

**City of Grant
City Council Agenda
May 2, 2017**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, May 2, 2017, 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 two (2) minutes with five (5) speakers maximum. 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) _____
- (5) _____

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF REGULAR AGENDA

4. APPROVAL OF CONSENT AGENDA

- A. April 4, 2017 City Council Meeting Minutes
- B. April 2017 Bill List, \$51,396.36
- C. Kline Bros Excavating, Road Work, \$10,796.25

5. STAFF AGENDA ITEMS

- A. City Engineer, Brad Reifsteck
 - i. Consideration of Road Contractor Extension

B. City Planner, Jennifer Haskamp

i. Consideration of Resolution No. 2017 - 08, Major Subdivision Application, Farms of Grant

C. City Attorney, Kevin Sandstrom

i. Consideration of Moratorium for Ordinance Development

6. NEW BUSINESS

A. Consideration of City Assessor Contract Extension

B. Consideration of Resolution No. 2017 – 09, Request for Annexation

7. UNFINISHED BUSINESS

8. DISCUSSION ITEMS

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

B. Staff Updates (updates from Staff, no action taken)

i. 2017 Special Roads Projects

ii. 2017 Seal Coat/Road Project Neighborhood Meeting

iii. City Legals Process

9. COMMUNITY CALENDAR MAY 3 THROUGH MAY 31, 2017:

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

Stillwater Public Schools Board Meeting, Thursday, May 11th, Stillwater City Hall, 7:00 p.m.

City Office Closed, Monday, May 29th, Memorial Day Holiday

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

10. ADJOURNMENT

CITY OF GRANT
MINUTES

DATE : April 4, 2017
TIME STARTED : 7:01 p.m.
TIME ENDED : 8:05 p.m.
MEMBERS PRESENT : Councilmember Carr, Kaup, Sederstrom
Lanoux and Mayor Huber
MEMBERS ABSENT : None

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

CALL TO ORDER

The meeting was called to order at 7:01 p.m.

PUBLIC INPUT

(1) Mr. Bob Tufty, 6365 Jasmine Avenue N, came forward and commented on the disturbance caused at the last Planning Commission meeting by Council Member Lanoux.

(2) Ms. Michelle Giefer, 11922 Imperial Avenue N, came forward and also commented on the disturbance caused by a Council Member at the Planning Commission meeting and requested Council Members participate productively as elected officials.

(3) Mr. Gary Baumann, 10600 Joliet Avenue, came forward and commented on the proposed ice area and asked the Council to consider conditions of approval relating to maintenance fees, security and sound barriers, and user fees to fund roads. He indicated he is also taking to the Legislature regarding user fees for non-district students.

PLEDGE OF ALLEGIANCE**SETTING THE AGENDA**

Council Member Lanoux moved to add Staff Meeting Policy and Procedure to the regular agenda. Council Member Sederstrom seconded the motion. Motion carried with Council Member Carr and Kaup voting nay.

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

CONSENT AGENDA

March 2017 Bill List, \$46,538.78

Approved

City of Mahtomedi, 1st Quarter Fire
Contract, \$33,317.50

Approved

2017 Dust Control, Low Bid, Envirotech,
\$0.837 per Unit

Approved

City of Stillwater Fire Protection Contract
Extension, 2017-2019

Approved

Council Member Lanoux moved to pull 2017 Dust Control and City of Stillwater Fire Projection Contract from the consent agenda. Council Member Sederstrom seconded the motion. Motion failed with Council Member Carr, Kaup and Mayor Huber voting nay.

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

STAFF AGENDA ITEMS

City Engineer, Brad Reifsteck

Consideration of 2017-2020 Patching Contract – City Engineer Reifsteck advised a new roadway patching contract is recommended for pothole patching and other roadway maintenance on paved roads. Brochman Blacktopping Company has been completing this work for the last several years.

Approval of the included contract will lock equipment and labor pricing until May 1, 2020. Pricing for patching materials is proposed to be a pass through cost from the bituminous plant since oil prices are difficult to forecast.

Below is the proposed pricing for Brochman Blacktopping Company:

- o \$57.00/hour: Laborer
- o \$88.00/hour: Truck with driver
- o \$78.00/hour: Skid loader/bucket with driver
- o \$73.00/hour: Roller with operator
- o \$90.00/hour: Skid loader/cold planer with operator
- o \$85.00/hour: Skid loader/broom with operator
- o \$30.00/hour: Tack sprayer
- o \$3.00/gallon: Hot tack
- o Bituminous/asphalt: Actual cost (including tax)

Council Member Carr moved to approve the 2017-2019 Patching Contract, as presented. Council Member Kaup seconded the motion.

1 Council Member Lanoux asked how the contract works within the ordinance that was passed last
2 month.

3
4 City Engineer Reifsteck advised the hourly rates within the contract are very competitive and
5 Brochman has done a very good job. He recommended approval of the contract.

6
7 **Motion carried with Council Member Sederstrom abstaining.**

8
9 **City Planner, Jennifer Haskamp**

10
11 **EAW Update** – City Planner Haskamp provided an update on the EAW process. She stated the
12 comment period has closed and Bay West took the comments and is preparing a response to
13 comments. Based on the comments, the preliminary recommendation will be to order and
14 Environmental Inventory Statement (EIS). The applicant has requested an extension on the EAW
15 determination to confer with his environmental consultant. Determination of EAW will be on the
16 May Council meeting agenda.

17
18 Council Member Lanoux stated he requested all comments from the public hearing and he has not
19 received them. He asked if staff had discussed the comments at the staff meeting.

20
21 City Planner Haskamp advised a public hearing was not held. A voluntary open house for the EAW
22 was held by Bay West. Comments were forwarded to the City and sent to Bay West. Bay West
23 prepares all responses to comments. Based on the comments and response to comments package, a
24 recommendation to order an EIS will be made. A response package will be submitted to all that made
25 comments. The response package has not yet been finalized. She noted she did not receive any
26 EAW comments; all comments were sent to the City and provided to Bay West.

27
28 **City Attorney, Kevin Sandstrom (no action items)**

29
30 **NEW BUSINESS**

31
32 **March 6, 2017 City Council Meeting Minutes – Council Member Carr moved to approve the**
33 **March 6, 2017 City Council Meeting Minutes, as presented. Council Member Kaup seconded**
34 **the motion. Motion carried with Council Member Lanoux and Sederstrom abstaining.**

35
36 **Consideration of Resolution No. 2017-07, Resolution Supporting Local Decision-Making**
37 **Authority** – The League of Minnesota Cities sent out a draft resolution asking cities to consider
38 regarding local decision making authority.

39
40 **Council Member Carr moved to adopt Resolution No. 2017-07, as presented. Council Member**
41 **Kaup seconded the motion.**

42
43 Mayor Huber stated the League provided the resolution. He referenced the ROW Ordinance that was
44 just approved which directly relates to this resolution in terms of taking the authority away from cities
45 relating to ROW and other issues.

1
2 **Motion carried unanimously.**

3
4 **Staff Meeting Policy and Procedure** – Council Member Carr stated for many years the City of Grant
5 had many different staff people. The current staff and consultants have staff meetings to coordinate
6 City issues. This system works better and he fully supports staff meetings. The Council needs to
7 respect the staff. This system is a very cost effective tool. The Council works for the residents and
8 the Council does not need to micro manage the staff. He stated this has been talked about before and
9 staff meetings should stay in place.

10
11 **Council Member Carr moved to leave staff meetings in place as is. Council Member Kaup**
12 **seconded the motion.**

13
14 Council Member Lanoux asked where the staff meetings are held, how long they are, who attends
15 them and where the meeting minutes from those meetings are.

16
17 Council Member Carr stated the staff reports the Council receives every month is a summary and they
18 are getting their work done within budget.

19
20 **Motion carried with Council Member Lanoux and Sederstrom voting nay.**

21
22 It was noted there is no agenda or minutes for staff meetings as staff makes no decisions. The
23 purpose of meeting minutes is a record of the official action taken by the City Council.

24
25 **UNFINISHED BUSINESS**

26
27 **Refund of City Deposit** – A staff report was included in the packets outlining the issue. A cash
28 deposit was made to the City that has not been claimed. The deposit was left to ensure the documents
29 removed from the City office would be returned. The documents have not been returned. Staff is
30 requesting Council direction on what should be done with the deposit.

31
32 Mayor Huber asked if Council Member Lanoux is going to return the documents.

33
34 Council Member Lanoux stated he does not have the documents and the City is not required to have
35 those documents.

36
37 **Council Member Carr moved to put the City deposit that was provided for the return of City**
38 **documents into the General Fund. Council Member Kaup seconded the motion.**

39
40 Council Member Kaup advised he would go pick up the blue prints from Council Member Lanoux,
41 make a copy of them and return his copy and the City's copy.

42
43 Council Member Lanoux stated he no longer has the blue prints.

44
45 **Motion carried with Council Member Lanoux and Sederstrom voting nay.**

DISCUSSION ITEMS**City Council Reports/Future Agenda Items (no action taken):**

Council Member Carr updated the Council on the issue with the rusted pipe at the pump house.

Staff Updates (no action taken):

2017 Special Roads Projects – City Engineer Reifsteck stated the City did budget for special roads projects this year. He asked the Council to start thinking about which projects they may determine to do this year.

2017 Seal Coat Project – City Engineer Reifsteck stated the City does have a scheduled seal coat project this year. He stated a letter went out this week to those residents informing them of the project and asked about interest relating to a neighborhood meeting and a potential larger project in the area.

LMC Insurance Coverage – Information relating to the League of Minnesota Cities Insurance coverage was provided in the Council packets.

City Attorney Sandstrom advised the League insurance covers liability for the City if it is sued for negligent acts such as special assessment appeals and potential lawsuits.

Mayor Huber stated in the normal course of their duties, Council Members are covered as well. The League stops covering Council Members when they engage in activities outside of their normal scope of Council duties. He added it would be beneficial for all Council Members to remember that.

City Attorney Sandstrom stated the Council, Planning Commissioners and the City Clerk are covered by the League insurance. Consultants are covered through their own insurance although the City can purchase additional insurance for contractors.

Council Member Lanoux stated four members of the Planning Commission, the City Planner and the City Clerk violated the open meeting law after the last meeting. He provided a picture of the group in Town Hall immediately after the meeting was adjourned. He asked the City Planner and City Clerk to resign immediately.

Council Member Carr stated if Council Member Lanoux does not want to come to the meetings and get the work of the City done he should stay home.

Staff advised staff and consultant performance reviews were conducted last month. Three Council Members did participate in the reviews. The reviews were very positive and included the suggestion of better avenues of communication. Communication is an issue that faces all cities and is difficult to improve when the City does not have all staff on site.

1 Council Member Sederstrom requested he be allowed to provide input and asked that he be
2 recognized by the Mayor.

3
4 Mayor Huber apologized for not seeing Council Member Sederstrom hand in terms of speaking and
5 stated he will try to do a better job with that.

6
7 **COMMUNITY CALENDAR APRIL 5 THROUGH APRIL 30, 2017:**
8

9 **Mahtomedi Public Schools Board Meeting, Thursday, April 13th and 27th, Mahtomedi District**
10 **Education Center, 7:00 p.m.**

11 **Stillwater Public Schools Board Meeting, Thursday, April 13th, Stillwater City Hall, 7:00 p.m.**

12 **City of Grant Clean Up Day, Saturday, April 22nd, 2017, Town Hall, 9:00 a.m. to Noon**

13 **Washington County Commissioners Meeting, Tuesdays, Government Center, 9:00 a.m.**
14

15 **ADJOURN**

16 **Council Member Carr moved to adjourn at 8:05 p.m. Council Member Kaup seconded the**
17 **motion. Motion carried unanimously.**

18
19
20
21 These minutes were considered and approved at the regular Council Meeting May 2, 2017.
22
23
24

25
26 _____
27 Kim Points, Administrator/Clerk
28

Jeff Huber, Mayor

Fund Name: All Funds

Date Range: 04/01/2017 To 04/30/2017

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
04/24/2017	Payroll Period Ending 04/30/2017	13393		N	Clerk Salary	100-41101-100-	\$ 3,545.23
		Total For Check					\$ 3,545.23
04/24/2017	Press Publications	13394	Assessment Notice	N	Publishing Costs	100-41308-351-	\$ 46.03
		Total For Check					\$ 46.03
04/24/2017	Lyle Signs, Inc.	13395	Sign Replacement Freight Charge	N	Road Sign Replacement	100-43110-330-	\$ 178.67
		Total For Check					\$ 178.67
04/24/2017	AirFresh Industries	13396	PortaPot #26012/25789	N	Town Hall Porta Pot	100-43007-210-	\$ 250.00
		Total For Check					\$ 250.00
04/24/2017	Brochman Blacktopping Co.	13397	Patching	N	Pothole Repairs	100-43109-300-	\$ 6,359.50
		Total For Check					\$ 6,359.50
04/24/2017	Todd Smith	13398	Monthly Assessment Services - March/April	N	Property Assessor	100-41208-300-	\$ 3,983.84
		Total For Check					\$ 3,983.84
04/24/2017	Washington County Assessment/Tax	13399	Special Assessment Billing	N	Assessing	100-41550-300-	\$ 55.00
		Total For Check					\$ 55.00
04/24/2017	Washington Conservation District	13400	1st Quarter Billing	N	MS4	100-43118-301-	\$ 162.50
		Total For Check					\$ 162.50
04/24/2017	CenturyLink	13401	City Phone	N	City Office Telephone	100-41309-321-	\$ 124.64
		Total For Check					\$ 124.64
04/24/2017	Washington County Property Records	13402	1st Half Property Tax	N	Town Hall Property Taxes	100-43008-510-	\$ 4,150.00
		Total For Check					\$ 4,150.00
04/24/2017	Waste Management	13403	Recycling	N	Recycling	100-43011-384-	\$ 4,585.56
		Total For Check					\$ 4,585.56
04/24/2017	Andy Kees	13404	Mailbox Replacement	N	Miscellaneous Expenses	100-41306-220-	\$ 50.00
		Total For Check					\$ 50.00

Fund Name: All Funds

Date Range: 04/01/2017 To 04/30/2017

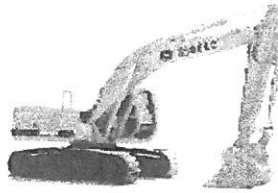
<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
04/24/2017	T. A. Schifsky & Sons, Inc.	13405	Winter Asphalt	N	Pothole Repairs	100-43109-210-	\$ 157.94
	Total For Check	13405					\$ 157.94
04/24/2017	Washington County Property Records	13406	Tax Levy Book	N	Assessing	100-41550-350-	\$ 35.00
	Total For Check	13406					\$ 35.00
04/24/2017	Ken Ronnan	13407	Video Tech Services	N	Cable Costs	100-41212-100-	\$ 44.00
	Total For Check	13407					\$ 44.00
04/24/2017	Andrew Hartsock	13408	April PC	N	Cable Costs	100-41212-100-	\$ 44.00
	Total For Check	13408					\$ 44.00
04/24/2017	MN Department of Labor & Industry	13409	1st Quarter Building Permit Surcharge	N	Building Permit Surcharge	100-42005-210-	\$ 336.56
	Total For Check	13409					\$ 336.56
04/24/2017	WSB & Associates	13410	Engineering	N	Engineering Fees - General MS4	100-41203-300-	\$ 543.00
		13410				100-43118-300-	\$ 178.00
	Total For Check	13410					\$ 721.00
04/24/2017	Sprint	13411	City Cell Phone	N	Road Expenses - Other	100-43116-321-	\$ 40.19
	Total For Check	13411					\$ 40.19
04/24/2017	Kline Bros Excavating	13412	Road Maintenance	N	Grader Contractor	100-43101-300-	\$ 8,420.00
		13412			Ditch Repair	100-43133-220-	\$ 2,376.25
	Total For Check	13412					\$ 10,796.25
04/24/2017	Croix Valley Inspector	13414	Building Inspector	N	Building Inspection	100-42004-300-	\$ 5,185.59
	Total For Check	13414					\$ 5,185.59
04/24/2017	SHC, LLC	13415	Planning	N	City Planner	100-41209-301-	\$ 1,859.50
		13415			Escrow	916-49320-301-	\$ 556.50
		13415				922-49320-301-	\$ 1,457.50
		13415				924-49320-301-	\$ 450.50
	Total For Check	13415					\$ 4,324.00
04/24/2017	Eckberg Lammers	13416	Legal Services	N	Legal Fees - General	100-41204-301-	\$ 1,999.50
		13416			Legal Fees - Complaints	100-41205-301-	\$ 1,414.75
		13416			Legal Fees - Prosecutions	100-41206-301-	\$ 1,776.06
		13416			Escrow	916-49320-301-	\$ 629.00
	Total For Check	13416					\$ 5,819.31

Fund Name: All Funds

Date Range: 04/01/2017 To 04/30/2017

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
04/24/2017	KEJ Enterprises	13417	April 2017 Road Contractor	N	Animal Control	100-42006-300-	\$ 83.00
		13417			Town Hall Mowing	100-43006-300-	\$ 125.00
		13417			Ball Field Maintenance	100-43009-300-	\$ 125.00
		13417			Road Engineering Fees	100-43102-300-	\$ 166.14
		13417			Road Garbage Removal	100-43105-300-	\$ 167.00
		13417			Gravel Road Costs	100-43106-300-	\$ 20.84
		13417			Magnesium Choride	100-43107-300-	\$ 41.67
		13417			Road Sign Replacement	100-43110-300-	\$ 83.84
		13417			Culvert Repair	100-43111-300-	\$ 20.84
		13417			Snow & Ice Removal	100-43113-300-	\$ 5,416.67
		13417			Road Brushing	100-43114-300-	\$ 2,250.00
		13417			Road Side Mowing	100-43115-300-	\$ 500.00
		Total For Check					\$ 9,000.00
04/24/2017	PERA	13418	PERA	N	Clerk PERA	100-41102-120-	\$ 365.79
		13418			Clerk PERA Withholding	100-41108-100-	\$ 317.02
		Total For Check					\$ 682.81
04/24/2017	Xcel Energy	13513	Utilities	N	Town Hall Electricity	100-43004-381-	\$ 153.05
		13513			Well House Electricity	100-43010-381-	\$ 122.98
		13513			Street Lights	100-43117-381-	\$ 45.16
		Total For Check					\$ 321.19
04/24/2017	IRS	EFT88	Payroll Taxes	N	Clerk FICA/Medicare	100-41103-100-	\$ 373.11
		EFT88			Clerk Medicare	100-41105-100-	\$ 70.72
		EFT88			Federal Withholding	100-41107-100-	\$ 447.58
		EFT88			Social Security Expens	100-41109-100-	\$ 302.39
		Total For Check					\$ 1,193.80
		Total For Selected Checks					\$ 62,192.61

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



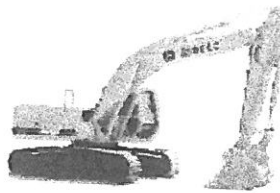
Invoice

DATE	INVOICE #
4/23/17	2441

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

			DUE DATE
			5/3/17
DESCRIPTION	QTY	UNIT COST	AMOUNT
105TH EAST DITCHWORK AND RESHAPE			0.00
4-19-17 LNT9000	4.75	75.00	356.25
4-19-17 T600	4.75	75.00	356.25
4-19-17 1845C	4.75	85.00	403.75
4-21-17 LNT9000	6	75.00	450.00
4-21-17 T600	4	75.00	300.00
4-21-17 1845C	6	85.00	510.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
Total			2,376.25

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



Invoice

DATE	INVOICE #
4/22/17	2440

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

DUE DATE
5/2/17

DESCRIPTION	QTY	UNIT COST	AMOUNT
3-27-17 770B	4.75	80.00	380.00
3-27-17 740A	5	80.00	400.00
3-28-17 770B	1.5	80.00	120.00
3-28-17 740A	6.5	80.00	520.00
3-31-17 770B	2	80.00	160.00
4-03-17 770B	8.5	80.00	680.00
4-03-17 740A	8	80.00	640.00
4-06-17 770B	4.25	80.00	340.00
4-07-17 770B	3	80.00	240.00
4-08-17 770B	3	80.00	240.00
4-11-17 770B	8	80.00	640.00
4-11-17 740A	8.5	80.00	680.00
4-13-17 770B	6.75	80.00	540.00
4-13-17 740A	9.75	80.00	780.00
4-20-17 770B	9.25	80.00	740.00
4-20-17 740A	11	80.00	880.00
4-21-17 740A	5.5	80.00	440.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
Total			8,420.00

INDEPENDENT CONTRACTOR AGREEMENT

This Independent Contractor Agreement ("Agreement") is entered into as of the 2nd day of May, 2017, by and between the **CITY OF GRANT**, a Minnesota municipal corporation ("**GRANT**") and KEJ Enterprises, Inc. ("**CONTRACTOR**").

Recitals

- A. GRANT is a Minnesota municipal corporation with its City Hall located at 111 Wildwood Road, Willernie, Minnesota 55090.
- B. CONTRACTOR desires to assist GRANT as an independent contractor in providing professional consulting services to GRANT clients and GRANT desires to retain CONTRACTOR upon the terms and conditions hereafter set forth.

NOW THEREFORE, in consideration of the foregoing recitals, which are true and correct and incorporated herein and the mutual obligations set forth below, GRANT and CONTRACTOR hereby agree as follows:

Agreement

1. Performance by CONTRACTOR

GRANT engages CONTRACTOR to furnish the services described in the Statement of Work attached to this Agreement, and incorporated herein by reference as **Exhibit A** and CONTRACTOR agrees to provide Roadway Contractor services (the "Services") specified in the Statement of Work. CONTRACTOR will principally manage the completion of the Services in the Scope of Work. GRANT has contracted with a number of contractors who have historically provided services to GRANT for work on its roadways. CONTRACTOR will manage roadway projects and contractors, serve as the GRANT liaison for roadway projects and will field resident concerns and complaints regarding roadways located within GRANT.

2. Payment for Services

- a. *Fees.* GRANT agrees to pay CONTRACTOR for the Services at a negotiated rate in accordance with the Rate Schedule attached and incorporated herein as **Exhibit B**.
- b. *Out-of-Pocket Expenses.* Except as agreed by GRANT, CONTRACTOR shall be responsible for all out-of-pocket expenses incurred in the performance of the Services on behalf of GRANT.
- c. *Invoices.* CONTRACTOR shall invoice GRANT monthly for Services rendered during the previous month in accordance with the Rate Schedule attached as **Exhibit B**.
- d. *Miscellaneous.* CONTRACTOR agrees to execute such affidavits and receipts as GRANT shall request in order to acknowledge payment by GRANT. CONTRACTOR

acknowledges that its federal employer tax identification number, provided to GRANT is correctly set forth in the Statement of Work attached to this Agreement.

3. Independent Contractors

CONTRACTOR and GRANT are independent of one another and neither party's employees will be considered employees of the other party for any purpose. This Agreement does not create a joint venture or partnership, and neither party has the authority to bind the other to any third party. GRANT shall have no right to direct or control CONTRACTOR with respect to CONTRACTOR'S activities hereunder. CONTRACTOR acknowledges, understands and agrees:

a. CONTRACTOR will not be treated as an employee of GRANT for purposes of the Federal Insurance Contributions Act, the Social Security Act, the Federal Unemployment Act, income tax withholding and applicable state laws, including, without limitation, those pertaining to workers' compensation, unemployment compensation and state income tax withholding;

b. CONTRACTOR will not qualify for any employee benefits that GRANT may now or hereafter provide to its employees including, without limitation, insurance, vacations, pension and profit sharing benefits, employee bonus programs, and the like; and

c. Information returns will be filed with appropriate federal and state taxing authorities indicating CONTRACTOR'S status as self-employed.

4. Business of Contractor

The CONTRACTOR represents and warrants to GRANT that it is engaged in the business of providing Roadway Contractor services and has complied with all local, state, and federal laws regarding business permits and licenses that may be required to carry out such business and to perform the services specified in this Agreement. Upon request by GRANT, CONTRACTOR shall provide GRANT with copies of all documents reasonably requested by GRANT to verify the CONTRACTOR'S established business and the representations set forth herein. Notwithstanding any due diligence performed by GRANT with respect to the subject matter of these representations, CONTRACTOR shall indemnify and hold GRANT, Council members, agents and employees, harmless from any and all claims, causes of action, losses, damage, liabilities, costs and expenses, including attorney fees, arising from breach of the representations set forth in this Section.

5. Employees of Contractor

CONTRACTOR shall be solely responsible for paying its employees. CONTRACTOR shall be solely responsible for paying any and all taxes, FICA, workers' compensation, unemployment compensation, medical insurance, life insurance, paid vacations, paid holidays,

pension, profit sharing and other benefits for the CONTRACTOR and its employees, servants and agents.

6. Obligations of CONTRACTOR

a. *Scope of Services.* CONTRACTOR is required to perform the work as detailed in the Statement of Work.

b. *Invoices.* CONTRACTOR is required to invoice GRANT as provided in the Rate Schedule for all work performed in accordance with the Statement of Work.

7. Obligations of GRANT

GRANT agrees to make available to CONTRACTOR, upon reasonable notice, such information, data and documentation required by CONTRACTOR to complete the Services.

8. Insurance

CONTRACTOR shall furnish GRANT with current certificates of coverage of the CONTRACTOR, and proof of payment by the CONTRACTOR, for workers' compensation insurance, general liability insurance, motor vehicle insurance and such other insurance as GRANT may require from time to time. GRANT shall require general liability insurance coverage of not less than \$1,000,000.00 / \$2,000,000.00. GRANT shall require automobile vehicle coverage of not less than \$500,000.00 / \$500,000.00 / \$100,000.00. GRANT shall require umbrella coverage of not less than \$1,000,000.00. CONTRACTOR shall maintain all such insurance coverage and shall furnish GRANT with certificates of renewal coverage and proofs of premium payments. If the CONTRACTOR fails to pay a premium for insurance required by this paragraph before it becomes due, GRANT may pay the premium and deduct the amount paid from any payments due the CONTRACTOR and recover the balance from the CONTRACTOR directly.

9. Termination

a. *Commencement and Renewal.* This Agreement shall commence on the date set forth above and shall remain in effect for two years from date of contract. Both parties retain the ability to extend the contract for one additional year.

b. *Termination.* Either party, upon giving written notice to the other party, may terminate this Agreement upon thirty (30) days notice for any reason.

c. *Obligations Upon Expiration or Termination.* Upon expiration or termination of this Agreement, CONTRACTOR shall promptly return to GRANT all copies of files, documentation, related material and any other material that is owned by GRANT.

10. Risk

CONTRACTOR shall perform the Services at its own risk. GRANT will not reimburse CONTRACTOR for any expenses incurred by CONTRACTOR as a result of services rendered under this Agreement, including, but not limited to, car-related expenses, telephone expenses, and or other business related expenses.

11. Limitation of Liability

In no event shall GRANT be liable to CONTRACTOR for the payment of any consequential, indirect, or special damages, including lost profits. CONTRACTOR acknowledges it is an independent CONTRACTOR and accepts the risks and rewards of contracting with GRANT.

12. Indemnity and Warranty

CONTRACTOR shall at all times comply with all applicable laws, statutes, ordinances, rules, regulations and other governmental requirements. CONTRACTOR shall indemnify and hold GRANT, its Council members, and its agents and employees, harmless from any and all claims, causes of action, losses, damage, liabilities, costs and expenses, including attorneys' fees, arising from the death of or injury to any person, from damage to or destruction of property, or from breach of the warranties in this Section, arising from the provision of services by CONTRACTOR, its agents or employees

13. Assignment

a. *Consent Required.* CONTRACTOR shall not assign or subcontract the whole or any part of this Agreement without GRANT'S prior written consent.

b. *Subcontracting.* Any subcontract made by CONTRACTOR with the consent of GRANT shall incorporate by reference all the terms of this Agreement. CONTRACTOR agrees to guarantee the performance of any subCONTRACTOR used in performance of the Services.

c. *Assignment by GRANT.* GRANT may assign any or all of its rights and duties under this Agreement at any time and from time to time without the consent of the CONTRACTOR.

14. Miscellaneous

a. *Applicable Law and Forum.* This Agreement shall be governed and construed in accordance with the laws of the State of Minnesota without regard to the conflicts of laws or principles thereof. Any action or suit related to this Agreement shall be brought in the state or federal courts sitting in Minnesota.

b. *Notices.* Any notice or other communication required or permitted under this Agreement shall be given in writing and delivered by hand, U.S. mail or facsimile.

c. *Waiver.* No waiver by GRANT of any breach by CONTRACTOR of any of the provisions of this Agreement shall be deemed a waiver of any preceding or succeeding breach of the same or any other provisions hereof. No such waiver shall be effective unless in writing and then only to the extent expressly set forth in writing.

d. *Entire Agreement.* This Agreement, including any exhibits, constitutes the entire agreement between CONTRACTOR and GRANT.

e. *Modifications.* No modification of this Agreement shall be effective unless in writing and signed by both parties.

f. *Severability.* If any provision of this Agreement is invalid or unenforceable under any statute or rule of law, the provision is to that extent to be deemed omitted, and the remaining provisions shall not be affected in any way.

IN WITNESS WHEREOF, and in acknowledgment that the parties hereto have read and understood each and every provision hereof, the parties have executed this Agreement on the date first set forth above.

GRANT:

CONTRACTOR:

CITY OF GRANT

By:

Its: Mayor

By:

ATTEST

By:

Its: City Clerk

EXHIBIT A

STATEMENT OF WORK

Work Activity	Description of Work
Coordination and Management of all Roadway Related Matters	Contractor shall coordinate and manage all City roadway project work. Contractor shall field and respond to resident concerns. Contractor shall serve as the liaison to the City Council for all roadway matters.
Snow & Ice Removal	Per attached Snow Removal Specifications (Division 1 & Division 2)
Brushing	Tree and brush cutting within city right-of-way as directed by the city
Garbage & Animal pickup	Pick up trash monthly and dead animals as needed
Mowing	Mow all applicable roadways twice per year as directed by the city
Sign Replacement	Repair, removal, and installation of damaged signs as directed by the city
Field maintenance	Maintain city ball field as directed by city
Respond to roadway questions/complaints	Contractor shall carry road phone and respond to residents directly. Contractor shall receive roadway complaint emails from website and respond directly to residents. City Administrator shall be copied on all email correspondence. Attend meetings with staff, if needed.
Coordinate dust control	Coordination with city administrator and city contractors
Coordinate culvert work and grading work	Coordination with city administrator and city contractors

EXHIBIT B
RATE SCHEDULE

Contractor shall be paid a monthly rate of \$9,000. Contractor shall engage all subcontractors necessary to complete roadway projects. Payment of subcontractors shall be made directly by Contractor and Contractor shall not be entitled to apply for any additional compensation from City.

Payment shall be made at the rates below when annual snowfall exceeds 70 inches. The contractor is required to notify the City prior to billing time hourly so that time can be tracked for payment.

2017 Pricing

Snow Removal

- \$100.00/hour: Dump truck: single axle
- \$110.00/hour: Dump truck: tandem
- \$100.00/hour: Front end loader
- \$90.00/hour: Motor grader
- \$60.00/hour: Pick-up with plow
- \$80.00/hour: Pick-up with snow blower (7')

Sand/Salt

- \$75.00/hour: Sand/salt application



STAFF REPORT

To: Mayor and City Council Members

Date: April 25, 2017

CC: Kim Points, City Clerk
Kevin Sandstrom, City Attorney

RE: Application for Major Subdivision –
Farms of Grant (Preliminary Plat)

From: Jennifer Haskamp
Consulting City Planner

Summary of Request & Background

The Applicant, Bob Appert on behalf of Streetcar Holdings is requesting approval of a Preliminary Plat to subdivide the properties located at 11253 and 11601 75th Street North. The properties have historically been known as the “Carlson Farm” and the “Masterman Farm” and both farms contain several PIDs of varying acreages (see table below). Collectively the Carlson Farm and Masterman Farm contain approximately 318 acres, and the Applicant is proposing to subdivide the properties into 29 rural residential lots and 2 large-lot agricultural properties. The following summary information is provided to assist in your review and consideration:

Applicant: Streetcar Holdings, LLC	Site Size: ~318 Acres (Total)
Owners: Robert Carlson Estate (Linda Powell, trustee) David Washburn (Masterman Farm)	Request: Major Subdivision – Preliminary Plat To create 31 lots
Zoning & Land Use: A-1 Proposed Plat Name: Farms of Grant	PIDs Carlson: 2503021310002 (6.18 Ac.) 2503021320001 (73.16 Ac.) 2503021340001 (74.96 Ac.) 3603021210001 (40.05 Ac.)
Address: 11253 75 th Street N. (Carlson) 11601 75 th Street N. (Masterman)	PIDs Masterman: 2503021420003 (12.26 Ac.) 2503021430002 (20.08 Ac.) 2503021420002 (25.43 Ac.) 2503021430001 (20.11 Ac.) 3603021120002 (8.87 Ac.) 3603021120001 (31.24 Ac.)

The proposed Project will create 31 new lots on approximately 318 acres located just south of 75th Street North (CR-12) and west of Manning Avenue (CR-15). The existing properties currently make up two farms that have historically been known as the Carlson Farm and the Masterman Farm. The following key aspects of the proposed Project and provided as a summary of the Application:



- The Proposed project will create 31 new lots; 29 of the created lots will range in size between 5.00 Acres and 7.31 Acres, and 2 of the lots will contain 53 and 74 acres respectively. There is an existing homestead on proposed Lot 1, Block 1 which contains approximately 53 acres, and there is an exclusion parcel/homestead located on the north boundary of the Project approximately 1,400' west of the eastern property line.
- The 29 "rural residential" lots will be a part of a homeowners' association (HOA) and will be subject to a set of restrictive covenants that are yet to be developed. The Applicant and Owner have indicated that the HOA documents and Covenants will be developed after the Preliminary Plat, if approved, and prior to Final Plat approval.
- The two (2) large lots (approximately 53 and 74 acres) will be allowed to continue agricultural uses if desired by the existing, and/or future owners. There is an existing principal structure and accessory buildings on Block 1, Lot 1, while Block 1, Lot 17 does not contain a structure and would be developed as part of the Project, but would not become a part of the HOA. The right to continue agricultural uses will be protected within the Covenants, and will also be declared within the Development Agreement and recorded against the subject properties.
- The Applicant is proposing to phase the Project, and anticipates platting approximately 10 lots in each phase, starting first with the lots from the west with access from Lake Elmo Avenue and then progressing eastward. (See Phase Plan Exhibit F)
- While the Project is proposed to be phased, the Applicant would construct the entire extents of the roadway with the first phase.
- All 31 lots would be served with individual wells and individual septic systems. The Preliminary Plat has identified primary and secondary drainfields associated with each lot, excluding Lot 1, Block 1 that has an existing principal structure and thus an existing well and septic system that would continue to serve the property.
- The existing properties are bordered by Lake Elmo Avenue North (CR 17) on the western property line, and 75th Street North (CSAH 12) on the northern property line. Both roadways are County Roads and the proposed roadway as summarized in the subsequent bullet will require coordination and discussion with Washington County since they will be the permitting authority for access onto their roadways.
- The proposed Project includes one long curvilinear roadway that would provide access to all lots in Block 1 excluding Lot 1, and all lots in Block 2. The new roadway connects on the southwest corner of the property from Lake Elmo Avenue North and then traverses the southern half of the properties before heading north and connecting to 75th Street North (CSAH 12) on the northern boundary of the site.



- Lot 1, Block 1 will continue to utilize their existing driveway which connects to CSAH 12 directly north of their principal and accessory buildings.
- The rural residential lot sizes are fairly large and could accommodate a variety of housing styles and plans. As such the Applicant anticipates all homes in the subdivision will be custom built, and that lots will be custom graded once house plans are developed.

The following staff report generally combines and synthesizes the Staff Reports prepared for the Planning Commission's March and April meetings. The Applicant updated their plan set and provided additional information for consideration in April, and the following review is based upon the most current information provided by the Applicant.

Planning Commission Recommendation & Public Hearing

On March 16, 2017 the Planning Commission held their regular Planning Commission meeting and a duly noticed Public Hearing for consideration of the proposed Farms of Grant Preliminary Plat ("Project"). After public testimony and discussion, the Planning Commission requested additional information from the Applicant to address the comments and concerns as presented during the meeting and public hearing.

Following the meeting the Applicant submitted the additional information as requested, which was subsequently considered by the Planning Commission at their regular meeting on April 18, 2017. Staff prepared a report summarizing the additional information, which also included a list of draft conditions for review and consideration by the Planning Commission.

On April 18, 2017, the Planning Commission unanimously recommended approval to the City Council of the Farms of Grant Preliminary Plat with the draft conditions as presented and modified.

Review Criteria

The proposed Project is classified as a Major Subdivision per the City of Grant's subdivision ordinance which is Chapter 30 of the City Code. The specific regulations related to the Preliminary Plat process are contained within Article II Platting Division 2 Preliminary Plat. Also relevant with respect to design standards is Article III Minimum Design Standards.



As referenced within the Preliminary Plat requirements all created and/or new lots must comply with the current regulations which apply to the zoning district in which the Property is located. The following sections are most applicable to this request and are considered, at a minimum, in the following sections:

32-1 Definitions

32-246 Minimum area, maximum height and other dimensional requirements.

Existing Site Conditions

Carlson Farm (PIDs 2503021310002, 2503021320001, 2503021340001, 3603021210001)

The Carlson Farm contains approximately 194 acres, and is bordered by Lake Elmo Avenue on the western property boundary and 75th Street North on the northern property line. There is an existing farmstead that is located approximately 2,650' to the east of the Lake Elmo Avenue and 75th Street North intersection. The farmstead includes an existing principal structure as well as nine (9) accessory buildings. The property has rolling topography and includes several 'valleys' and 'knolls'. Per the wetland delineation completed in 2016, there are 10 delineated wetlands on the subject property that are all primarily clustered near the southwest corner of the subject property. The farm is sparsely vegetated, with some groves/stands of trees along property boundaries, and adjacent to 75th Street North which provides screening to the existing farmstead.

As shown on the Existing Conditions plan (Sheet 2 of 23 of the Applicant's Plan Set) there is a 75-foot gas pipeline easement that bisects the property north-to-south from 75th Street North to the rear property line. The existing conditions also identifies a snow mobile trail bisecting the property, however it does not include a document number so it does not appear to be a recorded easement, so it likely some type of 'gentleman's' agreement, rather than a formally dedicated easement.

Masterman Farm (PIDs 2503021420003, 2503021430002, 2503021420002, 2503021430001, 3603021120002, 3603021120001)

The Masterman Farm contains approximately 118 acres, and is bordered by 75th Street North on the northern property line. There are no existing structures on the property, and it has been utilized for agricultural activities over the recent past. There is an exception parcel located on the northwestern corner of the farm, which is not included in this analysis and review except as it relates to the density analysis which can be found in subsequent sections of this report. The property has slightly more vegetation than on the Carlson Farm, though the property is also sparsely vegetated. Per the wetland delineation completed in 2016 there are six (6) wetland located on the property that are all clustered on the southern quarter of the property. The site has rolling topography, similar to the Carlson property, with valleys and knolls particularly on the southern half of the site.

Comprehensive Plan Review



The 2030 Comprehensive Plan land use designation of the subject properties are designated as A-1 which is described as, “The primary land use designations within the City of Grant are rural (single-family) residential and agricultural uses. This classification is based on one unit per ten acres of land and strives to develop the remaining area of Grant in a manner appropriate for a rural lifestyle and the protection of existing agricultural land uses.”

The proposed development is comprised of 29 rural-residential sized lots, with two large agricultural/residential tracks. Each lot is proposed to have an individual well and septic to serve each lot and do not require municipal services. The two large lots would be preserved for agricultural and residential uses, and would be protected from further subdivision through necessary covenants and deed restrictions. The proposed development plan is consistent with the stated goals for the rural residential areas.

Zoning/Site Review

The subject properties are zoned A-1, and Section 32-243 defines the intent and primary use of such properties as, “...preserve land to be utilized for agricultural and commercial food production on lots smaller than those required in AP districts. A-1 districts provide areas of rural lot density housing with lots large enough for significant agricultural activity to occur.”

The proposed Project requests subdivision of approximately 318 acres into 31 lots, and is subject to Chapter 30 Subdivisions and specifically reviewed for compliance with Sections contained within Article II Platting and Article III Minimum Design Standards. Chapter 30 requires all subdivisions with newly created lots to comply with the underlying zoning district, and as such each lot was reviewed for compliance with Section 32-246 Dimensional Standards, and other applicable sections of Chapter 32.

Subdivision Standards (Items not addressed in Dimensional Review)

The subdivision ordinance requires all newly created lots to conform to the dimensional standards as identified within Chapter 32 of the zoning code. Subsequent sections of this report will provide a review of the dimensional standards and will make the appropriate cross reference to the subdivision code, where applicable. The following review relates specifically to the subdivision and/or preliminary plat requirements that are not addressed within the zoning review.

Easements

Section 30-105 Easements requires newly created lots and roadways to provide easements for utilities and drainageways, as necessary. The applicable ordinance requirements are as follows:

- (a) Required for Utilities. Easements of at least 20 feet wide, centered on rear and other lot lines as required, shall be provided for utilities where necessary...”



- (b) Required for drainage. Easements shall be provided along each side of the centerline of any watercourse or drainage channel, whether or not shown on the comprehensive plan, to a sufficient width to provide property maintenance and protection and to provide for stormwater runoff and installation and maintenance of storm sewers.
- (c) Dedication. Utility and drainage easements shall be dedicated for the required use.

As shown on sheets 4 through 8, drainage and utility easements are shown on each lot line and around all features associated with the drainage plan of the property and all wetland areas. The City Engineer has reviewed the stormwater management plan, and his review can be found in Exhibit C. *The Applicant will be required to dedicate the easements to the benefit of the City at time of Final Plat; however, staff would recommend including a condition that the maintenance, specifically of all drainage easements, will be provided for and the responsibility of the HOA and must be detailed in any Covenants and Development Agreement.*

Lot and Block Configuration

The Applicant has provided a Phase Plan for the proposed Project that corresponds to the anticipated Final Platting of the Project. As shown on the Final Plat, the proposed Project will meet the City's standards for Lot and Block configuration.

Lot Design & Requirements

Various subsections of 30-107 apply to the proposed subdivision including the following:

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

The lot configuration as proposed is consistent with this requirement.

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

The proposed subdivision identifies two (2) Outlots: Outlot A and Outlot B, which are adjacent to the proposed roadway on the northeastern edge of the property. The two Outlots are clearly substandard and would not support any type of structure based on the dimensions. Adjoining the Outlots to the adjacent Lot would also create an awkward configuration, and staff would not recommend doing this because the future Owner of Lot 14, Block 2 likely would not maintain the area. As such, staff would simply recommend that the maintenance and management of these Outlots be clearly accounted for within the Development Agreement and the HOA's responsibilities.



- (l) *Access to major arterials. In the case where a proposed plat is adjacent to a major or minor arterial, there shall be no direct vehicular access from individual lots to such streets and roads....”*

The proposed subdivision includes the construction of a new local street/roadway that will connect from Lake Elmo Avenue on the west with 75th Street North on the northeast corner. This new local roadway will provide direct access to all lots abutting the roadway, and no new structures/lots will access the County roads directly. As designed, the proposed subdivision meets this requirement.

Street Design

The Project includes the development and construction of a new local roadway to serve all of the new homes in the neighborhood. The Applicant has stated that it is their intent to create a ‘neighborhood’ of rural residential homes, and that a rural section roadway will help achieve that vision. The following standards regarding Local Roadways/Streets is defined:

30-130 Street design

- (a) Minimum width

Local Streets, ROW roadway width 66 feet, Width Including Shoulders 28 feet

- (l) The city roadway standard is a rural section 28 feet wide with 22 feet of bituminous pavement surface.

Sheet 11 of 23 identifies the Typical Street Section that the Applicant is proposing to construct for the new roadway. As shown, the roadway would include 22-feet of paved surface with 3-foot shoulders and typical ditch section. All driveways serving the new homes will connect directly to the local roadway, and will cross the ditch section to connect to the paved surface. *The pavement specification includes a 2” bituminous base course (first lift), with a 2” wear course (2nd lift). As proposed, the new local roadway dimensions meet the City’s standard minimum design standards, and the City Engineer has provided some comments and recommendations regarding the road specifications.*

Dimensional Standards

The following site and zoning requirements in the A-1 district regulate the site and proposed project (no dimensional standard analysis was completed for the existing farmstead since no changes are proposed and the new lot configuration of this property remains large):

Dimension	Standard
Lot Size	5 acres
Lot Depth (ROW to rear lot line)	300’
Lot Width (measured at front yard setback)	300’
Frontage – public road	300’
Front Yard Setback	65’
Side Yard Setback	20’
Rear Yard Setback	50’



Height of Structure	35'
Fence	May be on property line, but not within any ROW
Driveway Setback	5'
Parking Lot setback	10' from ROW
Wetland Setback Structure (Buffer)	75' (50')
Maximum Floor Area	30%

Density/ Lot Size /
Buildable Area

Density

The Farms of Grant subdivision will create 31 new lots on approximately 318 acres. Of the 31 lots, two will remain large-acreage tracts of property suitable for agricultural uses that will be memorialized into perpetuity through the appropriate covenants. The zoning ordinance permits 4 units per 40 acres in the A-1 zoning district and the Comprehensive Plan guides the subject properties for a maximum density of 1 Unit per 10 Acres. To determine the number of units available to the Project the original 40-acre tracts that comprise the property must be evaluated to identify any units that have been used previously which must be accounted for in the calculation. The Exception parcel to the Masterman Farm uses one of the units, and the existing farmstead/homestead on the Carlson Farm uses a second unit. While there are 31 'new' lots created through this application, the existing Carlson Farmstead/Homestead will be reconfigured, thus is deemed technically a 'new' lot, even though no changes to the existing farmstead are proposed (Existing Farmstead is Lot 1, Block 1 in the Plan Set).

As proposed the density calculation is as follows:

$$317 \text{ Acres} / 31 \text{ Units} = 10.2 \text{ Acre average lot size}$$

As proposed, the proposed density in the Farms of Grant Project meets the City's Comprehensive Plan and zoning ordinance regulations. However, it should be noted that once the Exception parcel is considered, all of the available units under the current Comprehensive Plan and Zoning ordinance are used, and there are no remaining units available to the subject properties. *Staff would recommend including a condition that the Development Agreement and that the HOA covenants must clearly state that no further subdivision is permitted of the subject properties, and that this restriction must be recorded against all properties including those not subject to the HOA.*

Lot Size

Section 30-107 Lot Requirements, subsection (c) Minimum area and width,



states, “No lot shall have less area or width than is required by zoning regulations applying to the area in which it is located, except as here provided. Irregular-shaped lots designed for the sole purpose of attempting to meet a subdivision design or zoning regulation shall be prohibited.”

Lots in the A-1 zoning district have a minimum lot size of 5.0 Acres. While the zoning code does not specifically define ‘rural residential lots’ the term is explanatory of what the Applicant has proposed for most of the lots. Of the 31 lots, 29 of them range in size between 5.0 acres and 7.31 acres and are all situated along the new curvilinear road that will serve the new lots. The lot sizes were calculated exclusive of the ROW, and of the 29 rural residential lots the average lot size is 5.73 acres. The two (2) remaining lots are 53 and 74 acres, respectively. If the two large lots are included within the calculation, the average lot size is increased to approximately 9.5 acres/lot. The lot sizes are all graphically represented on Sheets 4, 5, 6, 7 and 8 of the Plan Set, and staff has summarized this information in Exhibit B: Lot Tabulation. *While the majority of the lots fall into the 5.0 to 7.0 acre range, as proposed, all of the lots meet the 5.0 acre minimum lot size as defined within the zoning ordinance.*

Buildable Area

All lots within the A-1 zoning district must have a minimum of 1.0 acres of “Buildable Area” to ensure that there is adequate area on a lot to support the principal structure and septic system. This requirement can be found in Section 32-246 subsection (b)(4) Subdivision of Lots which states, “...All new lots created must have at least one (1) acre of accessible buildable land. Buildable land is defined as land with a slope of less than twenty-five (25) percent, and outside of any required setbacks, above any floodway, drainage way, or drainage easement. Property situated within shorelands or floodplains are also subject to the requirements set forth in those respective ordinances.” Also, while not explicitly stated, it should be noted that the wetlands are also removed from the Buildable Area calculation.

The Applicant has graphically demonstrated where and how much Buildable Area is on each created lot on Sheets 9, 10, and 11 of the attached Plan Set. In an effort to consolidate the information in one place staff has also included this information on Exhibit B: Lot Tabulation which summarizes the data found in the Plan Set. As demonstrated on the Plan Set and in the Lot Tabulation, all created lots will have a minimum of 1.0 acre of Buildable Area. *As stated within the requirements, while the lots must have a minimum of 1.0 acres of Buildable Area, the area must also be ‘accessible’ meaning, it must be a practical location to site a home and/or septic system and should not require wetland filling and other significant*



alterations to make it buildable.

Frontage	<p>Section 30-107 subsection (b) requires each lot to front on a public street, and Chapter 30 further states that all created lots must meet the standards of the underlying zoning. The Dimensional Requirements and corresponding frontage requirements are shown on the table found in Section 32-246 which requires a minimum of 300-feet of Frontage on “an Improved Public Road” for properties zoned A-1. Per Section 32-1, Frontage is defined as, “that boundary of a lot which abuts a public street or private road.” Sheets 4 through 8 of the Plan set, identify the ‘frontage’ of the lot adjacent to Right-of-Way line. Staff has also included this information on Exhibit B Lot Tabulation for your convenience. <i>All lots meet the minimum frontage requirements.</i></p>
Lot Width & Lot Depth	<p>All created lots must also meet the standard for Lot Width and Lot Depth in the A-1 zoning district, which requires a minimum lot width of 300-feet and a minimum Lot Depth of 300-feet.</p> <p>Section 32-1 defines Lot Width as, “the horizontal distance between the side lot lines of a lot measured at the setback line.” And Lot Depth as, “the mean horizontal distance between the front and rear lines of a lot.” Staff has synthesized this information into Exhibit B Lot Tabulation for your convenience. <i>As designed, all lots in the proposed subdivision meet the City’s standards for lot width and lot depth.</i></p>
Coverage (Floor Area)	<p>The Floor Area is defined in Section 32-1 as, “the gross area of the main floor of a residential building measured square feet and not an attached garage, breezeway of similar attachment. Since the lots will all likely be custom built, the Applicant has provided a ‘conceptual’ building pad that is approximately 4,800 SF, and also included a 2,400 SF ‘conceptual’ accessory building and then performed the coverage calculations which are depicted on Sheets 9 through 11. Staff has also included this information on Exhibit B Lot Tabulation. <i>As proposed, all lots and their conceptual building pads meet the City’s floor area requirements.</i></p>
Roadways & Access	<p>Section 30-58 (c)(1) requires the layout of proposed streets, showing right-of-way widths and proposed names of streets. The name of any street shall conform to the provisions of chapter 24, article III. The proposed roadway contains 66-feet of dedicated right-of-way with a 22-foot paved surface and 3-foot shoulders. As previously stated, the proposed roadway meets the city’s minimum standards. The</p>



City Engineer has reviewed the Plan set and provided comments and recommended conditions to the proposed plat and are included as Exhibit C. The preliminary plat does not show a proposed road name for the subdivision, and a proposed road name should be provided with the revised drawings.

Septic

Section 30-58 (9) requires that “in areas where public sewer is not available, four soil borings shall be completed on each lot with results being submitted to the city building inspector....” Sheets 4 through 8 show the soil borings that were completed on each lot for purposes of determining where a primary and secondary drainfield could be located on each lot. As submitted, there are four (4) borings identified on each lot.

The Applicant also submitted a septic report that was prepared by a licensed septic installer/designer which corresponds to the completed borings, and has indicated that all lots can support a standard individual septic system. Washington County is the permitting authority for septic design and installation in the City of Grant, and the Applicant has submitted their septic/boring results for preliminary County Review. *At the time of this report, Staff has not heard from the County. Staff will reach out to County Staff and provide a verbal update to the Council at the May meeting if available.*

Driveways:

The proposed roadway will serve the new homes in the subdivision, and each home will be connected with a single driveway as shown on sheets 4 through 8 of the Plan set. As designed, one driveway will be constructed to provide access to the principal and accessory structures on each lot. *As designed, a single access/driveway complies with the City’s driveway standards, however, it should be noted that each lot will be required to acquire a driveway permit prior to a building permit being issued for a new home (Section 32-184).*

Stormwater/Erosion Control

The City’s Zoning and Subdivision Ordinance both require that the Applicant submit a stormwater management plan and erosion control plan. The Applicant is proposing to management stormwater on-site through a series of ponds and infiltration basins. The Applicant is required to meet the City’s standards, and is also subject to the rules of the Browns Creek Watershed District (BCWD). The Applicant continues to work through the BCWD requirements. Their recommendations may change and/or alter some of the configuration of the basins and/or ponds, and if so, revised plans should be submitted to the City Engineer for additional review. The Stormwater Management Plan for the Project as currently designed was submitted and reviewed by the City Engineer. His comments and



concerns are stated in Exhibit C.



Review of Additional Information (Provided for April PC Meeting)

In response to Planning Commission requests, staff recommendations, public testimony and Washington County review letter the Applicant provided supplemental information and an updated Site Plan/Preliminary Plat to address the recommendations, comments, and concerns. The following sections address the Additional Information submitted and received by the City on April 12, 2017. An analysis/review of the information is provided where relevant.

Access & Traffic Analysis

During the Public Hearing, several members of the public voiced concern over the proposed access locations of the new road identified as Street A on the Preliminary Plat. After the meeting, Washington County provided a formal review letter dated March 23, 2017 in which they requested additional traffic analysis be conducted to determine 1) if the proposed access locations have adequate sight distances; 2) if the proposed access locations meet County access spacing guidelines; and 3) if any improvements to the County roads would be warranted based on the projected traffic generated from the project. (See Exhibit D)

To effectively answer these questions, the Applicant hired Spack Consulting to study the proposed access locations, on both CR 17 and CSAH 12. The Memo provided by Spack Consulting dated April 11, 2017 makes the following conclusions (see Exhibit H):

- Both proposed access locations (CR 17 and CSAH 12) have adequate sight distance as proposed.
- The access on CSAH 12 meets the County's spacing guidelines, but the access on CR 17 does not. However, the consultant suggests that this is not a significant issue because the other nearby access locations are private driveways (as such not significant traffic generators) and that the proposed roadway "Street A" meets CR 17 with a "T" as do the nearby driveways, resulting in a "low risk of conflicts."
- Based on the Consultant's analysis they recommend that a dedicated right turn lane be constructed on CR 17, and that an expanded and strengthened shoulder be constructed on CSAH 12.
- Sufficient right-of-way at the CSAH 12/Street A intersection should be reserved so that a standard right turn lane could be added when and if traffic counts warrant the improvement in the future.
- Reserve sufficient right-of-way along the north side of CSAH 12 to add a westbound bypass lane in the future, if and when traffic surpasses the ADT threshold of 100 vehicles per day.

Preliminarily this traffic analysis concludes that the proposed access locations would be adequate and safe provided the recommended improvements are constructed. As requested during the Planning Commission meeting on April 18th, Spack Consulting updated their analysis to reflect 30 lots which did not materially change their consultant's recommended improvements.

Since both roads are County Roads the accesses, and associated improvements, are subject to County approval. Staff has forwarded a copy of the Spack Memo to the County, and has heard preliminarily that the



County would like to see additional improvements beyond those identified in Spack's Memo. The County has stated that they want left-turn lanes constructed for both entrances, as well as dedicated right-turn lanes at both entrances. At the time of this Staff Report, the Applicant has requested a meeting with the County to discuss these improvements, and the County has requested attendance by city staff. If the meeting happens prior to the City Council meeting, staff will provide a verbal update at the May meeting.

Site Plan & Preliminary Plat Revisions

Updates to the Site Plan and Preliminary Plat were provided, and the changes have been reflected in the Zoning and Dimensional standards review in previous sections of this report.

The Applicant did not update the grading and stormwater plans in the Plan Set update for the April 18th Planning Commission meeting. Since the Applicant is continuing to work with the BCWD on their requirements, staff would recommend that a condition be included that the revised grading and stormwater plans be submitted for review by the City Engineer once completed.

Phasing Plan

A Phasing Plan was submitted and is provided in Exhibit E of this staff report.

Screening Plan

In response to comments heard during public testimony, and at the recommendation of the Planning Commission, the Applicant prepared a screening plan (see Exhibit G). As shown on the figures, the Applicant is proposing to use Black Hills Spruce as a vegetative screening tool for the adjacent homes that would be most affected by the new roadway. The most affected property to the west is an existing homestead where the principal structure is just southwest of where the new roadway (Street A) connects to Lake Elmo Avenue (CR-17). The Applicant is proposing to plant three (3) 6-foot Black Hills Spruce to 'fill in' a gap in the existing vegetation of the neighbor's land which is most directly aligned with the new access location, and that the Applicant will coordinate the precise location of the plantings with the property owner.

The most affected property to the east is the Lemanski property which has an existing principal structure setback approximately 23-feet from the property line, and will be approximately 50-feet from the new roadway. The Applicant has proposed to plant 10 6-foot Black Hills Spruce on the neighboring property on to be spread north and south of the existing driveways on the property, with final location to be coordinated with the owner.

The Planning Commission discussed the screening plan extensively at their April meeting and expressed concern that all of the proposed screening would be planted on the adjacent property owner's lands, not on



the subject Project site. The Applicant expressed that they believe planting the Black Hills Spruce on the adjacent properties will achieve greater screening than if the trees are planted on the Subject development property; however, they are willing to plant them on the Project site if the neighbors would prefer that option. The draft condition was modified by the Planning Commission to reflect that the trees could be planted either on the adjacent properties, or on the subject Project site, but that the trees must be planted as part of the approval.

Engineering Standards

As previously stated, the Applicant has not updated the grading and erosion control plans addressing the revisions to the preliminary plat as outlined above. As such, the City Engineer's memo dated March 7, 2017 remains valid. Staff would recommend including a condition that the Applicant must comply with the recommendations and conditions identified in the Engineer's memo, and that the grading and erosion control plans must be updated and revised for review and approval by the City Engineer.

Other Agency Review

As stated in the March 8, 2017 staff report, the proposed Project is subject to the City's and the BCWD's stormwater rules and regulations. The Applicant is working through the permitting process with the BCWD, and if any substantive changes to the preliminary plat are required to comply with the BCWD rules, the Project may be subject to additional review by the Planning Commission. Staff would recommend including this as a condition of Preliminary Plat approval.

Washington County has reviewed the proposed access locations as stated within their letter dated March 23, 2017. The County has reviewed the Spack Memo and are requesting dedicated left-turn lanes at both CR-17 and CSAH 12. A meeting with the Applicant, Washington County and staff is likely to be held in the later part of this week. Staff will provide a verbal update from the meeting, provided the meeting occurs prior to the Council meeting.

Additionally, the Applicant has submitted an application to Washington County for preliminary review of the soil sampling conducted for the septic drainfields. At the time of this report the County had not responded. Staff will provide a verbal update, if available, at the City Council meeting and would recommend including a condition that Final Plat will not be granted without preliminary review from Washington County.

Draft Resolution

Draft resolution 2017-08 is provided for your review and consideration. The Resolution is drafted with the recommended conditions as considered and amended by the Planning Commission.



Attachments

Exhibit A: Narrative and Carlson McCain Letter dated April 11, 2017

Exhibit B: Lot Tabulation Revised

Exhibit C: City Engineer's Memo, March 7, 2017

Exhibit D: Washington County Letter dated March 23, 2017

Exhibit E: Plan Set Revision Date 4/10/2017

Exhibit F: Phase Plan

Exhibit G: Landscape Screening Plan

Exhibit H: Traffic Study



Application Date:	2/15/17
Fee: \$1,000+\$25/lot	Escrow: \$7,000

Pd \$8,775.00 Check #7683

PRELIMINARY PLAT (MAJOR SUBDIVISION)

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

PARCEL IDENTIFICATION NO (PIN): LEGAL DESCRIPTION: See plat materials		ZONING DISTRICT & COMP PLAN LAND USE: As I LOT SIZE: 320 Acres
PROJECT ADDRESS: Carlson Farm 11253 75th St No, Grant Masterman Farm 11601 75th St No, Grant	OWNER: #1 Carlson Farm Name: Robert Carlson Estate Linda Powell, Trustee Address: 11802 97th St N City, State: Grant, MN 55082 Phone: 651/439-7765 Email: lindapowell@g.com	APPLICANT (IF DIFFERENT THAN OWNER): See last page
DESCRIPTION OF REQUEST: OWNER #2 (see back) #6 See Attached Description		
EXISTING SITE CONDITIONS: Open agricultural land with some woods & 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 30, Article II Platting, Secs. 30-57 - 76		

Submittal Materials

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

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

AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>EXISTING CONDITIONS EXHIBIT:</u> (All plans shall be at a scale not smaller than 1" = 200') A scalable existing conditions analysis, prepared by and certified by a registered land surveyor, including 100-feet of the abutting properties of record, should include the following: <ul style="list-style-type: none"> North arrow, date of survey Boundary lines and dimensions with total acreage Topographic Map, contour interval of 2' or less, slopes in excess of 12-percent delineated Aerial of site and ½ mile vicinity Existing zoning classifications for land in and abutting the subdivision Location and extent of tree cover including identification of significant trees

Application for: **PLATTING**
City of Grant

<input checked="" type="checkbox"/>	<input type="checkbox"/>	Drainage Computations
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Developer's Agreement, Homeowner's Association covenants or deed restricts (if applicable) TBD
<input type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within 1,250 feet, contact Washington County Surveyor's Office: (651) 430-6875
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$1,000 + \$25/lot
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$7,000

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

<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic copy of all submittal documents
<input checked="" type="checkbox"/>	<input type="checkbox"/>	If severe soil limitations for the intended use are noted in the Soil Survey on file at Washington County Soil and Water Conservation District office, a plan or statement indicating the soil conservation practice or practices to be used to overcome said limitation shall be made part of the permit application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Building elevations and architectural plans All homes will be custom. Architectural plans will be submitted for Building Permit

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

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

Unless an extension of time is requested and granted by the City Council, the Applicant shall submit an application for Final Plat within 12 months of receiving Preliminary Plat approval, or the approval will expire.

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.

Bob Appert, Streetcar Holdings, LLC 2/15/2017
Signature of Applicant Date

Linda Carlson 2/15/17
Signature of Owner Date
Carlson Farm
David Washburn 2/15/17
Masterman Farm

Applicant
Streetcar Holdings, LLC
4084 Oak Brooke Alcorn
Eagan, MN 55122

Bob Appert, General Manager
[Redacted] 651-454-4297
bappert@redstonebuilders.net

Application for: **PLATTING**
City of Grant

<input type="checkbox"/>	<ul style="list-style-type: none"> Location, including right-of-way width and names of existing platted streets, parks, or other public lands Location of permanent buildings, structures, school district lines Location and size of existing culverts, wells, septic systems or any other underground utility Existing easements, including pipelines and power lines within the plat Grades and location of catch basins, manholes, and street pavement width and type within the plat Soil conditions as they affect development, including soil borings, soil types, locations and high water table elevations Boundary lines of adjoining unsubdivided or subdivided land Soil borings on each lot demonstrating appropriate area of individual sewage treatment system (minimum of 4 per lot) Water course, marshes, 100-year flood elevation, wooded areas, rock outcrops, power transmission poles and lines, and other significant features Location and extent of wetlands and streams, including Wetland Delineation Other relevant information as requested by Planning Commission or City Council <p>COPIES: 20 (4 Full Size at 22" x 34", 16 Reproducible copies at 11" x 17")</p>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><u>PRELIMINARY PLAT:</u> Technical and Construction Level Drawings (All plans shall be at a scale not smaller than 1" = 200')</p> <ul style="list-style-type: none"> Name and address of the owner, developer, site planner, engineer and surveyor Legal description, acreage of proposed subdivision, date of preparation and north arrow Lot and block arrangement and numbering system and area of each lot Identification of any dedicated areas for public use, excluding roads and trails, with areas identified Subdivision name Proposed construction grading plan and an Erosion Control plan Surface water management plan/drainage plan Final grading plan, maximum 2 foot contours scale not smaller than 1"=100' Lot dimensions including setback lines (front, side, rear), buildable area, and percent impervious Gradients of proposed streets. Plans and profiles showing locations and typical cross-sections including curb, ditches, gutters, sidewalks, drainage easements, right-of-ways, manholes and catch basins Proposed building locations including lowest floor elevation for each lot Driveways Locations, dimensions, and materials of sidewalk and/or trails Location of wells, sewage treatment areas, and soil borings Construction plans and profiles addressing streets, sewage treatment and water, stormwater, trails, sidewalks and related features Easement locations Outlots Vegetation and landscaping If proposed: Lighting, parking, signage, fences, dumpster locations and other features <p>COPIES: 20 (4 Full Size at 22" x 34", 16 Reproducible copies at 11" x 17")</p>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	Narrative describing the proposed use of lots, types of buildings with proposed units or business/industry. <i>Attached</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A copy of any proposed private restrictions <i>To be developed prior to Final plat</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your property for approvals and necessary permits. <i>Brown's Creek Watershed has been contacted at application will be filed soon.</i>

Item #6: Description of Request

Applicants are requesting a major subdivision of two adjacent agricultural zoned parcels known as the Masterman Farm (aka MF; 120 nominal acres) and the Carlson Farm (aka CF; 200 nominal acres) into a total of 31 residential lots to be known as The Farms at Grant (aka FOG).

The number of lots was determined by the formula within the City of Grant's ordinances which allow 4 density units per 40 acres. The Masterman Farm, at 120 acres (three 40 acre parcels) would allow 12 density units, however, a minor subdivision in the 1960's used one density unit when a home site was created for a Masterman family member. As a result, 11 new lots, representing the remaining density units will be created through this subdivision. The Carlson Farm, at 200 acres (five 40 acres parcels) allows 20 density units, with none used for any previous subdivision.

The applicant believes that the proposed plat meets and complies with the Grant sub-division ordinance, as well as, the Grant Comprehensive Plan.

Farms of Grant--Project Narrative

Applicant proposes to create a rural community of 29 upper end homes on 5-7 acre lots along a single serpentine road that winds through the southern portion of the combined 320 acre site. These 29 homes will be part of a homeowners association (HOA) that will include the usual covenants expected of this type of development, including design controls, lot coverage, cost of construction, etc.

The plat will also leave two large agricultural lots on the northern portion of the site. These two parcels will not be in the HOA and will have deed restrictions indicating that no further sub-dividing is possible under Grant's ordinances.

As proposed, both of the large agricultural lots represent the preservation of the best agricultural soils on the site. It is our expectation that these lots will remain in agricultural use as they have since Minnesota became a state.

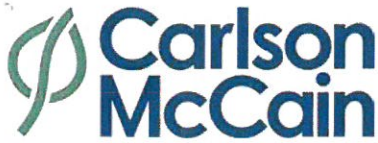
It is anticipated that the 29 HOA lots will sell for approximate average of \$250,000 to \$300,000 each. It is anticipated that the build package for these lots will range from \$750,000 to \$1,200,000.

The plan is to build the community in three phases of approximately 10 homes each phase starting from the west entrance of the project on Lake Elmo Avenue moving toward the entrance/exit on the northeast corner of the site on County 12. We are planning for a 6 year or less project build out.

The project has been designed to minimize the total disturbed area and will highlight the beauty of the natural features (hills and dales, woods, wetlands and open site lines). HOA rules will limit the maximum mowed area on each site with the balance of the lots planted in a low maintenance, natural prairie type planting which will minimize the visible boundaries of the lots. This provides for a great sense of visual open space both within the community but also preserves most of the historic views of the property from County 12 and Lake Elmo Blvd.

In summary, the design for this sub-division has attempted to achieve these goals:

1. Conforms with Grant's ordinances and comprehensive plan;
2. Creates high value home sites away from the heavily trafficked County 12 and Lake Elmo Blvd;
3. Reserves much of the historic view shed from County 12 and Lake Elmo Ave;
4. Minimizes new entrances onto Lake Elmo Ave and County 12 (benefits safety and traffic management);
5. Minimizes road length, with no cul de sacs, significantly reducing future maintenance costs;
6. Preserves the site's best farmland for future farming (a benefit to future farmers and the local food system).



April 11, 2017

Jennifer Haskamp
SHC, LLC.
246 Albert Street S., Suite 2A
St. Paul, MN 55105

RE: Farms of Grant
Grant, Minnesota

Dear Ms. Haskamp,

The purpose of this letter is to inform you of changes made to the Farms of Grant Preliminary Plat in response to your staff report dated March 8, 2017, City Engineer's comment letter dated March 7, 2017, Washington County's comment letter dated March 23, 2017, and the planning commission meeting on March 16, 2017. The following changes have been made to the plan:

1. Increased right of way along Lake Elmo Avenue (CSAH 17) to provide minimum 75 feet from centerline. Adjusted lots according to meet frontage and area requirements.
2. Increased right of way along 75th Street (CSAH 12) to provide minimum 75 feet from centerline. No lot adjustments necessary.
3. Contracted with Spack Consulting to complete traffic study. Said traffic study recommends northbound right turn lane on Lake Elmo Avenue and east bound shoulder improvements on 75th Street. At a minimum, these improvements will be added to the plans. Note that the traffic study found stopping sight distance more than adequate at each intersection.
4. Provided a 66 foot right of way to Lemanski property in the northeast portion of the site. Adjusted Outlots accordingly.
5. Adjusted southeasterly lot line of Lot 15, Block 1 to remove dog leg.
6. Adjusted northerly lot line of Lot 14, Block 2 and southerly line of Outlot A to provide greater average depth for Lot 14, Block 2.
7. Adjust alignment of Street A near Lot 4, Block 1 and Lot 3, Block 2 to allow removal of retaining wall.
8. Updated existing conditions drawing to include PIDs on each parcel and access location for Carlson Farm.
9. To address the block configuration, a Phasing Plan is included for review. The project will be platted in three phases as shown on the attached Phasing Plan. Each individual plat will meet the block requirements.
10. It is noted that a street name will be required for Street A; however this is still up for debate. Once a street name is determined, the plans will be updated accordingly.
11. To address neighbor concerns over headlight glare on adjacent properties, an existing and proposed screening plan has been developed. Based on this plan, we believe that the adjacent properties are adequately screened from headlight glare.
12. Carlson McCain is working closely with Brown's Creek Watershed District to address permitting requirements and believe that all conditions will be addressed with the next revision.

Farms of Grant – Preliminary Plat
Grant, Minnesota

As previously stated, Carlson McCain is working closely with Brown's Creek Watershed District to address stormwater management requirements. Because of this, the grading and drainage plans are currently being revised and are not included in the revised submittal. The documents being submitted for your review are as follows:

- Preliminary Plat
 - Cover Sheet (Sheet 1)
 - Existing Conditions (Sheet 2)
 - Preliminary Plat Index (Sheet 3)
 - Preliminary Plat (Sheets 4-8)
 - Livability Plan (Sheets 9-11)
- Phasing Plan
- Screening Plan
- Traffic Study – Access Evaluation (Spack Consulting)

If you have any questions or if further information is needed at this time, please contact me at (763) 489-7912.

Regards,



Carlson McCain, Inc.

cc: Bob Appert, David Washburn – Streetcar Holdings, LLC.

Attachments

Attachment B:

LOT Tabulation – Farms of Grant, Revised 04/12/2017

Plan Set Date 1/20/2017, Revision Date 4/12/2017

2	6	5.02	312'	350'	430'	2.41	4.8
2	7	5.28	300'	320'	435' (500' avg)	1.50	5.7
2	8	5.30	300'	340'	420' (575' avg)	3.56	5.8
2	9	5.31	513'	525'	410'	3.49	4.7
2	10	5.32	506'	505'	410'	3.21	5.8
2	11	5.02	341'	370'	493'	2.96	6.0
2	12	6.15	300'	350'	320'	3.05	5.7
2	13	5.04	599'	640'	320'	2.92	4.6
2	14	6.05	803'	920'	312'	3.97	4.6
Block 2 Total	14	74.31	-	-	-		
Sub Total	31	294.8					
OTHER							
ROW	County	10.54					
ROW	City (New Road)	13.14					
Outlot	A	1.07					
Outlot	B	0.44					
Sub Total		25.19					
SUMMARY							
TOTAL		317.18					
Gross Density		1 Unit/10.23 Acres					



Memorandum

To: *Jennifer Haskamp, City Planner*

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

Date: *March 7, 2017*

Re: *Farms of Grant Preliminary Development Plan - Engineering Review*

Submittal:

Engineering review comments were generated from the following submittals:

- The Farms of Grant Plan Sheets, dated January 20, 2017 (23 pages):
 - Preliminary Plat
 - Livability Plan
 - Grading Plans
 - Erosion Control Plans
 - Details
- Brown's Creek Watershed District (BCWD) Permit Application, dated February 16, 2017
- Storm Water Management Report, dated January 20, 2017

Comments:

1. The Applicant should add arrows indicating general existing storm water sheet flow direction with site entry and exit points, if applicable, in the existing condition plan on sheet 2/23.
2. The Application should provide the complete Geotechnical Evaluation Report including pavement design recommendations, if available. In the absence of a report, the developer should include a minimum of 12-inches of select granular borrow and type V geotextile fabric beneath the Class 5 aggregate base shown in the pavement section details.
3. All street and driveway culverts shown in the typical street section details or grading plans shall be a minimum of 18-inches in diameter with a minimum of 12-inches of cover.
4. All pavement cross slopes shown in the typical section details should be 3%.
5. All longitudinal street grades should not be less than 0.5% and not greater than 7.0%.
6. The Applicant shall meet all Washington County roadway access requirements at the street intersections with the county's road, including culverts if necessary.
7. Retaining walls should be eliminated within City right-of way or easements.
8. The applicant should show the elevation and locations of all emergency overflow routes for all storm water facilities in the drainage plans, if applicable.
9. The existing drainage patterns shall be maintained on the property with no additional drainage directed to the public Right-of-Way or wetlands without regulatory agency approval.
10. Final engineer signed plans must be submitted prior to acceptance and approval.
11. The Applicant shall submit an approved BCWD permit prior to construction.

March 7, 2017

Page 2

12. The Applicant shall submit an approved NPDES permit to the City prior to construction.
13. The Applicant shall submit an approved Grading permit from the City of Grant prior to construction.
14. The Applicant shall submit an approved Right-of-Way permit from Washington County for work adjacent to CSAH No. 12 (75th Avenue No.) and CSAH No. 17 (Lake Elmo Ave N.) prior to construction.

Should you have any questions or comments regarding the items listed above, please contact me at 763-512-5243.



Public Works Department

Donald J. Theisen, P.E.
Director

Wayne H. Sandberg, P.E.
Deputy Director/County Engineer

March 23, 2017

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

Re: Washington County comments on The Farms of Grant, Preliminary Plat, City of Grant.

Dear Ms. Haskamp,

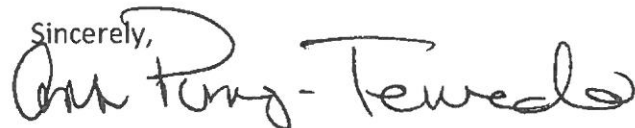
We have reviewed The Farms of Grant, Preliminary Plat dated 1/20/2017. The project is located south of County State Aid Highway (CSAH) 12 /75th Street and east of CSAH 17/Lake Elmo Avenue. The project will convert approximately 317.28 acres of a farmstead, agricultural land, open space and wetlands to approximately 29 single-family residential lots with the existing farmstead and 75.38 acres and 53.06 acres of pastureland. The project will involve grading, installation of public and private infrastructure, open space preservation, and stormwater ponding. Based on the plans submitted, we offer the following comments:

- The plat needs to reflect future right-of-way along 75th Street/CSAH 12 and Lake Elmo Avenue/CSAH 17 as identified in the Washington County Comprehensive Plan 2030, Transportation Plan, Minimum Right-of-Way Widths for County Roads:
 - The future right-of-way width along CSAH 12 is 150 feet (75 ft from the centerline of the roadway). The current preliminary plat, dated 1/20/2017, identifies approximately 75 feet from the centerline of CSAH 17 east to the exception parcel. East of the exception parcel to Street A/Outlot B identifies 60 feet. The preliminary and final plat should be updated to reflect an additional 15 feet of right-of-way.
 - The future right-of-way width along CSAH 17/Lake Elmo Avenue is 150 feet. The current preliminary plat, dated 1/20/2017, identifies approximately 60 feet. The preliminary and final plat should be updated to reflect an additional 15 feet of right-of-way.

- The access points at CSAH 17/Lake Elmo Avenue and CSAH 12/75th Street should be further studied by a professional traffic engineer. This study should include an analysis of the stopping sight distance and relationship of the access points with other local streets and driveways.
- Street A at CSAH 12/75th Street should be shifted east to abut property line. This will provide local access for properties east of the site. Specifically, provide the opportunity to remove the field access directly to the east and connect it to Street A.
- The developer is required to submit right and center left turn-lane improvement plans for the intersections at CSAH 17/Lake Elmo Avenue at Street A and CSAH 12/75th at Street A that meet County requirements.
- Any work in the County right-of-way as it relates to the development will require a right-of-way permit, including: grading for the installation of culverts, installation of water and sewer services, turn lane modifications, road improvements, trails, Americans with Disability Act (ADA) ramp improvements.
- No county or regional trail along CSAH 17/Lake Elmo Avenue is shown on the Future Trail System map in the Washington County 2030 Comprehensive Plan. There is a current county trail along the south side of CSAH 12/75th Street.
- Although the county has not reviewed a stormwater plan to date, the developer, city or watershed district, must submit the drainage report and calculations for review of any downstream impacts to the county drainage system. Along with the drainage calculations, there must be written conclusions that the volume and rate of stormwater run-off into any county right-of-way will not increase as part of the project.
- Washington County's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from adjacent highways could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where the establishment of the land use would result in violations of established noise standards. Minnesota Statute 116.07, Subpart 2a exempts County Roads and County State Aid Highways from noise thresholds.

County policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such areas. The developer should assess the noise situation and take any action outside of County right-of-way deemed necessary to minimize the impact of any highway noise.

If you have any questions or comments to the responses on the Farms of Grant, Preliminary Plat, please contact me at Ann.pung-terwedo@co.washington.mn.us.

Sincerely,

Ann Pung-Terwedo, Senior Planner

Cc: Joe Gustafson, Traffic Engineer

Technical Memorandum

To: Bob Appert, Owner – Redstone Builders
From: Bryant Ficek, PE, PTOE
Date: April 11, 2017
Re: Access Evaluation – Farms of Grant Residential Development

The Farms of Grant residential development is proposed to provide 29 units on 317.28 acres of farmstead, agricultural lane, open space and wetlands. In Washington County's recent review of the proposed plan, an additional evaluation of access spacing, turn lane treatments, and site distance was requested. The purpose of this memorandum is to examine the traffic along the Lake Elmo Avenue and 75th Street corridor and determine if spacing guidelines are met; left or right turn treatments are warranted and justified; and sufficient sight distance is achieved at the proposed site accesses.

Conclusions

Based on the information and analysis presented in this memorandum, the proposed Farms of Grant development is expected to generate a total of 276 vehicle trips per day, with an expected trip distribution of approximately 196 vehicles that will access the site along Lake Elmo Avenue with the remaining 80 vehicles accessing the development from 75th Street.

Using the nine warrants for determining the turn lane needs at intersections, as developed by the Minnesota Department of Transportation (MnDOT), the following turn lane treatments are recommended:

- Provide a right turn lane for northbound traffic on Lake Elmo Avenue at Street A.
- Strengthen and expand the shoulder for eastbound traffic on 75th Street at Street A.
- Reserve sufficient right-of-way at the 75th Street/Street A intersection to expand to a standard right turn lane if and when additional development and future traffic growth occurs.
- Reserve sufficient right-of-way along the north side of 75th Street to add a westbound bypass lane if and when Street A daily traffic surpasses the ADT threshold of 100 vehicles per day.

Sufficient sight distance is provided at both intersections for left turn and right turn movements for all design vehicles.

The proposed access location at 75th Street fulfills Washington County spacing guidelines. The proposed access location at Lake Elmo Avenue does not fulfill these requirements due to two private driveways located within 600 feet of the proposed intersection. However, with the low volume utilizing these driveways and the "T" configurations for each intersection, safety concerns are minimized due to the low risk of conflicts.

Existing and Build Conditions

The development site is located in the southeast corner of the junction of County State-Aid Highway (CSAH) 17, also known as Lake Elmo Avenue and CSAH 12, also known as 75th Street North.

Lake Elmo Avenue is a two-lane, north south minor arterial roadway, providing access to Trunk Highway 36 (TH 36). The posted speed limit is 55 mph with a 40-mph warning speed just south of the development due to limited sight distance from vertical grade changes.

75th Street is a two-lane, east west minor arterial roadway, providing access between White Bear Lake and Stillwater. The posted speed limit is 55 mph.

The existing Average Daily Traffic (ADT) counts for Lake Elmo Avenue and 75th Street N were collected from the MnDOT's Traffic Mapping Application Tool to determine the daily traffic load along the access corridors. Table 1, below, shows the existing Average Daily Traffic (ADT) volumes.

Table 1 – Existing Roadway ADTs

Corridor	ADT
Lake Elmo Avenue, South of 75 th Street	4,700 vehicles per day
75 th Street, West of Lake Elmo Avenue	5,600 vehicles per day
75 th Street, East of Lake Elmo Avenue	8,100 vehicles per day

Based on the concept plan, which can also be found in the appendix, the development is proposed to provide 29 single-family housing units. A trip generation analysis was performed based on the methodology and rates published in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition*. For comparison purposes, Table 2 shows the locally collected trip generation data along with the ITE data for Single Family Homes.

Table 2 – Trip Generation for 29 Single Family Homes

Land Use Code – Source	Description & Size	AM Peak Hour		PM Peak Hour		Daily Total	
		Total In	Total Out	Total In	Total Out	Total In	Total Out
210	Single Family Homes	5	16	18	11	138	138
Local	Single Family Homes	5	15	15	11	134	134

For the purposes of this memorandum, the conservatively high estimate from the *ITE Trip Generation Manual* were selected for the access evaluation. As shown, expected traffic during the a.m. and p.m. peak hours is less than 30 vehicles, while the expected daily traffic is about 280 vehicles. As defined by MnDOT, developments that are estimated to generate less than 250 peak hour trips or 2,500 daily trips do not generate significant traffic volumes to warrant traffic impact studies.

The new site generated trips were then distributed to Lake Elmo Avenue and 75th Street, based on the existing ADTs as well as access to major roadways, to determine approximate access driveway volumes at Lake Elmo Avenue/Street A and 75th Street/Street A. The resulting trip distribution determined that:

- 27.5 percent of the site generated traffic to/from the west on 75th Avenue.
- 12.5 percent of the site generated traffic to/from the east on 75th Avenue.
- 60.0 percent of the site generated traffic to/from the south on Lake Elmo Avenue.

Based on this distribution, the Street A intersection with 75th Street would have approximately 80 vehicles turning in or out of the development over the course of an average weekday. The Street A intersection with Lake Elmo Avenue would have approximately 196 vehicles turning in or out of the development during an average weekday.

Turn Treatment Warrant Evaluation

The *MnDOT Access Management Manual* is a document that provides guidance for exclusive turn lanes and bypass lanes at public street connections in accordance with the *MnDOT Road Design Manual*. The purpose of this document is to assist with access management for highways, which have different characteristics than Lake Elmo Avenue and 75th Avenue. However, if the criteria for turn lanes is not satisfied for a highway, then it can be assumed turn lanes would not be warranted for a minor arterial.

Nine warrants are presented that account for site conditions and expected traffic to evaluate the need for turn lanes. Each warrant is examined separately below and the MnDOT guide's text is attached to this memorandum for reference.

Warrant 1 – Passing Lane/Climbing Lane

Lake Elmo Avenue does not have passing or climbing lanes within the project area. 75th Street, however, does a passing lane just west of the proposed 75th Street/Street A intersection.

Warrant 2 – Limited Sight Distance/Terrain

The sight distance was evaluated on-site at each existing and proposed access. All turning movements appear to have sufficient sight distance, with no noticeable obstructions or sight issues. A full sight distance review can be seen in the Sight Distance Evaluation section of this report.

Warrant 3 – Railroad Crossings

The proposed site intersections do not have a railroad crossing in the vicinity that would require turn lanes.

Warrant 4 – Signalized Intersections

The proposed site intersections will be controlled by stop signs on the side streets, not a traffic signal. Therefore, turn lane treatments are not necessary due to the type of intersection control.

Warrant 5 – Heavy-Vehicle Traffic

Based on the proposed residential land use, the expected heavy-vehicle turning traffic is expected to stay well below the 15 or more vehicles per hour threshold. Truck traffic related to the proposed development is expected to be low and related to moving trucks, garbage trucks, and delivery vehicles. The relatively low truck traffic associated with these land uses does not warrant turn lanes.

Warrant 6 – School Entrances

The proposed connection is not a school entrance that would necessitate turn lanes.

Warrant 7 – Crash History

As the intersections of Lake Elmo Avenue, Street A and 75th Street/Street A do not yet exist, there are no correctable crashes at these locations.

Warrant 8 – Corridor Crash Experience

According to recorded crash data provided by MnDOT, there is no pattern of similar crash types suitable for correction by adding turn-lane treatments. Therefore the corridor does not have a crash experience that would necessitate a system-wide treatment with turn lanes.

Warrant 9 – Vehicular Volume

The table below provides the relevant volume criteria from Figure 3.40 of the MnDOT guide that, if satisfied, would warrant left turn treatment:

MnDOT Access Management Manual Figure 3.40: Warrant 9 for Left-Turn Lanes

2-Lane Highway AADT	Cross Street or Driveway ADT	Turn Lane Requirement
4,000 – 4,999	> 1,000	Left-turn lane warranted
≥6,500	>400 (101 to 400)	Left-turn lane warranted Left-turn lane or bypass lane

The relevant criteria from Figure 3.41 of the MnDOT guide is provided in the following table that, if satisfied, would warrant right turn treatment:

MnDOT Access Management Manual Figure 3.41: Warrant 9 for Right-Turn Lanes

2-Lane Highway AADT	Cross Street or Driveway ADT	Turn Lane Requirement
>1,500	> 100	Right-turn lane warranted

Using the trip generation from Table 2, the expected trip distribution patterns, and the criteria for Warrant 9, Table 3 summarizes the results of the Warrant 9 evaluation.

Table 3 – Turn Lane Warrant 9 Evaluation

Intersection	Left Turn Lane		Right Turn Lane	
	Street ADT	Access ADT	Street ADT	Access ADT
Lake Elmo Avenue at Street A	4,730	196	4,866	196
75 th Street at Street A	8,134	80	8,146	80
Criteria	4,000 – 4,999 -or- ≥6,500	> 1,000 -or- >400 (101 to 400)*	> 1,500	> 100

Notes: *Volume threshold warrants Left-turn or bypass lane

Based on these results, left turn treatment is not warranted at either site access while right turn treatment is recommended for the site access onto Lake Elmo Avenue.

Based on the MnDOT Turn Lane Warrant evaluation above, the following is recommended:

- Adding full right turn lanes to northbound Lake Elmo Avenue at Street A, as shown in Figure 1 below.

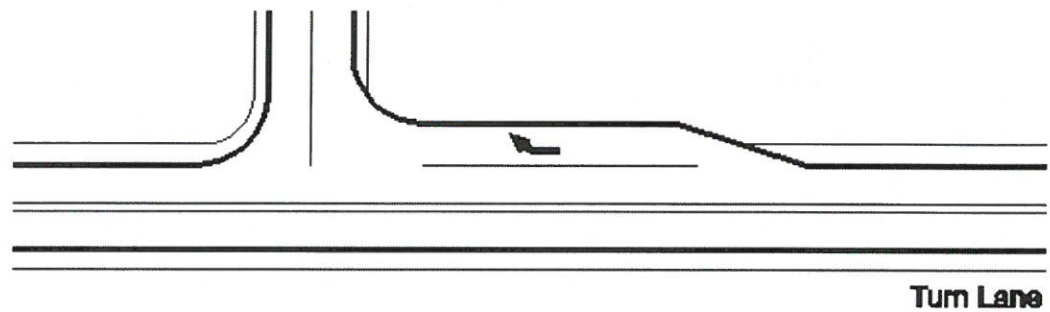


Figure 1: Full Right Turn Lane Treatment.

- Strengthening and expanding the shoulder for eastbound traffic at 75th Street at Street A for eastbound vehicles, as shown in Figure 2, below. Due to the low volume of vehicles making right-turning movements into the development an expanded and strengthened shoulder will allow the turning vehicles to shift out of the through lane and make a safe right turning movement without blocking through moving vehicles. In addition, sufficient right-of-way should be set aside to expand to a standard turn lane if and when additional development and future traffic growth occurs.

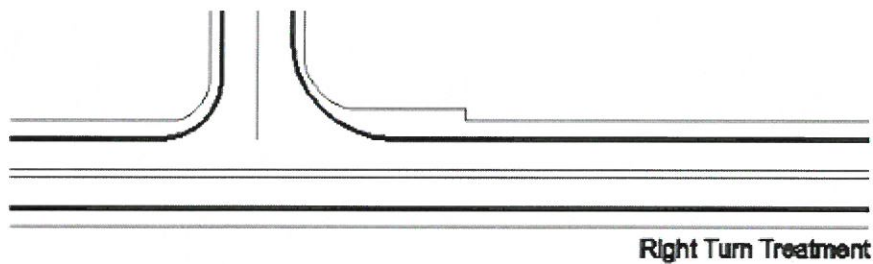


Figure 3: Strengthened Right Turn Lane Treatment.

- Setting aside additional right-of-way along the north side of 75th Street to add a westbound bypass lane if and when Street A ADT's rise above 100 vehicles per day.

Site Distance Review

A site distance review was completed for the proposed access locations. Field measurements were completed on-site in April 2017 during a typical day with no construction or other obstacles on 75th Street or Lake Elmo Avenue. While standing at the proposed access locations, the time gap was measured for vehicles traveling along the mainlines from when first observed to when they reach the proposed access intersection. Left turn movement sight distance corresponds to the measurements for westbound and southbound traffic while the right turn sight distance corresponds to the measurements for eastbound and northbound.

In the case of a two or more vehicles driving in close proximity, only the lead vehicle was timed to ensure that free flow traffic speeds were observed and that surrounding vehicle speeds were not affecting the speed of the measured vehicle. Measurements were obtained for 40 separate vehicles, ten for each turning movement at each intersection, to determine the average left- and right-turn sight distance times. Table 4 shows the requirements for each type of vehicle and each turning movement in addition to the measured sight distance time. The individual raw sight distance measurements are provided in the appendix.

Table 4: Sight Distance Requirements and Measurements

	Turns from	
	Left Turn Movement (sec)	Right Turn Movement (sec)
Design Vehicle Requirements		
Passenger Car	7.5	6.5
Single Unit Truck	9.5	8.5
Combination Truck	11.5	10.5
75th Street Field Measurement (Average)	12.8	13.5
Lake Elmo Avenue Field Measurement (Average)	17.2	12.5

Based on these measurements, sufficient sight distance is provided for left turn and right turn movements for all three design vehicles at both intersections. For left turning movements 75th Street and Lake Elmo Avenue provide 12.8 seconds and 17.2 seconds of sight distance, respectively. The right turning movements achieve 13.5 seconds and 12.5 seconds of sight distance at 75th Street and Lake Elmo Avenue, respectively.

Access Spacing Requirements

The proposed access locations were also reviewed to assure they met required spacing guidelines set forth by Washington County. Using Washington Counties, *Article V: Public Facilities and Services 501 – Public Facility and Service Requirements* document the requirements for access onto arterials was reviewed for compliance.

Based on this documentation, for a non-collector roadway to achieve direct access onto an arterial roadway, a Type II process needs to be pursued. Also, a minimum of 600 feet from other intersections must be achieved. These conditions are fulfilled at the 75th Street/Street A access where a minimum intersection spacing of roughly 1,000 feet is provided with the proposed Street A placement. However, the proposed access location at Lake Elmo Avenue/Street A does not fulfill these requirements at its proposed location with two private driveways located roughly 275 feet and 175 feet away. However, there are a few conditions that help decrease concern about the access location:

- The low volume of daily trips utilizing the existing driveways, as well as the similarly low volume of trips expected to utilize the proposed site access will help decrease impact to the vehicle flow along Lake Elmo Avenue as well as the potential conflicts between accesses.
- The T-intersection layout of the driveways and proposed intersection create less conflicting movements at the intersection.

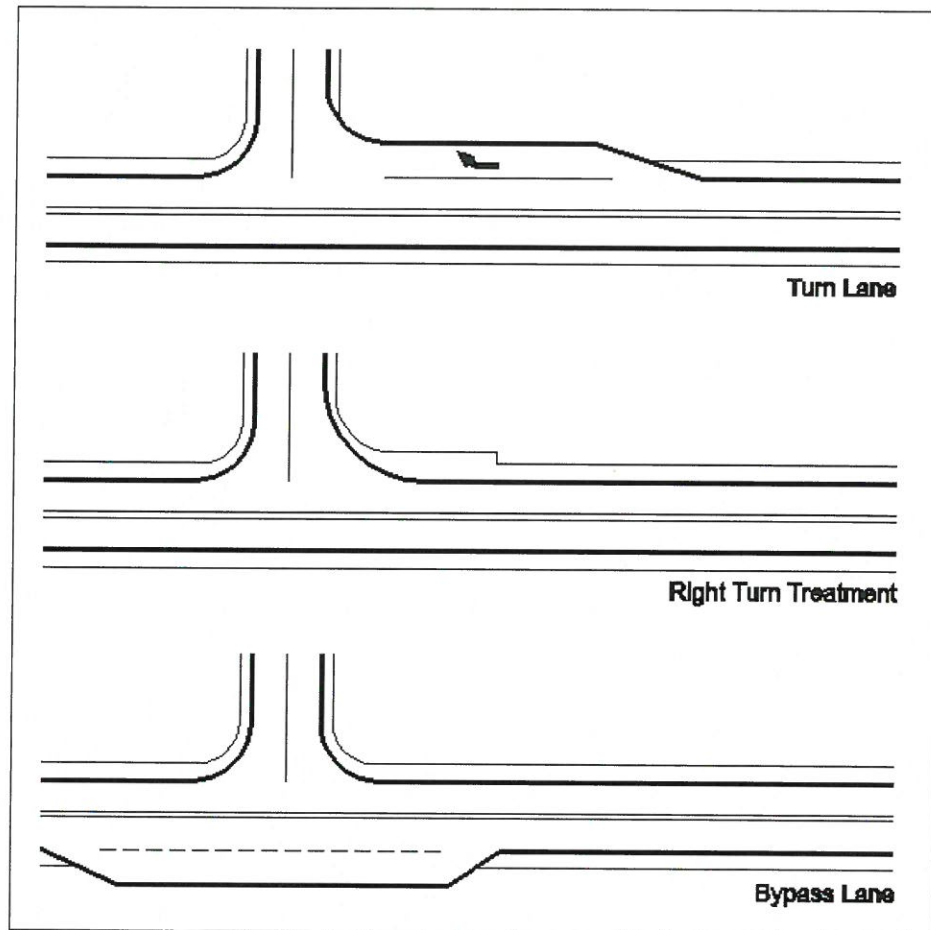
Also, due to the geographic characteristics of the area, the proposed location for the Lake Elmo Avenue/Street A intersection is well placed. The current alignment considers existing ponds and wetlands, as well as the vertical alignment of Lake Elmo Avenue. Despite rolling hills along Lake Elmo Avenue, the proposed placement provides sufficient sight distance, as mentioned earlier, and provides a relatively level access. These circumstances reduce any concern of the proposed access location and do not predict any negative impact to the existing minor arterial classification of Lake Elmo Avenue.

Appendix

- A. Concept Plan
- B. MnDOT Access Management Manual
- C. Sight Distance Measurements

Mn/DOT Access Management Manual

Figure 3.39: Right-turn Treatments & Bypass Lanes



Turn-Lane Warrants for Undivided Highways

The Turn-Lane Warrants for Undivided Highways are shown below. These warrants apply to both left-turn lanes and right-turn lanes.

- Warrant 1: Passing Lane/Climbing Lane – At high-volume driveways (> 100 trips per day) and all public street connections located on highway segments where passing lanes or climbing lanes are present in the approach direction.
- Warrant 2: Limited Sight Distance/Terrain – At all driveways and public street connections with inadequate stopping sight distance or located on short vertical curves or steep grades. Designers may consider alternative options, such as access relocation, vegetation removal, and spot grading as alternatives to building turn lanes.
- Warrant 3: Railroad Crossings – At high-volume driveways (> 100 trips per day) and all public street connections where a railroad is parallel to the highway and where the potential exists for vehicles delayed by a train to back up into the through-lanes of the highway, creating both safety and operational problems. At these locations, the queuing of traffic caused by train movements should be considered. If the cross street between the railroad and the highway does not provide adequate storage, then a turn lane or turn-lane treatment should be considered on the highway to provide the additional storage needed.

Appendix B: MnDOT Access Management Manual

Mn/DOT Access Management Manual

- Warrant 4: Signalized Intersections – At all signalized public street connections and driveways.
- Warrant 5: Heavy-Vehicle Traffic – At all driveways and public street connections on high-speed highways (posted speed ≥ 45 mph) where the heavy-vehicle turning volume is 15 or more vehicles per hour for at least eight hours a day for four months or more per year. Examples of this include gravel operations, large grain elevators, or large distribution centers.
- Warrant 6: School Entrances – At public and private school driveways on high-speed highways (posted speed ≥ 45 mph) used by school traffic.
- Warrant 7: Crash History – At high-volume driveways (>100 trips per day) and all public street connections that demonstrate a history of crashes of the type suitable to correction by a turn lane or turn-lane treatment (typically three or more correctable crashes in one year), or where adequate trial of other remedies has failed to reduce the crash frequency.
- Warrant 8: Corridor Crash Experience – On highway corridors that demonstrate a history of similar crash types suitable to correction by providing corridor-wide consistency in turn-lane use.
- Warrant 9: Vehicular Volume Warrant – At high-volume driveways (>100 trips per day) and all public street connections on high-speed highways (posted speed ≥ 45 mph) that satisfy the criteria in Figures 3.40 and 3.41 below.

Figure 3.40: Warrant 9 for Left-Turn Lanes

2-Lane Highway AADT	4-Lane Highway AADT	Cross Street or Driveway ADT	Turn Lane Requirement
1500 to 2999	3000 to 5999	> 1500	Left-turn lane warranted
3000 to 3999	6000 to 7999	> 1200	Left-turn lane warranted
4000 to 4999	8000 to 9999	> 1000	Left-turn lane warranted
5000 to 6499	10,000 to 12,999	> 800	Left-turn lane warranted
≥ 6500 AADT	$\geq 13,000$ AADT	101 to 400 > 400	Left-turn lane or bypass lane Left-turn lane warranted

*Highway AADT one year after opening
Posted speed 45 mph or greater*

Figure 3.41: Warrant 9 for Right-Turn Lanes

2-Lane Highway AADT	4-Lane Highway AADT	Cross Street or Driveway ADT	Turn Lane Requirement
≥ 1500 AADT	≥ 3000 AADT	> 100	Right-turn lane warranted

*Highway AADT one year after opening
Posted speed 45 mph or greater*

Appendix C: Sight Distance Measurements

(75th Street) Provided Sight Distance for 2 Lane Road (seconds)			
Left Turn		Right Turn	
Count	Time	Count	Time
1	12	1	14
2	11	2	11
3	13	3	10
4	13	4	10
5	14	5	15
6	16	6	16
7	11	7	13
8	10	8	14
9	13	9	17
10	15	10	15
Average	12.80		13.50

(Lake Elmo Avenue) Provided Sight Distance for 2 Lane Road (seconds)			
Left Turn		Right Turn	
Count	Time	Count	Time
1	18	1	16
2	15	2	15
3	18	3	15
4	15	4	13
5	14	5	14
6	19	6	12
7	20	7	8
8	19	8	12
9	20	9	11
10	14	10	9
Average	17.20		12.50

Required Sight Distance Turns onto 75th Street (seconds)		
Design Vehicle	Right Turn	Left Turn
Passenger Car	6.5	7.5
Single Unit Truck	8.5	9.5
Combination Truck	10.5	11.5
Supplied Sight Distance	13.50	12.80

Required Sight Distance Turns onto Lake Elmo Avenue (seconds)		
Design Vehicle	Right Turn	Left Turn
Passenger Car	6.5	7.5
Single Unit Truck	8.5	9.5
Combination Truck	10.5	11.5
Supplied Sight	12.50	17.20

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2017-08**

**RESOLUTION APPROVING A PRELIMINARY PLAT FOR
THE FARMS OF GRANT**

WHEREAS, Streetcar Holdings, LLC (“Applicant”), together with David Washburn and Linda Carlson Powell (“Owners”), have submitted an application for Preliminary Plat of a major subdivision generally located east of Lake Elmo Avenue North, and south of 75th Street North in the City of Grant, Minnesota; and

WHEREAS, the Preliminary Plat will subdivide two existing farmsteads, known historically as the Masterman Farm and the Carlson Farm; and

WHEREAS, the Preliminary Plat identifies 31 lots, of which 29 lots range in size between approximately 5.0 and 7.3 acres; and one (1) lot is approximately 53 acres, and one (1) lot is approximately 74 acres; and

WHEREAS, Lot 1 Block 1 is approximately 74 acres and contains an existing homestead and is used for agricultural activities and will remain in its current configuration; and

WHEREAS, Lot 17 Block 1 is vacant and approximately 53 acres and will be permitted to be used for a new homestead agricultural activities; and

WHEREAS, the Preliminary Plat includes the dedication of a new roadway identified as Street A that will connect Lake Elmo Avenue North on the western edge of the property and 75th Street North on the northeastern edge of the property; and

WHEREAS, Street A will provide access to Lots 2 through 17, Block 1, and Lots 1 through 14 Block 2 in the new subdivision; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on March 16, 2017 to consider the requested Preliminary Plat; and

WHEREAS, after the Public Hearing and discussion the Planning Commission requested additional information regarding the proposed subdivision; and

WHEREAS, on April 18, 2017 the Planning Commission reviewed the application and additional information and unanimously recommends approval of the Farms of Grant Preliminary Plat to the City Council with the conditions as stated in the staff report dated April 12, 2017; and

WHEREAS, the City Council considered the Preliminary Plat and the recommendation of the Planning Commission at their regular meeting on May 2, 2017;

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 Streetcar Holdings, LLC for Preliminary Plat approval.

FURTHER BE IT RESOLVED, that the following conditions of Preliminary Plat shall be met:

1. An updated Preliminary Plat, if necessary, and revised Grading and Erosion Control Plans depicting any necessary changes and/or modification shall be submitted for review and approval of city staff within 12-months of Preliminary Plat approval.
2. The Applicant shall obtain all necessary stormwater permits from the BCWD and such permits shall be acquired prior to the City granting any Final Plat of the Project.
3. If the BCWD permitting process results in any substantive changes to the Preliminary Plat then the Applicant may be required to submit a revised Preliminary Plat for review and consideration by both the Planning Commission and City Council.
4. The Applicant shall obtain an approved wetland delineation prior to any Final Plat of the Project being granted.
5. If necessary, a wetland mitigation and replacement plan shall be approved prior to any Final Plat of the Project being granted.
6. A letter from Washington County Environmental Services shall be provided indicating that the proposed primary and secondary septic sites meet their standards and requirements, and that adequate area exists on each lot to accommodate a septic system. Such letter shall be provided prior to granting any Final Plat of the Project.
7. The Applicant will be required to enter into a Development Agreement prior to the City granting any Final Plat of the Project to ensure that the requirements and conditions as set forth herein are complied with, and ensure the installation of the subdivision infrastructure.
8. The Applicant shall obtain all necessary permits for installation of individual wells serving each lot, and such permits shall be obtained prior to the City issuing any Building Permit for such lot.

9. The City Engineer shall identify a preferred construction route to be used throughout construction of the Project. The route shall be agreed to with the Applicant and identified within the Development Agreement.
10. The Applicant shall be allowed to Phase the project as depicted on the exhibit identified as "Phase Plan" and dated 4/10/2017 which shall be incorporated into the Development Agreement.
11. The full public right-of-way of Street A shall be dedicated at time of Phase I Final Plat.
12. The Applicant shall obtain access permits from Washington County prior to the City granting any Final Plat of the Project.
13. The Applicant shall be required to install all necessary improvements to CR 17 and CSAH 12 as agreed to, and conditioned by, Washington County. Such improvements shall be included and addressed within the Development Agreement.
14. The Development Agreement shall include language regarding the Restrictive Covenants affecting Lots 1 and 14, Block 1 with respect to density allocation, and that such properties may not be further subdivided.
15. Site improvements as described within Section 30-194 shall be agreed to and identified within a Development Agreement.
16. The Applicant shall be required to install the trees as identified on the Landscape Screening Plan, and such trees shall be installed with Phase I. The locations of the screening may be coordinated with the adjacent land owner and be placed either on their land or on the Project development site.
17. A street name for the proposed Street A shall be provided prior to granting any Final Plat of the Project.
18. The Applicant shall prepare the Homeowners Association (HOA) documents which shall be reviewed by the City Attorney, at a minimum, and any modifications necessary made prior to Final Plat approval.
19. The Applicant shall prepare a Restrictive Covenant for Lot 1 and Lot 17, Block 1 indicating that the properties may not be further subdivided. The City Attorney shall review and approve the restrictive Covenant prior to the City granting any Final Plat of the Project.
20. The Restrictive Covenants and Development Agreement shall be recorded at Washington County with the Phase I Final Plat.
21. The Applicant shall identify and rope off all septic drainfield areas on the site prior to the City issuing any grading permits on the subject property.
22. The Applicant shall be required to obtain all septic permits, based on actual design of a principal structure, prior to the city issuing a building permit.
23. The Applicant shall pay all fees and delinquent escrow balances.

Adopted by the Grant City Council this 2nd day of May, 2017.

Jeff Huber, 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 _____, 2017 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 _____, 2017.

Kim Points
Clerk
City of Grant

ECKBERG LAMMERS

MEMO

To: Grant City Council
From: Kevin Sandstrom, City Attorney
Date: April 26, 2017
Re: **City of Grant—Proposed Solar System Moratorium** (01200-31051, doc # 43)

The City of Grant has received inquiries about potential development of so-called “solar farms,” also referenced as solar energy systems, solar power plants, photovoltaic power stations, or solar parks. These systems are often built in large, open tracts of land such as existing farm fields. They essentially consist of a large parcel of property covered in a series of solar panels, and then a system of collection/distribution connected to the panels for the electricity created by those solar panels.

It is my understanding that the generated electricity is then often sold back to the local power company as a means of generating revenue from the solar farm, as opposed to sale to local residents or internal use of the electricity.

These sort of property uses are typically regulated by conditional use permits or other zoning regulations. I can certainly foresee a number of potential issues with them, including visual clutter/sight line problems, storm water runoff, dangerous high voltage equipment, potential for being an attractive nuisance to children or vandals, impacts on wildlife, and potential health risks, which could be addressed with appropriate regulations. The City of Grant does not presently have any regulations in place to oversee the development and operation of solar farms.

As the council is likely aware, the law permits a moratorium ordinance to be enacted to restrict or prohibit certain types of development, so that the city can preserve the *status quo* and complete a comprehensive study and enact permanent zoning and licensing regulations relating to a given land use. A moratorium ordinance is well-suited to the present situation of a potential for solar farm development where the City has no existing regulations for such uses.

Moratoriums are put in place by enactment and publication of an interim ordinance pursuant to Minn. Stat. § 462.355, subd. 4, stating the need for a halt on certain development in order to conduct study and enact new regulations. The interim ordinance may regulate, restrict, or prohibit any use, development, or subdivision within the City for a period **not to exceed one year** from the date it is effective.

Because a moratorium is a zoning-related restriction, we recommend holding a **public hearing** prior to enactment of the moratorium, per Minn. Stat. § 462.352, subd. 3 (stating “No zoning ordinance or amendment thereto shall be adopted until a public hearing has been held thereon by the planning agency or by the governing body. A notice of the time, place and purpose of the hearing shall be published in the official newspaper of the municipality at least ten days prior to the day of the hearing.”)

Staff desires direction from the Council on preparation and approval of a moratorium ordinance.

MUNICIPAL ASSESSMENT SERVICES AGREEMENT

THIS MUNICIPAL ASSESSMENT AGREEMENT ("Agreement") is entered into this 1st day of June 2017, by and between the City of Grant, a Minnesota municipal corporation ("City") and Todd Walter Smith d/b/a Smith Appraisal Service ("Smith").

RECITALS

- A. Smith is a Certified Residential Assessor licensed by the State of Minnesota Board of Assessors;
- B. Smith's license number is 1857;
- C. The City has 2,173 parcels of property subject to tax assessment;
- D. The City desires to engage Smith for the purpose of providing municipal assessment services;
- E. The City desires to appoint Smith to act as its City Assessor subject to the following terms and conditions.

NOW THEREFORE, the City and Smith hereby agree as follows:

AGREEMENT

1. Smith is appointed to serve as the City Assessor for the City of Grant and shall perform all assessment services required by State law and the City of Grant.
2. Smith is deemed to be an independent contractor for the purposes of this appointment. Smith acknowledges and agrees that he is not an employee of the City. The City will not withhold any taxes, social security, FICA, or any other withholdings from its payments to Smith, Smith shall be solely responsible for calculating and paying all state and federal income taxes, social security, FICA, and any other taxes or withholdings. City shall not pay, and Smith shall not be entitled to any health insurance, life insurance, pensions, retirement accounts, or any other fringe benefits not enumerated herein.
3. Smith's appointment as City Assessor shall commence on June 1, 2017 and shall run for a term of one (1) year(s) until June, 2018.
4. Smith shall be compensated by the City at a rate of \$ 11.00 per parcel, for a total annual contract price of \$23,903.04. There shall be no increase in the contract rate unless expressly approved by the City. There shall be no charge for new construction permits or exempt properties.

5. Smith's services shall be billed monthly starting June 1, 2017. Smith agrees to submit an invoice requesting payment at least thirty (30) days prior to the payment date.
6. Smith shall maintain insurance in the amount of One Million Dollars (\$1,000,000.00), and shall maintain vehicle and property coverage as approved by the City. Smith shall name the City as an additional insured on these policies and shall provide to the City copies of all proofs of insurance. Smith shall direct the insurer to remit any changes in coverage to the City.
7. Smith shall provide the contracted services in accordance with industry accepted appraisal standards and shall maintain necessary licensures and certifications with the State of Minnesota. Failure to maintain necessary licensures and certifications shall be deemed a default of this Agreement subjecting the Agreement to termination by the City in its sole discretion.
8. Smith represents and certifies that he is experienced and knowledgeable about Washington County's mass appraisal systems, shall provide his services in a competent manner, and agrees that failure to comply with or complete the assessment in accordance with the requirements of Washington County shall be deemed a default of this Agreement subjecting the Agreement to termination by the City in its sole discretion.
9. Smith shall be responsible for physically inspecting and determining the valuation of every parcel of assessable property in the City. The inspections shall be conducted on a five-year rotation with twenty percent (20%) of the properties physically inspected each year. The five year rotation shall not obligate or otherwise compel or require the City to extend the term of this Agreement beyond the term as stated herein.
10. Smith shall not assign or delegate contracted work to another assessor, employee or subcontractor without the express prior approval of the City, with the exception of clerical work not requiring a Minnesota Certified Residential Assessor's license. All clerical work shall be performed by an employee of Smith.
11. Smith shall attend and conduct the annual Board of Appeals meeting; conduct property reviews recommended by the Board of Appeals; attend the annual County Board of Equalization meeting; testify on behalf of the City at Court appearances, hearing or judicial or quasi-judicial hearings; and any other such activity required to accurately assess all of the parcels located within the City. Such services shall be included in the annual fee and shall not be subject to additional cost to the City.
12. This Agreement may be terminated as provided for by this Agreement or by either party upon thirty (30) days written notice to the other.

13. The City shall be authorized to terminate this Agreement immediately in the event Smith fails to properly perform the required functions as stated in this Agreement, or engages in malpractice, theft, illegal activity, or other misconduct related to the performance of his duties. Smith may terminate this Agreement in the event the city fails to timely pay Smith for his services as set forth in this Agreement.
14. The City shall be entitled to recover all reasonable costs, including attorney's fees, incurred in the enforcement of this Agreement.
15. This Agreement constitutes the entire agreement between the parties and may only be modified in writing and upon execution by both parties. The Agreement shall be construed in accordance with the laws of the State of Minnesota.

CITY OF GRANT,
a Minnesota municipal corporation.

TODD W. SMITH
d/b/a Smith Appraisal Service

By: Jeff Huber
Its: Mayor

By: Todd W. Smith

ATTEST:

By: Kim Points
Its: City Clerk

April 21, 2017

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

Mayor Judson Marshall
City of Mahtomedi
600 Stillwater Road
Mahtomedi, MN 55115

RE: Request for jurisdictional land change

Dear Honorable Mayors:

We respectfully request an informal vote of support for the following proposal before we move forward with our full project proposal as detailed below:

Project Narrative:

We are in the process of reviewing the highest and best use for the 167 acres of property located at 8157 75th Street North in Grant currently under our control, which we initially considered developing into a 16 lot Grant subdivision. During the due diligence process for the site we became familiar with issues surrounding the Hockey Associations plans to build a new facility over the former landfill site offered by the Mahtomedi School District.

Although our intention is to develop and make the best use of our site, we have developed a solution that we believe will be beneficial for Mahtomedi and Grant while also providing a more suitable site for the ice arena.

With our project we propose to donate a clean, viable 10 acre site located on 75TH Street to the Hockey Association as an alternative to the proposed former landfill site.

Please respectfully consider the following proposal:

Project Proposal Outline:

- (1) The Mahtomedi School property located in Grant, Parcel ID No's. 2803021230001, 2803021240002, 2803021240001 and 2803021130001, a total of 139.9 acres, would be detached from Grant and annexed to Mahtomedi.

- (2) Approximately 80 acres of our 167 acre property would also be detached from Grant and annexed to Mahtomedi.
 - (a) 10 acres of this 80 acres, located on 75TH Street North, would be donated by us to the Hockey Association for a hockey rink.
 - (b) An additional 6-7 acres, also located on 75TH Street North, would be zoned for commercial use.
 - (c) The balance of the 80 acres, to the south of the ice arena and commercial parcels on 75TH Street, would be zoned for low and medium density residential, with the medium density area immediately to the south of the ice arena and commercial area.
- (3) The balance of our 167 acre property, approximately 87 acres, would remain in Grant.
 - (a) We would dedicate a 20+ acre parcel in the northeast corner to Grant for a public park adjacent to the Gateway Trail.
 - (b) The remaining 60+ acres would be developed into 6 10+ acre lots.
- (4) Because all of the school district property, the ice arena site, the commercial site, and the low and medium density residential area would be in Mahtomedi, there would be no need for the 2011 Joint Powers Agreement pursuant to which Mahtomedi provides public utility services in the City of Grant, and this Agreement can be terminated.
- (5) Possible Annexation Fee, paid to Grant.

Benefits to Grant:

- (1) The former dump site located on the school property would move from Grant to Mahtomedi, eliminating any potential liability issues for Grant.
- (2) The proposal would substantially slow the potential for forced growth by the Met Council into Grant, achieving additional density in the area without Grant having to provide services.
- (3) A 20 acre parcel would be dedicated to Grant for their use in creating a Grant City Park.
- (4) The City would gain an additional six residents for additional tax base.
- (5) Negotiable Annexation Fee to City based on final density and amount of property annexed. Final annexation fee of \$_____.

Benefits to Mahtomedi:

- (1) The City would gain jurisdiction over the school property which it currently serves with public utility services.
- (2) The City would gain needed additional commercial zoning along 75TH Street to be able to offer services to existing and future residents.

Benefits to School District:

- (1) Additional local residents to support school enrollment.
- (2) Preservation of the land currently proposed for the hockey arena for other future uses by the School District.
- (3) A closer connection to the Gateway Trail would be provided through our property. The school would have access to a nature trail and park for potential classroom outings.

Benefits to the Hockey Association:

- (1) A clean site, free from issues that would add extraneous geotechnical and structure expenses to the project.
- (2) No land costs associated with the new site.
- (3) Parcel with direct frontage to 75th Street and in close proximity to schools.

Attached to this letter is a map outlining our concept layout for the parcels. We would buffer the existing parcels in Grant with new large parcels located in Grant that would surround the proposed higher density property to be located in Mahtomedi. The proposed park area would also remain with the City of Grant.

Alternative:

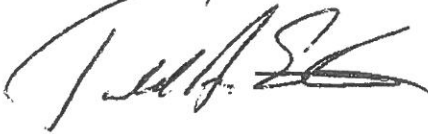
It might also make sense to detach all of our 167 acres from Grant and annex it to the City of Mahtomedi, to be able to further offset the need for the Met Council to consider additional area of Grant for population growth. The Gateway trail offers a natural border to accommodate this possibility. The approval for the development would then be simplified and placed solely on the Mahtomedi Council. However, at this time, we are contemplating only the 80 acre proposal.

We understand that a detachment/annexation as proposed would require numerous applications and public hearings. However, before spending considerable resources to initiate and pursue this process, we would like to informally gather feedback from both City Councils on the proposal. We can do this by individually meeting with you and your council members, or you could circulate this letter to them and respond to us directly.

Mayor Jeff Huber
Mayor Judson Marshall
April 21, 2017
Page 4

Please provide us direction as to how you would like us to proceed.

Sincerely,
Erickson Civil

A handwritten signature in black ink, appearing to read 'T. Erickson', with a stylized flourish at the end.







Todd A. Erickson, PE

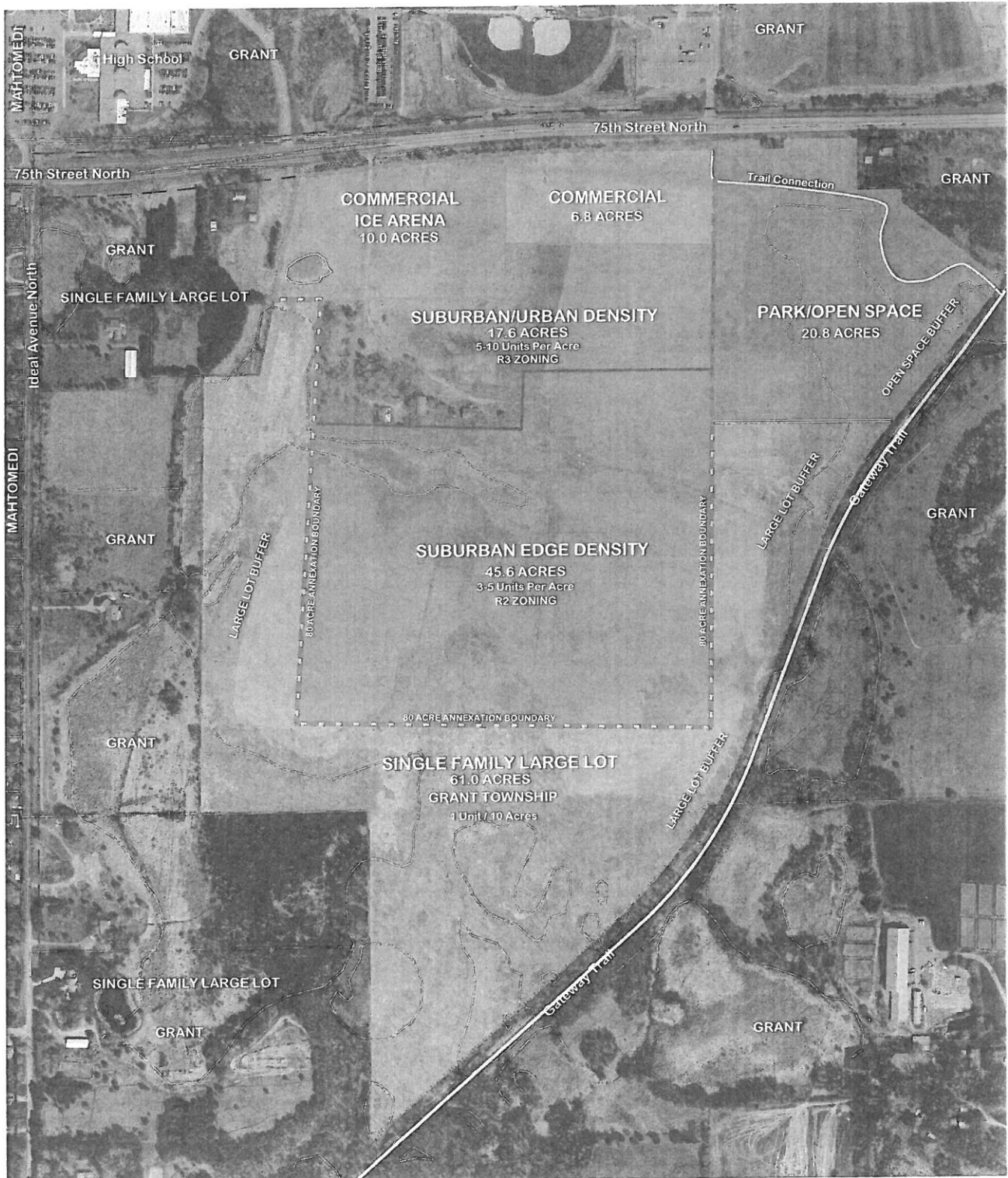
On behalf of Josh Krsnak, Hempel Companies

www.ericksoncivilsite.com



LEGEND

- | | |
|---|--|
|  | PROPOSED MAHTOMEDI ANNEXATION PARCEL (80 ACRES) |
|  | PROPOSED COMMERCIAL ZONING (16.8 ACRES) |
|  | PROPOSED SUBURBAN DENSITY, RESIDENTIAL ZONING (17.6 ACRES) |
|  | PROPOSED SUBURBAN EDGE DENSITY, RESIDENTIAL ZONING (45.6 ACRES) |
|  | EXISTING GRANT TOWNSHIP, RESIDENTIAL ZONING (81.0 ACRES) (BUFFER TO EXISTING LARGE LOT RESIDENTIAL ZONING) |
|  | PROPOSED OPEN SPACE / PARK (20.8 ACRES) (BUFFER TO EXISTING LARGE LOT RESIDENTIAL ZONING) |



April 6, 2017

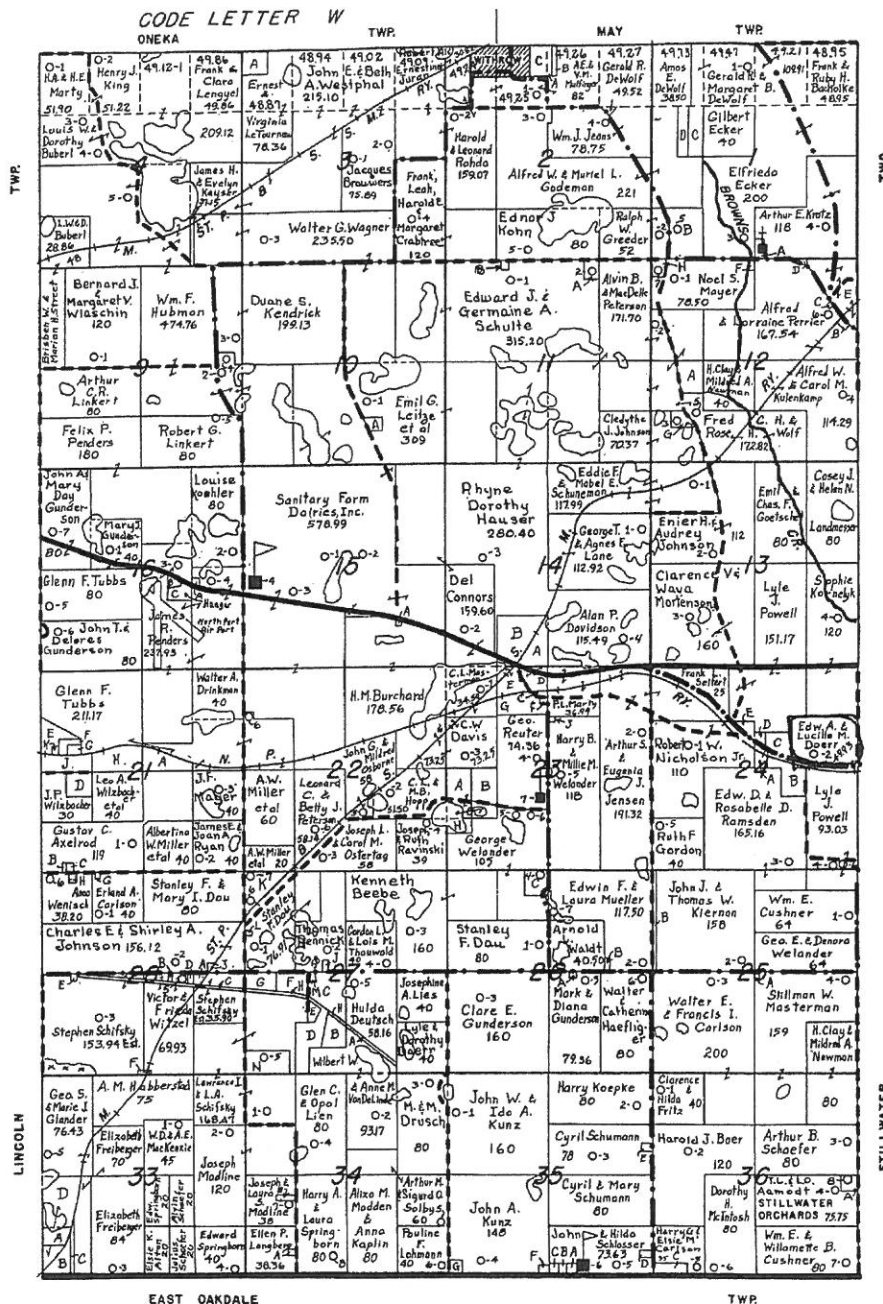
CONDITIONS
G-28-CC-89-034
INDEPENDENT SCHOOL DISTRICT 832
MAHTOMEDI SCHOOL
PARCEL #83028-3000

- 1) All applicable Grant Township and Washington County Zoning Ordinances concerning this development shall be complied with unless waived by this permit.
- 2) A certificate of compliance must be obtained from the Washington County Planning Department.
- 3) Sanitary sewer and water improvements shall be constructed and utilized in accordance with the standards and approval from the City of Mahtomedi.
- 4) On-site drainage shall comply with the submitted grading plan and as approved by the Watershed District and town Engineer. Erosion control structures must be in place before grading begins.
- 5) Design and location of all drives, parking areas, building location and athletic field shall comply with the submitted site plan and made a part of this permit.
- 6) All parking areas and drives must be blacktopped with the exception of the faculty parking lot and access drive to the athletic fields and the athletic field parking lot. Within 2 years from the date of this permit, these areas must be blacktopped.
- 7) A right turn lane on west bound County State Aid Highway 12 must be constructed in accordance with standards set forth by the Washington County Department of Public Works.
- 8) All turfed areas on the parcel that have been disturbed or destroyed during the construction phase of this project shall be graded with topsoil, rough seeded, mulched and fertilized, or sodded.
- 9) All waste materials and refuse shall be stored inside a fenced or screened area, or inside a structure.
- 10) The parking lot shall be lighted according to the standards of the Washington County and Grant Township Ordinances.
- 11) Design, locations and specifications of signs shall conform with the Grant Township and Washington County Zoning Ordinances and are subject to the approval of the Zoning Administrator. All signs shall require a sign permit to be issued by the Zoning Administrator.

alterations to any of the attached Exhibits shall be reviewed and approved by the Zoning Administrator and shall require an amended conditional use permit.

- 13) The conditions of this permit shall apply to the land described and shall not in any way, except herein noted, be affected by any subsequent sale, lease or other change from the current ownership.
- 14) Noncompliance with the conditions and attachments of this permit shall be considered a violation of said permit and may result in revocation of said permit.
- 15) Construction shall begin within one (1) year after the issue date of this permit or the permit becomes void.
- 16) Seventy-five (75) feet from the centerline of County State Aid Highway 12 must be dedicated for road right-of-way.
- 17) Applicant is hereby notified of the existence of a nonoperating landfill located just to the east of the 1/2 section line of the 30 acres the applicant has obtained by eminent domain, and further that the Town of Grant and the County of Washington assumes no liability for any claims, suits, costs, losses and expenses that may in any manner result from or arise out of the construction, maintenance and use of a public school facility constructed within close proximity of a nonoperating landfill.
- 18) All conditions of the Grant Township approval must be complied with.

SEC	TRAC	ACRES
1	A St. Matthews German Ev. Luth. Church	2.00
1	B Albert & Herna Kunde	28.00
2	C Albert F. & Hazel Descroft	12.00
1	D Ralph M. Ramsden	12.00
2	E Clayton & Linn Ramsey	6.00
3	F Dennis & Florence E. Langness	2.10
2	G Harry G. & Irmgard G. Olson	10.37
2	H William R. & Virgil L. Guse	0.23
3	I Robert M. Leake	10.00
12	J Chas. F. & Lena L. Tackache	12.86
2	K Caroline A. Kuehn	1.00
2	L State of Minnesota	0.06
12	D Lawrence D. & Laura Moss	26.00
12	E Wm. F. Kunde	1.00
12	F Edward E. Kunde	1.00
14	G B. M. & Rutherford Brosious	18.00
14	H John E. & Margaret W. Cedarholm	17.00
15	I A. Town of Grant	0.25
16	J Howard & Frances Sporer	0.82
16	K Christopher B. & Helen M. Easton	1.58
21	L A. B. & Helen M. Easton	10.00
21	M James L. & Mary Z. Klein	0.75
21	N Geo. H. & Frances M. Piro	0.25
21	O James W. & Alice M. Ford	10.00
21	P Harry W. & Donita W. Starn	3.00
21	Q Mary E. & Margaret S. Gorecki	1.00
21	R Clarence A. & Mary A. Off	1.00
21	H Robt. R. & Evelyn M. Reinsinger	11.00
21	I Joel H. & Dorothy M. Reinsinger	12.00
21	J A. J. & Helen M. Reinsinger	12.00
21	K Calvin F. & Della A. Jensen	14.00
21	L State of Minnesota	0.06
23	D George Welander	6.00
23	E Robt. B. & Margret E. Graham	6.00
23	F Marvin & Lucile Murphy	6.00
23	G Gus, Jr. & Mary Dills	14.52
24	C Edwin Henderson	1.00
24	D Erwin J. McDonald	1.00
25	E Lee & Hettie Masfemen	1.00
25	F Town of Grant	0.25
26	A Earl G. Trent	2.64
26	B Carl E. & Mary E. Kollander	9.00
26	C Arnold L. & Elsie A. Voldt	2.00
26	D Elmer E. & Ervabelle Chitwood	3.50
26	E Robert A. Nelson	2.00
26	F Nels O. Florence L. Nelson	24.00
27	D A. L. Porter	15.00
27	E Lee Carlson	2.50
27	F Anthony H. & Florence LaRoch	9.82
27	G Fred E. & Donald L. LaRoch	1.00
27	H Edward & Alice Mechelke	3.03
27	I Irene E. Patten	2.00
27	K Albertina W. Miller	18.28
27	L John L. & Gladys M. Schmidt	0.66
27	M Robert A. & Mary E. Firkus	0.56
27	N Lawrence Belland	0.95
28	C Aletha M. Haberstad	1.00
28	D Richard R. & Dorothy A. Firkus	12.35
28	E Edmund C. & Margaret T. Schifsky	0.67
28	F Robert A. & Mary E. Firkus	1.00
28	G Robert V. & Joyce D. Bloomstrom	1.00
28	H Robert C. & Marguerite D. Shieley	1.84
28	I Martin & Victoria Capoul	6.70
28	J J. & Mary E. Carlson	10.50
33	C Walter Carlson	1.00
33	D Thomas & Loure Capoul	21.45
34	A Byron Norlander	1.64
34	B Vaughn I. & Catherine E. McNeal	1.00
34	C Fred & Edna E. Hallen	1.00
34	D Merle B. & Alice M. Olson	0.50
35	C Donald J. & Florence M. Norton	2.00
35	D Leslie & Hilda Tucker	1.00
35	E Austin Hanson	2.00
35	F Albert Schifsky	1.00
35	G Thomas T. & Donnell Alamo	4.28
35	H John W. & Idaa Guss	10.00
35	I John R. & Lorraine M. Mondhus	1.00
35	J A. Marvin Reuther	3.90
35	K Robert Westermoland	3.80
35	L Fred West	0.50
35	M Kenneth Maitrejean	6.00
35	N Leah J. Yoerks	1.00
35	O George Welander	1.80
35	P H. M. & Frances H. H. H.	10.00
35	Q B.T. Welander	7.60
35	R William & Leona Johnson	1.25
40	A State of Minnesota	11.00
41	K Joseph B. Bonney Jr.	2.66
41	L Richard & Nelson	18.00
41	M H. & Margaret	1.00
41	N Northern Natural Gas Co.	0.00



EAST OAKDALE

TWP

RESOLUTION NO. 2017-09

**CITY OF GRANT
WASHINGTON COUNTY
STATE OF MINNESOTA**

**RESOLUTION OPPOSING THE POTENTIAL CONCURRENT DETACHMENT
AND ANNEXATION OF REAL PROPERTY**

WHEREAS, Minnesota Statutes, Chapter 414, as amended (the “Act”), and specifically Section 414.061 of the Act, creates a procedure in which property situated within a municipality and abutting the municipal boundary of another municipality, may be simultaneously detached from its current municipality and annexed to the other municipality; and

WHEREAS, the detachment and annexation proceeding may be initiated by one or more property owners submitting a petition signed by all affected property owners to the Minnesota Office of Administrative Hearings, Municipal Boundary Adjustment Unit (“OAH”), together with a resolution of one of the affected municipalities; and

WHEREAS, the City of Grant, Minnesota (“Grant”) has received informal inquiries about potential detachment and annexation relating to certain real property located in Grant, Parcel ID No’s 28.030.21.23.0001, 28.030.21.24.0002, 28.030.21.24.0001 and 28.030.21.13.0001, Washington County, Minnesota (the “Property”), owned by Mahtomedi School District ISD #832, and bordering with the City of Mahtomedi (“Mahtomedi”); and

WHEREAS, Grant has not received a “Property Owner Petition for Concurrent Detachment and Annexation,” executed by ISD #832 nor a resolution of Mahtomedi relating to the Property; and

WHEREAS, a submitted Petition and Resolution would request detachment of the Property from Grant and annexation to Mahtomedi, and Grant is not interested in such a detachment and annexation.

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

1. Grant hereby states its intent to decline and oppose any Petition requesting detachment of the Property from Grant and annexation to Mahtomedi. In the event the owner of the Property submits a Petition, Grant’s staff is authorized and directed to formally oppose the Petition.

2. Upon execution of this Resolution, City staff is authorized and directed to distribute this Resolution to ISD #832 and its representatives, OAH and the City of Mahtomedi.

Dated: May 2, 2017

Jeff Huber, Mayor

ATTEST:

Kim Points, City Clerk

City of Grant Legal Policy - civil litigation

Is Grant a Plan A statutory city

Who directs civil litigation?

Does the council give direction to the Clerk?

Does the council give the authority for litigation?

Shouldn't the council vote on civil litigation?

In who's job description is the authority for civil litigation approval?

What criteria is used to determine what civil litigation is pursued?

How was this criteria arrived at, and was it by the current or previous council?

Are these criteria arbitrary?

Is there an analysis of success of litigation, if not , why?

Under what criteria is the council involved?

Is the council involved in the decision to initiate litigation or made aware of it successes or failures?

At what point does the city notify the L.M.C. of pending litigation or its outcomes?

Is the L.M.C. concerned of the high level of civil litigation the city is pursuing?

City Council report for April 2017

Date: April 16, 2017

To: Honorable Mayor & City Council Members

From: Jack Kramer Building & Code Enforcement Official

Zoning Enforcement:

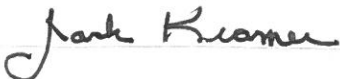
No new violations to report.

Building Permit Activity:

Twenty -Three (23) Building Permits were issued for a total valuation of \$ 682,521.00.

Respectfully submitted,

Jack Kramer

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

Building & Code Enforcement Official

Grant Master Form								
Permit	Permit Type	Name	Project Address	Date Issued	Valuation:	City Fee:	75%	Plan CK Fee:
2017-48	Kitchen Remo	Borelli	10940 -105th. St. N.	3/18/2017	\$ 22,000.00	\$ 349.25	\$ 261.93	\$ -
2017-49	Addition	Kittel	6780 lake Elmo Ave	3/20/2017	\$ 330,000.00	\$ 2,225.75	\$ 1,669.31	\$ 1,446.73
2017-50	Bath Remodel	Realty Pros	6299 Keats Ave.N.	3/21/2017	\$ 13,000.00	\$ 223.25	\$ 167.43	\$ -
2017-51	Pole Barn Ext.	Kollander	10750-75th. St.N.	3/22/2017	\$ 6,500.00	\$ 139.25	\$ 104.43	\$ 90.51
2017-52	Garage	Lerach	9225-84th. St. N.	3/27/2017	\$ 30,000.00	\$ 442.25	\$ 331.68	\$ 287.46
2017-53	HVAC Permit	Froehling	7545-99th. St. N.	4/1/2017	N/A	\$ 80.00	\$ 60.00	\$ -
2017-54	HVAC Permit	Divertie	10196 -67th. St. N.	4/3/2017	N/A	\$ 80.00	\$ 60.00	\$ -
2017-55	Plumbing	Cosgrove	11154-60th. St. N.	4/4/2017	N/A	\$ 80.00	\$ 60.00	\$ -
2017-56	Basement Fin	Weber	9718-83rd. St. N.	4/4/2017	\$ 30,000.00	\$ 442.25	\$ 331.68	\$ 287.46
2017-57	Remodeling	White	7530 Leeward Ave. N	4/4/2017	\$ 120,000.00	\$ 1,105.75	\$ 829.31	\$ 718.73
2017-58	Plumbing	Swanson	10258 119th. St.N.	4/5/2017	N/A	\$ 80.00	\$ 60.00	\$ -
2017-59	Grreen House	Costa Farms	9441 dellwood Ave.	4/6/2017	\$ 2,000.00	\$ 69.25	\$ 51.93	\$ -
2016-60	Bathroom	Rossbach	11119 Lockridge Ct.	4/6/2017	\$ 11,864.00	\$ 209.25	\$ 156.93	\$ -
2016-61	Re-Siding	McHutchison	10133-65th. St.	4/6/2017	\$ 16,122.00	\$ 219.25	\$ 164.43	\$ -
2017-62	Swim Pool	Hertz	10597 -114th. St.	4/10/2017	\$ 30,000.00	\$ 442.25	\$ 331.68	\$ -
2017-63	HVAC Permit	Carbone	8595 Kimbro Ln. N.	4/10/2017	N/A	\$ 80.00	\$ 60.00	\$ -
2017-64	HVAC Permit	Kim	6480 Jamaca ave. N	4/10/2017	N/A	\$ 80.00	\$ 60.00	\$ -
2017-65	Plumbing	Borelli	10940-105th. St. N.	4/10/2017	N/A	\$ 80.00	\$ 60.00	\$ -
2017-66	Swim Pool	Armstrong	7231 Ideal ave.	4/12/2017	\$ 25,000.00	\$ 391.75	\$ 293.81	\$ -
2017-67	Solar System	Mulcahy	7109 Jamaca Ave. N	4/12/2017	\$ 43,835.00	\$ 583.65	\$ 437.73	\$ -
2017-68	Deck	Echart	8575-Jamaca Ave. N	4/12/2017	\$ 2,200.00	\$ 83.25	\$ 62.43	\$ 54.11
2017-69	HVAC Permit	Climate Maker	8100-75th. St.	4/12/2017	N/A	\$ 80.00	\$ 60.00	\$ -
2017-70	Plumbing	Rossbach	11119 Lockridge Ct.	4/13/2017	N/A	\$ 80.00	\$ 60.00	\$ -
Monthly total					\$ 682,521.00	\$ 7,646.40	\$ 5,734.71	\$ 2,885.00