council Member |
| Deputy Mayor | Jeff Huber |
| Emergency Preparedness | Washington County |
| Metro Council | City Staff |
| Newsletter Editor | City Staff |
| Road Coordination | City Office/Road Coordinator/WSB |
| | |
| | |
| Oak Wilt | DNR |
| Weed Control | Mayor Carr |
| Browns Creek Watershed | WSB |
| Valley Branch Watershed | WSB |
| Rice Creek Watershed | WSB |
| Carnelian-Marine Watershed | WSB |

| Staff and Consultant Appointment/Per Council Members | |
|---|------------------------------------|
| Service Providers | |
| Attorney | Under Contract - Eckberg |
| Administrator/Clerk | Kim Points |
| Engineer | Under Contract - WSB |
| Inspector | Jack Kramer |
| Planner | Under Contract - SHC |
| Treasurer | Sharon Schwarze |
| Animal Removal | SRAC |
| City Assessor | Under Contract - Smith Appraisal |
| City Auditor | Under Contract - LarsonAllen |
| Brushing | Under Contract- KEJ |
| Depository | Wells Fargo |
| Fire Marshall (Co-Marshalls) | Bob Tufty/Joyce Welander |
| Roadside Mowing | Under Contract-KEJ |
| Newspaper | White Bear Press |
| Recycling | Under Contract - Waste Management |
| Road Grading | Under Contract - Kline Bros. |
| Roadside Trash | Under Contract - KEJ |
| Septic Permits | Under Contract - Washington County |
| Snow Plowing | Under Contract- KEJ |
| Tree Service | Under Contract-KEJ |
| Video Technician | Ken Ronnan |
| Animal Control Liaison | City Office/SRAC/Washington County |
| Webmaster | Halogen |
| Investment Advisor | Robert Mikkelsen |

| Volunteer Appointments | |
|-------------------------------|--------------------------------------|
| Cable Commissioner | Jeff Huber/Steve Bohnen |
| Ballfield | Administrator/Clerk |
| Heritage Preservation | Joyce Welander |
| Roadside Cleanup Day | Athletic Groups Utilizing Ball Field |