

**City of Grant  
City Council Agenda  
October 3, 2017**

*The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, October 3, 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. September 5, 2017 City Council Meeting Minutes
- B. September 2017 Bill List, \$58,012.59
- C. Kline Bros Excavating, Road Work, \$28,927.50
- D. Envirotech, Dust Control, \$28,259.62
- E. City of Mahtomedi, 3<sup>rd</sup> Quarter Fire Contract, \$33,317.50

**5. STAFF AGENDA ITEMS**

**A. City Engineer, Brad Reifsteck**

**i. Consideration of Guard Rail Placement**

**B. City Planner, Jennifer Haskamp**

**i. Consideration of Ordinance No. 2017 – 53, Text Amendment to allow Community Solar Gardens in A1 and A2 Zoning Districts -**

**C. City Attorney, Kevin Sandstrom (no action items)**

**6. NEW BUSINESS**

**i. Consideration of Request for Payment to Mike Regan, Keswick Flooding**

**7. UNFINISHED BUSINESS**

**8. DISCUSSION ITEMS (no action taken)**

**A. City Council Reports/Future Agenda Items**

**i. Complaint Process, Council Member Sederstrom**

**ii. Moratorium on Commercial Use, Council Member Sederstrom**

**iii. Gas Tax for Cities Under 5,000 Residents, Council Member Lanoux**

**iv. Legislative Update, Council Member Lanoux**

**v. Town Hall Use Policy and Procedure, Council Member Lanoux**

**vi. Material Transferring per City Ordinance, Council Member Carr**

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

**9. COMMUNITY CALENDAR OCTOBER 4 THROUGH OCTOBER 31, 2017:**

**Mahtomedi Public Schools Board Meeting, Thursday, October 12<sup>th</sup> and 26<sup>th</sup> , Mahtomedi District Education Center, 7:00 p.m.**

**Stillwater Public Schools Board Meeting, Thursday, October 12<sup>th</sup> , Stillwater City Hall, 7:00 p.m.**

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

**10. ADJOURNMENT**

CITY OF GRANT  
MINUTES

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**DATE** : September 5, 2017  
**TIME STARTED** : 7:02 p.m.  
**TIME ENDED** : 9:09 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 Swanson; City Engineer, Brad Reifsteck; City Treasurer, Sharon Schwarze; and Administrator/Clerk, Kim Points

**CALL TO ORDER**

The meeting was called to order at 7:02 p.m.

**PUBLIC INPUT**

(1) Mr. Gary Baumann, 10006 Joliet, came forward and shared flowers from his garden for everyone present and asked them to enjoy.

(2) Mr. James Drost, 8682 Jamaca, came forward and commented on the current budget stating he is happy with the City’s budget as it is so easy to get into debt.

(3) Mr. John Smith, 10244 67<sup>th</sup> Lane, came forward and suggested the League of Minnesota Cities get involved with the City’s dysfunction.

**PLEDGE OF ALLEGIANCE**

**SETTING THE AGENDA**

**Council Member Lanoux moved to add the GRP Parade to the 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 agenda, as presented. Council Member Kaup seconded the motion. Motion carried with Council Member Lanoux and Sederstrom voting nay.**

**CONSENT AGENDA**

- August 1, 2017 City Council Meeting Minutes Approved
- August 2017 Bill List, \$58,061.89 Approved

1 Kline Bros. Excavating, Road  
2 Work, \$16,795.00 Approved  
3  
4 Pearson Bros., 2017 Seal Coat  
5 Project, \$25,904.90 Approved  
6  
7 North Valley, Millings, \$15,708.00 Approved  
8  
9 Washington County Sheriff, January –  
10 June 2017, \$59,734.58 Approved  
11

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

15  
16 **STAFF AGENDA ITEMS**

17  
18 **City Engineer, Brad Reifsteck**

19  
20 **PUBLIC HEARING, Consideration of Resolution No. 2017-10, 65<sup>TH</sup> Street N Roadway**  
21 **Improvement Project** – City Engineer Reifsteck advised the City Council authorized preparation of  
22 the Feasibility Report for the project area on June 6<sup>th</sup> and received the Feasibility Report on August 1,  
23 2017.

24  
25 As identified in the Feasibility Report, total project cost is estimated to be \$62,500, including  
26 construction, legal, engineering, administrative, and finance costs.

27  
28 The City notified affected property owners and persons expressing interest in the project of the  
29 scheduled Improvement Hearing within the minimum 10-day notification requirement and published  
30 the notice of hearing in the City's official newspaper for two weeks.

31  
32 The improvements are anticipated to be funded by special assessments to benefitting properties, in  
33 accordance with the Assessment Policy, adopted by City Council.

34  
35 City Engineer Reifsteck added that all options were presented to the neighborhood and they supported  
36 the lower cost option as opposed to the complete road reconstruction option. A mill and overlay  
37 project does not require other specific permitting.

38  
39 Mayor Huber opened the public hearing at 7:18 p.m. No one was present to speak.

40  
41 **Council Member Carr moved to close the public hearing at 7:18 p.m. Council Member Kaup**  
42 **seconded the motion. Motion carried unanimously.**

43  
44 **Council Member Carr moved to adopt Resolution No. 2017-10, as presented. Council Member**  
45 **Kaup seconded the motion. Motion carried unanimously.**

1 **Consideration of Pine Tree Lake Pump House Improvement** – City Engineer Reifsteck advised  
2 the City Council requested the City Engineer review and determine alternative methods to minimize  
3 maintenance on the Pine Tree Lake Pump station. The contractor provided 2 additional options to the  
4 one previously submitted.

5  
6 For review, Option 1 requires float operation to monitor water levels and requires removing prior to  
7 winter and reinstalling in the spring. The starter will need to be placed in the off positions manually  
8 during winter conditions. This option cost is **\$2620.00** bid by Killmer Electric Co., Inc.

9  
10 The contractor provided alternative options to the float system as described below and shown in the  
11 attached quote.

12  
13 Option 2 requires installing an ultrasonic level transducer in lieu of floats and may be left in place all  
14 year round but personnel will still need to manually place the starter to off to prevent pump from  
15 running during winter conditions. The cost for this option is **\$8,916.00**.

16  
17 Option 3 includes monitoring water levels and starter shutoffs through a new control panel, which can  
18 be monitored remotely through a cellular alarm dialer. This option still requires routine maintenance  
19 of the pumps and controls but no equipment needs to be manually shutoff or placed during the winter  
20 conditions. The cost for this option is **\$28,700.00**.

21  
22 **Council Member Carr moved to approve the low bid from Killmer Electric Co., Inc., as**  
23 **presented. Council Member Kaup seconded the motion. Motion carried unanimously.**

24  
25 **City Planner, Jennifer Swanson (no action items)**

26  
27 **City Attorney, Kevin Sandstrom**

28  
29 **PUBLIC HEARING, Consideration of Conditional Use Permit Vacate at 8400 Jamaca Avenue,**  
30 **9411 Dellwood Road North and 8678 75<sup>th</sup> Street North** – City Attorney Sandstrom reviewed the  
31 staff report provided the background on the 2017 CUP review. Through that review it was  
32 determined three CUP's should be vacated as a housekeeping matter. Written notice was provided to  
33 the specific property owners.

34  
35 Mayor Huber opened the public hearing for Lone Oaks, 8400 Jamaca Avenue CUP at 7:42 p.m. No  
36 one was present to speak.

37  
38 **Council Member Carr moved to close the public hearing at 7:42 p.m. Council Member Kaup**  
39 **seconded the motion. Motion carried unanimously.**

40  
41 **Council Member Carr moved to vacate Lone Oak CUP, 8400 Jamaca Avenue, as presented.**  
42 **Council Member Kaup seconded the motion. Motion carried unanimously.**

43  
44 Mayor Huber opened the public hearing for US West, 9411 Dellwood Avenue N at 8:47 p.m.

45

1 Ms. Cathy Anderston, 8833 80<sup>th</sup> Street came forward and asked if there is a certain time allowed  
2 when CUP's are given. She expressed concern regarding a time limit on the building of something  
3 like the cell tower. The property should have the opportunity to keep CUP and the vacate should not  
4 be concluded this evening.

5  
6 **Council Member Kaup moved to close the public hearing at 7:50 p.m. Council Member Carr**  
7 **seconded the motion. Motion carried unanimously.**

8  
9 City Attorney Sandstrom noted the issue with old CUP's is the due process of getting a CUP in place.  
10 Enacting an inactive CUP would require a public hearing. Inactive CUP's should legally be vacated.

11  
12 **Council Member Kaup moved to vacate US West CUP, 9411 Jamaca Avenue, as presented.**  
13 **Council Member Carr seconded the motion. Motion carried unanimously.**

14  
15 Mayor Huber opened the public hearing at 8:00 p.m.

16  
17 Mr. Bob Zick (no address provided) came forward and stated unless a CUP specifically states it will  
18 go away they have real value. The property owner should certify in writing they are requesting  
19 removal of the CUP. He stated his concern is vacating without having a copy of the CUP's. This is  
20 the Wildwood School site and there may be conditions in this CUP that have public value. It is an  
21 advantage for the School District to vacate so they have no liability to building on a super fund site.

22  
23 Mr. Jame Drost, 8682 Jamaca Avenue, came forward and stated the CUP has been defunct for a long  
24 time. It does not apply any more and the site now belongs to the school. It is not functioning and  
25 there is no choice but to remove it.

26  
27 Mr. Wally Anderson, 8833 80<sup>th</sup> Street, came forward and stated he is a neighbor to the property and it  
28 runs with the land. It would be helpful to know what is involved.

29  
30 Mr. Tim Kinly (no address provided) came forward and stated the CUP adds value to the property and  
31 should be eminent domain. There is a value to CUP's and he does not know the details of the CUP.  
32 He asked if the decision to vacate was made at the school district.

33  
34 Ms. Sharon Schwarze, 10707 Joliet, came forward and stated this is an old CUP and an excellent job  
35 of posting the information was done. The actual CUP's were in the packet and posted on the website.  
36 The property owner was notified and if they wanted the CUP on their property they would be present  
37 tonight. The property owners do not have to have this CUP on the land if they don't want it.

38  
39 A statement was read from Mahtomedi School District indicating they have no objections to vacating  
40 the old CUP.

41  
42 **Council Member Carr moved to close the public hearing at 8:15 p.m. Council Member Kaup**  
43 **seconded the motion. Motion carried unanimously.**

44

1 **Council Member Carr moved to vacate Bellaire CUP, 8678 75<sup>th</sup> Steet N, as presented. Council**  
2 **Member Kaup seconded the motion. Motion carried unanimously.**

3  
4 **NEW BUSINESS**

5  
6 **Consideration of Resolution No. 2017-17, 2018 Preliminary Budget** – City Treasurer Schwarze  
7 advised two meetings were held to discuss the 2018 preliminary budget and review expenses. The  
8 preliminary budget was determined in the amount of \$1,540,389.00 and levy increase of 4%.

9  
10 **Council Member Kaup moved to adopt Resolution No. 2017-17 setting the 2018 preliminary**  
11 **budget in the amount of \$1,540,389. Council Member Carr seconded the motion. Motion**  
12 **carried with Council Member Lanoux and Sederstrom voting nay.**

13  
14 **Consideration of Resolution No. 2017-18, 2018 Levy Certification** – City Treasurer Schwarze  
15 presented Resolution No. 2017-18 establishing 2018 the preliminary levy certification at \$1,186,360.

16  
17 **Council Member Kaup moved to adopt Resolution No. 2017-18, as presented. Council Member**  
18 **Carr seconded the motion. Motion carried with Council Member Lanoux and Sederstrom**  
19 **voting nay.**

20  
21 **Consideration of Washington County Joint Powers Agreement, 2018 Elections** – A draft Joint  
22 Powers Agreement with Washington County for the 2018 Election was included in the packet for  
23 Council consideration.

24  
25 **Council Member Carr moved to approve Washington County Joint Powers Agreement, 2018**  
26 **Elections as presented. Council Member Kaup seconded the motion. Motion carried**  
27 **unanimously.**

28  
29 **Consideration of Planning Commission Appointment** – Staff advised per City Ordinance, a  
30 posting for Planning Commission applications was published for the opening seat. No applications  
31 were submitted. The previous applicant, Mr. Matt Fritze, has indicated his willingness to serve on the  
32 Planning Commission.

33  
34 **Council Member Carr moved to appoint Matt Fritze to the Planning Commission for vacant**  
35 **seat. Council Member Lanoux seconded the motion. Motion carried unanimously.**

36  
37 **UNFINISHED BUSINESS**

38  
39 There was no unfinished business.

40  
41 **DISCUSSION ITEMS**

42  
43 **City Council Reports/Future Agenda Items (no action taken):**  
44

1 Mayor Huber advised the City will be keeping an eye on the DNR’s order relating to the White Bear  
2 Lake issue.

3  
4 **CUP Process, Council Member Lanoux** – Council Member Lanoux stated he did go through the  
5 CUP process recently and believes the process could be stream lined and more user friendly. Issues  
6 relating to the mailing labels, surveys, scalable site plans, City Attorney review and recordings could  
7 be better managed.

8  
9 **Grazeable Acres Ordinance, Council Member Lanoux** – Council Member Lanoux requested the  
10 grazeable acres ordinance be rewritten to be more user friendly and allow more horses as it is flawed.  
11 He indicated his CUP set a precedent and the manure management is what is key, not the number of  
12 horses.

13  
14 Through discussion it was determined grazeable acres would not be reviewed again.

15  
16 Council Member Carr stated he would prefer not looking at that ordinance again. He noted any  
17 discussion items on the agenda without information included in the packet should be removed from  
18 the agenda. He advised he will make a motion to remove those items from the agenda.

19  
20 **Staff Updates (no action taken):**

21  
22 Staff recommended the City utilize action only minutes unless the City would like to hire a  
23 transcriber. The minutes include a summary of the discussion and are the official record of the action  
24 taken by the Council. With Council Members all talking at once and talking over each other it is  
25 difficult to follow the discussion. Action only minutes will include Council action and all  
26 background information for the agenda item.

27  
28 It was determined the City would move to action only minutes as opposed to contracting with a  
29 transcriber.

30  
31 **COMMUNITY CALENDAR SEPTEMBER 6 THROUGH SEPTEMBER 30, 2017:**

32  
33 **Mahtomedi Public Schools Board Meeting, Thursday, September 14<sup>th</sup> and 28<sup>th</sup> , Mahtomedi  
34 District Education Center, 7:00 p.m.**

35 **Stillwater Public Schools Board Meeting, Thursday, September 14<sup>th</sup> , Stillwater City Hall, 7:00  
36 p.m.**

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

38  
39 **ADJOURN**

40  
41 **Council Member Carr moved to adjourn at 9:09 p.m. Council Member Kaup seconded the  
42 motion. Motion carried unanimously.**



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These minutes were considered and approved at the regular Council Meeting October 3, 2017.

\_\_\_\_\_  
Kim Points, Administrator/Clerk

\_\_\_\_\_  
Jeff Huber, Mayor

DRAFT

**City of Grant**

**Disbursements Register**

**9/26/2017**

**Fund Name: All Funds**

**Date Range: 09/01/2017 To 09/26/2017**

<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>
09/25/2017	Payroll Period Ending 09/30/2017	13529		N	Clerk Salary	100-41101-100-	\$ 3,545.23
	<b>Total For Check</b>	<b>13529</b>					<b>\$ 3,545.23</b>
09/25/2017	Xcel Energy	13530	Utilities	N	Town Hall Electricity	100-43004-381-	\$ 65.28
		13530			Well House Electricity	100-43010-381-	\$ 121.15
		13530			Street Lights	100-43117-381-	\$ 45.49
	<b>Total For Check</b>	<b>13530</b>					<b>\$ 231.92</b>
09/25/2017	Todd Smith	13531	Monthly Assessment Services - September	N	Property Assessor	100-41208-300-	\$ 1,991.92
	<b>Total For Check</b>	<b>13531</b>					<b>\$ 1,991.92</b>
09/25/2017	Croix Valley Inspector	13532	Building Inspector	N	Building Inspection	100-42004-300-	\$ 1,038.03
	<b>Total For Check</b>	<b>13532</b>					<b>\$ 1,038.03</b>
09/25/2017	Ready Watt Electric	13533	Siren#1 Maintenance	N	Siren Warning System	100-42007-224-	\$ 739.00
	<b>Total For Check</b>	<b>13533</b>					<b>\$ 739.00</b>
09/25/2017	WSB & Associates	13534	Engineering	N	Engineering Fees - General	100-41203-300-	\$ 1,627.50
		13534			Road Engineering Fees	100-43102-300-	\$ 2,467.50
		13534			Utility/ROW Permits	100-43132-300-	\$ 175.50
		13534			Petitioned - 65th Street	100-43172-300-	\$ 1,568.00
	<b>Total For Check</b>	<b>13534</b>					<b>\$ 5,838.50</b>
09/25/2017	Miller Excavating	13535	Culvert Replacement	N	Gravel Road Costs	100-43106-300-	\$ 7,481.22
	<b>Total For Check</b>	<b>13535</b>					<b>\$ 7,481.22</b>
09/25/2017	CenturyLink	13536	City Phone	N	City Office Telephone	100-41309-321-	\$ 128.83
	<b>Total For Check</b>	<b>13536</b>					<b>\$ 128.83</b>
09/25/2017	Waste Management	13537	Recycling	N	Recycling	100-43011-384-	\$ 4,585.56
	<b>Total For Check</b>	<b>13537</b>					<b>\$ 4,585.56</b>
09/25/2017	AirFresh Industries	13538	PortaPot #27775	N	Town Hall Porta Pot	100-43007-210-	\$ 125.00
	<b>Total For Check</b>	<b>13538</b>					<b>\$ 125.00</b>
09/25/2017	Andrew Hartsock	13539	Video Tech	N	Cable Costs	100-41212-301-	\$ 132.00
	<b>Total For Check</b>	<b>13539</b>					<b>\$ 132.00</b>

Fund Name: All Funds

Date Range: 09/01/2017 To 09/26/2017

<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>
09/25/2017	Lyle Signs, Inc.	13540	Road Signs	N	Road Sign Replacement	100-43110-330-	\$ 120.00
	<b>Total For Check</b>	<b>13540</b>					<b>\$ 120.00</b>

09/25/2017	Safety Signs	13541	Safety Signs	N	Special Road Projects	100-43128-224-	\$ 656.80
	<b>Total For Check</b>	<b>13541</b>					<b>\$ 656.80</b>

09/25/2017	League of Minnesota Cities	13542	Membership Dues	N	LMC Dues	100-41304-300-	\$ 4,480.00
	<b>Total For Check</b>	<b>13542</b>					<b>\$ 4,480.00</b>

09/25/2017	Envirotech Services	13543	Dust Control	N	Magnesium Choride	100-43107-210-	\$ 28,259.62
	<b>Total For Check</b>	<b>13543</b>					<b>\$ 28,259.62</b>

09/25/2017	Washington County Property Records	13544	TaxLewyBook	N	Town Hall Property Taxes	100-43008-510-	\$ 4,150.00
	<b>Total For Check</b>	<b>13544</b>					<b>\$ 4,150.00</b>

09/25/2017	Sherrill Reid Animal Control	13545	Animal Control/Inv2017-47	N	Animal Control	100-42006-300-	\$ 90.00
	<b>Total For Check</b>	<b>13545</b>					<b>\$ 90.00</b>

09/25/2017	Kline Bros Excavating	13546	Road Maintenance	N	Grader Contractor	100-43101-300-	\$ 1,720.00
		13546			Gravel Road Costs	100-43106-220-	\$ 4,577.50
		13546			Culvert Repair	100-43111-301-	\$ 725.00
		13546			Special Road Projects	100-43128-301-	\$ 20,850.00
		13546			Ditch Repair	100-43133-220-	\$ 1,055.00
	<b>Total For Check</b>	<b>13546</b>					<b>\$ 28,927.50</b>

09/25/2017	KEJ Enterprises	13547	September 2017 Road Contractor	N	Animal Control	100-42006-300-	\$ 83.00
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		13547			Town Hall Mowing	100-43006-300-	\$ 125.00
		13547			Ball Field Maintenance	100-43009-300-	\$ 125.00
		13547			Road Engineering Fees	100-43102-300-	\$ 166.14
		13547			Road Garbage Removal	100-43105-300-	\$ 167.00
		13547			Gravel Road Costs	100-43106-300-	\$ 20.84
		13547			Magnesium Choride	100-43107-300-	\$ 41.67
		13547			Road Sign Replacement	100-43110-300-	\$ 83.84
		13547			Culvert Repair	100-43111-300-	\$ 20.84
		13547			Snow & Ice Removal	100-43113-300-	\$ 5,416.67
		13547			Road Brushing	100-43114-300-	\$ 2,250.00
		13547			Road Side Mowing	100-43115-300-	\$ 500.00
	<b>Total For Check</b>	<b>13547</b>					<b>\$ 9,000.00</b>

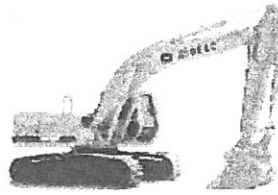
09/25/2017	Eckberg Lammers	13548	Legal Services	N	Legal Fees - General	100-41204-301-	\$ 1,692.25
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Fund Name: All Funds

Date Range: 09/01/2017 To 09/26/2017

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
		13548			Legal Fees - Complaints	100-41205-301-	\$ 1,702.25
		13548			Legal Fees - Prosecutions	100-41206-301-	\$ 1,746.98
		13548			Escrow	879-49320-301-	\$ 46.00
		13548				902-49320-301-	\$ 46.00
		<b>13548</b>					<b>\$ 5,233.48</b>
09/25/2017	SHC, LLC	13549	Planning	N	City Planner	100-41209-301-	\$ 1,806.50
		13549			Comprehensive Plan	100-43173-301-	\$ 583.00
		13549			Escrow	925-49320-301-	\$ 424.00
		13549				929-49320-301-	\$ 503.50
		13549			Pre-App	931-41319-301-	\$ 106.00
		13549			Escrow	932-49320-301-	\$ 106.00
		13549				933-49320-301-	\$ 371.00
		<b>13549</b>					<b>\$ 3,900.00</b>
09/25/2017	PERA	13550	PERA	N	Clerk PERA	100-41102-120-	\$ 365.79
		13550			Clerk PERA Withholding	100-41108-100-	\$ 317.02
		<b>13550</b>					<b>\$ 682.81</b>
09/25/2017	Richard Hoban	13551	Escrow Refund	N	Escrow	925-49320-810-	\$ 526.00
		<b>13551</b>					<b>\$ 526.00</b>
09/25/2017	Jacqueline Hertz	13552	Escrow Refund	N	Escrow	930-49320-810-	\$ 632.00
		<b>13552</b>					<b>\$ 632.00</b>
09/25/2017	Charles Lucius	13553	Escrow Refund	N	Escrow	927-49320-810-	\$ 1,475.49
		<b>13553</b>					<b>\$ 1,475.49</b>
09/25/2017	Sprint	13554	City Cell Phone	N	Road Expenses - Other	100-43116-321-	\$ 35.00
		<b>13554</b>					<b>\$ 35.00</b>
09/25/2017	IRS	EFT93	Payroll Taxes	N	Clerk FICA/Medicare	100-41103-100-	\$ 373.11
		EFT93			Clerk Medicare	100-41105-100-	\$ 70.72
		EFT93			Federal Withholding	100-41107-100-	\$ 447.58
		EFT93			Social Security Expens	100-41109-100-	\$ 302.39
		<b>EFT93</b>					<b>\$ 1,193.80</b>
09/26/2017	City of Mahtomedi	13555	3rdQuarter Fire Contract	N	Fire - Mahtomedi	100-42002-300-	\$ 33,317.50
		<b>13555</b>					<b>\$ 33,317.50</b>
							<b>\$ 148,517.21</b>

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



# Invoice

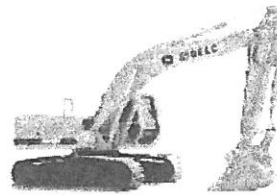
DATE	INVOICE #
9/25/17	2461

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	DITCHWORK 100-43133

DUE DATE
10/5/17

DESCRIPTION	QTY	UNIT COST	AMOUNT
8-29-17 INSTALL CULVERT ON IMPERIAL AVE N AND CLEAN DITCH BEFORE AND AFTER. INSTALL 2" PVC PIPE ACROSS ROAD SO NEIGHBORS SUMP HOSE DOESN'T CAUSE FROST BOIL AGAIN. SPREAD RC-5.			0.00
8-29 17 E70	5	90.00	450.00
8-29-17 1845C	5	85.00	425.00
8-29-17 LABORER	4	45.00	180.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	<b>Total</b>		1,055.00

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



# Invoice

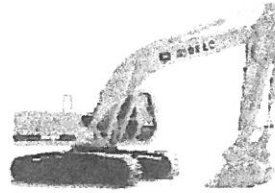
DATE	INVOICE #
9/25/17	2463

<b>BILL TO</b>	<b>JOB ADDRESS</b>
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	SPECIAL ROAD PROJECTS 100-43128

<b>DUE DATE</b>
10/5/17

DESCRIPTION	QTY	UNIT COST	AMOUNT
HAUL TOPSOIL FILL FOR KEATS AVE N ROAD SHOULDERS WHERE ROAD WAS BUILT UP			0.00
9-12-17 LOADS HAULED	2	130.00	260.00
9-13-17 LOADS HAULED	16	130.00	2,080.00
9-13-17 1845C	5	85.00	425.00
9-13-17 E70	5	90.00	450.00
9-14-17 LOADS HAULED	14	130.00	1,820.00
9-14-17 1845C	5	85.00	425.00
9-14-17 E70	4	90.00	360.00
9-15-17 LOADS HAULED	11	130.00	1,430.00
9-15-17 1845C	5	85.00	425.00
9-15-17 E70	6	90.00	540.00
9-15-17 LABOR CLEAN UP SILT FENCE	1	45.00	45.00
9-19-17 LOADS HAULED	18	130.00	2,340.00
9-19-17 1845C	3	85.00	255.00
9-19-17 E70	3.5	90.00	315.00
9-20-17 LOADS HAULED	11	130.00	1,430.00
9-20-17 1845C	3.5	85.00	297.50
9-20-17 E70	2	90.00	180.00
9-21-17 LOADS HAULED	16	130.00	2,080.00
9-21-17 1845C	8.5	85.00	722.50
9-21-17 E70	3	90.00	270.00
9-21-17 LABOR CLEAN UP SILT FENCE	2	45.00	90.00
9-22-17 LOADS HAULED	24	130.00	3,120.00
9-22-17 1845C	2	85.00	170.00
9-22-17 E70	3	90.00	270.00
9-24-17 LOADS HAULED	4	130.00	520.00
9-24-17 1845C	2	85.00	170.00
9-24-17 E70	4	90.00	360.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE			
<b>Total</b>			<b>20,850.00</b>

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



# Invoice

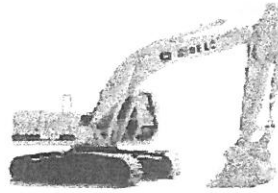
DATE	INVOICE #
9/25/17	2462

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

DUE DATE
10/5/17

DESCRIPTION	QTY	UNIT COST	AMOUNT
8-29-17 LOADS RC-5 HAULED TO IMPERIAL (GRAVEL NOT DIRECTLY BILLED TO GRANT)	3	155.00	465.00
9-07-17 LOADS RC-5 HAULED TO DELLWOOD RD	20	75.00	1,500.00
9-07-17 550G DOZER CUT SHOULDER OFF AND LEVEL RC-5	8.5	100.00	850.00
9-08-17 LOADS RC-5 HAULED TO DELLWOOD RD	13	75.00	975.00
9-08-17 550G	4.5	100.00	450.00
9-08-17 T600	2	75.00	150.00
9-08-17 SD-54 COMPACTOR	2.5	75.00	187.50
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE	<b>Total</b>		<b>4,577.50</b>

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



# Invoice

DATE	INVOICE #
9/25/17	2460

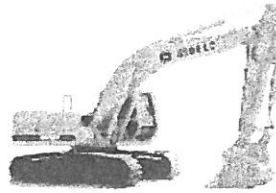
BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	CULVERT WORK 100-43111

DUE DATE
10/5/17

DESCRIPTION	QTY	UNIT COST	AMOUNT
2-29-17 13" X 17" ARCHED CULVERT WITH APRONS FOR EAST SIDE DRIVEWAY ON IMPERIAL AVE N			725.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE			
<b>Total</b>			725.00



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



# Invoice

DATE	INVOICE #
9/25/17	2459

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD GRADING 1009-43101

DUE DATE
10/5/17

DESCRIPTION	QTY	UNIT COST	AMOUNT
8-28-17 770B	1.5	80.00	120.00
8-28-17 740A	7.5	80.00	600.00
9-05-17 770B	3.5	80.00	280.00
9-05-17 740A	2.75	80.00	220.00
9-06-17 740A	3.75	80.00	300.00
9-08-17 770B	2.5	80.00	200.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			<b>Total</b> 1,720.00



PO Box 5512 • Denver, CO 80217  
**For Inquiries:**  
 West Region • 509-936-7102  
 Rocky Mtn Region • 800-577-5346  
 Midwest Region • 800-881-5848  
 ESI East • 877-664-3401

**Collective Invoice**

**ORIGINAL**

Invoice Date 08/25/2017  
 Invoice Number CD201719290  
 Customer Number 13555

Customer Address  
 City of Grant  
 111 Wildwood Road  
 Box 577  
 Willernie MN 55090

Due Date  
 09/09/2017  
 Terms of Payment  
 15 Days Net

Order Number	Your Reference		Customer							
D11244			City of Grant							
Purchase Order Number										
verbal										
DO#	Pos	Part No	Taxable	Sales Qty	Unit	Price per	Price U	Disc. %	Discount	Net Amount
Receipt Ref:		Description		Price Qty	Unit			Tax %	Amount	USD
445123 1968	1	<b>1010-APP</b> Calcium Chloride 38% - Applied	No	4,201.00 4,201.00	gal gal	0.8370		0	0.00	3,516.24
445124 1965	1	<b>1010-APP</b> Calcium Chloride 38% - Applied	No	4,292.00 4,292.00	gal gal	0.8370		0	0.00	3,592.40
445125 1966	1	<b>1010-APP</b> Calcium Chloride 38% - Applied	No	4,239.00 4,239.00	gal gal	0.8370		0	0.00	3,548.04
445126 1969	1	<b>1010-APP</b> Calcium Chloride 38% - Applied	No	4,150.00 4,150.00	gal gal	0.8370		0	0.00	3,473.55

Invoice No: CD201719290  
 Due Date: 09/09/2017  
 Total Invoice: 28,259.62

Past due invoices accrue finance charges at 1.5% per month



PO Box 5512 • Denver, CO 80217  
 For Inquiries:  
 West Region • 509-936-7102  
 Rocky Mtn Region • 800-577-5346  
 Midwest Region • 800-881-5848  
 ESI East • 877-664-3401

**Collective Invoice**

**ORIGINAL**

Invoice Date 08/25/2017  
 Invoice Number CD201719290  
 Customer Number 13555

DO#	Pos	Part No	Taxable	Sales Qty	Unit	Price per	Price U	Disc. %	Discount Amount	Net Amount
Receipt Ref:		Description		Price Qty	Unit			Tax %		USD
445127 1964	1	<b>1010-APP</b> Calcium Chloride 38% - Applied	No	4,152.00 4,152.00	gal gal	0.8370		0	0.00	3,475.22
445128 1967	1	<b>1010-APP</b> Calcium Chloride 38% - Applied	No	4,303.00 4,303.00	gal gal	0.8370		0	0.00	3,601.61
445129 12545	1	<b>1010-APP</b> Calcium Chloride 38% - Applied	No	4,224.00 4,224.00	gal gal	0.8370		0	0.00	3,535.49
445213 2252	1	<b>1010-APP</b> Calcium Chloride 38% - Applied	No	4,202.00 4,202.00	gal gal	0.8370		0	0.00	3,517.07

Order Sub Total Amount	28,259.62
Order Total Exclusive Tax	28,259.62
Tax	0.00
Order Total	28,259.62
<b>Sub Total Amount</b>	<b>28,259.62</b>
<b>Total Exclusive Tax</b>	<b>28,259.62</b>
<b>Total Tax</b>	<b>0.00</b>
<b>Invoice Amount to Pay</b>	<b>28,259.62</b>

Invoice No: CD201719290  
 Due Date: 09/09/2017  
 Total Invoice: 28,259.62

Past due invoices accrue finance charges at 1.5% per month



December 8, 2016

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

Dear Kim,

Please remit a check in the amount of \$33,317.50 for the 3<sup>rd</sup> quarter fire contract. Please pay October 1, 2017.

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

Thank you,

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

Jerene Rogers  
Account Clerk



## Memorandum

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

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

**Date:** *October 3, 2017*

**Re:** *83<sup>rd</sup> Street & Ironwood Ave Guard Rail Project*

### Actions to be considered:

The City received a quote for the work related to the Guard Rail Project along 83<sup>rd</sup> Street near Woodpile Lake and on Ironwood Ave N. H & R Construction submitted a quote for this highly specialized type of work based upon the following unit prices:

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
MOBILIZATION	1	EA	\$3,900.00	\$3,900.00
TRAFFIC BARRIER DESIGN 8331	1361	LF	\$9.75	\$13,269.75
ANCHORAGE ASSEMBLY - CABLE	14	EA	\$1,675.00	\$23,450.00
			Total	\$40,619.75

The 3 cable guardrail systems are typically placed on tangents or horizontal curves where average daily traffic is high or there are safety concerns, such as, steep slopes, water, stationary objects, etc.

The 3 cable guardrail systems are typically placed on tangents or horizontal curves that exceed a 1500-foot radius. The horizontal curve radius at the centerline of 83th street is approximately 900 foot, therefore, intermediate anchorage systems are required as shown in the attached layout.

To reduce costs and meet the immediate safety concerns along 83<sup>rd</sup> Street it's recommended to install guardrail near the intersection of Keats Avenue and eliminate the outer 3 segments (A, B, & E). The cost savings to eliminate the 3 segments mentioned above is approximately \$15,000.

The cost for the guardrail system along 83<sup>rd</sup> Street for all 5 segments is \$28,069.75. The cost for the two guardrail systems along Ironwood Ave is \$12,550.00

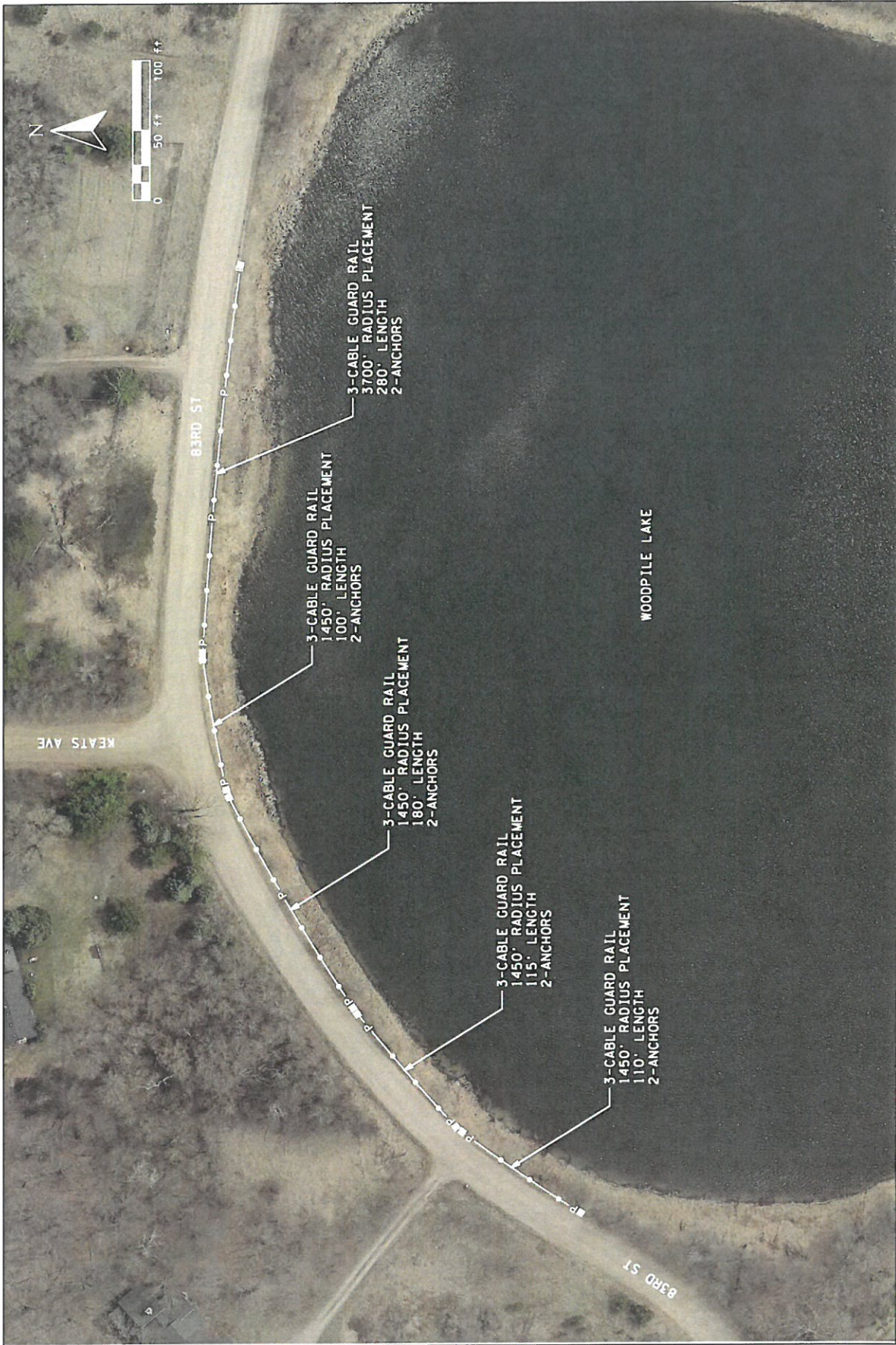
All work is scheduled to be completed as H & R Construction Schedule allows before the end of November. If work is not completed until spring of 2018, they are committed to holding unit prices.

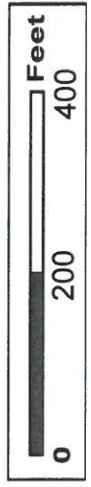
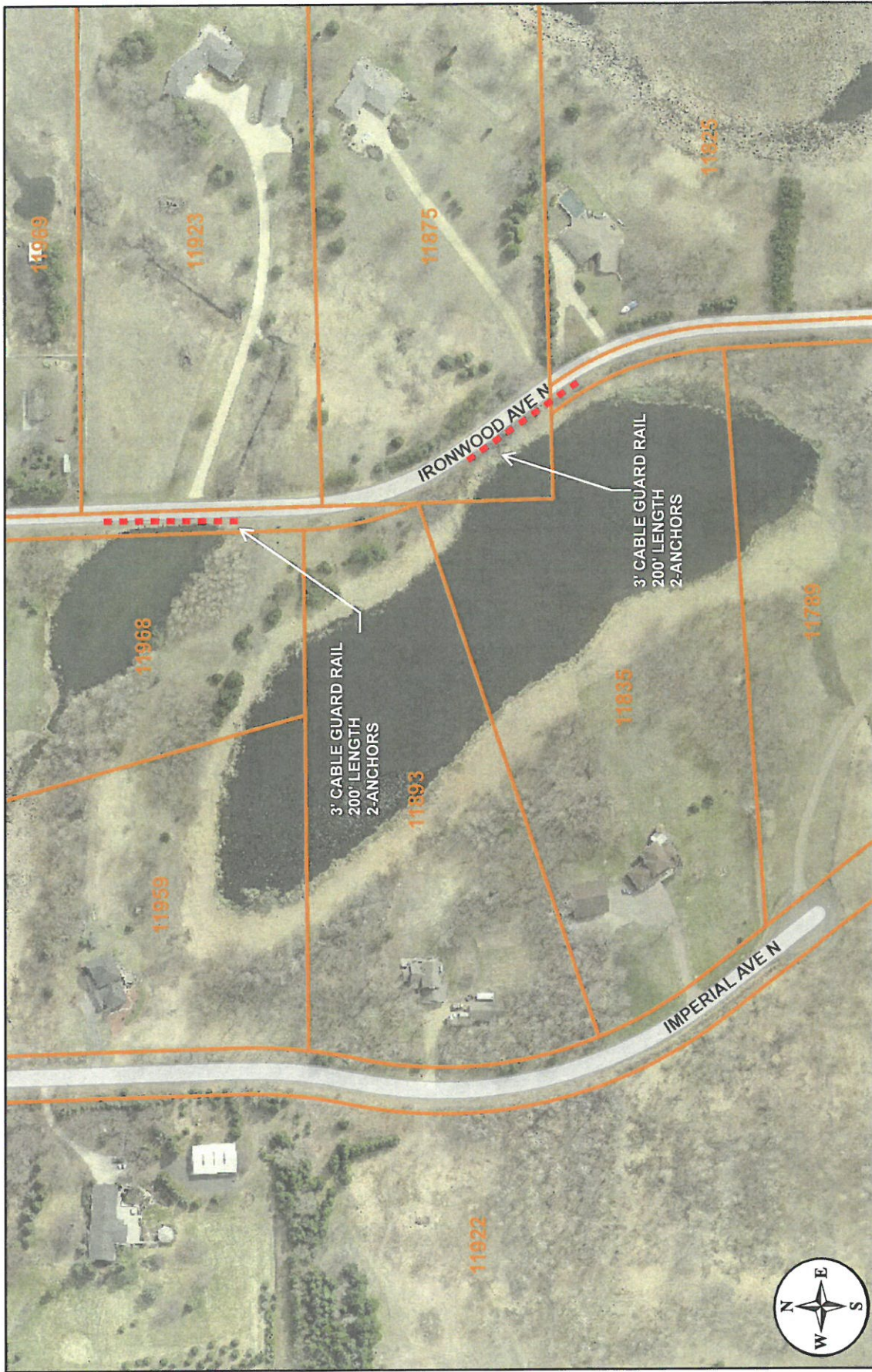
**Action:** Motion to award H & R Construction Co. a contract based upon unit pricing as shown

Attachments: H & R Construction Co., Quote and Location map.



### 3-CABLE GUARDRAIL EXHIBIT 83RD ST AT WOODPILE LAKE





### 3-CABLE GUARDRAIL EXHIBIT IRONWOOD AVE N



Hanson/Ronning



Office: (218) 589-8707  
Fax: (218) 589-8708  
email: hrconst@prtcl.com

• An Equal Opportunity Employer •

P.O. Box 756 • 13349 County Hwy. 35  
Dalton, Minnesota 56324-0756

9/26/2017

**QUOTE**

PROJECT #: CITY OF GRANT GUARDRAIL - REVISED  
COUNTY: WASHINGTON, MN  
QUOTE: GUARDRAIL

TO: Brad Reifsteck  
EMAIL: breifsteck@wsbeng.com

ITEM / NOTES	ITEM DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
	MOBILIZATION	1.00 EACH	3,900.00	3,900.00
	TRAFFIC BARRIER DESIGN 8331	1,361.00 L F	9.75	13,269.75
	ANCHORAGE ASSEMBLY - CABLE	14.00 EACH	1,675.00	23,450.00
			TOTAL=	40,619.75

**NOTE: Price does not include any grading.**

**NOTE: Price for work to be completed as H&R's schedule allows.**

These prices include all costs necessary for the complete installation of the above listed items. We appreciate your consideration of our firm for the construction of these items.

Quote valid for 30 days past quote date. Later notification may result in price adjustments, and/or delays to project.

Yours truly,  
H & R CONST. CO.

Anthony Peterson





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

## COMPREHENSIVE PLAN OR ZONING AMENDMENT – (MAP OR TEXT)

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

<b>LEGAL DESCRIPTION:</b> The South 64 rods of the Northeast Quarter of Section 25, in Township 30 North, Range 21 West of the Fourth Meridian...		<b>ZONING DISTRICT &amp; COMP PLAN LAND USE:</b> A-1 <b>LOT SIZE:</b> 58	
<b>OWNER:</b> Name: Joyce Welander Address: 10381 83rd St N City, State: Stillwater, MN 55082 Phone: 651.303.0657 Email: N/A		<b>APPLICANT (IF DIFFERENT THAN OWNER):</b> United States Solar Corporation 100 N 6th St, Suite 218C Minneapolis, MN 55403 612.294.6978 david.watts@us-solar.com	
<b>REQUESTED ACTION:</b> <input type="checkbox"/> Map Amendment <input checked="" type="checkbox"/> Text Amendment <input type="checkbox"/> Map & Text Amendment			
If, <b>MAP AMENDMENT</b> , REQUEST TO REGUIDE LAND USE AND/OR ZONING FROM: _____ TO: _____ <i>*Please note that you will need to emend both the zoning and land use if a map change is requested</i>			
<b>APPLICABLE ZONING CODE SECTION(S):</b> Please review the following documents to assist with your request. <ol style="list-style-type: none"> <li>Grant Minnesota City Code</li> <li>City Comprehensive Plan</li> </ol>			

### Submittal Materials

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

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

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

Application for: **COMPREHENSIVE PLAN OR ZONING AMENDMENT**  
City of Grant

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

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

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

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

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

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

  
\_\_\_\_\_  
Signature of Applicant

5/19/2017  
\_\_\_\_\_  
Date

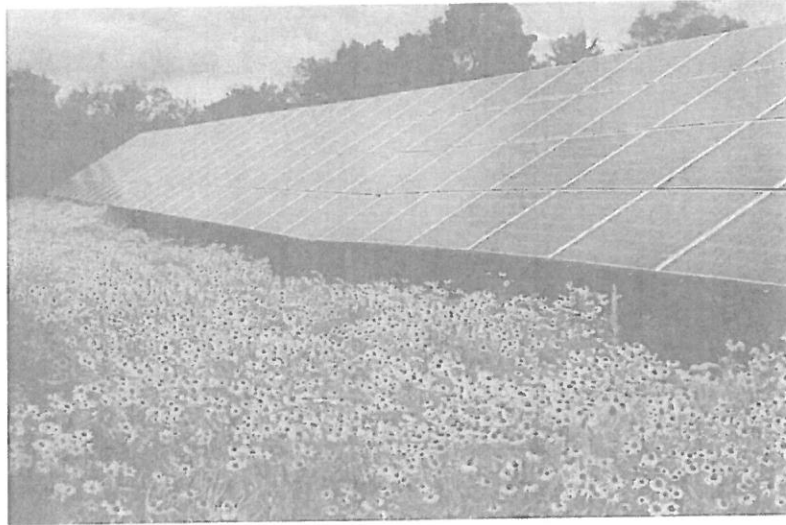
\_\_\_\_\_  
Signature of Applicant

  
\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

6-8-17  
\_\_\_\_\_  
Date

# US/SOLAR



APPLICATION TO AMEND THE CITY OF GRANT  
ZONING ORDINANCE

JUNE 13, 2017



City of Grant Minnesota

## COMMUNITY SOLAR GARDENS IN AGRICULTURE ZONING

June 13, 2017

Kim Points, Administrator/Clerk  
City of Grant  
P.O. Box 577  
Willernie, MN 55090

Dear Kim,

United States Solar Corporation ("US Solar") requests that the City amend its zoning ordinance to allow "community solar gardens" as a Conditional use in the Agriculture zoning district. By requiring unique conditions for community solar gardens on Agricultural zoned parcels, Grant could allow one or more visually-screened community solar gardens to be seamlessly integrated into the City without adversely affecting the rural character. We understand that the City values the rural character of Grant and believe community solar gardens with sensible conditions do not compromise that.

Through community solar gardens, the landowner will increase their income through transitioning 10 acres or less from agricultural production to a pollinator-friendly habitat and sustainable solar energy production. Much like a conservation easement, a community solar garden ensures that the land under and around the array will be undeveloped and well-preserved for future agricultural use. Permitting a community solar garden provides the City with more tax revenue without harming the rural character.

As the developer, owner, and operator of its community solar gardens, US Solar has worked with several jurisdictions, including the cities of Corcoran, Sartell, and Winsted, to develop effective ordinances that align with the cities' objectives. Headquartered in Minneapolis, we coordinate all project details—development, permits, finance, construction, management, insurance, maintenance, and monitoring. This application also contains an introduction to our company, including our qualifications, experience in Minnesota and beyond, and our leadership team.

Sincerely,



**Reed Richerson - COO**  
United States Solar Corporation

100 N 6th St., Suite 222C  
Minneapolis, MN 55403  
W: (612) 260-2230 C: (916) 704.2720  
E: reed.richerson@us-solar.com

## PROPOSED TEXT AMENDMENTS

US Solar requests a text amendment to relevant sections of the Zoning Code to mark "community solar gardens" as a Conditional use in the Agricultural District. Currently, there is nothing in the City Ordinance pertaining to community solar gardens.

To establish this Conditional use, the City would need to add a row for community solar gardens in Sec. 32-245 Table of Uses, which is the screenshot shown below. Community solar gardens should be marked as "C" (Conditional Use Permit and public hearing) in zoning districts A1 and A2 and "N" (not permitted) in all other zoning districts. US Solar has portrayed the addition to the table as Figure 1 below.

USE	ZONING DISTRICT				
	Conservancy	Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
(KEY) P = Permitted C = Conditional use permit and public hearing CC = Certificate of compliance A = Permitted accessory use N = Not permitted					
Agriculture. (See section 32-345.)	C	P	P	P	N
Agricultural business, seasonal.	N	C	C	N	N
Airports, airstrip, heliports. (See section 32-279.)	N	C	C	N	N
Animals, commercial training	N	C	N	N	N
Animals, domestic farm (See section 32-337.)	N	P	P	P	N
Antennas or towers over 35 feet in height (as permitted by section 32-249.)	N	C	C	C	C
Archery range, commercial outdoors.	C	C	C	N	N
Armories, convention halls and similar uses.	N	N	N	N	N
Apartment buildings.	N	N	N	N	N
Auto/car wash.	N	N	N	N	C
Auto reduction yard, junk yard.	N	N	N	N	N
Automobile repair.	N	N	N	N	C
Automobile service station. (See section 32-340.)	N	N	N	N	C
Bars and taverns.	N	N	N	N	C
Bed and breakfast. (See section 32-327.)	N	C	C	C	N
Blacktop or crushing equipment for highways.	N	C	N	N	N
Boarders.	N	N	N	N	N
Boat dock, noncommercial. (See county chapters 2 and 7.)	A	A	A	A	N
Boat, trailer, marine sales--enclosed.	N	N	N	N	C
Broadcasting studio.	N	N	N	N	C

CD32:40

Community Solar Garden	N	C	C	N	N
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Figure 1

Additionally, the City will need a definition of community solar garden. US Solar proposes the following definition for a community solar garden:

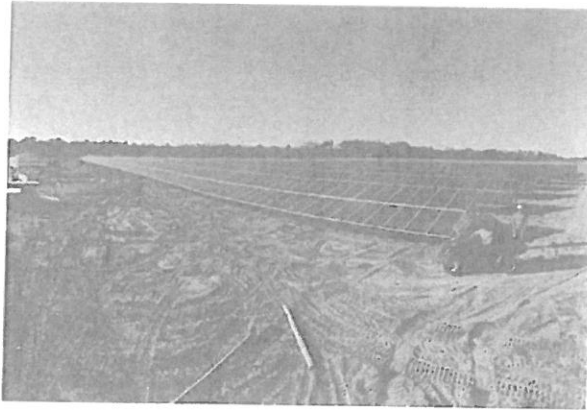
"A community solar garden is solar energy production facility that generates between 200 kWac and 1 MWac of electricity and that supplies multiple off-site community members or businesses under the provisions of Minnesota statutes 216B.1641 or successor statute."

## JUSTIFICATION FOR THE AMENDMENTS

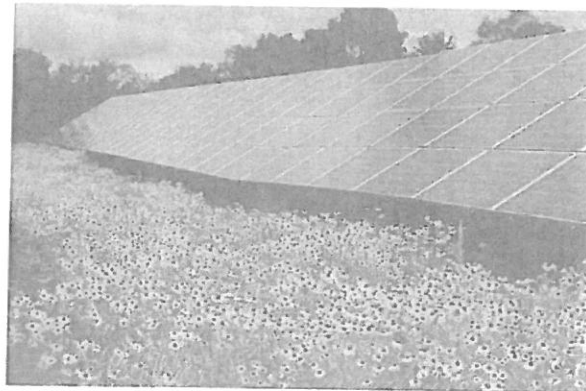
- 1. Community solar gardens maintain the rural character.**
  - a. Under the proposed amendments to the ordinance, community solar gardens would be small and not very visible, minimizing any impact to the rural character of Grant.
  - b. The landowners leasing land to community solar garden developers will be less inclined to rezone, subdivide, and sell land for residential or other development.
  - c. Much like a conservation easement, community solar gardens thwart industrial, commercial, or residential development. In 30 years, when the solar equipment is removed, the agricultural land remains at least as viable for agricultural production.
- 2. Community solar gardens will be few and far between.**
  - a. There may be few potential project locations that meet all requirements of a permissible and viable solar site.
  - b. The limiting factors to a suitable site for solar include:
    - i. Existing 3-phase distribution lines adjacent to project
    - ii. Xcel Energy service area
    - iii. Proximity to substation
    - iv. Substation capacity
    - v. Proximity to other community solar gardens
    - vi. Existence of wetlands or shoreland overlays near project
    - vii. Existence of uneven topography
    - viii. Existing vegetation on property
    - ix. Parcel size
    - x. Zoning districts
- 3. Community solar gardens do not require public services.**
  - a. Community solar gardens do not require any public works like police or fire. There is very little traffic to and from a community solar garden after construction. Xcel Energy requires all community solar gardens to install and maintain a security fence.
- 4. Community solar gardens do not harm adjacent property values.**
  - a. The most comprehensive study on property values adjacent to community solar gardens across 9 states was conducted by Kirkland Appraisals, LLC. "Through the application of multiple matched pair analysis of homes and agricultural land adjoining existing community solar gardens, I have discovered no indication of any impact on property values due to adjacency to a community solar garden." US Solar can provide the complete study if requested.
- 5. Community solar gardens are not a permanent land use.**
  - a. When community solar gardens reach the end of their operational life, 30 years after connection to the grid, the simple process of decommissioning of the project occurs. After 30 years without pesticides or churning up row crops, the land is returned to its original state, with very little disturbance to soil.
- 6. Community solar gardens benefit the environment.**
  - a. The land under and around solar arrays will be planted with native, pollinator-friendly plants. A recent study has shown that these native plants reduce stormwater runoff by 23% for the 2-year storm (2.9 inches of rain) and 8% for the 100-year storm (7.8 inches of rain). In addition, pollinator-friendly plants can improve nearby agricultural production.

- b. Consistent with Grant's environmental values, community solar gardens use an inexhaustible resource, the sun, instead of nonrenewable energy sources. This combats climate change, without any hazardous materials, noise, glare, or other adverse effects to the environment.

This proposed amendment relates to community solar gardens, meaning that eligible Xcel Energy customers in and around Washington County will be able to subscribe to a portion of the electricity generated and receive bill credits on their Xcel Energy bills. In this way, local residents, communities, and businesses benefit directly from the array and its renewable energy.



**Example of a solar project in construction**



**Example of a solar project in operation**

## CONCLUSION

The proposed amendments to the City of Grant's zoning ordinance allow the City to maintain the rural character, while benefitting the environment and local communities, businesses, schools, and cities. We respectfully request that the City of Grant approve our proposed amendments to the ordinance, clearing the path for seamlessly integrating one or more community solar gardens into the area, while limiting a flood of community solar garden applications in the City of Grant.



## STAFF REPORT

**TO:** Mayor and Members of City Council  
**Date:** September 26, 2017

**CC:** Kim Points, Administrator/Clerk  
Kevin Sandstrom, City Attorney  
**RE:** Proposed text amendment to Chapter 32 of the City of Grant Zoning Ordinance Section 32-1 Definitions and 32-245 Table of Uses to permit Community Solar Gardens with a CUP in the A1 and A2 zoning districts

**From:** Jennifer Haskamp

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### **BACKGROUND**

The Applicant, United States Solar (“US Solar”), contacted city staff to inquire about ordinances that may regulate solar development in the city, and they were specifically interested in any regulations that addressed community solar gardens. After reviewing the city’s ordinances, staff informed the Applicant that there are no current ordinances and/or regulations related to solar development or community solar gardens (either residential or commercial) which consequently means that the use is not permitted per the zoning ordinance.

In addition to US Solar, the city has received other similar inquiries from solar providers/developers and staff thought it prudent to inform the City Council of the potential demand for such development projects in the community. After a short discussion with the City Council it was determined that the City should enact a moratorium on all solar developments, both residential and commercial, so that the City could appropriately study and create the appropriate ordinances and/or regulations to adequately address solar development in the community. The moratorium was adopted at the regular City Council meeting in June.

The following staff report considers the Applicant’s proposed text amendments, which the Applicant understands is being considered while the moratorium continues to be in effect, and will remain so throughout this review process. Ultimately, the moratorium may or may not be lifted at commencement of this process depending on the findings and results of this process.

### **Planning Commission and Public Hearing**

The Planning Commission held a duly noticed public hearing on July 18, 2017. After discussion and public testimony, the Planning Commission asked the Applicant if they were willing to work with City Staff on development of an ordinance that addressed performance standards, while also allowing staff some time to prepare residential standards to more appropriately address the issues identified within the Moratorium. The Applicant agreed and worked with staff in preparation of a draft ordinance that was subsequently considered at the Planning Commission’s regular September 19<sup>th</sup> meeting. After much discussion and deliberation, the Planning Commission recommended approval of the draft ordinance to the City Council with a vote of 5-1.

While the Planning Commission did recommend approval they also had some concerns about the ordinance that they wanted to pass along to the City Council, including the following:





- Lot Size – There was some discussion about what the appropriate minimum lot size should be, and whether 20 acres was large enough.

*Given the discussion and concern regarding lot size, staff reviewed the GIS records to determine how many lots/parcels in their current configurations on Hwy 12 and Manning Avenue would meet this standard. There are approximately 7-9 parcels that would currently meet this standard, 2 of which are golf courses, and 1 which is the School complex. If the minimum lot/parcel size were increased to 40-acres the number of qualifying parcels would be further reduced to approximately 6; of which 2 are golf courses and 1 is the school site.*

- Visual Screening – There was significant discussion about the appropriate level of required screening. Most commissioners felt it was important to screen from public right-of-way as well as from residential structures, but there was some disagreement about what an adequate screening level might be. Ultimately they decided on the language that is presented in the draft ordinance that would allow case-by-case review of a screening plan.

**PROJECT SUMMARY**

<b>Applicant:</b> United States Solar (US Solar)	<b>Request:</b> Text amendment to Section 32-1 Definitions, and 32-245 Table of Uses to conditionally permit Community Solar Gardens in A1 and A2
<b>Owner:</b> Joyce Welander	<b>Zoning/Guiding:</b> A1
<b>Owner Address:</b> 10381 83 <sup>rd</sup> Street N <i>(proposed change would apply to all A1 and A2 zoned properties)</i>	<b>Site size:</b> 58 Acres

**ANALYSIS**

Division 4, Section 32-116 of the City’s Zoning Ordinance allows for amendments to the Zoning Ordinance (chapter), if such request is initiated by the City Council, Planning Commission or by a resident’s petition. While the Applicant is not a landowner of the City, the Owner is a party to the Application and therefore has initiated the amendment for consideration in coordination with the Applicant. Through the analysis and review process the Planning Commission considered the following questions when making their recommendation:

1. Are the proposed changes consistent with the City’s adopted Comprehensive Plan?
2. Are the proposed changes compatible with existing regulations and standards within the affected/applicable zoning district?
3. Will the proposed changes have a negative impact on the health, safety and welfare of the community?
4. If the proposed changes are found to be consistent; are there additional considerations that should be addressed as part of the ordinance amendments that were not contemplated in the Application?

It is important to remember when reviewing the Applicant’s proposed language and amendment that the changes will affect ALL properties in the City that are zoned and guided similarly (i.e. all properties in the A1



and A2 zoning district). Therefore, it is important to consider how the definition would be applied throughout both zoning districts and whether there are any anticipated issues if the definition, and addition to the Table of Uses, were applied to other similarly zoned properties when considering the proposed changes.

### Comprehensive Plan (1)

The City's Comprehensive Plan focuses on retaining the rural lifestyle and ensuring new uses are compatible with existing agricultural and rural residential uses. The Applicant's narrative includes a section "Justification for the Amendments" in which it states that Community Solar Gardens would be consistent with the "rural character" because they are not very visible and that if allowed to develop, such community solar gardens will protect large tracts of land from further subdivision and development due to the long-term lease commitment of the land from the developer/user.

After review and revision of the draft ordinance, the Planning Commission determined that the proposed text amendment, including the additional performance standards, were consistent with the adopted Comprehensive Plan and as such recommends approval to the City Council.

### Consistency with Zoning (2)

Section 32-243 defines the intent and purpose of the A1 and A2 zoning districts as,

- A-1 A-1 districts 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.*
- A-2 The A-2 districts provide rural low density housing in agricultural districts on lands not capable of supporting long-term, permanent commercial food production. A-2 district lot sizes will provide for marginal agriculture and hobby farming.*

The proposed text amend would allow for Community Solar Gardens with a Conditional Use Permit (CUP) in the A1 and A2 districts. The intent and purpose of each zoning district is focused primarily on low-density rural residential land uses, and agricultural uses; however, as shown on the Table of Uses in Section 32-245 of the Zoning Ordinance there are variety of uses, accessory to the principal residential use, that are permitted with a CUP. Many of the conditionally permitted uses are required to also follow specific performance standards which are also contained within the City's Zoning Ordinance (e.g. Supper Clubs, Rural Event Facilities, Horse Boarding and Training, etc.)

After revising the ordinance to include a new Division 5, the Planning Commission recommends approval of the Ordinance as presented and attached to this staff report. The majority of the Planning Commission expressed that they felt that the proposed performance standards and other regulations as included in the revised ordinance would adequately protect the health, safety, and welfare of the community and would not negatively impact adjacent properties or neighborhoods.

### **RECOMMENDATIONS/REQUESTED ACTION**

The Planning Commission recommended approval (5-1) of the draft ordinance as prepared and presented. Staff is requesting discussion, and possible action, from the City Council.



**Attachments:**

Applicant's Submittal dated 06/13/2017

Draft Ordinance 2017-53

**CITY OF GRANT**  
**WASHINGTON COUNTY, MINNESOTA**  
**ORDINANCE 2017-53**

**An Ordinance Amending the Grant Code of Ordinances  
Amending Section 32-245 Table of Uses of Chapter 32 Zoning and  
Adding Division 4 Solar Energy Systems**

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

**SECTION 1. AMENDMENT OF CHAPTER 32, ZONING, OF THE CITY’S CODE OF ORDINANCES.**

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

Use	Conservancy	Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
(KEY) <i>P = Permitted</i> <i>C = Conditional Use Permit and public hearing</i> <i>CC=Certificate of Compliance</i> <i>A = Permitted accessory use</i> <i>N = Not Permitted</i>					
<u>Community Solar Energy System</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>
<u>Residential Solar Energy Systems – Building Mounted</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Residential Solar Energy Systems – Ground Mounted</u>	<u>N</u>	<u>CC</u>	<u>CC</u>	<u>CC</u>	<u>CC</u>

**SECTION 2. AMENDMENT OF CHAPTER 32, ZONING, OR THE CITY’S CODE OF ORDINANCES.**

That City Code Chapter 32, Article IV Supplemental Regulations, is hereby AMENDED to ADD the following:

## Division 5. Solar Energy Systems

### Sec. 32-455. Definitions.

*Community Solar Energy System* means a ground-mounted solar energy production facility that generates up to 1 MWac of electricity and that supplies multiple off-site community members or businesses under the provisions of Minnesota statutes 216B.1641 or successor statute.

*Residential Solar Energy Systems – Building Mounted* means a solar energy system that is affixed to a principal or accessory structure.

*Residential Solar Energy Systems – Ground-mounted* means a freestanding solar system mounted directly to the ground using a rack or pole rather than being mounted on a building.

*Solar Energy* means radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

*Solar Energy System* means a device or a structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for heating or cooling, electricity generation, or water heating.

*Solar Equipment* means a device, structure or a part of a device or structure for which the primary purpose is to capture sunlight and transform it into thermal, mechanical, chemical or electrical energy.

### Sec. 32-456. Purpose.

The purpose of this Division is to establish standards and procedures to allow property owners the reasonable capture and use of sunlight, while ensuring protection of adjacent properties and rural residential neighborhoods from potential adverse impacts of such installations.

### Sec. 32-457. Residential Solar Energy Systems.

- (a) *Permitted Use.* Residential Solar Energy Systems, building mounted or ground mounted, are a permitted use or permitted use upon issuance of a Certificate of Compliance as shown on the Table of Uses contained in this ordinance.
- (b) *Building Mounted – Solar equipment* if affixed to a structure shall be permitted provided the following standards are met:
  - (1) The equipment or device must be affixed to a structure, principal or accessory, and must meet all setback requirements for principal or accessory structures in the zoning district where the device is to be located.
  - (2) The equipment or device may not exceed the height of the building by more than five (5) feet, and shall cover no more than 70 percent of the roof to which it is affixed.
  - (3) The equipment or device must be designed and constructed in compliance with all applicable building and electrical codes.

- (4) The equipment or device must comply with all state and federal regulations regarding co-generation of energy.
  - (5) All solar arrays or panels shall be installed or positioned so as not to cause any glare or reflective sunlight onto neighboring properties or structures, or obstruct views of adjacent property owners.
  - (6) Solar equipment which is mounted to a roof that is not flat, and which is visible from the nearest right-of-way, shall not have a finished pitch more than five (5) percent steeper than the roof on which it is affixed.
  - (7) The zoning administrator may require compliance with any other conditions, restrictions or limitations deemed reasonably necessary to protect the residential character of the neighborhood, if applicable.
- (c) *Ground Mounted – solar equipment* not affixed to a structure shall be permitted after issuance of a certificate of compliance provided the following standards are met:
- (1) Solar energy systems shall only be allowed on a parcel that is five acres or greater in area.
  - (2) Solar energy systems shall only be allowed as an accessory use on a parcel with an existing principal structure.
  - (3) Solar energy systems shall be set back a minimum of 100 feet from all property lines.
  - (4) The footprint occupied by a solar energy system shall not exceed 1,000 square feet.
  - (5) The equipment or device may not exceed a height of 15 feet.
  - (6) The zoning administrator may require landscaping or other means of screening to limit visual impacts of the Solar Energy System.
  - (7) The equipment or device must be designed and constructed in compliance with all applicable building and electrical codes.
  - (8) The equipment or device must comply with all state and federal regulations regarding co-generation of energy.
  - (9) All solar arrays or panels shall be installed or positioned to not cause any glare or reflective sunlight onto neighboring properties, structures, or obstruct adjacent views.
  - (10) The city may require compliance with any other conditions, restrictions or limitations deemed reasonably necessary to protect the public health, safety, and welfare and to promote harmony with neighboring uses.

**Sec. 32-458. Community Solar Energy Systems.**

- (a) *Permitted use.* A Community Solar Energy System (CSES) as previously defined, and as shown in the Table of Uses, is a permitted use within the A-1 and A-2 zoning districts with the issuance of a Conditional Use Permit.
- (b) *Performance Standards.* Community Solar Energy Systems must comply with all rules and regulations of Federal, State, County and local agencies and must comply with the following performance standards:
  - (1) A CSES site shall be located on a lot 20-acres or greater, where lot size is defined consistently with Section 32-246 (c) 4 of this zoning ordinance.

- (2) The CSES site shall have its primary frontage on a County or State road, and such road shall be used for the exclusive and only access to the facility.
  - (3) If there is a homestead on the neighboring lot, the CSES shall be located at least 100 feet from that side or rear lot line. If there is no homestead on the neighboring lot, the CSES shall comply with the minimum setback requirements in the City Code. The CSES shall be visually screened, as determined by a professional landscaping plan approved by the Planning Commission, from adjacent residential structures, or public rights-of-way.
  - (4) No portion of the structure, or equipment shall exceed twenty (20) feet in height.
- (c) *Submissions at time of initial application.* In addition to the information required elsewhere in this ordinance, applications for conditional use permits or administrative permits shall include the following information:
- (1) *Site Plan.* A detailed site plan prepared by a licensed surveyor that shows both existing and proposed conditions of the CSES site. The plans shall show the location of all solar arrays, existing and proposed structures, parcel boundaries, setbacks, access points, fencing, landscaping, surface water drainage patterns, floodplains, wetlands, the ordinary high water mark for all water bodies, any other protected resources, topography, electric equipment, and any other characteristics requested by the City.
  - (2) *Screening.* A detailed landscape plan and cross section plan shall be submitted to demonstrate proposed CSES screening. The landscape plan and cross section plan shall depict proposed vegetation types, berming, fencing or any other method of screening proposed and corresponding opacity of such screening from both public rights-of-way and any adjacent residential structure.
  - (3) *Foundations.* A qualified engineer shall certify that the foundation and design of the solar panels meets the accepted professional standards, given local soil and climate conditions.
  - (4) *Interconnection Status.* The interconnection process with Xcel Energy or any other applicable utility shall be submitted and a copy of any formal agreements provided.
  - (5) *Power and communication lines.* Power and communication lines between banks of solar panels and to electric substation or interconnections with buildings shall be buried underground on premise. Exceptions to this requirement may be permitted where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.
  - (6) *Meeting standards.* All CSES shall meet the standards of the Minnesota Building Code and all applicable local, state and federal regulatory standards.
  - (7) *Building permit.* A building permit shall be obtained for any CSES prior to installation.
  - (8) *Signage.* A signage plan shall be submitted which demonstrates size and location of proposed signage. At a minimum, signage shall be posted at all entrance points to the property the CSES is located and shall include the owner and operator's name, contact information, and emergency phone numbers.
  - (9) *Decommissioning.* A Decommissioning Plan shall be submitted that includes, at a minimum, the following:
    - a. A cost estimate for decommissioning prepared by a professional engineer, a contractor capable of decommissioning or a person with suitable expertise or experience.

- b. A proposed schedule for removal of the specific facility, and that such removals be completed within one year from termination of the CUP or abandonment of the CSES.
  - c. Commitment of a financial security in the form of a cash escrow, bond, or irrevocable letter of credit, if requested, and as determined by the City Council, in an amount not to exceed \$15,000 per MW.
  - d. Ensure the disposal of structures and/or foundations shall meet all applicable federal, state, and local requirements.
- (d) *Change in equipment.* A change in solar-related equipment which does not alter the footprint of the CSES, so long as it continues to conform to this ordinance and all conditions of the applicable CUP, does not require an amended CUP.
- (1) Any minor changes to the footprint of a CSES may be processed through a Certificate of Compliance process, which is subject to the discretion of the zoning administrator.
  - (2) Any significant changes to the CSES, including proposed expansion of MW, alterations to the footprint, or changes to the screening plan may require an amendment to the CUP.

**SECTION 3. SEVERABILITY.**

In the event that court of competent jurisdiction adjudges any part of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included within that judgment.

**SECTION 4. EFFECTIVE DATE.**

This ordinance takes effect upon its adoption and publication according to law.

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

Voting AYE:

Voting NAY:

Whereupon said Ordinance was declared passed adopted this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jeff Huber, Mayor

\_\_\_\_\_  
Attest: Kim Points, City Clerk



I have gone thru the Comp Plan and have these notes highlighted. Maybe this is enough. I can also send you just the pages "marked" as applies as you suggested. Whatever you want.

Introduction, A, the whole thing

Inventory and Demographics, III, 5, Page 12, Desire of Grant residents to preserve rural character, defining and preserving rural character be given serious and creative attention by leaders of Grant, page 13, past action of Grant have favored low density residential and AG development over industrial/commercial uses.

Natural Features, A, 5, Solar protection for residents.....9,c, Solar access.....so basically solar was addressed and was for the individual use. Not commercial.

Land Use, A, page 31 last three paragraphs, preserve its rural character, no further industrial development is anticipated in Grant & 32, b , expansion of business compatible to rural lifestyle...B, Future Land use pages Met Council 36,37,38

Housing, B, page 60 & 61, maintain rural community and rural quality of life

Goals and Policies, A & B, page 75,76 scenic views, rural character, develop residential ordinances for community benefits, Goal 4, page 77, solar resident access, Goal 6, page 78, Enhance and maintain Rural quality of life, protecting the physical elements that form VISUAL rural character, 2, Restrict general business to its current boundary, 3, commercial business needs to be compatible with a rural lifestyle, 7, CUP uses only allowed if they maintain the overall rural character of Grant and are consistent with the neighborhood . No new CUP shall be given that would change the character or quality of life in the neighborhood.

Comprehensive Plan, Goal 2 page 81, preserve and protect AG land, Goal 3, new ordinances not to restrict reasonable commercial "AG" use of the land.

**Tom Carr**

**651-303-8001**

**trcarr@cbburnet.com**

## I. Introduction

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The Metropolitan Land Planning Act, passed by the State Legislature in 1976, requires that all cities, towns and counties within the seven-county Metropolitan Area adopt a comprehensive plan. The intent of this act was to provide coordinated planning and growth staging of the Metropolitan systems: sewers, airports, highways and open space. Based on the requirements of the Land Planning Act, the Metropolitan Council is requiring communities in the Metro Area to have their comprehensive plan updated and current by December 31, 2008. The plans need to be consistent with the *2030 Regional Development Framework*, as well as adopted metropolitan system plans for transportation, water resources, and regional park system.

The City of Grant adopted its previous Comprehensive Plan in 1998. This document is the City's updated Comprehensive Plan through 2030. It has been updated from the previous plan to reflect current conditions and the community's goals and direction for the future.



### A. PURPOSE AND SCOPE

Every community has a unique character that evolves over the years to represent important individual and societal values creating a way of life and a sense of community for its residents and adjacent neighbors. Unplanned and uncontrolled development threaten this character and quality of life by juxtaposing incompatible and inappropriate uses, leading to the creation of nuisance situations, and land use conflicts. Uncontrolled development can also lead to the rapid deterioration and loss of natural and cultural resources, the lowering of property values, and the risk of contaminating water supplies and other fragile environmental systems.

Local officials use a variety of tools and guidance documents to direct the growth and development of the community in a manner that best represents the social values of the residents. The primary guide document is the comprehensive plan adopted by the local governing board. The comprehensive plan is the legal basis for land use controls and the physical development of the City. It provides the community with a common vision and set of goals to make informed land use decisions and minimize land use conflicts. It addresses and establishes policy in the areas of land use, transportation, parks and open space, housing, natural and cultural resources, and public facilities.

Implementation of the policies and objectives of the Comprehensive Plan is achieved through the adoption of a variety of ordinances including: zoning, subdivision, shoreline and on-site septic treatment and the establishment of a Capital Improvements Program. The continuing involvement of residents ensures that the Comprehensive Plan is current and frequently updated.



These implementation tools provide detailed direction and set forth regulations and standards to guide new development within the community.

This Comprehensive Plan was authored by the City of Grant Planning Commission and the Grant City Council to reflect recent history, current growth trends, and resident sentiments. The plan is organized into twelve sections: introduction, background, inventory and demographic analysis, natural features, land use, surface water management, parks and trails, housing, community facilities and services, goals and policies, comprehensive development plan, and implementation strategy. This Comprehensive Plan is the primary planning document for Grant and is intended to guide the general direction of growth and land use for the next ten years and beyond.

## **B. ORGANIZATION OF THE COMPREHENSIVE PLAN**

To further elaborate on the individual elements of the Comprehensive Plan, the following text briefly describes each section.

The *introduction* (Chapter 1) provides a brief overview of the framework and organization of the plan and a discussion of the purpose and scope, the planning process, and regional setting in which the plan was conceived.

The *background* (Chapter 2) includes the regional setting and a brief history of Grant.

The *inventory and demographic analysis* section (Chapter 3) contains the relevant demographic information and trends needed to complete the Comprehensive Plan.

Chapters 4 - 9 address a variety of planning elements, including natural resources, land use, surface water management, parks, housing, and community facilities.

Chapter 10 presents the City's goals and policies and Chapter 11 presents the Comprehensive Development Plan. This section establishes the physical relationships and explanations of land use designations evolving from the inventory and analysis and goals and policy sections. It is the interpretation of the goals and policy statements and the visual representation of them.

Chapter 12 discusses the strategies that will be used to implement the plan. It sets forth how the City intends to accomplish its desired future. Of primary importance are the zoning and subdivision ordinances, which establish the physical guidelines and regulations as to how the City will grow, develop, and prosper in the future. In addition, implementation of the comprehensive plan relies on the Capital Improvement Program and continued community involvement.

specialty and truck farm uses. It is expected that this trend will continue over the next twenty years.

Presently, traditional cash cropping and dairy cannot support land at current and projected real estate values. Therefore, if commercial agriculture is to continue in Grant, it will be of a significantly different type than that which the community has seen since the mid-1900's. The possible commercial agricultural uses include truck and specialty farms, community supported agriculture farms, greenhouse operations, orchards, nurseries, pick your own farms, and horse boarding operations. However, for any of these agriculture enterprises to succeed they will need to be able to return a profit based on land valued at residential real estate prices. This will definitely be a challenge. Therefore, it is likely to expect that current trends will continue and that most current commercial farms will be converted into residential or hobby farm uses in the near term. Six properties in Grant are currently enrolled in the Agricultural Preserves program, and are identified on the City's Zoning Map.

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Given the desire of most Grant residents to preserve rural character and the possibility that most of the remaining agricultural land could be lost to residential uses within the time frame of this Comprehensive Plan, it is paramount that the issue of defining and preserving rural character be given serious and creative attention by the leaders of Grant.



Present employment opportunities in Grant include farming, veterinary clinic, dog kennels, horse stables, construction companies, orchards,

light manufacturing, nurseries, golf courses, auto salvage yards, gravel mines, wholesale distributing, restaurant, and various home occupations. The majority of residents are employed outside the community.



Past actions of the Town of Grant Board and the Planning Commission favored low-density residential and agricultural development over industrial/commercial uses. This policy is widely supported by the citizens of Grant and is likely to be the trend into the future.

#### 6. *Summary*

- Population and household growth has slowed in Grant during the past decade, and is expected to remain stable through 2030. The trends in Grant are counter to those in Washington County, which has grown rapidly during the past decade.
- The population of Grant is relatively young in comparison to the County and to the Region's population.
- Housing values in Grant have risen dramatically during the past decade. The City's housing stock is composed primarily of single-family detached units over \$200,000 in value. The numbers of housing units in Grant is expected to increase slightly through 2030.
- Commercial agricultural land uses have been declining in Grant for over a century, and are likely to continue to do so.
- The majority of Grant residents are employed outside the community.



## 5. *Solar Access Protection*

A 1978 amendment to the Metropolitan Land Planning Act requires all local governments in the Metropolitan Area to include "an element for protection and development of access to direct sunlight for solar energy systems" in their comprehensive plans.

There are two kinds of solar energy systems: passive and active. In a passive energy system, the building structure itself collects and stores solar energy at the point of use. In an active solar energy system, solar energy is collected at one location (for example a roof) and then transferred to the point of use or storage by mechanical power.

All solar energy systems, both passive and active, need to have direct sunlight fall on their collectors to function properly. Structures, trees or other objects that come between the sun and the solar collector will shade the collector and reduce its efficiency. Protecting solar access means the adjacent structures or vegetation are prevented from shading solar collectors (or the probable location of future collectors).

In Grant, protection of the solar resource is assured with the five acre minimum lot size and setback requirements.

4. Adopt regulations to minimize nuisances from aggregate extraction that affect developed areas and that ensure restoration of extraction sites to protect other natural resources and natural functions.

c. Solar Access Protection

**Goal: Assure adequate solar access for residents.**

**Key Policies:**

1. New subdivisions will be encouraged to accommodate the use of passive and active solar energy systems with special attention given to street, lot, and building orientation.
2. Solar Access Protection will be assured with the City's five acre minimum lot size and setback requirements.



Development has been limited by the absence of city sewer and water services, which is largely unfeasible due to both economic and geographic concerns. There are currently about 1,374 homes in Grant. If all lands in Grant were fully developed under the City's current ordinances, there would be a potential of approximately 2,195 homes. The existing land use map (Figure V-1) and Table V-1 indicate that approximately 40 percent of Grant remains vacant. This includes land which has not been developed and is not being tilled or used for pasture. It also includes land that is subdivided for residential use but not yet built upon.

Since 1990, the biggest changes in land use have been in single family residential use. Single family residential land use has grown from 1,591 or 9% of the City's land to 2,971 acres or 18% - doubling in size. Agricultural land has dropped from 13,882 acres or 80% to 11,906 acres or 70%. Parks and recreation has increased slightly, although still a small proportion of the land area. Commercial, industrial, mixed use and multi-family land use represents a very small proportion of Grant's land area.

Commercial and industrial uses are largely located along the Highway 36 corridor. All lots zoned General Business are currently in use. Only 60 acres, less than 0.2% of the total area, are devoted to commercial use - primarily a nursery and orchard located along TH-36. Commercial recreation - riding stables and golf courses - comprise about 788 acres or 4.6% of the City. Industrial use is limited to only 1% of the land area and involves mining operations, auto salvage yards, and a refuse facility. A small concentration of industrial businesses is also located near the intersection of TH-36 and Lake Elmo Avenue.

Grant has allowed development and uses that preserve its rural residential character and protect and enhance its natural resources and environment. Grant has provided commercial development at a level compatible with a rural unsewered policy, provided a no-frills level of service, and maintained a road system complementary to its rural character.

Grant's goal, with respect to our valuable and diverse natural resources, has been to use land and related resources so these are undiminished for future generations. This requires wise choices and implementation of excellent management practices.

#### 1. *Land Use Classifications*

Figure V-2 identifies proposed land uses within the City of Grant and is the current zoning map. As stated, only rural residential land uses are foreseen as future development within Grant. Commercial development is restricted to the existing general business core area, and no further industrial development is anticipated in Grant.



a. Rural Residential and Agricultural

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.



b. General Business

No new commercial land has been added to the official land use map; however, those areas already within the General Business District have been identified. Expansion of these businesses will be limited to uses compatible with a rural lifestyle and in alignment with design standards present within the Subdivision Ordinance. New businesses proposed within the General Business District as a result of vacancy of an existing business will also be held to strict design standards and the appropriate regulations as identified within the Subdivision Ordinance. The Subdivision Ordinance was prepared to implement the desire of this Comprehensive Plan and the protection of rural character and a rural quality of life.

## B. FUTURE LAND USE THROUGH 2030

### 1. Overall Growth Strategy

The intent of Grant for the next 20 years is to continue its commitment to rural character and maintain maximum densities of one unit per ten acres with no public sewer or water facilities. In addition, the City of Grant will encourage the use of open space development where appropriate to preserve and enhance the rural character of the community through the preservation of open space and by attempting to minimize land use conflicts between agricultural and residential land uses.



### 2. Washington County Comprehensive Planning Context

The most recent Washington County comprehensive plan has designated the City of Grant as *General Rural*. This designation establishes a maximum density of one residential unit per ten acres of land, consistent with the requirements of the Metropolitan Council Regional Development Framework and the desires of the City of Grant. The unique geographic location of Grant between Mahtomedi to the west and Stillwater to the east provides an important buffer of rural land use and scenic amenities between two growing urban areas.

The County's plan describes General Rural land uses as "those areas indicated as 4 Dwelling Units per 40 Acres. The intent of this location is to accommodate farming, protect the long-term agricultural areas, and preserve the County's remaining sense of openness and rural character. In those locations, housing development will be allowed at a density not greater than 4 units per Quarter-Quarter Section."

### 3. *Metropolitan Council Regional Development Framework*

The Metropolitan Council's Regional Development Framework designates most of Grant as "diversified rural area", with proposed densities of no more than 1 housing unit per 10 acres. (Figure V-3)

The six parcels within Grant are participating in Agricultural Preserves programs, and are designated as "agricultural areas", where densities are proposed to be no more than 1 housing unit per 40 acres.

Grant's proposed land use and zoning ordinances and maps require a minimum density of 1 dwelling unit per ten acres. Minimum densities of 1 unit per 40 acres will be continued on the Agricultural Preserves parcels so that they may continue to participate in that program.

The Regional Development Framework includes comprehensive planning strategies for the Diversified Rural Area and Agricultural Areas. The City of Grant concurs with the strategies that are relevant to Grant (some strategies, such as those related to community drainfields do not apply, since the City does not allow these systems), and has adopted goals and policies throughout this Comprehensive Plan that help to implement these strategies.

*Regional Strategies recommended for the Diversified Rural Area include the following:*

- Accommodated growth in a flexible, connected and efficient manner.
  - Accommodate growth not to exceed 1 unit per 10 acres
  - Plan development patterns that will protect natural resources
  - Protect the rural environment
  - Ensure financial and environmental accountability for installation, maintenance, remediation and management of any permitted private wastewater treatment systems
  - Adopt environmental protection provisions in land use ordinances
- Plan for and construct local transportation infrastructure including trails sufficient to serve local needs.
- Approve and permit proposed housing developments in light of population forecasts, existing housing stock, and current and future community and regional needs, as appropriate.

- Conserve, maintain and restore natural resources identified in regional and local natural resource inventories. Integrate natural resource conservation strategies into development plans.

*Regional Strategies for Agricultural Areas include the following:*

- Maintain agricultural land uses through at least 2030 to preserve prime agricultural lands.
- Promote best management practices for agricultural activities in order to protect the integrity of the region's water supply.
- Minimize conflicts between agricultural and non-farm land uses through local ordinances and official controls.
- Plan for and construct local transportation infrastructure sufficient to serve local and agricultural needs.
- Promote best management practices for agricultural activities in order to protect the quality of the local and regional water resources.
- Conserve, maintain and restore natural resources identified in regional and local natural resource inventories. Integrate natural resource conservation strategies into development plans.
- Encourage the use of environmentally sensitive development techniques in farm-related construction, such as surface water management that includes using natural systems to drain, filter and retain stormwater.

### 3. *The City of Grant's Land Use Goals through 2030*

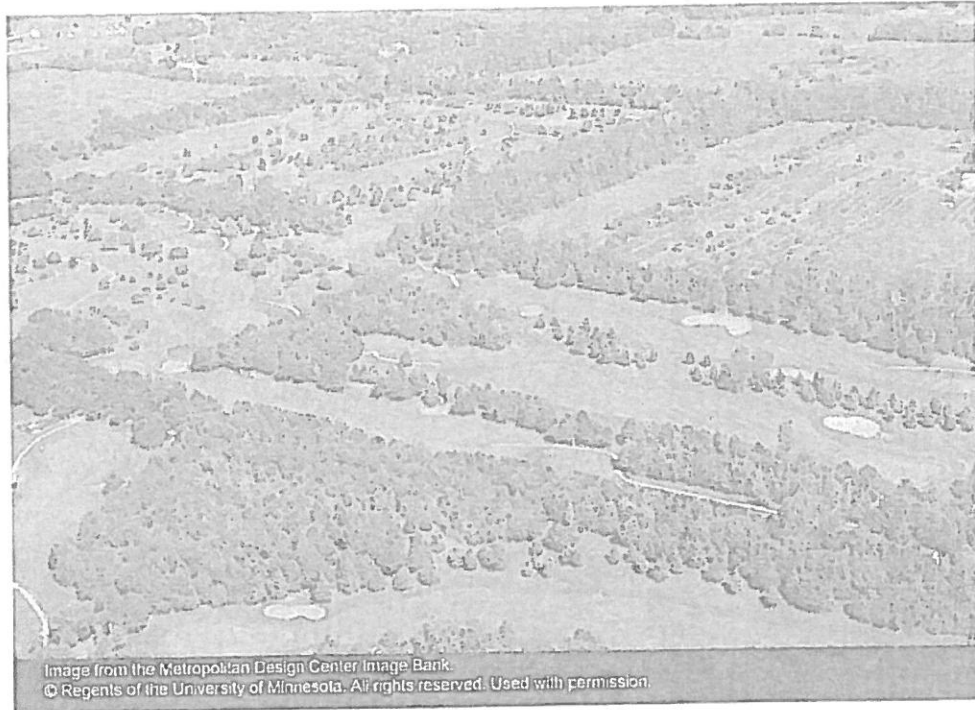
**Goal 1:** Ensure the preservation of existing rural character through appropriate rural development guidelines and ordinances.

**Goal 2:** Protect the natural resource base of the community.

**Goal 3:** Preserve and protect agricultural land and facilities, agricultural lifestyles, and encourage hobby farms and commercial agricultural uses within the City.

**Goal 4:** Grant will oppose any attempt by other communities to annex properties from the City. Grant will consider the merits of any requests to annex properties into Grant unless the other communities involved are opposed to such annexations.

For more active recreation, excellent facilities at the Mahtomedi High School, including ball diamonds, tennis courts, and a track and football field, are available for use by Grant residents. The City has also developed a ball field on the Town Hall property. Other semi-public facilities include the Indian Hills, Sawmill, Logger's Trail, and Applewood Hills Golf Courses.



*Applewood Hills Golf Course*

It should also be mentioned that the Izaak Walton League of America maintains a wetland and wildlife habitat of approximately 102 acres in the northwest corner of the City.

It would appear that Grant has a good start on parks, trails, and open space system. However, the value and usefulness of this existing network will be dependent to a large extent on future additions and development which should be responsive to the recreational pursuits of the City residents. With the current amount of agricultural and/or vacant land (although shrinking due to housing development) plus more than forty acres of mostly undeveloped public parkland, the total area of available recreational land would seem to be adequate for today's population density. However, as the City population grows and as more land is converted to residential use, the recreational needs of the residents are expected to increase.

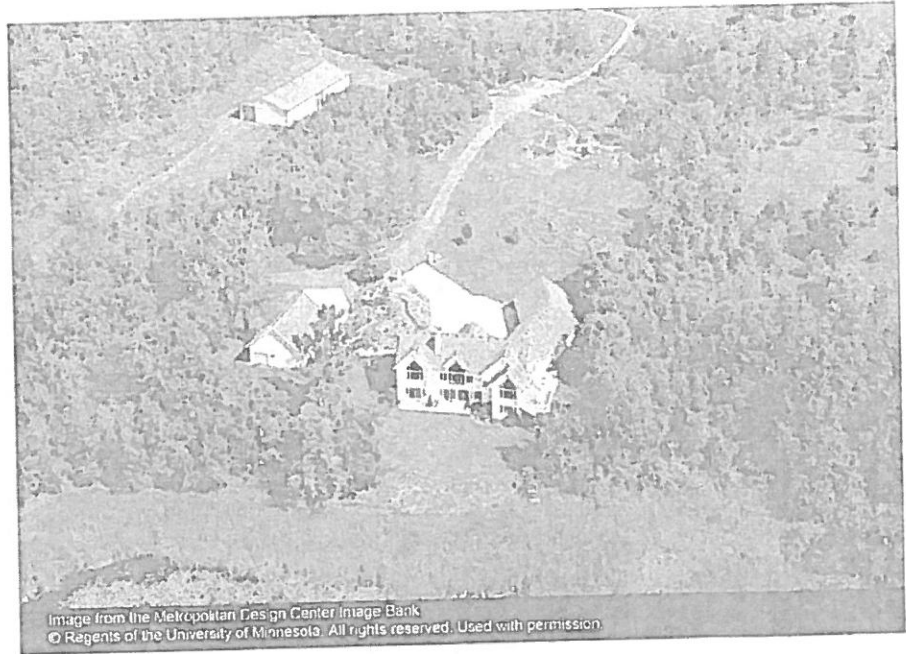


- The value of homes in Grant rose dramatically since 1990. This is a result of the construction of newer and higher value homes, as well as a rise in the value of the existing housing stock within Grant.

**Table VIII-3:  
Value of Owner-Occupied Units**

VALUE OF OWNER-OCCUPIED UNITS	1990	2000
Less than \$100,000	34	
\$100,000 to \$149,999	291	67
\$150,000 to \$199,999	169	74
\$200,000 to Higher	136	1,005

*(Data sources for this element of the Comprehensive Plan include Metropolitan Council, 2000 U.S. Census, and Washington County.)*



*Near 60th Street N / Highway 36*

## **B. HOUSING POLICIES AND GOALS**

Since the early 1970's the Metropolitan Council has identified Grant as a permanently rural area. This designation attempted to ensure the City remains a dominantly rural community by establishing an average residential density of one unit per ten acres of land. This strategy of low residential densities attempts to balance residential development with the preservation of agriculture and open space.



Since the late 1970's, Grant has enforced a one per ten rural density requirement and the use of private on-site septic systems in an effort to preserve its rural character and minimize public expenditures.

The intent of Grant for the next 20 years is to continue its commitment to rural character and maintain maximum densities of one unit per ten acres with no public sewer or water facilities.



*Near Ideal Avenue North*



The City of Grant will encourage all developers of future housing developments to work within the existing framework of the City to promote the rural character and rural quality of life.

*Affordable Housing.* Grant is not slated to participate in the affordable housing requirement identified by the Metropolitan Council. However, a proportion of Grant's existing housing falls within the range considered affordable. The City will continue to enforce its codes and ordinances to maintain the quality of this housing.



**1. Housing Goals**

The City's goals related to its housing stock through 2030 include the following:

- Goal 1: Ensure that future rural residential development maintains a rural community and a rural quality of life.

## X. Goals and Policies

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Residents of Grant have developed a vision statement to lend guidance and create a shared vision for the development of goals and policies. The following vision statement provides a shared view of the future of Grant and the foundation on which the community stands.

### A. VISION STATEMENT

The vision for Grant is a rural residential community abundant in scenic, recreational, and natural amenities. The community shall strive toward the protection of residential, natural, and agricultural resources to enhance and promote the existing strong rural character of the community. City services and government will be provided at a level necessary to maintain a rural quality of life, while minimizing the effects of urban encroachment and controlling municipal expenditures.

Goals and policy statements rely heavily on the results of the inventory and analysis section. The following goals are presented as a broad based direction.

Key policy statements to provide guidance to specific land use issues follow each broad goal. Together they are the sum and product of this Comprehensive Plan. They represent the most important guidance to the City, one of a shared vision for the future based on a weighting of past and present growth trends and pressures, resident sentiments, existing features, and current land use within and surrounding Grant.

### B. GOALS AND POLICY STATEMENTS

#### **Goal 1: Preserve the rural character of Grant by carefully regulating future development.**

A critically important issue identified by residents of Grant is to maintain the rural character of the community. This will be achieved by providing the means for the efficient use of the remaining undeveloped land within Grant with the goal of maintaining contiguous blocks of economically viable agricultural land, mature woodlands, wetlands and open space, and of preserving scenic views, natural drainage systems, and other desirable features that support and form the foundation of the physical landscape and resulting character of Grant. Grant recognizes that development will continue, and that it is extremely important that such development be controlled appropriately.



### Key Policies:

1. Agree with current Metropolitan Council system statement to prevent extension of public sewer into the City of Grant.
2. Require new street design to work with the natural contour and features of the land, to be conducive to slower neighborhood traffic speeds, to have a rural character, and to reduce future public and private expenditures on road construction, maintenance, and snow removal.
3. Encourage the voluntary preservation of scenic views that are crucial elements of rural character by screening new development from existing roadways.
4. Encourage developers to work within the existing features of the site including open space, natural resources, and existing cultural features.
5. Permit and encourage new housing to be located on sites that have low agricultural potential and/or high housing appeal.
6. Maintain a density of one unit per ten acres with a five acre minimum lot size for each development for the remaining developable land within Grant. Agricultural land use continues to be encouraged but owners of such lands are bound by the same density requirement as other lands.
7. Support new development that creates a sense of community through distinct identity, good design and planning, and access to the greater community by linking pathways or greenways.
8. Develop ordinances that encourage innovation and promote flexibility, economy, and creativity in residential developments that naturally conform to the dictates of the land and achieve the overall community benefits outlined in this Comprehensive Plan.

### **Goal 2: Protect and enhance the natural resources of the community and the natural environment.**

The City of Grant is committed to protecting natural resources within the community through maintenance of existing resources and the careful planning and designing of future development to avoid any diminishment of these resources.

### Key Policies:

1. New development shall be planned and designed with consideration of the soils, topography, hydrology, geology, and other natural resources

of the property. This information shall be submitted to the City by the developer before development decisions are made by the City Council.

2. Require the identification and protection of unique natural resources during the subdivision design process.
3. Encourage landowners and require developers to implement soil conservation and erosion-control practices.
4. Install septic systems to meet all current or subsequent County and City Codes.
5. Grant will utilize the Metropolitan Council's Interim Strategy to Reduce Nonpoint Source Pollution.

**Goal 3: Protect the City's aggregate resources and provide for reasonable economic use of aggregate.**

The City of Grant will regulate any active mining operations if proposed in order to minimize undesirable effects on the environment and ensure that an acceptable reclamation plan for the land is being implemented.

**Key Policies:**

1. Ensure that any development of aggregate resources limits adverse environmental impacts and impacts on adjacent land uses.
2. Require adequate buffering, landscaping, and end use plans.
3. Ensure the reclamation of mining sites in a manner compatible with the surrounding land uses, natural conditions, and public safety.
4. Adopt regulations to minimize nuisances from aggregate extraction that affect developed areas and that ensure restoration of extraction sites to protect other natural resources and natural functions.

**Goal 4: Assure adequate solar access for residents.**

**Key Policies:**

1. New subdivisions will be encouraged to accommodate the use of passive and active solar energy systems with special attention given to street, lot, and building orientation.
2. Solar Access Protection will be assured with the City's five acre minimum lot size and setback requirements.

**Goal 5: Provide a level of government necessary to maintain rural services and a rural quality of life.**

Grant has a long-standing history of individual privacy, responsibility, and low tax burdens. To maintain these values and quality of life the residents of Grant choose to limit the level of public services provided by the City. This is evident in the City's exclusive reliance on on-site septic systems and contracting out many of the individual public services provided to residents. Residents of Grant have come to expect this type of service delivery and do not desire a change in this policy.

**Key Policies:**


1. Maintain the minimum necessary level of community services appropriate to a permanently rural community.
2. Prevent the extension of city sewer and water into any part of the City through at least the year 2030.
3. Provide services to citizens at a minimal cost to the City.
4. Continue to maintain a neutral policy on the upgrading of local roads from gravel to asphalt to allow locally affected residents the opportunity to make their own choices. (The process requires affected residents to petition for an estimate of the cost and then the required percentage of the assessable properties must agree to the construction.)

**Goal 6: Enhance and maintain the rural residential quality of life.**

Maintaining a rural residential quality of life goes hand in hand with protecting the physical elements that form visual rural character. Limiting public utilities, enforcing one lot per ten acres residential density, providing access to community recreational opportunities, and encouraging and enhancing agricultural business opportunities are ways the City of Grant can build a strong commitment to a rural lifestyle.

**Key Policies:**

1. Actively promote the preservation and continued use of existing agricultural lands by informing citizens, landowners, and developers about appropriate tools and means available to make this possible, such as, Green Acres, Agricultural Preserve, Purchase of Development Rights (PDR), conservation easements, open space subdivision, and estate/tax laws.
2. Restrict general business to its current boundary.

- 
3. Limit expansion within the existing general business zone to only those commercial activities identified as compatible with a rural lifestyle
  4. Home businesses will be permitted if they are compatible with the rural character of Grant and are consistent with the ordinances.
  5. Encourage developers to voluntarily use design elements and subdivision layouts that maximize the visual use of open space, adhere to the elements of rural character, and create a rural sense of place. Grant currently has a cluster development concept which requires one unit per ten acre density with a five acre minimum lot size for each new development.
  6. Encourage the possibility of recreational opportunities where appropriate by dedicating community open space and connecting new development to existing trails.
  7. Conditional uses will only be allowed if they maintain the overall rural character of Grant and are consistent with the nature of the immediate neighborhood. No new conditional use shall be permitted that has the potential of significantly changing the character, the quality of life, or jeopardizing the general health, welfare, and safety within the immediate neighborhood.

**Goal 7: Conduct open communication with the residents of Grant.**

The City of Grant will communicate information to the citizens of Grant for their improved understanding of relevant issues and the development of a more participative community.

**Key Policies:**

1. Regularly publish a newsletter that contains meaningful information about the community.
2. Survey the citizens of Grant to capture their sentiments.
3. Utilize communications media such as the City website, public radio, public television, newspapers, and libraries to provide information and news of all public meetings to Grant's citizens.

## B. LAND USE

### 1. *General Policy and Development Statement*

Critical to the future of Grant is the maintaining of rural character and quality of life in spite of existing development and pressure surrounding the City. The prohibition of public sanitary sewer and water, the requirement of one unit per ten acres of land maximum density, and the long standing traditions of individual responsibility and privacy have led Grant to develop in this manner. The following goals and policies provide direction to meet this vision.

**Goal 1: Ensure the preservation of existing rural character through appropriate rural development guidelines and ordinances.**

#### **Key Policies:**

1. Maintain the existing density policy of one unit per ten acres for each development on the remaining undeveloped lands within the City.
2. Require developers to design new residential subdivisions that meet the intent of this Comprehensive Plan and the goals and policies set forth herein.
3. The maintenance of Agricultural Preserve Areas and utilization of land for agricultural purposes will continue to be encouraged and strongly supports the maintenance of Grant's rural character.

**Goal 2: Protect the natural resource base of the community.**

#### **Key Policies:**

1. For those areas of significant natural resource value, encourage developers to incorporate these features into the design of new residential development.
2. Restrict development on soils of severe development limitations.

**Goal 3: Preserve and protect agricultural land and facilities, agricultural lifestyles, and encourage hobby farms and commercial agricultural uses within the City.**





**Key Policies:**

1. Identify existing prime and large contiguous agricultural lands and promote their protection by informing citizens, landowners, and developers to make use of appropriate tools and means to make this possible, such as Green Acres and Agricultural Preserves Programs.
2. The City will review new and current ordinances to ensure that they do not or will not discourage, penalize, or restrict the reasonable commercial agricultural use of land.

**Goal 4: Annexations.**

**Key Policies:**

1. Grant will oppose any attempt by other communities to annex properties from the City of Grant.
2. Grant will consider the merits of any requests to annex properties into Grant unless the other communities involved are opposed to such annexations.

**C. HOUSING**

**1. General Policy and Development Statement**

The City of Grant will encourage all developers of future housing developments to work within the existing framework of the City to promote rural character and rural quality of life. As the future need for senior housing arises, the City of Grant will strive to accommodate this need.

**Goal 1: Ensure that future rural residential development maintains a rural community and a rural quality of life.**

**Key Policies:**

1. Maintain the existing density requirement of one unit per ten acres of land on all future rural residential development.
2. Encourage subdivision design to fit with a rural residential character.

**Goal 2: Support programs that meet the residential needs of a diverse and/or aging population through home improvement and housing assistance programs.**

Kim,

I am asking the City of Grant to cover a part of the rental costs on the pump system I leased from CCS Contracting during the Spring flooding at Sunny brook Lake.

I leased the pumps For two months - June and July at a cost of \$3000.00 per month.

The Watershed agreed to reimburse me at a rate of \$2310.00 per month. The balance that I am asking the city to cover is \$690.00 per month or \$1380.00 total. The pump system was not used in August.

I am hoping that The watershed will follow thru and build a larger pumping system for future needs.

Thanks,

Michael O. Regan  
President  
Indian Hills Golf Club  
6667 Keats Ave North  
Stillwater, MN 55082

CCS Contracting Inc  
 PO Box 120781  
 New Brighton, MN 55112  
 PH. 651-639-1233  
 FAX 651-639-1233

# Invoice

Invoice #: 29  
 Invoice Date: 6/1/2017  
 Due Date: 7/1/2017  
 Project:  
 P.O. Number:

Bill To:  
 INDIAN HILLS GOLF CLUB  
 667 KEATS AVE N.  
 STILLWATER, MN 55082

Date	Description	Amount
5/26/2017	SET UP AND REMOVAL OF PANEL AND PUMPING STRUCTURE( LUMP SUM)	10,000.00
5/26/2017	PANEL AND PUMPS STRUCTURE PER MONTH ( START DATE MAY 27 2016) <i>Thru June 27, 2017</i>	3,000.00
<p><i>I have been Reimbursed \$ 10,000 for This Invoice</i></p> <p><i>mon 7/31/2017</i></p>		<p><i>\$13,000.00</i></p>
<p><i>Cindy ok to pay</i></p> <p><i># <del>11,000</del></i></p> <p><i># 5600</i></p>		

It's been a pleasure working with you!

Total	\$13,000.00
Payments/Credits	\$0.00
Balance Due	\$13,000.00



CCS Contracting Inc  
**INDIAN HILLS GOLF CLUB**

Vendor # 1446

Our acct #

Date: 20170623

Chk#: 42949

Invoice #  
29

Invoice Date  
20170601

Amount Paid  
\$13,000.00

Product  
Pumping structure

G/L Acct Distribution  
5600

**42949**

\$13,000.00

apchk02

CCS Contracting Inc  
PO Box 120781  
New Brighton, MN 55112  
PH. 651-639-1233  
FAX 651-639-1233

# Invoice

Invoice #: 32  
Invoice Date: 7/19/2017  
Due Date: 8/18/2017  
Project:  
P.O. Number:

**Bill To:**  
INDIAN HILLS GOLF CLUB  
667 KEATS AVE N.  
STILLWATER, MN 55082

Description	Proposal Amount	Prior Amount	Current Amount
PANEL AND PUMP RENTAL FOR THE MONTH OF JULY 2017			3,000.00
<b>Total</b>			\$3,000.00
<b>Payments/Credits</b>			\$0.00
<b>Balance Due</b>			\$3,000.00

*Water shed to  
pay \$2310.00 of  
this invoice.  
I will pay this  
in the next  
week  
mor  
7/31/2017*

**SECTION 3.00 GENERAL PROVISIONS**

**3.01 LICENSE REQUIRED.**

- A. **LICENSE REQUIRED.** Unless otherwise provided in this ordinance, any solid waste facility to be established, operated, or maintained for intermediate or final disposal of solid waste must be licensed by the county and, if applicable, permitted by the MPCA before operation may commence.
- B. **LICENSING NOT EXCLUSIVE.** The obtaining of a solid waste facility license shall not be deemed to exclude the necessity of obtaining other appropriate licenses or permits except as expressly provided herein. Compliance with the provisions of this ordinance shall not relieve any person of the need to comply with any and all other applicable rules, regulations, and laws.
- C. **DISPOSAL OF SOLID WASTE.** Unless otherwise provided in this ordinance, no person shall, within Dakota County:
  - 1. Dispose of any solid waste except at a solid waste facility licensed by the county.
  - 2. Use or allow property or land under the person's control to be used for intermediate or final disposal of solid waste unless licensed by the county board to do so.
- D. **PRIVATE ON-SITE FACILITIES.** A private on-site waste facility operated by and exclusively for the owner or lessee of the property shall be licensed by the county in accordance with regulations adopted by the MPCA or this ordinance if more stringent.

**3.02 REQUIREMENTS FOR OBTAINING SOLID WASTE FACILITY LICENSE.**

- A. **APPLICATION FOR LICENSE.** Solid waste facility license applications shall be submitted to the department on forms provided by the department. Applicants shall provide all information as required for the administration of this ordinance.
- B. **SEQUENCING.** No license application will be considered until written proof that the local governing body has considered the establishment of the site or facility and the results of that consideration are provided to the department in accordance with the Dakota County Sequencing Ordinance (Ordinance No. 119).
- C. **CONTENTS OF LICENSE APPLICATION.** The license application shall include two sets of complete plans, specifications, design data, ultimate land use plan if applicable, proposed operating procedures and such other information as may be required by other sections of this ordinance or by the county, all prepared by a registered professional engineer of Minnesota.
- D. **LICENSE HOLDER.** In each application for a solid waste facility license the operator shall be named as the proposed licensee. The county may require the facility owner or landowner to be named as co-licensee. The facility owner or landowner may request to be named co-licensee. Co-licensees are jointly and severally liable for ordinance violations.
- E. **LICENSE FEES.** The application fee shall accompany the initial application for a solid waste facility license. The license fee and all other required fees in the amounts established by county board resolution shall be due by the date specified in the county board resolution approving the license. Solid waste facilities that are in the closure period shall continue to be licensed by the county and pay license fees in an amount established by the county board until county board approval of the certification of closure.

- B. LICENSE FEES. The county board shall establish, by resolution, license fees required by this ordinance. License fees shall be established each year for the subsequent calendar year, except for hauler license fees, which shall be established by March 1<sup>st</sup> of each year.
- C. FEE FOR SERVICE. The county board shall establish, by resolution, a fee for service and such other fees as determined by the department to be appropriate and exclusive of the aforementioned fees.

**3.11 OFF-SITE REUSE OF MINIMALLY CONTAMINATED SOIL FROM DEVELOPMENT PROJECTS AND ROAD CONSTRUCTION PROJECTS.**

- A. DEFINITION OF MINIMALLY CONTAMINATED SOIL. For purposes of this section, "minimally contaminated soil" means excess soil from a development project or a road construction project that is not clean fill as defined in section 2.13 above, but which meets all of the following field screening and contaminant concentration criteria:
  - 1. Contains less than 1% by volume solid waste, debris or asbestos-containing material; and is free from visual staining and chemical odor;
  - 2. Organic vapors less than 10 ppm, as measured by a photoionization detector (PID);
  - 3. For petroleum-impacted soil, less than or equal to 50 mg/kg diesel range organics (DRO)/gasoline range organics (GRO); and
  - 4. For contaminants detected in soil, less than or equal to the MPCA's Residential Soil Reference Values (SRVs) and Tier 1 Soil Leaching Values (SLVs) except for the following modifications:
    - a. Xylenes – 8 ppm.
    - b. Lead – 100 ppm.

For purposes of this section, minimally contaminated soil is not a solid waste.

- B. USE OF MINIMALLY CONTAMINATED SOIL. Notwithstanding any provision in this ordinance to the contrary, minimally contaminated soil may be reused as fill on real estate parcels located within the county that are zoned industrial or commercial by the applicable zoning authority; subject to the conditions set forth in section 3.11(B)(1)-(5) below.
  - 1. Prohibited Placement Locations. Placement of minimally contaminated soil is prohibited at the following locations:
    - a. Residential or recreational properties, schools, playgrounds, or daycare facilities.
    - b. Gardens or real estate parcels zoned as agricultural by the applicable zoning authority.
    - c. Within 10 vertical feet of the groundwater table.
  - 2. Exclusions.
    - a. Any excess soil and other material generated at a redevelopment site that is regulated as either solid or hazardous waste must be managed according to applicable solid waste or hazardous waste laws, including:

- i. Soil that is characteristically hazardous or contaminated due to a release of a listed hazardous waste, as defined in Minn. R. ch. 7045.
    - ii. Waste material such as salvaged bituminous, crushed concrete, bricks, fly ash, etc. proposed to be reused as fill. The beneficial reuse of solid waste is governed by section 6.08 of this ordinance.
  - b. The management and reuse of dredged material may be regulated by permit or subject to other regulations. Information about the management of dredged materials may be obtained from the MPCA.
3. Sampling.
  - a. Sampling Decisions. Decisions of whether to sample soil for contamination prior to reuse under this section should be based on the history of the source area, the nature of the source material, the extent to which the soil has been previously characterized, and other factors that are part of a due diligence assessment of the environmental condition of the source property.

If the soil originates from a site where known or potential sources of contamination are present, samples of the soil must be collected for field screening and laboratory analyses. Examples of sites where environmental due diligence may reveal known or potential sources of contamination include sites where contamination was previously identified as a result of regulatory action or voluntary investigation, previously developed sites (commercial, industrial, recreational or residential), agricultural properties, or land that may have been subject to dumping, spills or historic filling activities.
  - b. Sample Type and Frequency. The frequency and type of samples should be based on the potential sources of contamination, the depth, volume and heterogeneity of the source material and the availability of existing data. At a minimum, analytical parameters must include volatile organic compounds, polycyclic aromatic hydrocarbons (PAHs), Resource Conservation and Recovery Act (RCRA) metals, DRO and GRO. Other contaminants of concern should be included as appropriate, based on the history of the source location. Analytical data must be recent and representative of the source material.

Some soils even slightly impacted by heavy metals have the potential to leach at concentrations at or above the Toxicity Characteristic Leaching Procedure (TCLP) regulatory limit. A TCLP analysis for RCRA metals must be conducted if the soil concentration of a metal is 20 times or greater than the TCLP regulatory criteria.

A typical frequency for the field screening of potentially contaminated soil using a PID is one measurement for every 10 cubic yards of soil. For analytical samples, the stockpile sampling guidance presented in Section 7.3 of the MPCA's Site Characterization and Sampling document can be used as a frame of reference for the appropriate sampling frequency based on soil volume. Soil sampling guidelines for the MPCA's Petroleum Remediation Program are presented in MPCA Guidance Document 4-04.
  - c. Records. Any person removing, placing or receiving any minimally contaminated soil under this section must retain all records used in making the determination that the soil is minimally contaminated as defined in this section. The Department has the authority to inspect these records in accordance with section 3.12(C) of this ordinance. The records required by this section shall be maintained for a minimum period of 6 years.

4. Cover. Following placement, the minimally contaminated soil must not be left bare and must be covered within a reasonable amount of time with an appropriate cover material that prevents runoff and erosion. Vegetation is an acceptable cover under this section.
5. Compliance with Laws. Any person removing, placing or receiving any minimally contaminated soil must abide by all other applicable federal, state or local laws, statutes, ordinances, rules and regulations or any other legal obligation (including any environmental covenants).

### 3.12 ADMINISTRATION.

- A. DUTIES OF THE DEPARTMENT. The department shall be responsible for the administration and enforcement of this ordinance. The department's duties shall include, but shall not be limited to the following:
1. To review and consider all initial license applications submitted to the department for approval by the county board for operation of solid waste facilities within the county and after due consideration, the department shall recommend in writing, with documentation to the county board, that a license be granted or denied.
  2. To issue renewal licenses, except in cases of major modifications or as otherwise provided in this ordinance, when no major changes in conditions or information from when the existing license was issued are identified by the licensee or come to the attention of the department.
  3. To inspect solid waste facilities as herein provided, to investigate complaints, and to identify violations of this ordinance.
  4. To recommend, when necessary, to the Dakota County Attorney's Office, that legal proceedings be initiated against a certain person or facility to compel compliance with the provisions of this ordinance or to terminate the operation of the same.
  5. To encourage and conduct studies, investigations and research relating to aspects of solid waste disposal such as methodology, chemical and physical considerations, and engineering.
  6. To advise, consult, and cooperate with other governmental agencies in the furtherance of the purposes of this ordinance.
  7. To establish and modify procedures for regulating co-disposal and to require compliance with such conditions prior to disposal.
  8. To prepare agreements with responsible persons to address the closure and post-closure requirements for licensed solid waste facilities and nonconforming sites.
  9. To review requests from licensed facilities for modifications of operation and to determine if such requests are major modifications to the license for purposes of section 3.13. The county board must approve all major modifications of operations.
  10. To approve or deny requests from licensed facilities for modifications that are not major modifications.
- B. RIGHT OF ENTRY. Whenever necessary to perform an inspection to enforce any of the provisions of this ordinance or whenever the department has reasonable cause to believe that solid waste exists in any building or upon any premises, the department or its authorized agent may enter such building or

*Solid waste landfill* means demolition, sanitary, modified, hazardous, and all other types of solid landfill.

Disposal areas--liquid waste. N N N N N

Disposal areas--solid waste. N C N N C

Disposal areas--solid and liquid waste. N N N N N

**Sec. 32-349. Solid waste landfill facilities.**

(a) *Access.* All solid waste landfill facilities shall be located so that all forms of vehicular access to it are only from a paved, all-weather public road of at least nine tons per axle capacity.

(b) *Boundary distances from certain zones.* The boundaries of any solid waste landfill facility shall be at least 500 yards from any parcel of land located in a region zoned single-family residential R-1 or

limited agricultural A-2 and at least 100 yards from the boundaries of the parcel of land on which the landfill facility is located.

(c) *Required distances from certain facilities.* No portion of any parcel of land on which any solid

waste landfill facility is sited may be closer to the following, as indicated; provided that such protected facility

is in existence at the time application has been made for city approval of the solid waste landfill facility:

- (1) One thousand five hundred yards to any public or private school or hospital;
- (2) Five hundred yards to any church, public library, public park or trail, or any other public facility; and
- (3) One thousand yards to any water well which is used for human or animal consumption.

(d) *Surface water limitations.* No parcel of any land on which any solid waste landfill facility is sited may contain any permanent or seasonal standing or flowing surface water and no portion of the said parcel may be closer than 500 yards to any permanent or seasonal standing or flowing surface water provided that such standing or flowing water is in existence within ten years prior to the time application has been made for city approval of the solid waste landfill facility.