

CITY OF GRANT
MINUTES

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DATE : January 7, 2014
TIME STARTED : 7:02 p.m.
TIME ENDED : 8:48 p.m.
MEMBERS PRESENT : Councilmember Bohnen, Tronrud, Huber, Lobin and Mayor Carr
MEMBERS ABSENT : None

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

CALL TO ORDER

Mayor Carr called the meeting to order at 7:02 p.m.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

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

CONSENT AGENDA

December 3, 2013 City Council Meeting Minutes	Approved
Bill List, \$35,881.36	Approved
KEJ, Snow Removal and Sign Replacement, \$23,120.00	Approved
2014 Tort Liability, City DOES NOT Waive Monetary Limits	Approved
Clerk 3% Pay Increase for 2014, Per Approved 2014 City Budget	Approved

Council Member Huber moved to approve the Consent Agenda, as presented. Council Member Bohnen seconded the motion. Motion carried unanimously.

2013 YEAR END REVIEW, MAYOR TOM CARR

1 Mayor Carr stated 2013 was a decent year. A Charter Commission has been established and
2 organized within the City. Road Commissioner Bohnen has done a very good job on the roads. The
3 winter has already brought a lot of snow and ice. There were no big issues in 2013 although a
4 Council Member did resign as he moved out of state. The City Council appointed a new Council
5 person, Mr. David Tronrud. He stated he looks forward to 2014 and having a good year.

6
7 **STAFF AGENDA ITEMS**

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9 **City Engineer, Phil Olson – No action items.**

10
11 **City Planner, Jennifer Haskamp**

12
13 **Scott Jordan Proposed Text Amendment Application, Public Hearing** – City Planner Haskamp
14 advised the Applicant, Scott Jordan, attended the September City Council meeting and presented a
15 concept plan to run and operate a wedding/banquet venue from the existing barn on his property
16 located at 7373 120th Street North, Grant, Minnesota. Through the course of discussion at the concept
17 review it was determined that the proposed use is not something currently addressed within the City's
18 ordinances and therefore a proposed amendment to the text of the zoning ordinance would be
19 necessary in order to consider such a use. As such, Mr. Jordan has submitted an application for
20 consideration by the council of amending the text to allow the proposed use.

21
22 City Planner Haskamp stated the Applicant has proposed to amend the City's Zoning Ordinance to
23 allow for a wedding/banquet venue with the issuance of Conditional Use Permit (CUP). The
24 submitted application is attached for your review; and the following proposed changes are
25 summarized for your consideration:

- 26
- Section 32-245 (c) Table of Uses. The table currently includes "business – seasonal" and identifies it as "N" or not permitted in all zoning districts. The applicant has proposed to change the designation under A-1 to "C" which would allow the use with a Conditional Use Permit and public hearing.
 - The description provided by the Applicant is a "seasonal wedding/banquet venue." The applicant further states that "This (type of) seasonal business will contribute to the preservation and protection of agricultural land, facilities and lifestyles by saving and repurposing the existing barn and farm yard."
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34 City Planner Haskamp reviewed new items from the staff report noting they are underlined. As
35 background, staff performed a cursory GIS review of parcels within the City that would be affected if
36 the proposed definition stated above were adopted (minimum of 20 acres, zoned A1 and access to a
37 County Road). The analysis revealed that approximately 35 +/- parcels would qualify under these
38 conditions, this equates to less than 2% of all parcels within the community. Additionally, if both the
39 A1 and A2 zoning districts were to be included, approximately 80 +/- parcels could qualify, which is
40 approximately 3.4% of the parcels in the City.

41

1 City Planner Haskamp reviewed the draft findings noting additional findings can be added. The draft
2 ordinance itself includes the purpose and intent, permitted use and performance standards.

3
4 Mayor Carr referred to the draft findings and clarified he would like to see the use for twenty acre
5 parcels that include the short 40's, easements, etc. He stated he would like to include buffering, all
6 accesses must be on a County or State road, public septic hook-up should be prohibited, and some
7 sort of sound reduction may be required.

8
9 Council Member Bohnen advised the current barn is fairly close to the County road. Language
10 should be added that includes side lot line restrictions. He clarified the Mayor's intent to allow the
11 use on parcels of twenty acres or greater including easements, row, etc.

12
13 City Planner Haskamp stated there is a section in the ordinance that refers to short 40's that could be
14 included to demonstrate how to calculate lot sizes.

15
16 Council Member Huber referred to the finding regarding sewage requirements for up to 300 persons
17 noting he does not see that in the City code.

18
19 City Planner Haskamp advised it is referenced in the code with the International Building Code.

20
21 Council Member Huber referred to the fourth finding suggesting the addition of a direct "existing"
22 access to a State or County road.

23
24 City Attorney Vivian suggested stating an exclusive access must be from a State or County road. He
25 stated it is fair to include frontages and that requirement could also be within the performance
26 standards.

27
28 Council Member Tronrud referred to number six regarding sound amplification. He stated he may be
29 okay with some sound inside the building but he may want requirements that are outside of the
30 current noise ordinance.

31
32 City Attorney Vivian advised other noise abatement will be addressed within the Conditional Use
33 Permit.

34
35 Mayor Carr opened the public hearing at 7:33 p.m.

36
37 Ms. Sharon Schwarze, Joliet, came forward and stated the accessory to a residential structure
38 requirement is a postive for the City. The minimum frontage for a structure is 300 feet and she thinks
39 that should also be required for this use. She pointed out there are no limits on this being a
40 seasonable business or hours, times, etc. All of those issues need to be addressed.

41
42 As there was no one else present to speak on this issue, Mayor Carr closed the public hearing at 7:35
43 p.m.

44

1 **Resolution No. 2014-03, Denying Request to Amend Zoning Code to Allow Seasonal Business**
2 **with a Conditional Use Permit in the A1 Zoning District** – City Planner Haskamp advised
3 Resolution No. 2014-03 denies the request made within the original application.

4
5 **Mayor Carr moved to adopt Resolution No. 2014-03, as presented. Council Member Huber**
6 **seconded the motion. Motion carried unanimously.**

7
8 **Ordinance No. 2014-31, Amending the Grant Code of Ordinances** – City Planner Haskamp
9 reviewed the revisions and additions per the Council discussion.

10
11 **Council Member Bohnen moved to approve Ordinance No. 2014-31, as amended. Council**
12 **Member Tronrud seconded the motion. Motion carried unanimously.**

13
14 **Resolution No. 2014-04** – City Planner Haskamp advised Resolution No. 2014-04 allows for a
15 summary publication of Ordinance No. 2014-31.

16
17 **Mayor Carr moved to adopt Resolution No. 2014-04, as presented. Council Member Huber**
18 **seconded the motion. Motion carried unanimously.**

19
20 **Ed Schmidt Proposed Text Amendment Application, Public Hearing** – City Planner Haskamp
21 advised the applicant, Ed Schmidt, attended the November and December City Council meetings and
22 presented a concept plan to run and operate a business that would include: food, alcohol and banquet
23 facilities; and recreational facilities such as softball, bocce ball, volleyball and miniature golf on the
24 same site. Through the course of discussion at the concept reviews it was preliminarily determined by
25 the Council that the proposed use is somewhat of a hybrid of uses between a Country Club and
26 Supper Club based upon the City's Ordinance. While Country Clubs are currently allowed with a
27 CUP within the A2 zoning district; Supper Clubs are not a permitted use and therefore the proposed
28 business does not appear to strictly adhere to the City's ordinances. As such, Mr. Schmidt has
29 submitted an application for consideration by the council of amending the text to allow Supper Clubs
30 within the A2 zoning district, thereby allowing him to subsequently make an application for a CUP
31 that would address all of the uses proposed by his concept.

32
33 City Planner Haskamp advised the Applicant has proposed to amend the City's Zoning Ordinance to
34 allow Supper Clubs in the A2 zoning district with the issuance of Conditional Use Permit (CUP).
35 The submitted application is attached for your review; and the following proposed changes are
36 summarized for your consideration:

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- 39 • Section 32-245 (c) Table of Uses. The table currently includes "Supper Club" and identifies it
40 as "N" or not permitted in the A2, R1, and Conservancy zoning districts. The table identifies
41 that "Supper Club" is permitted with a Conditional Use Permit ("C") within the A1 and
42 General Business (GB) zoning districts. The applicant has proposed to change the designation
43 under A2 to "C" which would allow the use with a Conditional Use Permit and public hearing
44 consistent with the A1 zoning district.
 - 45 • The Applicant is not proposing to change the current definition of Supper Club which is
identified within section 32-1 Definitions. Based upon the submitted materials, Mr. Schmidt

1 believes that the hybrid of a Country Club and Supper Club, with existing definitions would
2 accommodate the proposed facility he would propose to operate.

3
4 City Planner Haskamp reviewed the staff report including the proposed changes and additional City
5 consideration. Staff is seeking direction from the Council with respect to the proposed language.
6 Specifically staff is looking for direction on the following:

- 7
8
- 9 • Consistency with the Comprehensive Plan;
 - 10 • Does “Supper Club”, as defined within the ordinance adequately address the proposed use?
11 Does it need to be modified? To what extent?
 - 12 • Do you think additional clarification and/or standards should be added in a new section 32-
13 351 (see discussion on page 4) and if so, what further standards would you see as relevant

14 City Planner Haskamp advised staff will prepare draft findings at the direction of the City Council
15 upon completion of the public hearing and discussion at the Council meeting.

16
17 Mayor Carr stated he would like to see this type of use also on a 20 acre parcel, similar to the rural
18 event center. However, it is currently allowed in the General Business District and those parcels are
19 not 20 acres.

20
21 City Planner Haskamp advised that can be done through the performance standards for each zone. It is
22 not recommended to do that through the actual definition.

23
24 Mayor Carr clarified that the text amendment application is to allow supper clubs in the A2 Zoning
25 district. They are currently allowed in the A1 Zone.

26
27 Mayor Carr opened the public hearing at 8:00 p.m.

28
29 Mr. Larry Lanoux, Keswick Avenue, came forward and asked the Council to explain why the
30 Planning Commission was abanded when this application should clearly be in front of that group.

31
32 Mr. Loren Sederstrom, 107th Street, came forward and reminded the Council about comments made
33 relating to leaf frog development.

34
35 Ms. Sharon Schwarze, Joliet, came forward and stated a previous Planning Commission did have
36 discussions regarding supper clubs and perhaps getting rid of that use altogether. She stated she is
37 very concerned that the City is expanding commercial uses in the City overall. The Comprehensive
38 Plan states that only rural land uses will be developed. She stated this particular use is not a supper
39 club and she is very concerned about it. It is more of a bar and she is opposed to that. The rural event
40 center that has been proposed is not open every night and the City should only allow bars in the
41 General Business District. She reiterated the proposed use is really not a supper club.

42
43 City Attorney Vivian advised the public hearing could be closed if the Council is taking action this
44 evening.

45

1 Council Member Huber stated he thought country club was a better description for the proposed use.
2 That being said, the application is for a text amendment to allow supper clubs in the A2 Zoning
3 District.

4
5 City Planner Haskamp advised the change can be made very easily if the Council moves forward to
6 allow supper clubs in the A2 Zoning District. The Council does have to determine if they would like
7 to add performance standards to that use. She reviewed the options for the Council noting that if
8 another application comes in, the new language would apply as it is being considered.

9
10 City Attorney Vivian advised the ordinance revision could be on the next consent agenda for approval
11 but can't be officially adopted tonight. He recommended the Council move forward and do this as a
12 package, similar to the rural event center.

13
14 **Mayor Carr moved to continue the public hearing to the February City Council meeting.**
15 **Council Member Lobin seconded the motion. Motion carried with Council Member Bohnen**
16 **voting nay.**

17
18 Mr. Schmidt came forward and stated he has been postponed again for another month. He advised he
19 can't get any of the plans started.

20
21 City Planner Haskamp stated the Council could have passed the change in districts to allow the use
22 this evening and directed staff to draft the ordinance for approval at the next meeting. Bringing back
23 the full package still puts the applicant on hold.

24
25 Council Member Bohnen clarified that even if the change was passed tonight, the CUP application
26 cannot be reviewed until the ordinance is official passed and in effect. The applicant could still apply
27 for a country club use.

28
29 A poll of the Council was taken and all members of the Council indicated they are in favor of
30 changing the ordinance to allow a supper club in the A2 Zoning District.

31
32 **City Attorney, Nick Vivian – No action items.**

33
34 **NEW BUSINESS**

35
36 **2014 Appointment List** - Mayor Carr advised he would like to go through the appointment list with
37 the Council's blessing.

38
39 Council Member Bohnen stated some of the appointments made are contract services. He stated it
40 may not be beneficial to put them on the appointment list.

41
42 Council Member Huber agreed that those under contract maybe should not be on the list and it may
43 be a good time to clean up the appointment list.

44
45 Mayor Carr stated he does not think it is a big deal to put those under contract on the appointment list.

1 The list was reviewed and appointments made. Mayor Carr referred to the roadside clean up day and
2 suggested the City provide a dumpster for garbage and have multiple dates, advertising those dates in
3 the newsletter and website but leave the appointment open.

4
5 Council Member Bohnen suggested the Council ask Mr. Lanoux, Mr. Sederstrom and/or Mr. David to
6 be appointed to the roadside clean up day.

7
8 Council Member Lobin stated last year there were three people at the clean up day. She has asked
9 two of the mentioned residents to help this year and they have said no.

10
11 Council Member Bohnen stated the Council as a whole should ask them. It is best for the City to
12 have an effective clean up day.

13
14 The majority of the Council determined clean up day would be left blank. The following revisions
15 were made to the list:

- 16
17
- 18 • Newsletter Editor – David Tronrud
 - 19 • Watershed Districts – WSB
 - 20 • Tree Service – Davids Consulting/KEJ/Mike Perron
 - 21 • Roadside Cleanup Day - Blank

22 **Mayor Carr moved to approve the 2014 Appointment List, as revised. Council Member Huber**
23 **seconded the motion. Motion carried unanimously.**

24
25 **Ordinance No. 2014-30, 2014 Fee Schedule** – The proposed changes were included in the meeting
26 packet.

27
28 **Council Member Bohnen moved to approve Ordinance No. 2014-30, as presented. Council**
29 **Member Huber seconded the motion. Motion carried unanimously.**

30
31 **Resolution No. 2014-01, Summary Publication of 2014 Fee Schedule** – Resolution No. 2014-01
32 allows for a summary publication of Ordinance No. 2014-30.

33
34 **Council Member Bohnen moved to adopt Resolution No. 2014-01, as presented. Council**
35 **Member Huber seconded the motion. Motion carried unanimously.**

36
37 **2014 City Council Meeting Schedule** – A proposed meeting schedule was included in the packets.
38 It was recommended that the February meeting date be changed to February 3 and the Canvas of
39 Election meeting be scheduled on Friday, November 7, 2014, 10:00 am at the City Office.

40
41 **Council Member Bohnen moved to approve the 2014 City Council Meeting Schedule, as**
42 **revised. Council Member Lobin seconded the motion. Motion carried unanimously.**

1 **Resolution No. 2014-02, 2014 Liquor License, Windy Acres – Council Member Huber moved to**
2 **adopt Resolution No. 2014-02, as presented. Council Member Bohnen seconded the motion.**
3 **Motion carried unanimously.**

4
5 **UNFINISHED BUSINESS**

6
7 There was no unfinished business.

8
9 **DISCUSSION ITEMS**

10
11 **City Council Reports:**

12
13 Council Member Huber advised he would be attending the groundwater meeting in Shoreview on
14 Wednesday, January 8.

15
16 Council Member Bohnen stated the roads have been icy. In anticipation of the warmer weather this
17 weekend, sand and salt will be put down this week and then scraping of the roadways over the
18 weekend.

19
20 Council Member Bohnen stated the taping of the last Charter Commission meeting failed again. He
21 noted the Chair of the Commission is the holder of all the meeting minutes.

22
23 **Staff Reports:**

24
25 City Attorney Vivian announced the League of Minnesota Cities is holding a free webinar regarding
26 City Council authority. He encouraged the Council to participate in the webinar.

27
28 **COMMUNITY CALENDAR JANUARY 8 THROUGH JANUARY 31, 2014:**

29 **Mahtomedi Public Schools Board Meeting, Thursday, January 9th, 2014, Mahtomedi District**
30 **Education Center, 7:00 p.m.**

31 **Stillwater Public Schools Board Meeting, Thursday, January 9th and 23rd, 2014, Stillwater City**
32 **Hall, 7:00 p.m.**

33 **Charter Commission Meeting, Thursday, January 16th, 2014, Mahtomedi City Hall, 7:00 p.m.**

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

35
36 **ADJOURN**

37
38 **There being no further business, Council Member Huber moved to adjourn at 8:47 p.m.**
39 **Council Member Lobin seconded the motion. Motion carried unanimously.**

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42 These minutes were considered and approved at the regular Council Meeting February 3, 2014.

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Kim Points, Administrator/Clerk

Tom Carr, Mayor

APPROVED