

CITY OF GRANT  
MINUTES

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**DATE** : June 29, 2017  
**TIME STARTED** : 7:05 p.m.  
**TIME ENDED** : 8:35 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; and Administrator/Clerk, Kim Points

**CALL TO ORDER**

The meeting was called to order at 7:05 p.m.

**PUBLIC INPUT**

There was no public input.

**PLEDGE OF ALLEGIANCE**

**SETTING THE AGENDA**

**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**

June 6, 2017 City Council Meeting Minutes	Approved
June 2017 Bill List, \$53,251.77	Approved
Kline Bros. Excavating, Road Work, \$8,766.25	Approved
M.J. Raleigh Trucking, River Rock, \$19,452.48	Approved
City of Mahtomedi, 2 <sup>nd</sup> Quarter Fire Contract, \$33,317.50	Approved
City of Stillwater, 1 <sup>st</sup> Half Fire Contract,	

\$56,431.00

Approved

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

**STAFF AGENDA ITEMS**

**City Engineer, Brad Reifsteck**

**Consideration of 2017 Seal Coat Price Bid** – City Engineer Reifsteck advised the City received one quote for seal coating streets in the 2017 Pavement Management Program Project. The request for quotes were sent to 3 contractors but Pearson Brothers was the only contractor to submit a bid. The quoted amount is consistent with last year’s pricing and Pearson Brothers is a reputable local seal coat contractor. Pearson Brothers, Inc quote is attached and listed below.

Pearson Brothers Inc..... **\$25,950**

A copy of the 2017 Seal Coat Project plan and contra is attached. Roadways included in the seal coat bids are listed below.

- 1. 67<sup>st</sup> Street / Lane N
- 2. 60<sup>th</sup> Lane N
- 3. 61<sup>st</sup> St N
- 4. Kelvin Ave N.

Brochman Blacktopping Company provided a quote to complete patching at various locations within the same project limits. As you know, Brochman Blacktopping has a current contract with the City to fill potholes and various other street pavement maintenance tasks. The quote for this work is **\$25,014** and is consistent with unit prices already under Contract. The patching will be completed prior to seal coating.

The total quoted amount for the 2017 Pavement Management Program is **\$50,964**, which is below the budgeted amount of \$58,239 and provides a 12% contingency.

All work is scheduled to be completed prior to September 15, 2017.

**Council Member Carr moved to approve the 2017 Seal Coat Low Bid, as presented. Council Member Kaup seconded the motion. Motion carried unanimously.**

**City Planner, Jennifer Swanson**

**Consideration of Resolution No. 2017-13, Minor Subdivision, 9694 75<sup>th</sup> Street North** – City Planner Swanson advised The Applicant and Owner, David Washburn (Applicant), is requesting

1 permission to subdivide the property located at 9694 75<sup>th</sup> Street North into two (2) parcels. There is  
 2 an existing homestead and several accessory buildings located on the existing property.

3  
 4 On June 20, 2017 the Planning Commission held a duly noticed public hearing to consider the  
 5 Applicant’s request to subdivide the subject parcel into two lots. A few members of the public  
 6 provided testimony and asked questions of the Applicant regarding the potential location of the new  
 7 home on Parcel A, and generally inquired about the proposed lot configurations and sizes. After  
 8 closing the Public Hearing the Planning Commissioners discussed the Application, staff presentation  
 9 and public testimony. The Planning Commission unanimously recommended approval of the subject  
 10 Minor Subdivision with draft conditions as prepared and presented by staff.

11  
 12 The following staff report is generally as presented to the Planning Commission on June 20<sup>th</sup>, but has  
 13 been updated to reflect their recommendation that the City Council approve the Minor Subdivision  
 14 with conditions. A draft resolution of approval, as directed by the Planning Commission, has been  
 15 prepared and is attached to this staff report for your review and consideration.

16  
 17 **Project Summary:**

18

Owner & Owner:	David Washburn
PID:	2703021130001
Address:	9694 75 <sup>th</sup> Street North
Zoning & Land Use:	A-2
Request:	Minor Subdivision to create one ~27.99 Acre Lot, and one ~5.51 Acre Lot

19  
 20 The Applicant is proposing a Minor Subdivision (lot split) of the existing 33.5 Acre parcel into two  
 21 (2) lots that could be developed with single-family residential uses in the future. No new structures  
 22 are proposed as part of this application; however, the intent is to create two buildable residential lots.  
 23 There is an existing homestead located on the subject property which would remain in its current  
 24 configuration for now, but may be subject to redevelopment in the future. To demonstrate that both  
 25 parcels are developable, the Applicant has submitted a wetland delineation for the property,  
 26 septic/soil borings, and a Survey demonstrating the proposed configuration.

27 In addition to the dimensional standards identified in Section 32-246 of the City’s Zoning Ordinance,  
 28 there are some additional design standards found in Section 30-107 Lot Requirements which are  
 29 summarized below:

- 30  
 31
  - “Side lot lines shall be substantially at right angles to straight street lines...unless topographic conditions necessitate a different arrangement.”
 32  
 33
  - The north end of the proposed westerly property line jogs slightly. The Applicant has indicated that this jog is due to the location of the existing driveway on Parcel A that they would like to keep intact. It appears that there would be sufficient area to adjust this lot line to remove the jog and still avoid the existing drive. Staff would recommend the Applicant consider adjusting this line to comply with the ordinance.
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1  
 2 The subject property is located on CSAH 12, and therefore is subject to Washington County’s review  
 3 and comment. Staff received an email from Washington County staff who has reviewed the proposed  
 4 subdivision. Washington County is requesting an additional 15-feet of right-of-way in the form of an  
 5 easement be dedicated along the frontage of the subject property. Staff would recommend including  
 6 this as a condition of approval, and request that the Survey be updated to reflect the additional right-  
 7 of-way.

8  
 9 Additionally, as previously discussed, if and when development or redevelopment of the lots occurs  
 10 proper permits for installation of wells, septic systems, or driveways will be subject to review and  
 11 approval of the appropriate permitting authorities.

12  
 13 Staff has prepared a draft resolution of approval with conditions, as directed by the Planning  
 14 Commission, which is attached for your review and consideration.

15  
 16 **Council Member Lanoux moved to adopt Resolution No. 2017-13, as presented. Council**  
 17 **Member Carr seconded the motion. Motion carried unanimously.**

18  
 19 **Consideration of Resolution No. 2017-14, Variance from Road Setback for Garage**  
 20 **Construction, 9051 Lansing Avenue North** – City Planner Swanson advised the Applicants and  
 21 Owners (“Applicants”), Jon and Michelle Weaver, have requested a variance from front yard setback  
 22 to construct a new accessory structure (detached garage) on their property. The Applicants live on the  
 23 property in the existing principal structure that contains an attached garage. There are extensive  
 24 wetlands and sloping topography on the site which constrains the area available for construction of  
 25 any new accessory structure(s).

26  
 27 On June 20, 2017 the Planning Commission held a duly noticed public hearing to consider the  
 28 Applicants’ request for a variance from the front yard setback to encroach approximately 41-feet to  
 29 construct a new accessory building. One member of the public provided public testimony and  
 30 commented on how surface waters in the area tended to fluctuate, and that the City should be aware of  
 31 this when considering any encroachments into the wetland buffer areas. After the public hearing was  
 32 closed, the Planning Commission discussed the application, public testimony and considered the staff  
 33 report. The Planning Commission unanimously recommended approval of the variances with  
 34 conditions as drafted by staff.

35  
 36 The following staff report is generally as presented to the Planning Commission and summarizes the  
 37 requested variance, and existing conditions of the site. The staff report has been updated to reflect the  
 38 recommendation of the Planning Commission, and a draft resolution of approval is attached for your  
 39 review and consideration.

40  
 41 **Project Summary:**

Applicant & Owner: Jon & Michelle Weaver	Site Size: 9.86 Acres Location: 9051 Lansing Avenue North Existing Home: Constructed in 1991
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## Zoning &amp; Land Use: A-2

Request: Variance from front yard setback to construct an accessory structure (detached garage) on the subject property. The location of the proposed detached garage is in front of the principal structure and would encroach approximately 41.2' into the required front yard setback.

As referenced above, the Applicants have requested the following variance:

- Structural Setback from front yard lot line on Lansing Avenue, which serves as the primary frontage and access to the existing principal structure.
- In addition to the requested variance, Staff has identified an additional potential setback encroachment associated with the proposed structure. The survey prepared by Cornerstone Land Surveying, Inc., dated May 8, 2017 identifies an approximate wetland boundary based on aerial data. As shown, the proposed location of the detached garage would encroach into the city's wetland buffer requirements and structural setbacks from a wetland buffer. This is further discussed in subsequent sections of this report.

The following summary of the requested variance and proposed project is as follows:

- The proposed Accessory Structure (detached garage) would be accessed from the existing driveway, and no new curb-cuts/drives are requested as part of this application.
- The proposed Accessory Structure (detached garage) is 24' x 24', or 576 square feet. The purpose of the Accessory Structure is for storage of personal property such as cars, garden equipment, etc., and is therefore defined as a "*detached residential accessory building*" per the City's ordinances.
- There are no other existing accessory buildings on site.

The proposed Accessory Structure is located in front of the principal structure.

The City Engineer has reviewed the attached Certificate of Survey and has no comments at this time. The City Engineer would recommend including a condition that the Applicant be required to obtain a grading permit prior to commencement of any site work, if applicable.

The site is located in the Browns Creek Watershed District (BCWD). Per the correspondence provided with the Application and found in Attachment A, if the proposed project remains below their thresholds for fill/grading and size no BCWD permits are required for construction. Staff would recommend including in any condition of approval that the applicant is responsible to acquire any necessary permits from the BCWD, and should be aware that they are subject to the review if the project's parameters should change as full grading plans are developed.

Staff has prepared a draft resolution of approval with conditions, as directed by the Planning Commission, for your review and consideration.

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2 **Council Member Sederstrom moved to adopt Resolution No. 2017-14, as presented. Council**  
3 **Member Lanoux seconded the motion. Motion carried unanimously.**

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5 **City Attorney, Kevin Sandstrom (no action items)**

6  
7 **NEW BUSINESS**

8  
9 **Set 2018 Budget Work Session** – A 2018 Budget work session was scheduled for August 1, 2017,  
10 6:00 p.m. at Town Hall.

11  
12 **UNFINISHED BUSINESS**

13  
14 There was no unfinished business.

15  
16 **DISCUSSION ITEMS**

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

19  
20 Council Member Lanoux stated the rating for the Stillwater Fire Department has gone up and he  
21 would like the City to consider moving the Fire Department line back to Jamaca. He requested this  
22 be put on the agenda next month for action.

23  
24 Council Member Carr stated this issue has been looked into before and it was determined there were  
25 no cost savings.

26  
27 Council Member Lanoux stated the City is not following the MS4 Guidelines and the public hearings  
28 have not been properly noticed. He advised he submitted a formal complaint and it should be  
29 investigated.

30  
31 Council Member Lanoux stated the City Attorney issued a cease and desist to the School District that  
32 began the parking lot reconstruction project without the proper permits. Shortly after, the  
33 documentation was submitted for the proper permit. He asked how the City got the documentation so  
34 quickly.

35  
36 Mayor Huber stated the contractor was out on site. A cease and desist was immediately processed and  
37 the City took the appropriate action.

38  
39 Council Member Lanoux inquired about the posting of special meetings. Mayor Huber advised the  
40 majority of the Council was not available for the requested meeting date.

41  
42 City Attorney Sandstrom stated two Council Members may call a special meeting but the majority  
43 must be able to attend. Special meetings must be posted for three full days prior to the meeting. The  
44 procedure for emergency meeting is different than special meetings.

1 Mayor Huber updated the council on the Sunnybrook Ponds flood area. Jocelyn is still under water  
2 and communication from the Watershed District has been provided relating to the impact on the  
3 wetlands if the roadway is raised.

4  
5 **Staff Updates (no action taken):**

6  
7 City Engineer Reifsteck advised a neighborhood meeting was held with residents relating to the  
8 submitted petition for road project. Rough estimates of the costs were provided and another meeting  
9 will be held to discuss a mill and overlay project.

10  
11 City Planner Swanson stated the variance application for a fence was tabled at the last Planning  
12 Commission meeting to allow the applicant and neighbors time for further discussion.

13  
14 The City Clerk advised a resignation from a Planning Commissioner was submitted. The opening on  
15 the commission will be published and interviews will be scheduled prior to a future Council meeting.

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18 **COMMUNITY CALENDAR JUNE 30 THROUGH JULY 31 30, 2017:**

19  
20 **Mahtomedi Public Schools Board Meeting, Thursday, July 13th and 27th, Mahtomedi District**  
21 **Education Center, 7:00 p.m.**

22 **Stillwater Public Schools Board Meeting, Thursday, July 27th , Stillwater City Hall, 7:00 p.m.**

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

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25 **ADJOURN**

26  
27 **Council Member Kaup moved to adjourn at 8:35 p.m. Council Member Carr seconded the**  
28 **motion. Motion carried unanimously.**

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32 These minutes were considered and approved at the regular Council Meeting August 1, 2017.

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38 Kim Points, Administrator/Clerk

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38 Jeff Huber, Mayor