

**City of Grant
City Council Agenda
August 2, 2016**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, August 2, 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. June 28, 2016 City Council Meeting Minutes
- B. Bill List, \$63,809.76
- C. Kline Bros. Excavating, Road Work, \$24,072.50
- D. Resolution No. 2016-15, Appointment of 2016 Election Judges

5. STAFF AGENDA ITEMS

- A. City Engineer, Brad Reifsteck
 - i. PUBLIC HEARING, Keswick Avenue Road Improvements

ii. Consideration of Resolution No. 2016-16, Ordering Public Improvement, Keswick Avenue

iii. Consideration of Resolution No. 2016-17, Keswick Avenue Road Improvement, Plan Approval and Bid Date -

iv. McKusick Road Speed Zone Modification

v. Pavement Condition Report

B. City Planner, Jennifer Haskamp

i. Consideration of Resolution No. 2016-18, Application for Septic Variance, 7555 99th Street Court

ii. Consideration of Resolution No. 2016-19, Application for Septic Variance 9313 75th Street North

C. City Attorney, Nick Vivian

i. Consideration of Ordinance No. 2016-48, Opt-Out Ordinance for Temporary Family Health Care Dwellings Statute

6. NEW BUSINESS

7. UNFINISHED BUSINESS

8. DISCUSSION ITEMS

A. City Council Reports (any updates from Council, no action taken)

i. Cable Commission, Loren Sederstrom

B. Staff Updates

9. COMMUNITY CALENDAR AUGUST 3 THROUGH AUGUST 31, 2016:

City Office Candidate Filings, August 2 through August 16, 2016

Planning Commission Meeting, Tuesday, August 16, 2016, 7:00 p.m.

Mahtomedi Public Schools Board Meeting, Thursday, August 11th and August 25th, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, August 25th, Stillwater City Hall, 7:00 p.m.

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

10. ADJOURNMENT

CITY OF GRANT
MINUTES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

DATE : June 28, 2016
TIME STARTED : 7:02 p.m.
TIME ENDED : 8:10 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 7:02 p.m.

PUBLIC INPUT

Mr. Jerry Helander, Jasmine Avenue – came forward and commented on accusations relating to a police report.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Mayor Carr moved to add Item 5Aiii, Seal Coat Bids to the regular agenda. Council Member Lobin seconded the motion. Motion carried unanimously.

Council Member Huber moved to approve the agenda, as amended. Council Member Lobin seconded the motion. Motion carried unanimously.

CONSENT AGENDA

June 7, 2016 City Council Meeting Minutes	Removed
Bill List, \$52,148.81	Approved
City of Mahtomedi, 2 nd Quarter Fire Contract, \$32,347.00	Approved
City of Stillwater, 1 st Half Fire Contract, \$55,894.50	Approved

1 Kline Excavating, Road Projects, \$17,037.50 Approved

2
3 Ordinance No. 2016-46 Approved

4
5 **Council Member Lanoux moved to approve the consent agenda with the moving of June 7, 2016**
6 **City Council Meeting Minutes and the Bill List, \$52,148.81 to New Business. Council Member**
7 **Sederstrom seconded the motion.**

8
9 Council Member Huber clarified with Council Member Lanoux that he did not email the clerk
10 regarding questions with the bill list or minutes.

11
12 Council Member Sederstrom advised he did speak to the clerk regarding the minutes and revisions
13 were made but not entirely.

14
15 Mayor Carr stated the minutes should be pulled for discussion. Council Member Lanoux did not
16 amend the motion to only include the minutes.

17
18 **Motion failed with Council Member Lobin, Huber and Mayor Carr voting nay.**

19
20 **Mayor Carr moved to approve the consent agenda with moving June 7, 2016, City Council**
21 **Meeting Minutes to Item 6D under New Business. Council Member Lobin seconded the**
22 **motion. Motion carried unanimously.**

23
24 **Council Member Huber moved to approve the consent agenda, as amended. Council Member**
25 **Lobin seconded the motion. Motion carried unanimously.**

26
27 **STAFF AGENDA ITEMS**

28
29 **City Engineer, Brad Reifsteck**

30
31 **McKusick Neighborhood Meeting** – A memo was included in the Council packets providing an
32 update on the neighborhood meeting that was held on Tuesday June 14th for the residents abutting
33 McKusick Road to discuss roadway improvement options, including partial closure and the City’s
34 special assessment policy.

35
36 Nineteen (19) property owners were sent a letter, including a survey, announcing the neighborhood
37 meeting time and place.

38
39 Approximately twenty (20) people attended the meeting with fourteen (14) participants providing
40 contact information on the attached sign-in sheet. Five surveys were collected at the meeting and are
41 also attached. Council Member Lobin, the City Administrator and City Engineer were also in
42 attendance.

43
44 All comments, questions and concerns discussed are listed below:

- 45
- Roadway improvements are needed

- 1 • The city should accept some of the responsibility for the cost of the improvements
- 2 • The Gasthaus and Golf Course contributes to high traffic volume on McKusick
- 3 • Regional traffic contributes to high traffic volume on McKusick
- 4 • Abutting property owners contribute very little traffic volume on McKusick
- 5 • The DNR should burden some of the cost of the road – caused by regional trail use.
- 6 • The city should consider establishing a funding mechanism to offset the cost for regional
- 7 roadway improvements or roadway improvements in general.
- 8 • Consider reducing the speed limit. Current posted speed limit is 50 mph
- 9 • Many residents are in favor of a partial closure of roadway west of Lansing Ave to reduce
- 10 regional traffic cut through and coerce them to use County roadway system.
- 11 • The City should consider a feasibility study to discuss roadway improvement options,
- 12 including cost for each option. Residents are not in favor of the 429 process - special
- 13 assessments but some think it's important to have a study to better understand each option and
- 14 the cost burden to each property owner. Some residents are in favor of burdening a share of
- 15 the cost depending on the amount and option.
- 16 • Continue communications with residents about improvements.
- 17 • Are the options recorded in a Staff Memo last July still being considered, including gravel
- 18 roads?

19
20 This item will appear on the next regular Council meeting agenda.

21
22 **Consideration of Resolution No. 2016-13, Keswick Avenue North Roadway Improvement**
23 **Project** – City Engineer Reifsteck provided in the Council packets a memo outlining requested
24 Council action to authorize by resolution the receipt by City Council of a Feasibility Report,
25 Preparation of Plans and Specifications, and scheduling the Public Improvement Hearing to order the
26 public improvements for the Keswick Avenue Roadway Improvement Project.

27
28 **Facts:**

- 29
- 30 • The project includes Keswick Avenue N. between 60th Lane N and the end of the cul-de-sac.
- 31 • The City Council authorized preparation of a Feasibility Report for the Keswick Avenue
- 32 Roadway Improvement Project on June 7, 2016.
- 33 • As identified in the Feasibility Report, The total project is estimated to be \$117,550, including
- 34 construction, legal, engineering, administrative and financing costs.
- 35 • The project is anticipated to be funded 100% through special assessments in accordance with
- 36 the City's Assessment Policy. A preliminary assessment roll is included in the Feasibility
- 37 Report that identifies assessment amounts for the benefitting properties.
- 38 • A feasibility Report is required to be completed by State Statute for projects using special
- 39 assessments, to report on the necessity, feasibility and cost of the project.
- 40 • Staff is recommending the Public Hearing considering the improvements be held at the
- 41 August 2, 2016 Council Meeting.

42
43 Mayor Carr stated the residents in this neighborhood came forward regarding road improvements and
44 hopefully the project will be done this year.

1 **Council Member Huber moved to adopt Resolution No. 2016-13, as presented. Council**
2 **Member Lobin seconded the motion. Motion carried unanimously.**

3
4 **2016 Seal Coat Bids** – City Engineer Reifsteck provided in the Council packet a memo that advised
5 the City received two quotes for the 2016 Seal Coat Project. The request for quotes was sent to Allied
6 Blacktop and Pearson Brothers. Fahrner Asphalt was also contacted to supply a quote but they did
7 not have time to complete the work this year. The quotes are attached and listed below.

Pearson Brothers Inc.....	\$51,274
Allied Blacktop Company.....	\$44,550

8
9
10
11
12 A copy of the 2016 Seal Coat Project plan and contract is attached. Roadways included in the seal
13 coat bids are listed below.

- 14
- 15 1. 62nd Street N
- 16 2. Jamaca Ave
- 17 3. 102nd St N & 102nd St Ct. N.
- 18 4. 100th St. N & Hidden Glade Ave N.
- 19 5. 115th St N.
- 20

21 The budget for 2016 is \$38,000. Language in the bid documents allows the City to eliminate a portion
22 of the project or quantity to stay within this budget. We have prioritized the streets from highest to
23 lowest (1-5) above and would recommend completing the streets in this order until the budget limit is
24 reached. The street most likely postponed for the next seal coat project is 115th St N.

25
26 All work is scheduled to be completed prior to September 2, 2016.

27
28 **Mayor Carr moved to award 2016 Seal Coat Project to the low bidder, Allied Blacktop**
29 **Company, up to the budgeted amount of \$38,000. Council Member Lanoux seconded the**
30 **motion. Motion carried unanimously.**

31
32 **City Planner, Jennifer Haskamp (no action items)**

33
34 **City Attorney, Nick Vivian (no action items)**

35
36 **NEW BUSINESS**

37
38 **Consideration of Resolution No. 2016-14, Authorization for Summary Publication of Ordinance**
39 **No. 2016-46** – City Planner Haskamp advised Resolution No. 2016-14 authorizes the summary
40 publication of Ordinance No. 2016-46 that has been approved.

41
42 **Council Member Huber moved to adopt Resolution No. 2016-14, as presented. Council**
43 **Member Lobin seconded the motion. Motion carried unanimously.**

1 **Consideration of Waste Management Recycling Contract** – A staff report was included in the
2 Council packets providing the background relating to the recycling contract.
3 The current recycling contract agreement with Waste Management expires on December 31, 2016.
4 The current contract was for six years at a cost of \$2.70 per household per month. The contract prior
5 to that was at a cost of \$2.43 per household. The house count for pickup is currently at 1484
6 households.

7
8 In discussions with Waste Management's Public Sector Representative, Mr. Mike Donnelly, the
9 proposed renewal rate for a 5-year extension is \$3.09 per household with a 3% increase in years two
10 through five.

11
12 Mr. Donnelly has indicated the market has changed considerably and provides some information
13 regarding the market below. In addition, rates to compare that were negotiated in 2015 and 2016 are
14 as follows:

15
16 St. Anthony Village - \$3.70
17 Ham Lake - \$5.50
18 Minnetrista - \$3.50
19 Gem Lake - \$4.69
20

21 “Per our conversation, here is some information you can provide the Council in advance.
22 The market has changed considerably going back to 2011. The rates in Grant have not
23 changed since 2010 or 2011. That being said, the market has changed considerably. As
24 mentioned in my letter, the blended value has dropped by close to 50%. We are now being
25 charged for glass, due to eCullet, the glass processor in the metro area shut down
26 Strategic Materials opened in its place, but on a smaller scale and charges us for glass, but
27 only accepts the highest quality glass.

28
29 Contracts from 2014 and 2015 have dictated higher recycling rates. In Blaine, the rate is \$3.19
30 per household. The City is higher density and closer to the Material Recovery Facility. The
31 hauler also has the trash and yard waste contracts. The City of St. Anthony Village started in
32 2015 and their recycling rate started at \$3.62 per home. Two recent bids I placed were at \$3.62
33 and \$3.21.

34
35 If Dellwood and Willernie were both due at this time, the rates would likely be right in line
36 with where we proposed your rates starting in 2017. Keep in mind, subscription recycling
37 would likely be between \$5-\$7. Most likely it will be closer to the \$7 per home number.

38
39 In the past three years the recycling commodity market has declined dramatically. Many
40 cities who took advantage of the revenue sharing are actually paying in. I have a few contracts
41 that currently pay an additional \$.47 per home because of where the market went. In your case,
42 that would go from \$2.79 to \$3.26. The City of Grant is fortunate to have not been involved in
43 that.”

1 Mr. Donnelly became the City of Grant Recycling contact approximately three and half years. Staff
2 will note since Mr. Donnelly has been in place for the City, the customer service and response time
3 for any issues has been impeccable.

4
5 If the Council chooses, the City may go out for a request for proposal for recycling. Staff would
6 request the Council be very clear regarding specifications in the RFP as the recycling contract is very
7 specific relating to pick up, bins, schedules, etc.

8
9 Mr. Donnelly, Waste Management Representative, came forward to address any issues or questions.
10 He explained the recycling market as well as the costs for service.

11
12 Mayor Carr thanked Mr. Donnelly for attending the meeting.

13
14 Council Member Lanoux asked if they still take recycling and trash to Bellaire Sanitation. Mr.
15 Donnolly advised all recycling and trash collected in both Washington and Ramsey County must be
16 taken to the facility in Newport.

17
18 **Council Member Lanoux moved to approve the extension of Waste Management Recycling**
19 **Contract, as presented. Council Member Huber seconded the motion. Motion carried**
20 **unanimously.**

21
22 **Set 2017 Budget Work Session** – City Treasurer Schwarze stated a budget work session should be
23 scheduled by the Council. The Council may choose to schedule it prior to a regular Council meeting
24 or on a different day and time.

25
26 A 2016 Budget Work Session was scheduled on Monday, July 25, 2016, 6:00 p.m. at Town Hall. A
27 seconded work session was scheduled on August 2, 2016, 6:00 p.m. at Town Hall, prior to the regular
28 Council meeting.

29
30 **June 7, 2016 City Council Meeting Minutes** – Council Member Sederstrom advised he did make a
31 correction to the minutes that included a motion he made to dismiss the censure. That was added to
32 the minutes but the second to the motion was not.

33
34 Council Member Lanoux stated he wants the minutes to reflect he has been censured.

35
36 Council Member Huber stated they need to follow rules. When Council Members act like children,
37 they can be censured. No one wants to go to court. The Council has repeatedly asked Council
38 Member Lanoux to get a conditional use permit and he chose not to follow the rules. Council
39 Member Lanoux also chose not to follow the censure.

40
41 Acting City Attorney Sandstrom stated the minutes could reflect there was a second to the motion but
42 no vote was taken.

43
44

1 Council Member Sederstrom moved to approve the June 7, 2016 City Council Meeting Minutes,
2 as amended.. Council Member Lanoux seconded the motion. Motion carried with Council
3 Member Huber voting nay.

4
5 **UNFINISHED BUSINESS**

6
7 There was no unfinished business.

8
9 **DISCUSSION ITEMS**

10
11 **City Council Reports:**

12
13 Council Member Sederstrom listed some areas in the City that have some trees down that need to be
14 picked up. He inquired about whether or not the School District had obtained a grading permit for
15 work being done on the parking lot.

16
17 Council Member Lanoux stated Council Member Huber filed a complaint on his property because he
18 is held to a higher standard and removed a property file and the City is now getting into all this
19 litigation. He suggested Council Member Huber be censured for filing a false police report. Mayor
20 Carr called Council Member Sederstrom bad word at a posted civic event in front of staff.

21
22 Council Member Huber stated Council Member Lanoux has been court ordered to get a CUP. Again,
23 the Council asked him very nicely to get a CUP and the judge has determined he does need one. The
24 campaign violation relating to Mr. Smith was upheld and the appeal was thrown out. The judge
25 determined campaign materials that were sent out supporting the Charter should not have included the
26 City of Grant seal. He asked that Council Member Lanoux get down to City business as he was
27 elected to do.

28
29 Council Member Sederstrom clarified that the City seal is embossed and is different from the City
30 logo.

31
32 Mayor Carr stated Council Member Lanoux has enforced the censure on himself by not following it.
33 All that had to be done was follow it for 90 days. Council Member Lanoux seems to enjoy spending
34 taxpayer's money and it is ridiculous.

35
36 **Staff Updates:**

37
38 **COMMUNITY CALENDAR JUNE 29 THROUGH JULY 31, 2015:**

39 **City Office Closed, July 4th, 2016, 4th of July Holiday**

40 **Planning Commission Meeting, Tuesday, July 19th, 2016, 7:00 p.m.**

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

43 **Stillwater Public Schools Board Meeting, Thursday, July 28th, Stillwater City Hall, 7:00 p.m.**

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

2 **ADJOURN**

3

4 **Council Member Huber moved to adjourn at 8:10 p.m. Council Member Lobin seconded the**
5 **motion. Motion carried unanimously.**

6

7

8 These minutes were considered and approved at the regular Council Meeting August 2, 2016.

9

10

11

12

13 _____
Kim Points, Administrator/Clerk

Tom Carr, Mayor

14

15

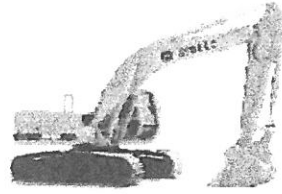
RR

Date range: 06/28/2016 to 07/25/2016

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Total</u>	<u>Description</u>	<u>Void</u>	<u>Account #</u>	<u>Detail</u>
Todd Smith	06/28/2016	13122	\$1,991.92	Monthly Assessment Services	No	100-41208-300	\$1,991.92
Payroll Period Ending 07/31/2016	07/25/2016	13123	\$3,449.68		No	100-41101-100	\$3,449.68
Press Publications	07/25/2016	13124	\$241.57	Public Hearings/Election	No	100-41308-351	\$62.72
						100-41308-351	\$84.77
						910-41308-351	\$31.36
						913-41308-351	\$31.36
						914-41308-351	\$31.36
Washington Conversation District	07/25/2016	13125	\$162.50	Quarterly Billing - MS4	No	100-43130-320	\$162.50
AirFresh Industries	07/25/2016	13126	\$125.00	PortaPot #23467	No	100-43007-210	\$125.00
CenturyLink	07/25/2016	13127	\$117.85	City Phone	No	100-41309-321	\$117.85
Brochman Blacktopping Co.	07/25/2016	13128	\$6,016.00	Patching	No	100-43109-300	\$6,016.00
Todd Smith	07/25/2016	13129	\$1,991.92	Monthly Assessment Services	No	100-41208-300	\$1,991.92
MN Department of Labor & Industry	07/25/2016	13130	\$1,197.41	Conf#2515716360	No	100-42005-520	\$1,197.41
Waste Management	07/25/2016	13131	\$4,140.36	Recycling	No	100-43011-384	\$4,140.36
Ken Ronnan	07/25/2016	13132	\$55.00	Video Tech Services	No	100-41318-100	\$55.00
Nicholas Anderson	07/25/2016	13133	\$80.00	Video Tech - PC	No	100-41318-100	\$80.00
Sprint	07/25/2016	13134	\$34.43	City Cell Phone	No	100-43116-321	\$34.43
Petty Cash	07/25/2016	13135	\$200.00	2016 Election	No	100-41303-210	\$200.00
WSB & Associates	07/25/2016	13136	\$12,957.25	Engineering	No	100-41203-300	\$4,507.75
						100-43102-300	\$980.00
						100-43128-300	\$7,469.50
Xcel Energy	07/25/2016	13137	\$208.45	Utilities	No	100-43004-381	\$29.05
						100-43010-381	\$135.98
						100-43117-381	\$43.42
Croix Valley Inspector	07/25/2016	13138	\$4,331.75	Building Inspector	No	100-42004-300	\$4,331.75
KEJ Enterprises	07/25/2016	13139	\$9,000.00	July 2016 Road Contractor	No	100-42006-300	\$83.00
						100-43006-300	\$125.00
						100-43009-300	\$125.00
						100-43102-300	\$166.14
						100-43105-300	\$167.00

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Total Description</u>	<u>Void</u>	<u>Account #</u>	<u>Detail</u>
Eckberg Lammers	07/25/2016	13140	\$11,176.89 Legal Services	No	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
					100-41204-300	\$2,806.50
					100-41205-300	\$6,552.80
					100-41206-300	\$1,637.59
					100-43103-300	\$180.00
SHC, LLC	07/25/2016	13141	\$4,515.08 Planning	No	100-41209-300	\$1,759.75
					910-49310-300	\$873.07
					913-49310-300	\$757.16
					914-49310-300	\$1,125.10
Kline Bros Excavating	07/25/2016	13142	\$24,072.50 Road Maintenance	No	100-43101-300	\$6,560.00
					100-43106-300	\$1,050.00
					100-43128-300	\$16,462.50
PERA	07/25/2016	13143	\$662.91 PERA	No	100-41102-120	\$355.13
IRS	07/25/2016	EFT78	\$1,153.79 Payroll Taxes	No	100-41113-100	\$307.78
					100-41103-100	\$362.24
					100-41107-100	\$429.31
					100-41110-100	\$293.58
					100-41112-100	\$68.66
Total For Selected Checks			\$87,882.26			\$87,882.26

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



Invoice

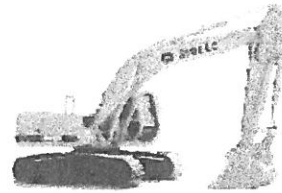
DATE	INVOICE #
7/22/16	2408

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	SPECIAL PROJECTS DITCHWORK 100-43128

DUE DATE
8/1/16

DESCRIPTION	QTY	UNIT COST	AMOUNT
88TH DITCHWORK			0.00
7-05-16 LNT9000	3	75.00	225.00
7-05-16 T600	1	75.00	75.00
7-06-16 E70	5.5	90.00	495.00
7-06-16 1845C	1	85.00	85.00
7-06-16 LNT9000	2.5	75.00	187.50
7-06-16 T600	1	75.00	75.00
7-07-16 E70	3.5	90.00	315.00
7-07-16 1845C	3	85.00	255.00
7-07-16 LNT9000	3	75.00	225.00
7-07-16 T600	1	75.00	75.00
7-08-16 1845C	4	85.00	340.00
7-08-16 SD54	2.5	75.00	187.50
7-08-16 T600	1	75.00	75.00
7-07-16 740A	5	80.00	400.00
7-08-16 740A	4	80.00	320.00
INGBERG CULT			0.00
7-13-16 E70	4	90.00	360.00
7-13-16 1845C	5	85.00	425.00
7-13-16 LNT9000	5.5	75.00	412.50
7-13-16 T600	1	75.00	75.00
IMPERIAL DITCHWORK			0.00
7-19-16 E70	5	90.00	450.00
7-19-16 1845C	5	85.00	425.00
7-19-16 LNT9000	5	75.00	375.00
7-19-16 T600	1	75.00	75.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	Total		5,932.50

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



Invoice

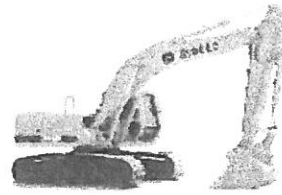
DATE	INVOICE #
7/22/16	2407

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	SPECIAL PROJECTS DITCHWORK 100-43128

DUE DATE
8/1/16

DESCRIPTION	QTY	UNIT COST	AMOUNT
88TH DITCHWORK			0.00
6-21-16 E70	7.5	90.00	675.00
6-21-16 1845C	6	85.00	510.00
6-21-16 LNT9000	6.5	75.00	487.50
6-21-16 740A	6	80.00	480.00
6-21-16 T600	1	75.00	75.00
6-22-16 E70	7.5	90.00	675.00
6-22-16 1845C	6	85.00	510.00
6-22-16 LNT9000	6	75.00	450.00
6-22-16 T600	1	75.00	75.00
6-22-16 740A	5	80.00	400.00
6-23-16 1845C	3	85.00	255.00
6-23-16 LNT9000	4	75.00	300.00
6-23-16 E70	6	90.00	540.00
6-23-16 740A	4	80.00	320.00
6-23-16 T800	1	75.00	75.00
6-24-16 E70	4	90.00	360.00
6-24-16 1845C	4.5	85.00	382.50
6-24-16 LNT9000	5	75.00	375.00
6-24-16 T600	1	75.00	75.00
6-30-16 E70	3.5	90.00	315.00
6-30-16 1845C	3.5	85.00	297.50
6-30-16 LNT9000	3.5	75.00	262.50
6-30-16 T600	1	75.00	75.00
7-01-16 E70	3.5	90.00	315.00
7-01-16 1845C	3.5	85.00	297.50
7-01-16 LNT9000	3.5	75.00	262.50
7-01-16 T600	1	75.00	75.00
7-05-16 E70	4.5	90.00	405.00
7-05-16 1845C	3	85.00	255.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
Total			9,580.00

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



Invoice

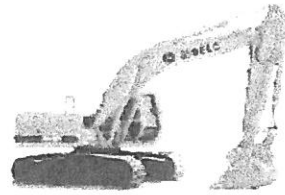
DATE	INVOICE #
7/22/16	2409

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	SPECIAL PROJECTS DITCHWORK 100-43128

DUE DATE
8/1/16

DESCRIPTION	QTY	UNIT COST	AMOUNT
IMPERIAL DITCHWORK			0.00
7-21-16 E70	3.5	90.00	315.00
7-21-16 1845C	3.5	85.00	297.50
7-21-16 LNT9000	3.5	75.00	262.50
7-21-16 T600	1	75.00	75.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
Total			950.00

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



Invoice

DATE	INVOICE #
7/22/16	2410

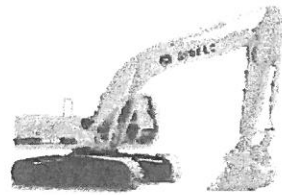
BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD GRAVEL 100-43106

DUE DATE
8/1/16

DESCRIPTION	QTY	UNIT COST	AMOUNT
7-05-16 LOADS OF MOD CLASS 5 FOR EAST 88TH ST HILL	3	75.00	225.00
7-06-16 LOADS " " "	5	75.00	375.00
7-08-16 LOADS " " "	6	75.00	450.00
Total			1,050.00

AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE

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



Invoice

DATE	INVOICE #
7/22/16	2406

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

DUE DATE
8/1/16

DESCRIPTION	QTY	UNIT COST	AMOUNT
6-22-16 740A	3	80.00	240.00
6-23-16 740A	2	80.00	160.00
6-24-16 740A	3.5	80.00	280.00
6-27-16 770B	9	80.00	720.00
6-27-16 740A	9.25	80.00	740.00
6-28-16 770B	8.5	80.00	680.00
6-28-16 740A	7	80.00	560.00
7-01-16 740A	5	80.00	400.00
7-05-16 740A	5	80.00	400.00
7-06-16 740A	6	80.00	480.00
7-11-16 770B	5.5	80.00	440.00
7-11-16 740A	5.5	80.00	440.00
7-12-16 770B	5.75	80.00	460.00
7-20-16 770B	4.5	80.00	360.00
7-21-16 770B	2.5	80.00	200.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE	Total		6,560.00

CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA

Resolution No. 2016-15

A RESOLUTION APPOINTING ELECTION JUDGES FOR THE
AUGUST 9th, 2016 PRIMARY ELECTION AND
THE NOVEMBER. 8th, 2016 GENERAL ELECTION

WHEREAS, a State Primary Motion will be held on August 9, 2016; and the General Election will be held on November 8th, 2016;

WHEREAS, Minnesota Statute 20413.2 1, subd. 2, requires election judges for precincts in a municipality be appointed by the governing body of the municipality; and

WHEREAS, the City of Grant has one precinct; and

WHEREAS, the following State of Minnesota residents have applied to serve as election judges and meet the qualifications established by the State of Minnesota

NOW THEREFORE BE IT RESOLVED, that the City of Grant Council, in accordance with State Law, hereby appoints the following persons to serve as election judges for the Primary Election on August 9th, 2016 and the General Election on November 8th, 2016, approves payment of an hourly wage of \$9.50 and \$13.50 for Head Judges during election judge training and time served on election day.

Becky Siekmeier	Laura Fruci	Iona Holsten
Danny Gagliardi	Mike Herbst	Ed Sapinski
Bob Tufty	Bill Michael	Jerry Linser
Linda Johnson	Joe Fruci	Jeff Palumbo
Helen Bystrom	Ross Sublett	Cathy Hughes
Pat Coen	Kris Durdin	

BE IT FURTHER RESOLVED, that in case an appointed judge is unable to serve, the clerk is authorized to find a substitute judge of the same political party for the judge who cannot serve.

BE IT FURTHER RESOLVED, additional judges may appointed upon completion of necessary election judge training.

Adopted by the City Council of the City of Grant, on August 2, 2016,

By:

Tom Carr, Mayor

ATTEST:

Kim Points, City Clerk



Building a legacy – your legacy.

701 Xenia Avenue South
Suite 300
Minneapolis, MN 55416
Tel: 763-541-4800
Fax: 763-541-1700

Memorandum

To: *Honorable Mayor and City Council, City of Grant
Kim Points, Administrator, City of Grant*

From: *Brad Reifsteck, PE, City Engineer
WSB & Associates, Inc.*

Date: *July 22, 2016*

Re: *Keswick Avenue Roadway Improvement Project – Ordering Public Improvement*

Actions to be considered:

To adopt a resolution ordering the public improvements for Keswick Avenue Roadway Improvement Project

Facts:

The City Council authorized preparation of the Feasibility Report for the project area on June 7th and received the Feasibility Report on June 28, 2016.

As identified in the Feasibility Report, total project cost is estimated to be \$117,550, including construction, legal, engineering, administrative, and finance costs.

The City notified affected property owners and persons expressing interest in the project of the scheduled Improvement Hearing within the minimum 10-day notification requirement and published the notice of hearing in the City's official newspaper for two weeks.

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

The benefitting properties have agreed to waive the public hearing for the Keswick Avenue Roadway Improvements.

Action: Discussion. Adopt Resolution.

Attachments:
Resolution

CITY OF GRANT

RESOLUTION NO. _____

**RESOLUTION ORDERING THE IMPROVEMENTS
FOR THE KESWICK AVENUE ROADWAY IMPROVEMENT PROJECT**

WHEREAS, the City Council ("Council") of the City of Grant, Minnesota ("City") has identified Keswick Avenue as a Capital Improvement Project for Fiscal Year 2016; and

WHEREAS, those improvements shall include street reconstruction; and

WHEREAS, the Council authorized Brad Reifsteck, WSB & Associates, Inc. to complete a feasibility report ("Study") on the Project on June 3, 2016; and

WHEREAS, said Study was received by the Council on June 28, 2015; and

WHEREAS, the City notified affected property owners and persons expressing interest in the project of the scheduled Improvement Hearing ("Hearing") within the minimum 10-day notification requirement and published the notice of hearing in the City's official newspaper for two weeks; and

WHEREAS, the Hearing was conducted at the regular City Council meeting on August 2, 2016; and

WHEREAS, the Council authorized WSB & Associates, Inc. as the project engineer and Brad Reifsteck as the City's engineering representative for the Project, and ordered the preparation of plans and specifications on June 28, 2016 ; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GRANT, MINNESOTA, with the public hearing on the Project complete and public comment on the project received, the City Council finds:

1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility reports.
2. Such improvements are hereby ordered as proposed in this Resolution.
3. WSB & Associates, Inc. is hereby designated as the engineer for this improvement.

ADOPTED this 2nd day of August, 2016.

Tom Carr, Mayor

Attest:

Kim Points, City Clerk



Building a legacy – your legacy.

701 Xenia Avenue South
Suite 300
Minneapolis, MN 55416
Tel: 763-541-4800
Fax: 763-541-1700

Memorandum

To: *Honorable Mayor and City Council, City of Grant
Kim Points, Administrator, City of Grant*

From: *Brad Reifsteck, PE, City Engineer
WSB & Associates, Inc.*

Date: *July 22, 2016*

Re: *Keswick Avenue Roadway Improvement Project – Plan Approval and Bid Date*

Actions to be considered:

To adopt a resolution approving Plans and Specifications and ordering advertisement for bids for Keswick Avenue Roadway Improvement Project

Facts:

The City Council authorized preparation of plans and specifications for the project on June 28th.

The City Council authorized preparation of a Feasibility Report for the project on June 7th, 2016, received the Feasibility Report on June 28th, and ordered the public improvement for the project following a noticed public hearing held at the August 2, 2016 regular Council meeting.

A bid date and time has been proposed for Thursday September 1, 2016. At that time all bids shall be opened, tabulated for mathematical accuracy, and prepared for City Council consideration at the September 6, 2016 regular Council meeting.

Action: Discussion. Adopt Resolution

Attachments:

Location Map
Resolution

**CITY OF GRANT
RESOLUTION NO. _____**

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING
ADVERTISEMENT FOR BIDS
FOR THE KESWICK AVENUE ROADWAY IMPROVEMENTS PROJECT**

WHEREAS, the City Council ("Council") of the City of Grant, Minnesota ("City") has identified Keswick Avenue as a Capital Improvement Project for Fiscal Year 2016; and,

WHEREAS, those improvements shall include street reconstruction; and,

WHEREAS, pursuant to a resolution passed by the Council June 28, 2016, the consultant City Engineer Brad Reifsteck, WSB & Associates, has prepared plans and specifications for the Project; and,

WHEREAS, the City notified affected property owners and persons expressing interest in the project of the scheduled Improvement Hearing ("Hearing") within the minimum 10-day notification requirement and published the notice of hearing in the City's official newspaper for two weeks; and,

WHEREAS, the Hearing was conducted at the regular City Council meeting on August 2, 2016; and,

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GRANT, MINNESOTA:

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. An advertisement for bids shall be prepared and published in the official paper on August 11, 2016, that specifies the work to be done and that all bids will be received by Brad Reifsteck, City Engineer, WSB & Associates, 701 Xenia Avenue S., #300, until 10:00 a.m., C.S.T., on Thursday, September 1, 2016, at which time they will be publicly opened at Town Hall by the City Clerk and City Engineer, tabulated, and presented to the City Council for consideration at the September 6, 2016 City Council meeting.

ADOPTED this 2nd day of August, 2016.

Tom Carr, Mayor

Attest:

Kim Points, City Clerk



Memorandum

To: *Honorable Mayor and City Council, City of Grant
Kim Points, Administrator, City of Grant*

From: *Brad Reifsteck, PE, City Engineer
WSB & Associates, Inc.*

Date: *July 22, 2016*

Re: *McKussick Road – Speed Zone Modification*

Actions to be considered:

To discuss approving a 35 MPH speed limit in a rural residential district along McKussick Road.

Facts:

A neighborhood meeting was held on June 14, 2016 for property owners adjacent to McKussick Road and the speed of vehicles using the roadway was a concern of many residents.

Minnesota statute defines maximum speed limits for non-posted roadways. Under specific conditions, the local road authority having jurisdiction may adjust speed limits lower without performing a formal speed study.

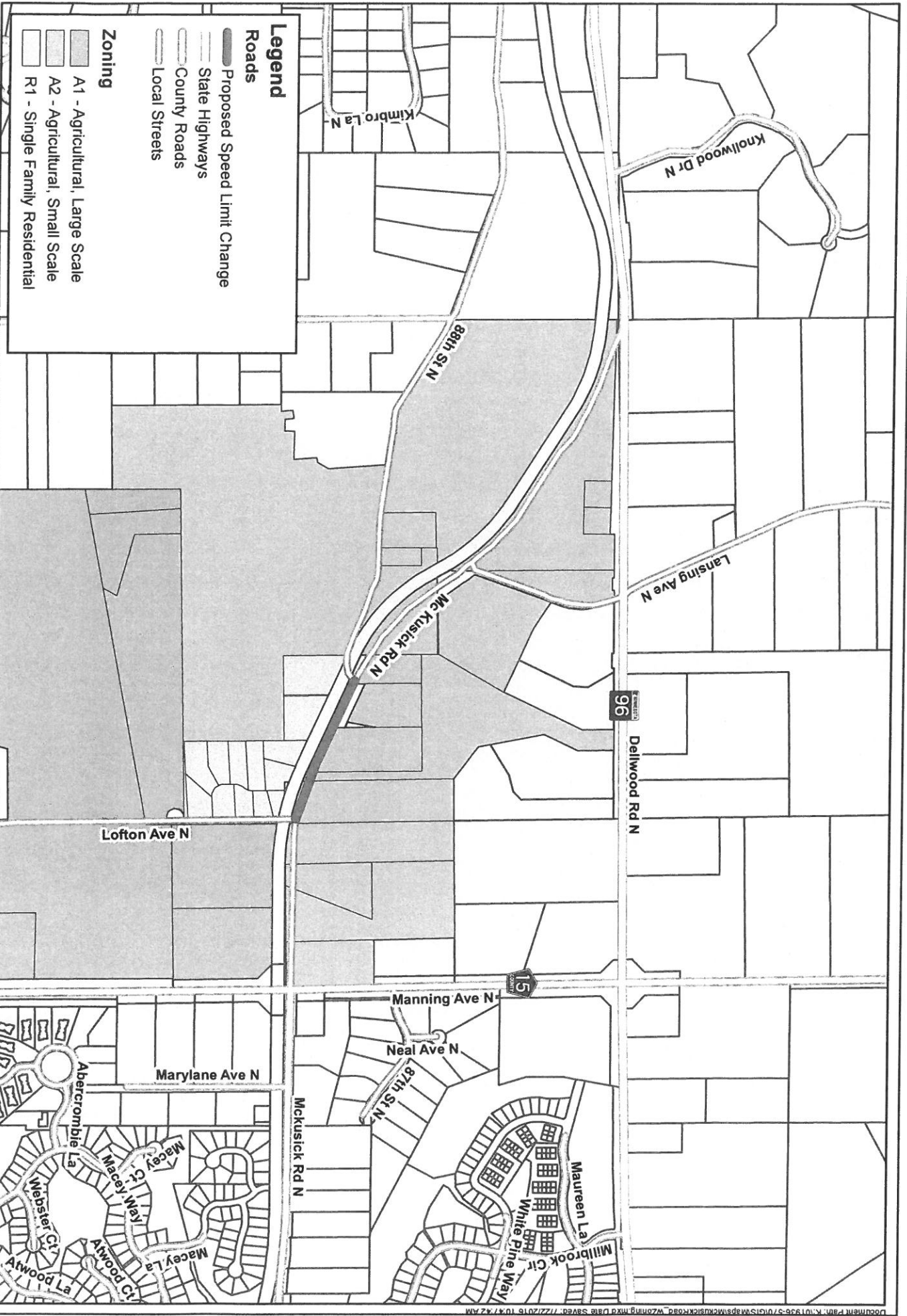
A segment of McKussick Road between Lofton Ave N and 88th Street lies within a rural residential district, a special condition, which allows the local road authority to adjust the speed limit to 35 MPH.

The adjusted speed limit along McKussick Road is not effective unless the road authority has adopted the speed change and erected signs designating the speed limit and indicating the beginning and end of the rural residential district.

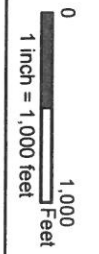
Action: Discussion.

Attachments:

Location Map



Mc Kusick Road N
City of Grant



Document Path: K:\1\356-57\GIS\SRAPSR\KUSICKRD.WZoning.mxd Date Saved: 7/27/2018 10:47:42 AM



Memorandum

To: *Honorable Mayor and City Council, City of Grant
Kim Points, Administrator, City of Grant*

From: *Brad Reifsteck, PE, City Engineer
WSB & Associates, Inc.*

Date: *July 22, 2016*

Re: *Pavement Condition Report*

Actions to be considered:

Adopt the pavement condition report as part of a comprehensive Pavement Management Program to assist the City in planning future roadway maintenance and reconstruction.

Facts:

The pavement condition report will provide a **guide** to the City for planning and making strategic decisions related to roadway maintenance and reconstruction activities.

Each roadway segment is given an Overall Condition Index (OCI) score representing poor, fair, good, or excellent condition and determines the appropriate maintenance required to maximize the useful life of the pavement and to minimize maintenance costs by performing proper actions at the optimum time.

The report performs cost effective analysis of various maintenance and rehabilitation strategies to extend the life of pavements, which assist the City in making the best decisions on the use of available resources.

The City's current annual budget for paved roadway maintenance is as follows:

Pothole Repairs	\$33,500
Seal Coating/Crack Filling	\$34,000
<u>Special Road Projects</u>	<u>\$43,485</u>
Subtotal Paved Roadway Maintenance Budget	\$110,985
<u>Estimated Roadway Improvements by Special Assessments</u>	<u>\$100,000*</u>
*Keswick Ave Roadway Improvements	
Total Annual Paved Roadway Improvements	\$210,985

Action: Discussion.

STAFF REPORT

TO: City Council Members
 Kim Points, City Clerk
 Nick Vivian, City Attorney
From: Jennifer Haskamp

Date: July 25, 2016
RE: Variance for a septic system from wetlands at 7555 99th St. Ct. North

Background

The Applicant and Owner (“Applicant”), Brad Micetic, has requested a variance from wetland setbacks for installation of a new mound septic system on the property located at 7555 99th Street Court North. The Applicant recently purchased the subject property which includes an existing single family residential home and accessory structure. The existing septic system which serves the property has failed, and therefore the system must be replaced to serve the home. The Applicant has been coordinating with Washington County to acquire a permit for installing the new system, and they were notified by the County that the location of the replacement system is within the City’s required wetland setbacks and thus would need to obtain a variance from the city prior to being issued a permit for installation of the new system.

The following staff report summarizes the requested variance, and existing conditions of the site.

Project Summary

Applicant & Owner: Brad Micetic	Site Size: 2.5 Acres Location: 7555 99 th Street Court North Existing Home: Constructed in 1974 Zoning & Land Use: R-1
Request: Variance from wetland setbacks and grading buffer to install a replacement subsurface sewage treatment system (SSTS) at the existing home	

As referenced above, the Applicants have requested the following variance:

- Structural Setback from wetland for the septic system (75 feet).

As previously described, the Applicant is seeking a variance from the required setbacks for installation of a septic system to replace the existing system which was deemed failing during the recent real estate transaction in which the Applicant acquired the property.

Planning Commission Recommendation

On July 19, 2016 the Planning Commission held a duly noticed public hearing to consider the subject application. After public testimony and discussion, the Planning Commission unanimously recommended that the City Council approve the request with the stated conditions, as revised. It was noted that the staff report was missing one condition regarding review/approval of the Rice Creek Watershed District which is

identified on subsequent pages and shown with an Underline. The remainder of the staff report is as presented by staff during the Planning Commission meeting, except where indicated with an underline.

Review Criteria

According to the City Code, Sections 32-59 and 32-60 establishes the criteria for granting and review of variance requests. The variance application review requires the Applicants to prepare a statement of reasons why the request is made describing the hardship (or practical difficulty) which is described as, “the proposed use of the property and associated structures in question cannot be established under the conditions allowed by this chapter or its amendments and no other reasonable alternate use exists; however, the plight of the landowner must be due to physical conditions unique to the land, structure or building involved and are not applicable to other lands, structures or buildings in the same zoning district....Economic considerations alone shall not constitute a hardship.”

Existing Site Conditions

The subject property is described as Lot 16 Block 1 of the Glasgow Pine Tree Estates subdivision which was platted in or around the 1970s. The existing home was constructed in 1974 and it is assumed at that time a septic system was installed to serve the home. The property is approximately 2.5 acres in size and is irregular in shape generally oriented north-south and is a corner lot with primary frontage along the western property line (99th Street Court North), and secondary frontage on the north property line (99th Street North). The existing home and accessory structures are accessed from a single driveway access off of 99th Street Court North. The existing lot is considered a legal non-conforming size lot and is less than the 5-acre minimum lot size currently required under existing zoning. The existing home is located in the center of the lot where the high point of the property is located. The site slopes gently to the north and to the south with wetlands located on the down gradient of both sides of the home. The existing topography as well as the location of the wetlands naturally constrain the lot, and thus constrain where a viable location of a septic system may be located. There is significant vegetation on the site with clearing for the existing home, accessory structure and the wetland area on the northwest corner of the site.

Variance Requests - Zoning Standards

The wetland setbacks are established in Chapter 12 of the City’s Code, which breaks down the applicable standards for wetland by type, unclassified and classified water bodies. The following description of the variance and standard is identified in the following table (See Attachment B for Certificate of Survey):

Standard	Required	Proposed	Variance	Description
Wetland	75'	60' +/-	15' +/-	There are 2 wetland areas identified on the certificate of survey submitted by the Applicant. While a formal delineation was not performed, the proposed system is estimated to encroach on the northern and southern wetland buffer by approximately 15-feet.

Lot Size/Constraints

The Applicants' lot was platted as part of the Glasgow Pine Tree Estates subdivision in the 1970s and at the time complied with the adopted lot standards. Since the 1970s lot size and area standards have changed and as a result the lot is now considered a legal non-conforming lot with respect to size, area and dimensions. As a result of the lot area and dimensions being smaller than those that are in effect today, the existing septic system, as well as the proposed replacement area, is located within the setback areas. The lot is naturally constrained not only by natural features on the property (wetlands and topography) but also by the non-conforming nature of the lot area and dimensions. Further, due to the location of the existing home, the detached accessory garage and the well which serves the residence the location that a septic system could be sited is further reduced. Staff believes the proposed location of the replacement system is reasonable and is properly located based upon topography and other natural site limiting factors, and that the variance requested has been minimized to the extent possible. Additionally, the Applicant must remedy the situation to comply with the standards for septic systems as identified by Washington County.

The Applicant has provided an email exchange with Alex Pepin from the Washington County Department of Public Health and Environment in which Mr. Pepin states that the proposed location for the new septic system is appropriate and would meet their standards. Mr. Pepin further states that any other location "would decrease the distance to one of the ponds or wetlands around the property and there isn't any other suitable location..." (Attachment C)

Engineering Standards

The City Engineer has reviewed the attached Certificate of Survey and has indicated that the proposed location is acceptable to install the replacement system and has no additional comments.

Other Agency Review

The site is located in the Rice Creek Watershed District, and the Applicant has indicated that they are in contact with the RCWD to coordinate any application or permit which may be required from them to install the new septic system. As referenced previously, the Applicant will be required to obtain a permit from the Washington County department of Public Health and Environment prior to installation of the system, as they are the permitting authority for septic systems in the City.

Summary - Draft Findings and Conditions

The following draft findings related to the hardship (practical difficulty) are provided for your review and consideration:

- The Applicants must replace the failing system to comply the standards of the Washington County Department of Public Health and Environment.
- Replacement of the failing system is a health, safety, and welfare issue and must be completed to the satisfaction of Washington County to protect the current and any future home owners as well as any adjacent properties which could be affected if the failing system were to remain.

- The lot is considered a legal non-conforming property for lot size, area and dimensions and constrains the buildable area on the site limiting the available locations to site the new system.
- There are two wetland/pond areas and significant topography and vegetation which limit the available area to site the replacement system.

Draft Conditions:

- The Applicants shall be required to obtain the proper permits from the Washington County Department of Public Health and Environment prior to installation of the replacement system.
- The replacement system must be placed outside of all wetland/ponding areas on the site.
- The Applicant shall obtain all necessary permits and approvals from any other regulatory agency, including, but not limited the Rice Creek Watershed District, which may have authority over installation and construction of the new replacement system.

Action requested:

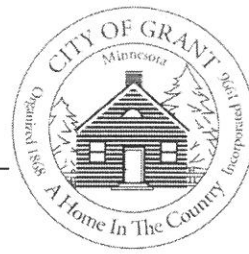
As recommended by the Planning Commission, Staff has prepared a resolution of approval with draft findings and conditions for your review and consideration.

Attachments

Attachment A: Application and Applicant's Narrative dated 6/1/2016

Attachment B: Certificate of Survey dated 5/25/2016

Attachment C: Email correspondence between Applicant and Washington County 5/16/2016



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

VARIANCE REQUEST

In certain cases a variance from the strict enforcement and adherence to the zoning ordinance may not be possible due to practical difficulties associated with a property. A practical difficulty means that the proposed use of the property and associated structures in question cannot be established under the conditions allowed by the zoning ordinance and that no other reasonable alternate use exists. The following application is provided for such circumstances and will be determined by the Board of Adjustment for the City of Grant.

PARCEL IDENTIFICATION NO (PIN): 17,030, 21.12, 000Z LEGAL DESCRIPTION: Lot 16, Block 1, Glasgow Pine Tree Estates, Washington County, Minnesota ZONING DISTRICT & COMP PLAN LAND USE: LOT SIZE: 2.5 Acres		
PROJECT ADDRESS: 7555 99th St & G.N.	OWNER: Name: Brad W Micetic Address: 7555 99th Street Court North City, State: Grant MN Phone: (309) 360-5025 Email: Bmicetic@msn.com	APPLICANT (IF DIFFERENT THAN OWNER):
BRIEF DESCRIPTION OF REQUEST: Septic Wetland Variance		
EXISTING SITE CONDITIONS: Wetlands		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Chapter 32, Sec. 32-60. Variances.		

Submittal Materials

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

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

AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan: All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow <ul style="list-style-type: none"> ▪ Property dimensions ▪ Area in acres and square feet ▪ Setbacks ▪ Location of existing and proposed buildings (including footprint, and dimensions to lot lines) ▪ Location of current and proposed curb cuts, driveways and access roads ▪ Sanitary sewer (septic) and water utility plans ▪ Location of well and septic systems on adjacent properties ▪ Location of wetlands and other natural features ▪ Existing and proposed parking (if applicable) ▪ Off-street loading areas (if applicable) ▪ Existing and proposed sidewalks and trails
COPIES: 1 plan at 22"x34", 12 plans at 11"x17" (half scale)		

Application for: **VARIANCE**
City of Grant

<input checked="" type="checkbox"/>	<input type="checkbox"/>	Architectural/Building Plan (if Applicable): All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow <ul style="list-style-type: none"> ▪ Location of proposed buildings and their size including dimensions and total square footage ▪ Proposed floor plans ▪ Proposed elevations ▪ Description of building use COPIES: 1 plan set 22"x34", 12 plan sets 11"x17" (half scale)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Written Narrative: Describe your request and the practical difficulties that are present on the site and why a Variance is sought. COPIES: 15
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have jurisdiction over your project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within ¼ mile (1,320 feet). Contact Washington County to obtain list/labels.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$3,000
MATERIALS THAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY PLANNER		
<input type="checkbox"/>	<input type="checkbox"/>	Survey of the property: An official survey, by a licensed surveyor, must be submitted with the application. The survey shall be scalable and in an 11" x 17" format.
		Wetland Delineation: A wetland delineation may be necessary depending on the reason for the variance, and stated site constraints.
<input type="checkbox"/>	<input type="checkbox"/>	Electronic copy of all submittal documents

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

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


5/31/16

 Signature of Applicant Date

 Signature of Owner (if different than applicant) Date

Brad Micetic

7555 99th Street Court North
309-360-5025
bmicetic@msn.com

5/31/2016

Dear Grant Township Officers,

Please accept my septic variance request. I recently purchased the house and have been trying to remedy a septic that has failed. The proposed location is the only location suitable for the system on my property. This is supported by the septic designer and the email from Alex Pepin, Washington County Department of Public Health and Environment Specialist.

Warm regards,
Brad Micetic

RE: Septic Permit / Variance for 7555 99th Street Court Grant

Alex Pepin

Mon 5/16/2016 7:30 AM

To: 'Brad' <BMicetic@msn.com>

Good morning Brad,
Sorry for the delay in my response. I was out in the field all afternoon on Thursday and had off on Friday to help my wife out after a surgery.

Yes as we discussed the only location on the property that would be appropriate for a septic system is the location that Chris and Ben Zierke chose for the system in their design dated 11/12/2015. Any other location on the site would be even closer to a pond or wetland and require an even greater variance. The system was placed so that it is 60 feet from the ponds on either side of the property; any other location would decrease the distance to one of the ponds or wetlands around the property and there isn't any other suitable location anyway.

If you or any other parties involved require additional clarification on the location of the septic system please do not hesitate to call or email.

Alex Pepin

Environmental Specialist

Washington County Department of Public Health and Environment

14949 62nd Street North, P.O. Box 6

Stillwater, MN 55082

☎ 651-430-6744 | ✉ alex.pepin@co.washington.mn.us

From: Brad [mailto:BMicetic@msn.com]**Sent:** Thursday, May 12, 2016 1:27 PM**To:** Alex Pepin**Subject:** Septic Permit / Variance for 7555 99th Street Court Grant

Hi Alex,

We briefly spoke on the phone 2/3 weeks ago over the need to get a wetland variance on my septic. I am in the process of pulling everything together for the variance application. Consistent with our phone conversation can you write in an email that this is really the only place to put the septic system. I would like to include your email with the hardship letter they are asking me to submit.

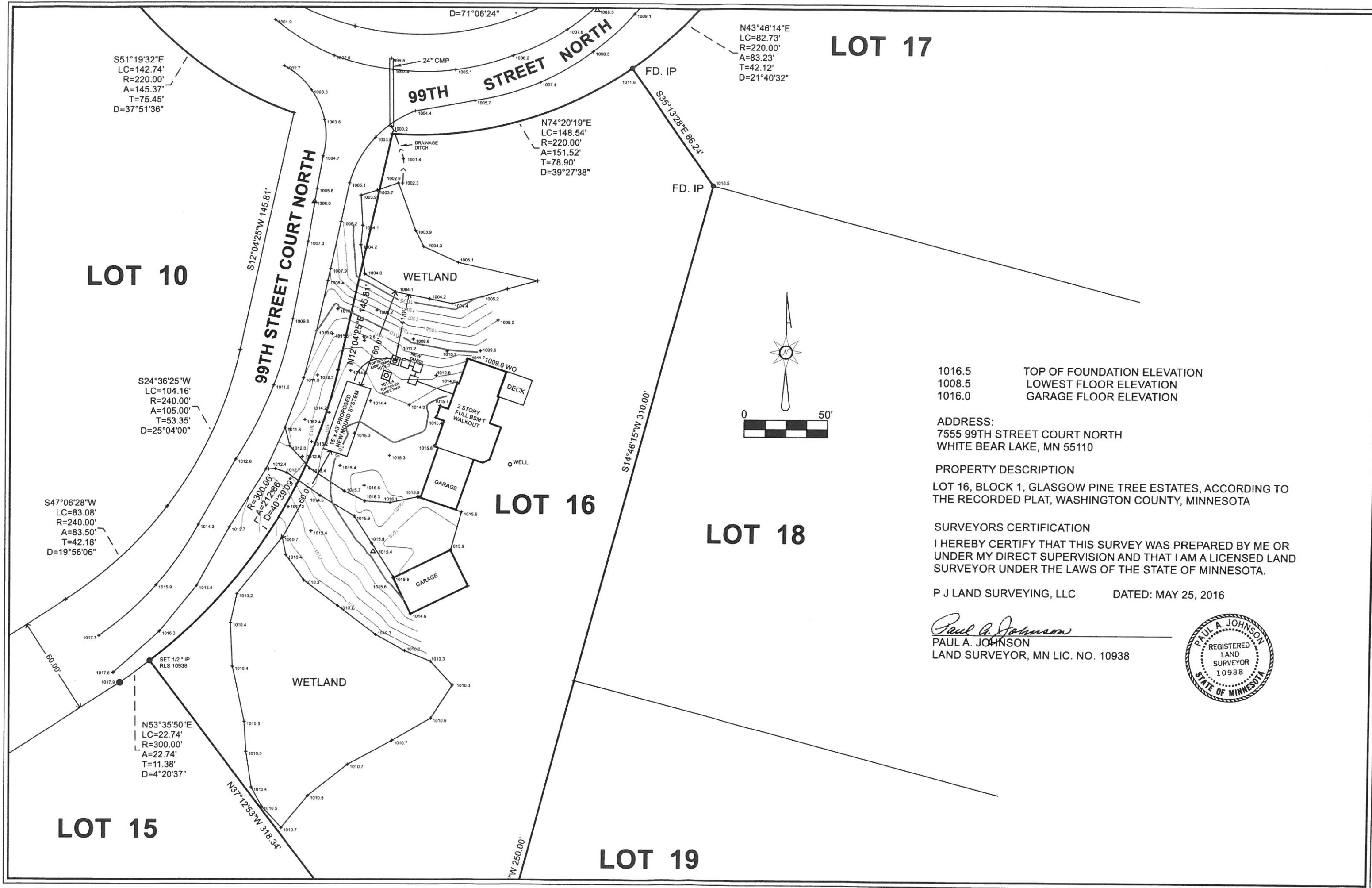
I can send you the septic plans if you are struggling to remember the property/ septic layout.

Thank You,

Brad Micetic

7775 99th Street Court North, Grant

(309)360-5025



S51°19'32"E
LC=142.74'
R=220.00'
A=145.37'
T=75.45'
D=37°51'36"

S24°36'25"W
LC=104.16'
R=240.00'
A=105.00'
T=53.35'
D=25°04'00"

S47°06'28"W
LC=83.08'
R=240.00'
A=83.50'
T=42.18'
D=19°56'06"

N53°35'50"E
LC=22.74'
R=300.00'
A=22.74'
T=11.38'
D=4°20'37"

N43°46'14"E
LC=82.73'
R=220.00'
A=83.23'
T=42.12'
D=21°40'32"

N74°20'19"E
LC=148.54'
R=220.00'
A=151.52'
T=78.90'
D=39°27'38"

LOT 17

LOT 10

LOT 16

LOT 18

LOT 15

LOT 19

1016.5 TOP OF FOUNDATION ELEVATION
1008.5 LOWEST FLOOR ELEVATION
1016.0 GARAGE FLOOR ELEVATION

ADDRESS:
7555 99TH STREET COURT NORTH
WHITE BEAR LAKE, MN 55110

PROPERTY DESCRIPTION
LOT 16, BLOCK 1, GLASGOW PINE TREE ESTATES, ACCORDING TO
THE RECORDED PLAT, WASHINGTON COUNTY, MINNESOTA

SURVEYORS CERTIFICATION
I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR
UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED LAND
SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

P J LAND SURVEYING, LLC DATED: MAY 25, 2016

Paul A. Johnson
PAUL A. JOHNSON
LAND SURVEYOR, MN LIC. NO. 10938



**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2016-18**

**RESOLUTION APPROVING A VARIANCE FROM WETLAND/POND SETBACKS
FOR INSTALLATION OF A REPLACEMENT SUBSURFACE SEWAGE SYSTEM
LOCATED AT 7555 99TH STREET COURT NORTH, GRANT, MN**

WHEREAS, Brad Micetic (“Applicant”) has submitted an application for a variance from wetland/pond setback for a subsurface sewage system located at 7555 99th Street Court N., in the City of Grant, Minnesota legally described as Lot 16 Block 1 of the Glasgow Pine Tree Estates subdivision; and

WHEREAS, the home was constructed in 1974 and a subsurface sewage system was installed at that time; and

WHEREAS, the Applicant recently purchased the subject property and was informed that the existing septic system was failing; and

WHEREAS, the Applicant contacted Washington County because they are the permitting authority for septic systems in the City of Grant; and

WHEREAS, the Applicant must remedy the failing septic system and install a new system which complies with the rules and regulations of Washington County; and

WHEREAS, a septic permit for the replacement system cannot be obtained from Washington County without the stated variance from the City’s ordinances being granted; and

WHEREAS, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on July 19, 2016, and subsequently recommended that the City Council approve the variance with conditions.

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 Brad Micetic, based upon the following findings pursuant to Section 32-59 and 32-60 of the City’s Zoning Ordinance which provides that a Variance may be granted if a hardship is demonstrated. The City Council’s Findings relating to the standards are as follows:

- The Applicant must replace the failing system to comply with the Washington County Department of Public Health and Environment rules and regulations.
- Replacement of the failing system is a health, safety, and welfare issue and must be completed to the satisfaction of Washington County to protect the current and future home owners.
- The lot is considered a legal non-conforming property for lot size, area and dimensions and constrains the buildable area on the site limiting the available locations to site the new system.
- There at least two wetland areas, topography and vegetation which limit the available area to site the replacement system.

FURTHER BE IT RESOLVED, that the following conditions of approval of the Variances shall be met:

- The Applicant shall be required to obtain the proper permits from the Washington County Department of Public Health and Environment prior to installation of the replacement system.
- The replacement system must be placed outside of all wetland/ponding areas on the site.
- The Applicant shall obtain all necessary permits and approvals from any other regulatory agency, including, but not limited the Rice Creek Watershed District, which may have authority over installation and construction of the new replacement system.

Adopted by the Grant City Council this 2nd day of August 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

STAFF REPORT

TO: City Council Members
 Kim Points, City Clerk
 Nick Vivian, City Attorney
From: Jennifer Haskamp, City Planner

Date: July 25, 2016
RE: Variance for a septic system from wetland/pond at 9313 75th Street North

Background

The Applicants, John and Bernadette Fiske, and Owners, Brian and Megan Ratnayake (hereafter collectively referred to as “Applicants”), have requested a variance from wetland setbacks for installation of a new mound septic system on the property located at 9313 75th Street North. A third party inspection of the existing system revealed that the system is non-compliant with current standards, and therefore the Applicants are requesting approval to bring the system into compliance. The Applicants have been working with Washington County to acquire a permit for installation of the new system at which time they were notified by the County that the location of the replacement system is within the City’s required wetland setbacks and thus would need to obtain a variance from the city prior to being issued a permit for installation of the new system.

The following staff report summarizes the requested variance, and existing conditions of the site.

Project Summary

Applicants: John and Bernadette Fiske	Site Size: 4.67 Acres (per GIS records)
Owners: Brian and Megan Ratnayake	Location: 9313 75 th Street North
	Existing Home: Constructed in 1987
	Zoning & Land Use: R-1
Request: Variance from wetland setbacks and potentially the grading buffer to install a replacement subsurface sewage treatment system (SSTS) at the existing home	

As referenced above, the Applicants have requested the following variance:

- Structural Setback from wetland for the septic system (75 feet).
- Buffer grading area encroachment for installation of septic system (50 feet) – staff identified that there may be some encroachment within the grading buffer depending on grading and work performed to install the new system.

As previously described, the Applicants are seeking a variance from the required setbacks for installation of a septic system to replace the existing system which was deemed non-compliant during a recent third-party inspection. Additionally, the location of the new system may require some grading work to be installed which may encroach within the City’s grading buffer of 50-feet. While this is not identified in the application, staff has included it as part of this review to expedite the process, and to ensure that if the variance is granted for

the location of the drainfield that there are no issues if it is determined that some minimal grading work is necessary within the grading buffer to install the new system.

Planning Commission Recommendation

On July 19, 2016 the Planning Commission held a duly noticed public hearing to consider the subject application. After public testimony and discussion, the Planning Commission unanimously recommended that the City Council approve the request with the stated conditions, as revised. The remainder of the staff report is as presented by staff during the Planning Commission meeting, except where indicated with an underline.

Review Criteria

According to the City Code, Sections 32-59 and 32-60 establishes the criteria for granting and review of variance requests. The variance application review requires the Applicants to prepare a statement of reasons why the request is made describing the hardship (or practical difficulty) which is described as, “the proposed use of the property and associated structures in question cannot be established under the conditions allowed by this chapter or its amendments and no other reasonable alternate use exists; however, the plight of the landowner must be due to physical conditions unique to the land, structure or building involved and are not applicable to other lands, structures or buildings in the same zoning district...Economic considerations alone shall not constitute a hardship.”

Existing Site Conditions

The subject property is located on 75th Street North which is also known as Washington County Road 12. The lot is generally regular in shape and is oriented north-south with the primary frontage along the norther property line. The existing home was constructed in 1987 and it is assumed at that time a septic system was installed to serve the home. The property is approximately 4.67 acres in size, per Washington County GIS records, and the existing home and accessory building are accessed from a single driveway connecting to 75th Street North. The existing lot is considered a legal non-conforming size lot since it is less than the 5-acres, which is the current minimum lot size required under existing zoning. The existing home is setback approximately 135-feet from the edge of the roadway shoulder, and approximately 37-feet from the east property line, 350-feet from the south property line, and 300-feet from the west property line. The site slopes from east to west, with the existing home sited approximately 15-feet higher than the wetland edge on the southwest portion of the property. There is a large wetland (unclassified waterbody) that comprises approximately the southern quarter of the subject property, and there is a small stormwater pond located west of the existing driveway access. According to the information provided by the septic system designer the site is relatively wet with the seasonal water table less than 12 inches deep on the entire parcel. The existing topography as well as the location of the wetlands naturally constrain the lot, and thus constrain where a viable location of a septic system may be located.

Variance Requests - Zoning Standards

The wetland setbacks are established in Chapter 12 of the City’s Code, which breaks down the applicable standards for wetland by type, unclassified and classified water bodies. The following description of the variance and standard is identified in the following table (See Attachment B for Certificate of Survey):

Standard	Required	Proposed	Variance	Description
Wetland	75'	52' +/-	23' +/-	There is a large wetland/unclassified waterbody located on the southern and southwestern portion of the parcel. The new system would be located approximately 52-feet to the north-east of the wetland edge. The new system is identified on the attached Certificate of Survey and is labeled “Rock Bed”.
Wetland/pond Grading Buffer	50'	45'+/-	5'+/- (potentially)	While a grading plan was not provided, it is possible that installation of the new system as described by the septic system designer (see attachment A) may require some grading work within the grading buffer.

Lot Size/Constraints

In the 1980s the Applicants’ lot likely extended to the centerline of CSAH 12 and therefore met the lot size standards. Since that time, Washington County has acquired the needed right-of-way resulting in the remaining parcel size of approximately 4.67 acres. As such, the lot is now considered a legal non-conforming lot with respect to lot area; however, the majority of the City’s dimensional standards are still met with the current configuration. As detailed within the septic designer’s letter, the site is wet and most of the soils have been disturbed resulting in limited locations in which a new septic system could be located. The lot is naturally constrained not only by natural features on the property (wetlands and topography) but also limiting factors of the disturbed soils and proximity of the seasonal water table. Further, due to the location of the existing home, the detached quonset building and the well which serves the residence the location in which a septic system could be sited is further reduced. Staff believes the proposed location of the replacement system is reasonable and is properly located based upon topography and other natural site limiting factors, and that the variance requested has been minimized to the extent possible. Additionally, the Applicants must remedy the situation to comply with the standards for septic systems as identified by Washington County.

The Applicants have provided an email from Alex Pepin from the Washington County Department of Public Health and Environment in which Mr. Pepin states that the proposed location and design of the new septic system is approved subject to receiving approval for a variance from the City of Grant. Mr. Pepin further states that he agrees with Applicants’ septic designer that no other reasonable location on the site exists to locate a new system. (Attachment C)

Engineering Standards

The City Engineer has reviewed the attached Certificate of Survey and has indicated that the proposed location is acceptable to install the replacement system and has no additional comments.

Other Agency Review

The site is located in the Valley Branch Watershed District, and it is the responsibility of the Applicants to contact the watershed district and acquire any necessary permits or approvals prior to beginning work. As referenced previously, the Applicants will be required to obtain a permit from the Washington County department of Public Health and Environment prior to installation of the system, as they are the permitting authority for septic systems in the City.

Summary - Draft Findings and Conditions

The following draft findings related to the hardship (practical difficulty) are provided for your review and consideration:

- The Applicants must replace the non-compliant system to comply the standards of the Washington County Department of Public Health and Environment.
- Replacement of the non-compliant system is a health, safety, and welfare issue and must be completed to the satisfaction of Washington County to protect the current and any future home owners as well as any adjacent properties which could be affected if the non-compliant system were to remain.
- The lot is considered a legal non-conforming property for lot area and constrains the buildable area on the site limiting the available locations to site the new system.
- There is one large wetland/unclassified water body, a stormwater pond and fairly limited depth to groundwater which limit the available area to site the replacement system.

Draft Conditions:

- The Applicants shall be required to obtain the proper permits from the Washington County Department of Public Health and Environment prior to installation of the replacement system.
- The Applicants shall be required to contact the Valley Branch Watershed District and obtain any necessary approvals or permits prior to installing the new system. If no further review or permits are required from the watershed district, then the Applicants shall provide a written correspondence from the watershed indicating that not further review is necessary.
- The replacement system must be placed outside of all wetland/ponding areas on the site.

Action requested:

As recommended by the Planning Commission, Staff has prepared a resolution of approval with draft findings and conditions for your review and consideration.

Attachments

Attachment A: Application and Applicant's Narrative signed 5/21/2016

Attachment B: Certificate of Survey dated 6/9/2016

Attachment C: Email correspondence between Applicant and Washington County 6/7/2016

Variance Request – Written Narrative, 9313 75th St. N., Grant, MN 55082

Septic System Designer, Ed Eklin, was contracted to design a septic system to bring it into compliance. The designer believes there is only one usable area for a treatment system. (See Mr. Eklin's attached cover letter) Washington county Public Health has verbally agreed to the design and variance.

Statement acknowledging other governmental agencies have been contacted

Washington county Public Health reviewed and approved Mr. Eklin's new septic design, coordinated with DNR.



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

\$2,400.00

Check # 7431 @ 5044

VARIANCE REQUEST

In certain cases a variance from the strict enforcement and adherence to the zoning ordinance may not be possible due to practical difficulties associated with a property. A practical difficulty means that the proposed use of the property and associated structures in question cannot be established under the conditions allowed by the zoning ordinance and that no other reasonable alternate use exists. The following application is provided for such circumstances and will be determined by the Board of Adjustment for the City of Grant.

PARCEL IDENTIFICATION NO (PIN):		ZONING DISTRICT & COMP PLAN LAND USE:
LEGAL DESCRIPTION: ATTACHED		LOT SIZE: 5 ACRES
PROJECT ADDRESS: 9313 75TH ST. N. GRANT, MN 55082 612-669-1253 brian.ratnayake@gmail.com	OWNER: Name: BRIAN + MEGAN RATNAYAKE Address: (SAME AS PROJECT ADDRESS) City, State: Phone: Email:	APPLICANT (IF DIFFERENT THAN OWNER): JOHN P. + BERNADETTE FISKE 8614 MANNING AVE. N. GRANT, MN 55082
BRIEF DESCRIPTION OF REQUEST: REQUEST TO CONSTRUCT A NEW SUBSURFACE SEWAGE TREATMENT SYSTEM, APPROXIMATELY 50 FEET FROM WETLAND		
EXISTING SITE CONDITIONS: CURRENT SYSTEM, CONSTRUCTED IN 1986, IS NON-COMPLIANT.		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Chapter 32, Sec. 32-60. Variances.		

Submittal Materials

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

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

AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Site Plan: All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow</p> <ul style="list-style-type: none"> ▪ Property dimensions ▪ Area in acres and square feet ▪ Setbacks ▪ Location of existing and proposed buildings (including footprint, and dimensions to lot lines) ▪ Location of current and proposed curb cuts, driveways and access roads ▪ Sanitary sewer (septic) and water utility plans ▪ Location of well and septic systems on adjacent properties ▪ Location of wetlands and other natural features ▪ Existing and proposed parking (if applicable) ▪ Off-street loading areas (if applicable) ▪ Existing and proposed sidewalks and trails <p>COPIES: 1 plan at 22"x34", 12 plans at 11"x17" (half scale)</p>

Application for: **VARIANCE**
City of Grant

<input type="checkbox"/>	<input type="checkbox"/>	<p>Architectural/Building Plan (if Applicable): All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow</p> <ul style="list-style-type: none"> ▪ Location of proposed buildings and their size including dimensions and total square footage ▪ Proposed floor plans ▪ Proposed elevations ▪ Description of building use <p>COPIES: 1 plan set 22"x34", 12 plan sets 11"x17" (half scale)</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Written Narrative: Describe your request and the practical difficulties that are present on the site and why a Variance is sought.</p> <p>COPIES: 15</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have jurisdiction over your project.
<input type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within ¼ mile (1,320 feet). Contact Washington County to obtain list/labels.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$3,000

MATERIALS THAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY PLANNER

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Survey of the property: An official survey, by a licensed surveyor, must be submitted with the application. The survey shall be scalable and in an 11" x 17" format.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>Wetland Delineation: A wetland delineation may be necessary depending on the reason for the variance, and stated site constraints.</p>
<input type="checkbox"/>	<input type="checkbox"/>	Electronic copy of all submittal documents

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

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

John P. Fiske
Signature of Applicant

[Signature]
Signature of Owner (If different than applicant)

5-21-16
Date

5/21/16
Date

↳ Bernadette
Patrick Fiske - Check # 5044 - \$3,000.00
Patrick Check # 7431 - 400.00

EXHIBIT "A"

Legal Description

File No. 16-02178

All that part of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Twenty-seven (27), in Township Thirty (30) North, of Range Twenty-one (21) West of the Fourth Meridian, Washington County, Minnesota, described as follows, to-wit: Beginning at the Northwest corner of the said Northwest Quarter of Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$), thence East along the North line of said Quarter Quarter Section to the Northeast corner of said Northwest Quarter of Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$), thence South Eight (8) Chains and Fifty-six (56) Links to the Northern boundary line of the Minneapolis & St. Paul Suburban Railway Company right-of-way, thence Northerly Eighty-three (83) Degrees West along said Northern Boundary line of said right-of-way to the West line of said Section Twenty-seven (27), Thence due North along the west line of said Section Six (6) Chains and Fifty-eight (58) Links to the place of beginning; excepting therefrom the West Ten (10) Acres thereof. Also excepting therefrom Parcel Nos. 17 and 17A, as described in Washington County Highway Right-of-Way Plat No. 20 filed in the Washington County Recorder's Office as Document No. 469257.

CenturyLink Webmail

pfiske@q.com

± Font Size -

Septic permit for 9313 75th Street North, Grant

From : Alex Pepin <Alex.Pepin@co.washington.mn.us>

Tue, Jun 07, 2016 12:18 PM

Subject : Septic permit for 9313 75th Street North, Grant

To : 'pfiske@q.com' <pfiske@q.com>

Hello Pat,

The septic permit for your property at 9313 75th Street in Grant is approved pending a local variance for setbacks to wetlands on the property. I have reviewed the soils at the site and Ed Eklin's permit application and the only location on the property that will accommodate a septic system is the location of Mr. Eklin's design, however that location is closer than the required setback distance of 75 feet from two unclassified bodies of water on the property; a stormwater pond in the front of the property and wetlands behind the property. This encroachment on the unclassified bodies of water is why local approval is required before issuance of the permit.

If you have any additional questions please do not hesitate to call or email. Have a great rest of your Tuesday!

Alex Pepin

Environmental Specialist

Washington County Department of Public Health and Environment

14949 62nd Street North, P.O. Box 6

Stillwater, MN 55082

☎ 651-430-6744 | ✉ alex.pepin@co.washington.mn.us

Ed Eklin Septic System Design

2303 County Road F East • White Bear Lake, MN 55110
651-485-2300

March 17, 2016

Pat Fiske
P. O. Box 273
Stillwater, MN 55082

Dear Pat:

At your request, a site evaluation was performed at the property located at 9313 75th St. N, Stillwater, MN., for a subsurface sewage treatment system.

Because I propose that the treatment system be placed closer than 75 feet from a wetland, you will need to request a variance. Washington County Public Health should be able to guide you through this procedure. It appears that the treatment systems absorption area will be approximately 50 feet from a wetland.

The existing drainfield has failed a compliance inspection performed by another party.

According to permit records, there is an existing 1,250 gallon septic tank. If possible, this tank is to be used in the new design. Adding a 1,000 gallon septic tank would make the total capacity 2,250 gallons.

During my evaluation of this lot, disturbed soils were found in all reasonable areas. It appears that the seasonal water table is less than 12 inches deep on the entire parcel and the soils are wet from close to the surface to approximately 24 inches deep. Below that are reddish colored soils that I believe are hardpan soils with massive structure.

Percolation tests were taken in several areas and all tests had failed except in one area, which is my proposed sewage treatment area. Some soil borings and percolation tests are not in this design.

There is standing water north of the proposed treatment area. I propose that a ditch or drain tile be constructed to drain the water to the lower area to the south. The installer should do whatever they feel is necessary to accomplish this. It is crucial that the area is drained so the treatment area does not become over saturated.

Some trees will need to be removed.

MPCA License #3321

Certification #C3268

SEPTIC SYSTEM DESIGNS • PERCOLATION TESTS
SOIL BORINGS • SUB-DIVISION PLANNING

I have designed a Type 3 sewage treatment system.

I am recommending a pressurized mound system.

For a 4-bedroom home, I recommend that the mound rock bed be 10 feet wide and 60 feet long, which is 600 square feet. There must be at least 36 inches of clean sand below the upslope edge of the rock bed.

I forbid the use of anything other than rock for the distribution media.

The following materials will be needed for construction of the mound system:

The installer should calculate the sand, sandy berm material and top soil needed. A materials worksheet is included.

- Approximately 24 yards of drain field rock.
- 1- 1,000-gallon Septic Tank.
- An effluent filter with alarm.
- A 1,000-gallon lift tank.
- A pump that will handle at least 34 gallons per minute with 17 feet of head.
- An alarm for the pump.
- There are to be three, 2 inch laterals, spaced 36 inches apart, with 7/32 inch perforations spaced 36 inches apart. The manifold can be on the end of the laterals.

A vegetative cover must be established over the treatment system as soon as possible and the area must be protected from erosion if needed, until the vegetation is established.

The installer must verify gallons per minute and head needed, so the correct sized pump is used.

Pressurized laterals must have clean outs installed at the ends.

If the septic tanks are 24 inches deep or less to the top from finished grade, they must be insulated to an R-value of at least 10.

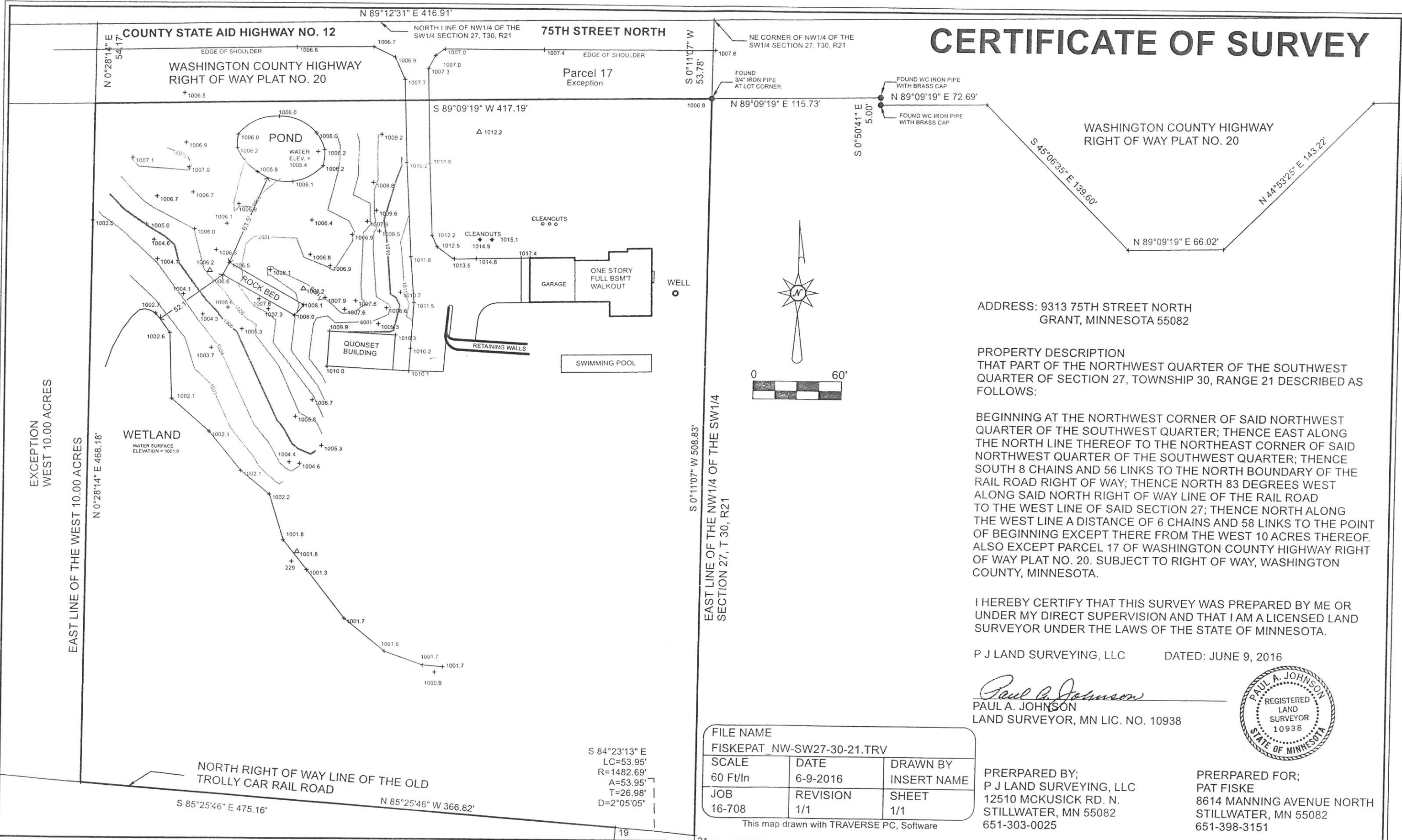
In winter, it is best to leave the snow on the treatment system and over the septic tanks uncompacted for better insulation to prevent freezing.

Footing or roof drains, chemically-treated hot tubs, pool water, paint, and other products containing hazardous chemicals must not discharge into the sewage treatment system.

Low-flow shower heads and toilets can cut down on water usage. Leaky faucets and toilets can add too much water to the treatment system and should be fixed promptly. Also, I recommend using a lint screen on your washing machine discharge pipe.

It is the homeowner's responsibility to get the septic tanks pumped in accordance with your local government's ordinances. A licensed maintainer (pumper) will be required to do this. Washington County requires pumping no less than once every 3 years.

CERTIFICATE OF SURVEY



ADDRESS: 9313 75TH STREET NORTH
GRANT, MINNESOTA 55082

PROPERTY DESCRIPTION
THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 30, RANGE 21 DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE EAST ALONG THE NORTH LINE THEREOF TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 8 CHAINS AND 56 LINKS TO THE NORTH BOUNDARY OF THE RAIL ROAD RIGHT OF WAY; THENCE NORTH 83 DEGREES WEST ALONG SAID NORTH RIGHT OF WAY LINE OF THE RAIL ROAD TO THE WEST LINE OF SAID SECTION 27; THENCE NORTH ALONG THE WEST LINE A DISTANCE OF 6 CHAINS AND 58 LINKS TO THE POINT OF BEGINNING EXCEPT THERE FROM THE WEST 10 ACRES THEREOF. ALSO EXCEPT PARCEL 17 OF WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 20. SUBJECT TO RIGHT OF WAY, WASHINGTON COUNTY, MINNESOTA.

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

P J LAND SURVEYING, LLC DATED: JUNE 9, 2016

Paul A. Johnson
PAUL A. JOHNSON
LAND SURVEYOR, MN LIC. NO. 10938



FILE NAME FISKEPAT_NW-SW27-30-21.TRV		
SCALE 60 Ft/In	DATE 6-9-2016	DRAWN BY INSERT NAME
JOB 16-708	REVISION 1/1	SHEET 1/1

This map drawn with TRAVERSE PC, Software

PREPARED BY:
P J LAND SURVEYING, LLC
12510 MCKUSICK RD. N.
STILLWATER, MN 55082
651-303-0025

PREPARED FOR:
PAT FISKE
8614 MANNING AVENUE NORTH
STILLWATER, MN 55082
651-398-3151

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2016-19**

**RESOLUTION APPROVING A VARIANCE FROM WETLAND/POND SETBACKS
FOR INSTALLATION OF A REPLACEMENT SUBSURFACE SEWAGE SYSTEM
LOCATED AT 9313 75TH STREET NORTH, GRANT, MN**

WHEREAS, John and Bernadette Fiske (Applicant) and Brian and Megan Retnayake (Owner), hereafter collectively called Applicants, has submitted an application for a variance from wetland/pond setback for a subsurface sewage system located at 9313 75th Street North, in the City of Grant, Minnesota.

WHEREAS, the home was constructed in 1987 and a subsurface sewage system was installed at that time; and

WHEREAS, during a recent real estate transaction between the Applicants it was determined that the septic system on the Subject property was non-compliant and must be remedied; and

WHEREAS, the Applicants contacted Washington County because they are the permitting authority for septic systems in the City of Grant; and

WHEREAS, a septic permit for the replacement system cannot be obtained from Washington County without the stated variance from the City's ordinances being granted; and

WHEREAS, the Planning Commission has considered the Applicants' request at a duly noticed Public Hearing which took place on July 19, 2016, and subsequently recommended that the City Council approve the variance with conditions.

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 the Applicants, based upon the following findings pursuant to Section 32-59 and 32-60 of the City's Zoning Ordinance which provides that a Variance may be granted if a hardship is demonstrated. The City Council's Findings relating to the standards are as follows:

- The Applicants must replace the non-compliant system to comply with the Washington County Department of Public Health and Environment rules and regulations.
- Replacement of the non-compliant system is a health, safety, and welfare issue and must be completed to the satisfaction of Washington County to protect the current and future home owners.
- The lot is considered a legal non-conforming property for lot size, and area which constrains the buildable area on the site limiting the available locations to site the new system.
- There is one large wetland/unclassified water body, a stormwater pond and fairly limited depth to groundwater on the site which limit the available area to site the replacement system.

FURTHER BE IT RESOLVED, that the following conditions of approval of the Variances shall be met:

- The Applicant shall be required to obtain the proper permits from the Washington County Department of Public Health and Environment prior to installation of the replacement system.
- The Applicant shall obtain all necessary permits and approvals from any other regulatory agency, including, but not limited the Valley Branch Watershed District, which may have authority over installation and construction of the new replacement system.
- The replacement system must be placed outside of all wetland/ponding areas on the site.

Adopted by the Grant City Council this 2nd day of August 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

ECKBERG LAMMERS MEMORANDUM

To:
From: Nicholas J. Vivian, City Attorney
Date: July 20, 2016
Re: City of Grant – Opt-Out Ordinance for Temporary Family Health Care Dwellings Statute

Effective as of September 1, 2016, a recently enacted Minnesota statute, Minn. Stat. 462.3593 (the “Statute”), will permit certain temporary family health care dwellings (“TFHC Dwellings”) to be located adjacent to principal dwellings, subject only to limitations set forth in the Statute. The Statute appears to be designed to permit residents to establish temporary dwelling structures adjacent to their primary residence for family members that need supervision and/or health assistance. However, there are a number of issues raised by this Statute that may cause the City to consider opting-out of the statute, including the following:

1. The Statute is designed to preempt City zoning ordinances with respect to TFHC Dwellings (though do not reduce any set back requirements), and supersedes the City’s existing zoning controls with respect to dwellings of this nature. If the City does not opt-out, the sole conditions for establishing such a temporary dwelling will be the conditions set forth in the Statute (attached below).
2. The temporary nature of the TFHC Dwellings is not ensured by the Statute. The initial permit is applicable for six months (and renewable for another six months). However, nothing in the Statute limits an applicant for reapplying for the permit annually, which could potentially resulting which could potentially permit a dwelling to remain indefinitely.
3. The Statute requires that an applicant for a TFHC Dwelling deliver certain (minimal) health records to the City. The health records will likely be nonpublic data under the Minnesota Government Data Practices Act, imposing an administrative burden on the City in possessing and maintaining such records in accordance with such Act. Furthermore, such health records may potentially trigger obligations on the City under the Health Insurance Portability and Accountability Act (HIPAA), further increasing the administrative burden on the City.

For these reasons, they City may elect to opt-out of the Statute, as permitted by Subdivision 9 of the Statute. Please contact me if you have any questions.

Permit Conditions for TFHC Dwelling

A temporary family health care dwelling must:

- (1) be primarily assembled at a location other than its site of installation;
- (2) be no more than 300 gross square feet;
- (3) not be attached to a permanent foundation;
- (4) be universally designed and meet state-recognized accessibility standards;
- (5) provide access to water and electric utilities either by connecting to the utilities that are serving the principal dwelling on the lot or by other comparable means;
- (6) have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;
- (7) have a minimum insulation rating of R-15;
- (8) be able to be installed, removed, and transported by a one-ton pickup truck as defined in section 168.002, subdivision 21b, a truck as defined in section 168.002, subdivision 37, or a truck tractor as defined in section 168.002, subdivision 38;
- (9) be built to either Minnesota Rules, chapter 1360 or 1361, and contain an Industrialized Buildings Commission seal and data plate or to American National Standards Institute Code 119.2; and
- (10) be equipped with a backflow check valve.

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

ORDINANCE NO. 2016-48

**AN ORDINANCE OPTING-OUT OF THE REQUIREMENTS
OF MINNESOTA STATUTES, SECTION 462.3593**

WHEREAS, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. § 462.3593, which permit and regulate temporary family health care dwellings;

WHEREAS, subdivision 9 of Minn. Stat. § 462.3593 allows cities to “opt out” of those regulations;

THE CITY COUNCIL OF THE CITY OF GRANT, ORDAINS as follows:

The City Code of the City of Grant, Washington County, Minnesota, is hereby amended to add the following:

OPT-OUT OF MINNESOTA STATUTES, SECTION 462.3593.

Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Grant opts-out of the requirements of Minn. Stat. § 462.3593, which defines and regulates Temporary Family Health Care Dwellings. This Ordinance shall be effective immediately upon its passage and publication.

ADOPTED this 2nd day of August, 2016, by the City Council of the City of Grant.

CITY OF GRANT

By: Tom Carr, Mayor

ATTEST:

Kim Points, City Clerk

City Council Report for July 2016

Date: July 17, 2016

To: Honorable mayor & City Council Members

From: Jack Kramer Building & Code Enforcement Official

Zoning Enforcement:

1. No new zoning violations to report.

Building Permit activity:

1. Twenty -Two (22) Building Permits were issued for a total valuation of \$ 596,363.00

Respectfully submitted,



Jack Kramer

Building & Code Enforcement Official

