

CITY OF GRANT
MINUTES

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DATE : **October 2, 2018**
TIME STARTED : **7:01 p.m.**
TIME ENDED : **7:42 p.m.**
MEMBERS PRESENT : **Councilmember Carr, Kaup, Sederstrom
and Mayor Huber**
MEMBERS ABSENT : **Councilmember Lanoux**

Staff members present: City Attorney, Dave Snyder; City Engineer Brad Reifsteck; City Planner, Jennifer Swanson; City Treasurer, Sharon Schwarze; and Administrator/Clerk, Kim Points

CALL TO ORDER

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

PUBLIC INPUT

(1) Mr. Gary Baumann, 10060 Joliet, came forward and commented on the Mahtomedi School District open enrollment and administration raises noting he is not in favor of the proposed levy.

(3) Mr. James Drost, 8682 Jamaca, came forward and commented on the lack of officers and violence happening at correctional facilities.

(4) Ms. Tina Lobin, 11034 Irish Avenue N, came forward and stated she would appreciate it if Council Members did not speak under public comment as they have their time during Council discussion.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

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

CONSENT AGENDA

- September 4, 2018 City Council Meeting Minutes Approved
- September 2018 Bill List, \$47,311.06 Approved
- Envirotech, 2018 Dust Control, \$24,942.92 Approved
- City of Mahtomedi, 3rd Quarter Fire

1 Contract, \$34,317.00

Approved

2
3 **Council Member Carr moved to approve the consent agenda, as presented. Council Member**
4 **Kaup seconded the motion. Motion carried unanimously.**

5
6 **STAFF AGENDA ITEMS**

7
8 **City Engineer, Brad Reifsteck**

9
10 **PUBLIC HEARING, Consideration of Resolution No. 2018-20, Certifying Special Assessments**
11 **for the 65th Street North Roadway Improvement Project** – City Engineer Reifsteck advised
12 following a public hearing, the City Council ordered the public improvements included in the project
13 at the September 5, 2017 regular Council Meeting.

14
15 Project costs to be assessed amount to \$49,277.02 and include associated Legal, Engineering and
16 Administration cost for the project.

17
18 The improvements are anticipated to be funded by special assessments to benefitting properties, in
19 accordance with the Assessment Policy, adopted by City Council. A copy of the Assessment Roll is
20 attached.

21
22 Assessments are proposed to be paid in equal annual installments over 15 years for single family
23 residential property, beginning in January 2019 with an annual interest rate of 4.50 percent per
24 annum.

25
26 The assessment may be paid in whole with no interest charged if the entire assessment is paid within
27 30 days of the adoption of the assessment.

28
29 **Council Member Kaup moved to open the public hearing at 7:15 p.m. Council Member Carr**
30 **seconded the motion. Motion carried unanimously.**

31
32 No one was present to speak during the public hearing.

33
34 **Council Member Kaup moved to close the public hearing at 7:16 p.m. Council Member Carr**
35 **seconded the motion. Motion carried unanimously.**

36
37 **Council Member Kaup moved to adopt Resolution No. 2018-20, as presented. Council Member**
38 **Carr seconded the motion. Motion carried unanimously.**

39
40 **Consideration of 2018 Guard Rail Project Bid** – City Engineer Reifsteck advised the City received
41 a quote for the work related to the Guard Rail Project along Keats Avenue and Jocelyn Road. H & R
42 Construction submitted a quote for this highly specialized type of work in the amount of \$39,537.50.

43
44 The work includes installing plate beam guard rails and terminal ends along the east side of each
45 roadway. The new guardrail will occupy approximately 3 feet of the existing shoulder. Once the

1 guardrails are installed, Kline Bros. will provide grading work to widen the west side of each roadway
2 to their original width.

3
4 All work is scheduled to be completed as H & R Construction schedule allows before the end of
5 November. If work is not completed this fall, they are committed to holding unit prices until spring of
6 2019.

7
8 **Council Member Kaup moved to approve the 2018 Guard Rail Project Bid, as presented.**
9 **Council Member Carr seconded the motion. Motion carried unanimously.**

10
11 **Consideration of Resolution No. 2018-21, Concurrence of Watershed Boundary Change – City**
12 **Engineer Reifsteck** stated a boundary review of the Watershed District was conducted and it was
13 determined that some of the boundaries were inaccurate and are being petitioned for revision. The
14 Browns Creek Watershed District has approved the revisions as well as the City of Hugo. A public
15 hearing will be held at the Rice Creek Watershed District Board meeting for affected property owners.

16
17 **Council Member Carr moved to adopt Resolution No. 2018-21, as presented Council Member**
18 **Kaup seconded the motion. Motion carried unanimously.**

19
20 **City Planner, Jennifer Swanson**

21
22 **Consideration of Resolution No. 2018-22, Lot Line Rearrangement, 6808 117th Street North –**
23 **City Planner Swanson** advised the Applicants, William and Judy Cournoyer, are requesting approval
24 of a lot line rearrangement of property which is Owned by the Applicants and Ms. Wegleitner.
25 Earlier this year in February and March Ms. Wegleitner was granted a minor subdivision which
26 created a new (approximately) 10-acre parcel that included the subject home, and a second
27 approximately 39-acre vacant parcel. After the minor subdivision was granted Ms. Wegleitner sold
28 the 10-acre parcel with the existing home to the Applicants. Upon the sale and transfer of the
29 property it was determined that the existing driveway that serves the home and the accessory building
30 on the Applicants' parcel is partially located on the adjacent vacant 39-acre parcel that was retained
31 by Ms. Wegleitner. Though the Applicants could also memorialize access through a private
32 easement, they instead would like the easterly lot line which separates the two parcels to be adjusted
33 so that their driveway is fully contained on their property. As noted on the application, the Applicants
34 and Owners both agree with the request to rearrange the lot lines as proposed. There are no structures
35 or other improvements proposed at this time, and this application simply considers the lot line
36 rearrangement as requested.

37
38 **City Planner Swansons** stated the Planning Commission held a duly noticed public hearing on August
39 21, 2018 at 6:30 PM. After presentation by staff and public testimony the Planning Commission
40 discussed the proposed request. During discussion, the Planning Commission asked the Applicants to
41 explore the possibility of adjusting the easterly lot line of Parcel A (westerly of Parcel B) so that the
42 lot line would be at a right angle with the 117th Street N. ROW. The Planning Commission did not
43 make it a condition of approval but suggested the Applicants (Cournoyer) discuss the change with the
44 Owners (Wegleitner) prior to the City Council's review. After discussion, the Planning Commission

1 unanimously recommended approval of the proposed lot line rearrangement to the City Council with
 2 the before stated suggestion to adjust the easterly lot line.

3
 4 In response to the proposed suggestion the Applicants (Cournoyer) and the Owners (Wegleitner)
 5 agreed to revise the lot lines proposed within the rearrangement so that the easterly lot line of Parcel
 6 A is at a right angle as suggested by the Planning Commission.

7
 8 The following report is provided for your review and consideration of the subject application. This
 9 staff report is generally as presented to the Planning Commission, but has been updated to reflect the
 10 revised easterly lot-line of Parcel A.

11
 12 **Project Summary**

Owner & Applicant:	William and Judy Cournoyer
Owner:	Sandra Wegleitner
PIDs:	0603021110003, 0603021110004
Address:	6808 117 th Street North
Zoning & Land Use:	A-1
Request:	Lot Line Rearrangement (Minor Subdivision) to reconfigure approximately 1.10 Acres to allow for the existing driveway to be contained on Parcel A

13
 14 The Applicant is the current owner and occupant of the existing home located on PID
 15 0603021110003 and addressed as 6808 117th Street North. The Applicants recently purchased the
 16 created 10-acre lot from Ms. Wegleitner who was granted a minor subdivision of the larger property
 17 earlier this year. At the time of the initial subdivision it was not known that the existing driveway that
 18 served the home and accessory building were not fully contained on the created lot. Now that the
 19 Applicants have purchased the property and determined this to be the case, they are seeking a lot line
 20 rearrangement to alter the lot configuration so that the driveway that serves their home is fully
 21 contained within their property. To achieve this objective, the Applicants have requested that
 22 approximately 1.10 Acres of their northern edge be reconfigured and transferred back to PID
 23 0603021110004 (currently vacant and owned by Ms. Wegleitner) and in exchange Ms. Wegleitner
 24 will transfer an approximately 1.10 Acres of property on the southeastern edge of Parcel B that
 25 contains the Applicant’s driveway to their property. The transfer and reconfiguration will not change
 26 the acreage of the resulting parcels and is an equal exchange of property between the two parcels.

27
 28 City Planner Swansons advisedtThe City’s subdivision ordinance allows for minor subdivisions and
 29 lot line adjustments as defined in Section 30-9 and 30-10. The sections of the code that relate to
 30 dimensional standards and other zoning considerations are provided for your reference:

- 31 Secs. 12-261
- 32 Secs. 32-184
- 33 Secs. 32-246

34
 35

1
 2 There are two existing parcels that are the subject of this Application. Both parcels are located north
 3 of 117th Street North, Parcel A is approximately 10-Acres and Parcel B is approximately 39-Acres.
 4 Based on the Applicant’s provided survey (Attachment B), the southern property line of both Parcel A
 5 and Parcel B extends to the southerly right-of-way line of 117th Street North and includes the traveled
 6 portion of the roadway within the extents of the property. Parcel A has approximately 310-feet of
 7 frontage, and Parcel B has approximately 733-feet of frontage. Both Parcel A and Parcel B are
 8 generally regular in shape, with an exception parcel located in the southeast corner of Parcel B. There
 9 is an existing homestead on Parcel A located approximately 120-feet to the east of the westerly
 10 property line and setback approximately 110-feet from the denoted right-of-way line and is
 11 approximately 150-feet from the centerline of the traveled roadway. The existing roadway and right-
 12 of-way easement along the property’s frontage are fully within the Subject Parcel’s boundary as
 13 indicated on the survey provided in Attachment B. There is one (1) accessory building on the site with
 14 a total square footage of approximately 2,880 square feet. The existing home and accessory building
 15 are accessed by a single driveway which provides a connection to 117th Street North. The Exception
 16 parcel is approximately three (3) acres and is not part of this review or application.
 17

18 Based on the attached aerial from Washington County GIS (Attachment D), it appears that
 19 approximately the southerly two-thirds of the collective Parcel A and Parcel B has been used for
 20 agricultural production and that a ditch bisects this area from east to west and extends to adjacent
 21 properties. This ditch (or stream) is identified as a wetland per the National Wetland Inventory
 22 database. Approximately the northern third of the parcel is heavily vegetated and has not been used
 23 for agricultural production. The existing homestead and accessory building are located on Parcel A,
 24 and the driveway that serves both structures travels onto Parcel B near the existing accessory building.
 25 Topographically the site slopes high to low from both the northern and southern edges which
 26 reinforces the drainage ditch/wetland area and extends to adjacent properties as a drainageway.
 27

28 The adopted Comprehensive Plan sets a maximum density of 1 unit per 10 acres in the A-1 land use
 29 designation. The proposed minor subdivision/lot line rearrangement of the two Parcels does not
 30 result in any new lots being created. The minor subdivision/lot line rearrangement as proposed meets
 31 the density requirements as established in the Comprehensive Plan.
 32

33 Dimensional Standards

34 The following site and zoning requirements in the A-1 district are defined as the following for lot
 35 standards and structural setbacks:
 36

Dimension	Standard
Lot Area	5 acres
Lot Width (public street)	300’
Lot Depth	300’
FY Setback – County Road (Centerline)	150’
Side Yard Setback (Interior)	20’
Rear Yard Setback	50’
Maximum Height	35’

37

1 Lot Area and Lot Width

2 The proposed subdivision is depicted on Attachment B: Minor Subdivision. As shown the proposed
 3 subdivision would result in revised Parcel A-1 and revised Parcel B-1. following summary of each
 4 created parcel is identified on the table below:

5 **Lot Tabulation (As Proposed):**

Parcel	Size	Frontage	Lot Width	Lot Depth
Parcel A (06030021110003)	10.01 Acres	402.64'	402.64'	1,370'
Parcel B (0603021110004)	39.11 Acres	641.20'	641.20'	1,690'

6 ***As proposed, both created lots meet the city’s dimensional standards for size, frontage, lot width***
 7 ***and lot depth.***

8
 9 The existing homestead and accessory structures are located on proposed Parcel A, and are subject to
 10 the city’s setback requirements given the new configuration of the lots. The existing principal
 11 structure is setback approximately 110-feet from the right-of-way line of 117th Street North which is a
 12 County road (CR-7). The revised easterly line of Parcel A will result in a greater setback from the
 13 property line of both the Principal and Accessory Buildings. With the reconfiguration the home will
 14 now be setback approximately 185-feet and the accessory building will be setback approximately
 15 117-feet from the easterly property line. ***As proposed the existing home and accessory building will***
 16 ***meet all setback requirements.***

17
 18 The existing driveway that serves the home and accessory building on Parcel A is the impetus for this
 19 application. After the previous minor subdivision was completed, Ms. Wegleitner sold the created
 20 10-acre lot that contained the home and accessory building. At the time of the sale it was found that
 21 the minor subdivision resulted in a portion of the driveway being divided partially on Parcel A and
 22 partially on Parcel B. Since the Applicants would prefer that the driveway be fully contained on
 23 property they own, they have worked out an exchange of the property with Ms. Wegleitner which is
 24 as reflected on the attached survey (Attachment B). No new access, or altered access is proposed as
 25 part of this application.

26
 27 As previously stated there is one (1) accessory structure on the site which totals approximately 2,880-
 28 square feet. The structure is located on Parcel A and is accessed by the driveway that is the subject of
 29 this application. As proposed, the lot-line rearrangement will result in the driveway being fully
 30 contained within the Applicant’s property and will ensure access to both the principal structure
 31 (home) and accessory building is protected and the existing driveway will not need to be altered or
 32 moved.

33
 34 The proposed lot line rearrangement is subject to the City’s standards for minor subdivision which
 35 references lot configuration standards stated within the preliminary plat requirements. The proposed
 36 rearrangement as presented to the Planning Commission resulted in an irregular lot shape which is not
 37 typically favored in the City without some justification. As a result, the Planning Commission
 38 requested the Applicants (Cournoyer) to discuss the possibility of adjusting the proposed

1 rearrangement so that the easterly property line would be at a right angle with the 117th Street N.
2 right-of-way with the Owner (Wegleitner). After the Planning Commission meeting the Applicants
3 worked with the Owner to adjust the easterly lot line to create a more regular lot configuration. The
4 revised survey depicting the revision is attached to this staff report for your review and consideration.
5

6 The subject property is located on 117th Street North which is County Road 7, and therefore would
7 ordinarily be subject to Washington County’s review and comment. However, Washington County
8 commented on the previous subdivision in February and the proposed lot-line rearrangement does not
9 alter access or number of lots with frontage on either Parcel A or Parcel B nor does it propose any
10 new lots or access. Therefore, further comment from Washington County is not needed at this time.
11 The Applicant contacted the Rice Creek Watershed District and they have indicated the proposed lot
12 line rearrangement is not subject to their permitting process.
13

14 The Planning Commission recommended unanimous approval of the proposed lot line rearrangement.
15 A draft resolution including the conditions and recommended is included for your review and
16 consideration.
17

18 **Council Member Carr moved to adopt Resolution No. 2018-22, as presented. Council Member**
19 **Kaup seconded the motion. Motion carried unanimously.**
20

21 **City Attorney, Dave Snyder (no action items)**
22

23 **NEW BUSINESS**

24 **Consideration of Resolution No. 2018-23, 2018 General Election Judges, Administrator/Clerk –**
25 **Staff advised Resolution No. 2018-23 outlines additional elections judges for the 2018 General**
26 **Election.**
27

28 **Council Member Kaup moved to adopt Resolution No. 2018-23, as presented. Council Member**
29 **Carr seconded the motion. Motion carried unanimously.**
30

31 **UNFINISHED BUSINESS**
32

33 There was no unfinished business.

34 **DISCUSSION ITEMS (no action taken)**
35

36 **Staff Updates (updates from Staff, no action taken)**
37

38 **City Council Reports/Future Agenda Items**
39

40 **No items were added to the November City Council meeting agenda.**
41

42 **COMMUNITY CALENDAR OCTOBER 3 THROUGH OCTOBER 31, 2018:**
43

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

3 **Stillwater Public Schools Board Meeting, Thursday, October 11th , Stillwater City Hall, 7:00**
4 **p.m.**

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

6
7 **ADJOURNMENT**

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9 **Council Member Carr moved to adjourn the meeting at 7:42 p.m. Council Member Kaup**
10 **seconded the motion. Motion carried unanimously.**

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These minutes were considered and approved at the regular Council Meeting November 5, 2018.

Kim Points, Administrator/Clerk

Jeff Huber, Mayor