

CITY OF GRANT
MINUTES

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DATE : January 6, 2015
TIME STARTED : 7:02 p.m.
TIME ENDED : 8:17 p.m.
MEMBERS PRESENT : Councilmember Sederstrom, Lobin, Huber,
Lanoux and Mayor Carr
MEMBERS ABSENT : None

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

CALL TO ORDER

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

PUBLIC INPUT

1. Bob Tufty, Jasmine – Read a letter from applicant regarding the Administrator/Clerk.
2. Jerry Helander, Jasmine – Inquired as to why the Charter Commission Meeting minutes are not available at the City office.
3. Gus Nelson – Commended the Council on the 2015 budget and keeping taxes low.
4. Jason Sutherland – Introduced himself as the new City of Grant Deputy.

PLEDGE OF ALLEGIANCE

OATH OF OFFICE

The oath of office was administered to Loren Sederstrom and Larry Lanoux.

SETTING THE AGENDA

Council Member Huber moved to approve the agenda, as presented. Council Member Lobin seconded the motion.

Council Member Lanoux moved to amend the motion to include the addition of the Planning Commission and Charter Commission to the regular agenda.

Council Member Huber and Lobin declined the amendment to the motion. Motion carried with Council Member Sederstrom and Lanoux voting nay.

CONSENT AGENDA

1	Bill List, \$40,553.84	Approved
2		
3	2015 Tort Liability, City DOES NOT	
4	Waive Monetary Limits	Approved
5		
6	Clerk 3% Pay Increase, per 2015 City Budget	Approved
7		
8	Video Technician 2015 Pay Increase	Approved
9		
10	KEJ Enterprises, Snow Removal/Sign	
11	Work, \$13,622.50	Approved
12		
13	2015 Appointment List	Approved
14		
15	2015 Meeting Calendar	Approved

16
17 **Council Member Huber moved to approve the consent agenda, as presented. Council Member**
18 **Lobin seconded the motion. Motion carried with Council Member Sederstrom and Lanoux**
19 **voting nay.**

20
21 **2014 YEAR END REVIEW MAYOR TOM CARR**

22
23 Mayor Carr stated year 2014 was a pretty good year. The City stayed within its budget and a lot of
24 road work was completed. He stated staff has done a great job.

25
26 **STAFF AGENDA ITEMS**

27
28 **City Engineer, Phil Olson (No action items)**

29
30 **City Planner, Jennifer Haskamp**

31
32 **Land Use Definition Process** – City Planner Haskamp advised at the regular City Council meeting in
33 October the City Council adopted a moratorium on land uses contained within the City's table of uses
34 that currently are not defined. Based upon the review, staff identified 22 land uses without definitions
35 that were most critical to review because they either 1) were uses that have been discussed/addressed
36 by applicants over the past year; or 2) were permitted with a conditional use permit in at least one
37 zoning district; or 3) have caused confusion by residents and/or staff over the past several years due to
38 lacking information.

39
40 In terms of a process, the Council decided to tackle the list of land uses in smaller groups, addressing
41 4 or 5 land uses at a time. As such, the following land uses were identified as a priority to begin
42 working on immediately:

- 43
44 ▪ *(Business Seasonal) – to be addressed in next round*
45 ▪ Golf Courses and country clubs

- 1 ▪ Home Occupations (Meeting Criteria/Not Meeting Criteria)
- 2 ▪ Recreation areas – commercial
- 3 ▪ Recreation areas – private
- 4 ▪ Commercial Recreation

5 The following draft definitions and information is provided for your review and consideration:

6 **Golf Courses and Country Clubs**

7 There are several golf courses in the City that are currently operating with clubhouses and other
 8 ancillary uses. As such, it is important to retain it as a defined land use. Oftentimes a golf course
 9 includes a club or membership associated with the operations, and also offers a clubhouse for social
 10 gathering, events, banquets, etc. Therefore staff would recommend simply defining a Golf Course to
 11 include the supplemental uses, and to remove the Country Club from the definition. This will
 12 simplify the definition of a Golf Course, and other recreational uses not associated with a golf course
 13 would likely be addressed under other similar land uses (yet to be defined) such as “Clubs and
 14 Lodges” and “Commercial Recreation” that may ultimately be more similar to the intent or vision for
 15 what activities a Country Club may include. Therefore staff provides the following draft definition
 16 for your review and consideration:

17 **Golf Course and Country Club**: An area of land laid out for a minimum of 9 holes to play golf each
 18 including a tee, fairway, and putting green to include natural and artificial hazards. The Golf Course
 19 operations and grounds may include a clubhouse, driving range, maintenance buildings and other uses
 20 which support the principal operations of the golf course.

21 Table 32-245 would be revised as follows:

USE	ZONING DISTRICT				
	Conservancy	Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
Golf courses and country clubs	N	C	C	C	N

22

23 **Home Occupations (Meeting Criterial/Not Meeting Criteria)**

24 The City’s ordinances currently define a Home Occupation as the following:

25 *Home occupation* means any gainful occupation or profession engaged in by an occupant only of a
 26 dwelling unit which is a use that is clearly incidental to the use of the dwelling unit for residential
 27 purposes, when conducted on the premises.

28 The table of uses then identifies the following (Strike outs as proposed by staff, and described below):

USE	ZONING DISTRICT				
	Conservanc y	Agricultu ral A1	Agricultu ral A2	Residenti al R1	General Business (GB)
Home occupations (meeting	CC-P	CC P	CC P	CC P	N

criteria)					
Home occupations (not meeting criteria)	N	C	C	C	N

1 The issue is that the definition does not include criteria, and therefore it is not clear how to process an
 2 application. Therefore staff would recommend revising the definition to include criteria to clarify
 3 what home occupations are permitted with a certificate of compliance versus which home occupations
 4 require a conditional use permit. Further, staff would recommend amending the table to Permit Home
 5 Occupations if the criteria is met, rather than requiring a certificate of compliance. The following
 6 draft definition, including criteria, is provided for your review and consideration:

7 **Home occupation** means any gainful occupation or profession engaged in by an occupant only of a
 8 dwelling unit which is a use that is clearly incidental to the use of the dwelling unit for residential
 9 purposes, when conducted on the premises. The following criteria must be met, or the proposed use
 10 must be established as a conditional use in the zoning district proposed and proper permit obtained:

- 11 a) No persons other than members of the Family who reside on the premises shall be engaged in
 12 such occupation;
- 13 b) The use of the Dwelling Unit for the Home Occupation shall be clearly incidental and
 14 subordinate to its use for residential purposes by its occupants, and not more than twenty
 15 percent (20%) of floor area of the Dwelling Unit shall be used in the conduct of the Home
 16 Occupation, and not more than 300 square feet of any garage or Accessory Building shall be
 17 used in the conduct of the Home Occupation;
- 18 c) There shall be no change in the outside appearance of the Building or Premises, or other
 19 visible evidence of the conduct of such Home Occupation other than any signage as permitted
 20 by the City’s ordinances.
- 21 d) No traffic shall be generated by such Home Occupation in greater volume than would
 22 normally be expected to a residence in a residential neighborhood, and the driveway shall be
 23 designed accordingly.
- 24 e) Parking areas may not exceed four (4) stalls and shall not be located in any required yard
 25 setback area and must be screened from any adjacent residential use.
- 26 f) No equipment, activity, or process shall be used in such Home Occupation which creates,
 27 noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses
 28 off the Lot.
- 29 g) No outside storage is permitted.

30

31 **Recreation areas – commercial, Recreation areas – private, Commercial Recreation**

32 The City’s ordinances currently do not address or define recreational uses and areas in the
 33 community. However, they are included on the table of uses. Staff has researched other communities
 34 of similar size and land uses, and researched the American Planning Association’s (APA) definitions

1 to assist in drafting a definition. The following definitions, based on the research and the APA
 2 dictionary are provided for your consideration:

3
 4 **Recreation, commercial** means any establishment whose main purpose is to provide the general
 5 public with an amusing or entertaining activity and where tickets are sold or fees are collected for the
 6 activity. Such activities may be located primarily outdoors or within a facility. Examples include, but
 7 are not limited to skating rinks, racquet clubs, miniature golf, driving ranges, skiing, etc., but does not
 8 include golf courses.

9
 10 Several communities also provide further distinction between indoor and outdoor recreational
 11 commercial facilities. However, unless there is some distinction from an intensity or scale
 12 perspective, staff would suggest limiting it to one definition for *commercial recreation* and one
 13 definition for *private recreation*. The following draft definition for private recreational uses is
 14 provided for your consideration:

15 **Recreation, private** means an accessory structure and/or use that are customary and incidental to the
 16 principal residential use of a site, including swing sets, play structures, sand boxes, tennis courts,
 17 sport courts, swimming pools and the like, intended for the enjoyment and convenience of the
 18 residents of the principal use and their occasional guests.

19 Based on the integration of these two uses, the following modifications to the use table would be
 20 necessary:

USE	ZONING DISTRICT				
	Conservancy	Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
Commercial recreation Recreation, Commercial	€N	C	€N	€N	C
Recreation areas—commercial	N	€	N	N	€
Recreation areas—private Recreation, Private	P	P	P	P	N

21
 22 City Planner Haskamp advised the staff report and analysis is for discussion purposes and a starting
 23 point for the City Council. She also noted it was the consensus of the Council at the November
 24 meeting that the Country Club use would be dropped from the land use chart after determination of
 25 where that term is used within the City’s Code of Ordinances.

26
 27 **Council Member Lanoux moved to table the Land Use Definitions until the Planning**
 28 **Commission can review the information and determine all properties are grandfathered.**
 29 **Council Member Sederstrom seconded the motion. Motion failed with Mayor Carr, Council**
 30 **Member Lobin and Huber voting nay.**

31
 32 City Planner Haskamp provided the background on the Country Club use and why the Council
 33 previously determined that use should be dropped from the Land Use chart.

1 Council Member Sederstrom advised he would like to promote country club uses and suggested there
2 be latitude in the golf course use to allow the country club type uses.

3
4 City Planner Haskamp advised the golf course use does support country club uses and there are
5 currently CUP's within the City that have more than one use on the property.

6
7 City Planner Haskamp referred to the home occupation use and advised criteria needs to be added.
8 Currently home occupations meeting the criteria require a COC. The proposal would eliminate that
9 requirement and make it less restrictive. Home occupations that do not meet the criteria have always
10 required a CUP and there is no recommendation to change that. The Council has to determine and
11 define the criteria.

12
13 City Attorney Vivian advised the City is making it less restrictive for meeting the criteria. The
14 problem has been that there are no criteria. A CUP relates to the intensity of use. He explained how
15 the City's CUP's are reviewed and enforced.

16
17 City Engineer Olson noted the City has received all testing from the School District per their CUP.

18
19 City Planner Haskamp referred to recreational uses and provided draft definitions and proposed
20 modifications to the use table.

21
22 Mayor Carr stated indoor private recreational uses should be allowed. The outdoor recreational uses
23 may be allowed to help preserve large lots and the private recreational uses maybe should not need to
24 be defined as indoor and outdoor.

25
26 Council Member Sederstrom stated something should be added to make sure the recreational uses
27 don't get out of control and that they really are for a private use. A safeguard should be included.

28
29 Council Member Huber suggested performance standards be added that may restrict those types of
30 uses to a specified amount of acreage and being located on County roads.

31
32 City Planner Haskamp advised the City can look at adding performance standards to commercial
33 outdoor recreational uses, which is part two of the process. The first step is defining the uses.

34
35 It was the consensus of the Council to continue with the recreational use definition process and
36 schedule a public hearing for the golf course/country club and home occupations definitions at the
37 February City Council meeting.

38
39 **City Attorney, Nick Vivian (No action items)**

40
41 **NEW BUSINESS**

42
43 **December 2, 2014 City Council Meeting Minutes – Council Member Huber moved to approve**
44 **the December 2, 2014 City Council Meeting Minutes, as presented. Council Member Lobin**

1 **seconded the motion. Motion carried with Council Member Sederstrom and Lanoux**
2 **abstaining.**

3
4 **Ordinance No. 2015-37, 2015 Fee Schedule** – Staff presented the recommended 2015 Fee Schedule
5 noting one change to the pre-application meeting fee.

6
7
8 **Council Member Huber moved to approve Ordinance No. 2015-37, as presented. Council**
9 **Member Lanoux seconded the motion. Motion carried with Council Member Sederstrom**
10 **abstaining.**

11
12 **Resolution No. 2015-01, Summary Publication of Ordinance No. 2015-37** – Resolution No. 2015-
13 01 provides for a summary publication of Ordinance No. 2015-37.

14
15 **Council Member Lobin moved to adopt Resolution No. 2015-01, as presented. Council Member**
16 **Huber seconded the motion. Motion carried unanimously.**

17
18 **City Council Code of Conduct, City Treasurer Schwarze** – City Treasurer Schwarze advised there
19 is a new emphasis by the State Auditor requiring compliance on conflict of interest issues that relate
20 specifically to the proposed Code of Conduct. Compliance will be reviewed every year by the State
21 Auditor. The proposed Code of Conduct is typical of what other cities have to meet compliance
22 standards.

23
24 **Council Member Lobin moved to approve City Council Code of Conduct, as presented.**
25 **Council Member Huber seconded the motion. Motion carried with Council Member**
26 **Sederstrom voting nay.**

27 28 **UNFINISHED BUSINESS**

29
30 There was no unfinished business.

31 32 **DISCUSSION ITEMS**

33 34 **City Council Reports:**

35
36 Council Member Lanoux advised at the last Charter meeting it was decided there will be a vote on
37 Charter on April 21, 2015. He requested the rest of the Charter meetings be held at Town Hall and be
38 videotaped by the City.

39
40 **Council Member Lanoux moved to put the Charter Commission and Planning Commission on**
41 **the agenda. Council Member Sederstrom seconded the motion. Motion failed with Mayor**
42 **Carr, Council Member Lobin and Huber voting nay.**

43
44 Council Member Huber stated in discussions with Council Member Sederstrom, it was indicated he
45 was upset over being required to obtain a CUP for his property as he was only boarding two horses.

1 Council Member Sederstrom had stated a former Council Member had told him a CUP was required.
2 He asked why Council Member Lanoux does not have a CUP when he is running Lanoux Stables.

3
4 Council Member Lanoux stated a CUP was not required when he purchased his property in 1982.

5
6 Council Member Huber read a letter from the City to Council Member Lanoux dated 1984 stating a
7 CUP is required for the property. He stated that to be fair to other CUP holders, Council Member
8 Lanoux should apply for a CUP.

9
10 Council Member Lanoux advised Art and Joyce Welander told him he did not need a CUP.

11
12 Council Member Sederstrom noted he was informed he did need a CUP because he was boarding
13 horses. That ordinance has since changed.

14
15 **Staff Updates:**

16
17 There were no staff updates.

18 .
19 **COMMUNITY CALENDAR JANUARY 7 THROUGH JANUARY 31, 2015:**

20
21 **Mahtomedi Public Schools Board Meeting, Thursday, January 8th and 22nd, 2015, Mahtomedi
22 District Education Center, 7:00 p.m.**

23 **Stillwater Public Schools Board Meeting, Thursday, January 8th, 2015, Stillwater City Hall,
24 7:00 p.m.**

25 **Charter Commission Meeting, Thursday, January 15th, Mahtomedi City Hall, 7:00 p.m.**

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

27 **City Office Closed, Monday, January 19th, 2015, Martin Luther King Day**

28
29 **ADJOURN**

30
31 **There being no further business, Council Member Huber moved adjourn at 8:25 p.m. Council
32 Member Lobin seconded the motion. Motion carried unanimously.**

33
34 These minutes were considered and approved at the regular Council Meeting February 3, 2015.

35
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38
39 _____
40 Kim Points, Administrator/Clerk

38
39 _____
40 Tom Carr, Mayor