

**CITY OF GRANT
MINUTES**

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DATE : May 3, 2016
TIME STARTED : 7:02 p.m.
TIME ENDED : 8:44 p.m.
MEMBERS PRESENT : Councilmember Sederstrom, Lobin, Huber,
Lanoux and Mayor Carr
MEMBERS ABSENT : None

Staff members present: Acting City Attorney, Kevin Sandstrom; City Engineer, Brad Reifsteck; City Planner, Jennifer Haskamp; City Treasurer, Sharon Schwarze; and City Clerk, Kim Points

CALL TO ORDER

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

PUBLIC INPUT

Mr. Gary Baumann, 10600 Joliet – came forward and thanked staff for the job they do.

Mr. James Drost – Commented on safety issue on County Road 12 and Lake Elmo Avenue.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Council Member Lanoux requested Staff Meetings be added to the regular agenda for discussion.

Mayor Carr stated staff meetings are one of the best things the City has done and they are a great cost benefit. He noted staff meetings are for staff, not Council Members.

Council Member Huber stated the Council votes on policy and that policy is given to staff to implement. All businesses have meetings and a staff meeting is not a secret process. All packets are public and can be reviewed by citizens.

Council Member Huber moved to approve the agenda, as presented. Council Member Lobin seconded the motion. Motion carried with Council Member Lanoux and Sederstrom voting nay.

CONSENT AGENDA

April 3, 2016 City Council

1	Meeting Minutes	Approved
2		
3	Bill List, \$66,889.21	Approved
4		
5	Brochman Blacktopping, \$22,179.50	Approved
6		
7	Clerk 3% Pay Increase for 2016,	
8	Per approved 2016 City Budget	Approved
9		
10	2016-2017 Dust Control, Low Bid –	
11	Envirotech, \$0.8850 Per Unit	Approved
12		
13	Addendum to Newsletter Template, City	
14	Rules of Procedure	Removed

15
16 **Council Member Lanoux moved to approve the consent agenda moving Item 4A, April 3,**
17 **2016 City Council Meeting Minutes to Item 6A under New Business. Council Member**
18 **Sederstrom seconded the motion. Motion failed with Council Member Huber, Lobin and**
19 **Mayor Carr voting nay.**

20
21 **Council Member Huber moved to approve the consent agenda moving Item 4G, Addendum**
22 **to Newsletter Template, City Rules of Procedure to Item 7A under Unfinished Business.**
23 **Council Member Lobin seconded the motion. Motion carried with Council Member**
24 **Lanoux and Sederstrom voting nay.**

25
26 **STAFF AGENDA ITEMS**

27
28 **City Engineer, Brad Reifsteck**

29
30 **2016 Roadway Patching** – City Engineer Reifsteck advised in 2013, Council adopted a revised
31 Seal Coat/Roadway Maintenance Plan that includes both seal coat and patching roadways based
32 on the pavement condition. The plan alternates patching and seal coating projects every other
33 year in an effort to keep costs lower by maintaining larger project areas.

34
35 In 2016, seal coating and patching is planned for the following streets:

2016 Seal Coating	2016 Patching
<ul style="list-style-type: none"> ▪ 62nd Street – West of Lake Elmo Dr, ▪ 115th Street – West of Manning ▪ Hidden Glade Ave – North of Hwy 96 ▪ 100th Street – West of Julianne Ave ▪ 102nd Street / Ct – West of Manning ▪ 100th Street – Ideal to Heron ▪ Jamaca Avenue – North of 64th Street 	<ul style="list-style-type: none"> ▪ Fieldridge Road – North of 101st St ▪ Indigo Trail – East of Ideal

1 The Seal Coat/Roadway maintenance plan allows the City to give residents an opportunity to
2 utilize the patching money for a larger overlay or rehabilitation project. By notifying residents
3 that their road is scheduled for patching in the near future, residents would have the ability to
4 petition the city for a project with partial funding from this project.
5

6 A standard letter has been attached for council review prior to mailing to the property owners
7 along each roadway receiving patching. Letters can be mailed by May 6 and will request resident
8 feedback by May 27th. If residents and the city elect to move forward with the planned patching,
9 Brochman Blacktopping is already under contract for the city's patching work and is prepared to
10 complete the work.
11

12 The budget for 2016 is \$68,000. The 2016 Seal Coat/Roadway Maintenance Plan was included
13 in the packets for review.
14

15 Mayor Carr stated his only concern with seal coating is if the road is too far gone. He stated he is
16 comfortable moving forward with the seal coat project based on the Engineer's recommendation
17 on the roadway.
18

19 Council directed staff to move forward with obtaining bids for the 2016 seal coat project.
20

21 **Road Ranking System Update** – City Engineer Reifsteck advised last November the Council
22 awarded a proposal for rating the City's paved roads. WSB Inspectors waited this spring for the
23 pavements to warm and cracks to be fully exposed before beginning field inspections. Field
24 inspection began on April 25th and will be finished by May 6th. The Inspector will be driving a
25 vehicle with a flashing yellow beacon and wearing a safety vest identified with the WSB logo.
26

27 Once the field inspections are completed the roadways will be rank according to condition and
28 will be used to identify, update or reprioritize the City's existing roadway seal coat/maintenance
29 plan and special road projects.
30

31 This item will appear on the June 7, 2016 City Council meeting agenda.
32

33 **Discussion of 2016 Special Roads Projects** – City Engineer Reifsteck reviewed a staff report
34 that was previously included in Council packets relating to McKusick Road. He stated the
35 Council has indicated they would like to have the Road Ranking System completed prior to
36 making decisions about 2016 Special Roads Projects. He advised the Road Ranking System will
37 be completed by the June, 2016 City Council meeting.
38

39 Council directed staff to meet with the business owners and residents on McKusick to talk about
40 potential participation on the road improvements.
41

42 **City Planner, Jennifer Haskamp**

43

44 **Draft Land Use Definitions – Background & Summary** – City Planner Haskamp advised over
45 the past several months the Council has been working on definitions for the remaining land uses

1 from the recently expired moratorium which are identified within the Table of Use but are not
 2 defined within the ordinance. Based on the discussions, staff believes that the following
 3 definitions, in draft form, are generally agreeable to the Council and would be ready for public
 4 hearing.

5
 6 Staff is requesting direction from the Council to publish a notice of public hearing to consider a
 7 draft ordinance for the following land use definitions and changes to the Table of Uses.

8
 9 **Definitions & Table of Uses Modifications/Changes**

10 **Armory, or convention halls** means a large building able to accommodate individuals and
 11 groups that gather to promote and share a common interest. Such facilities typically include
 12 auditoriums, concert halls, lecture halls, meeting rooms and conference rooms.

13
 14 **Broadcasting Studio** means a facility or building where the production and transmission of radio
 15 or television broadcasts originate, which may include ancillary office and business spaces to
 16 support the operations.

17 **Hotel or Motel** means a building which provides a common entrance, lobby, halls and stairway
 18 and in which ten or more people are, for compensation, lodged with or without meals. Such
 19 operations may include a single building or a group of detached, semi-detached, or attached
 20 buildings containing guest rooms or dwellings, with garage or parking space conveniently located
 21 to accommodate each unit.

22 **Structure, historic, scenic** means a building, structure, archaeological site, or other place that is
 23 listed on the national or state register of historic places, or is designated as a significant historic
 24 site by the city council. All unplatted cemeteries meeting provisions of Minn. Stats 307.08 are
 25 significant historic sites.

26
 27 **Theater** means a building or part of a building devoted to the showing of motion pictures or
 28 theatrical or performing arts productions as a principal use, but not including an outdoor drive-in
 29 theater.

30
 31 **Table of Uses revisions for Public Hearing***

Use	Conservancy	Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
Housing, student	N	€	€	€	N
Storage — Open (See section 32-341)	N	€€	€€	€€	€

32
 33 **Only land uses which would be modified on the Table of Uses are identified above; all others
 34 will remain unchanged.*

35
 36 The Council directed staff to publish the public hearing notice for the draft land use definitions.

1 **Consideration of Land Use Definitions, Final Group** – City Planner Haskamp stated that
2 based upon the discussion of the Council at the March and April meetings, staff has prepared
3 additional draft land use definitions and revisions for your review and consideration. As
4 previously stated, the following land uses are currently undefined within the ordinance but appear
5 on the land use table. Draft definitions, as well as corresponding discussion, are provided for
6 your review and consideration.

7
8 **April Definitions - Revisions**

9
10 **Gun Club, Gun Range, and Archery Range**

11 Staff has reviewed the comments from the Council during the April council meeting and
12 prepared the following draft definitions for your review and consideration. Staff remains a bit
13 unclear of the difference between a “Gun Range” and a “Gun Club”. Minnesota Statutes appears
14 to group both of these uses together and assumes that there is a “shooting range” associated with
15 both uses. (If this is not the intent of the Council, then further discussion and clarification should
16 be provided during the May meeting so staff can appropriately draft language.) The following
17 definitions and edits were drafted assuming that the State’s definition is consistent with the
18 direction/thoughts of the Council. If you review the existing Table of Uses Gun ranges are not
19 permitted in any zoning district, and Gun clubs are conditionally permitted in the A1 and A2
20 zoning districts. Consistent with how the statute defines “Shooting Range”, staff would
21 recommend combining Gun Range and Gun Club into a single use and then determine whether
22 such facilities should only be permitted indoors. Based on the current direction that Gun Ranges
23 would be acceptable only indoors, staff has provided the following draft definitions for your
24 considerations:

25
26 ***Gun Range or Gun Club, indoor*** means an indoor facility designated or operated primarily for
27 the use of firearms as defined within the applicable Minnesota State Statutes and laws. All
28 operations related to the shooting range, and the discharge of firearms, shall be permitted only
29 within a fully enclosed facility, and shall be regulated by the applicable Minnesota State Statutes
30 including, but not limited to, chapter 87A Shooting Ranges. Such facilities shall have primary
31 access and frontage on a county or state road and shall be setback a minimum of 150-feet from
32 any property line.

33
34
35 ***Archery Range*** means an area or facility designated or operated primarily for a shooting range of
36 bow-and-arrow as defined within Minnesota State Statutes (chapter 87A). Such facilities may be
37 located indoors or outdoors and shall be operated in compliance with the applicable Minnesota
38 State Statutes. Outdoor (archery) shooting ranges shall be setback a minimum of 750-feet from
39 all property lines, or as regulated within MN State Statutes, whichever is greater. Such facilities
40 shall have primary access and frontage on a county or state roadway.

41
42 Based on the proposed definitions, the following adjustment to the Table of Uses is provided for
43 your discussion and consideration:

44

Use	Conservanc	Agricultur	Agricultur	Residenti	General
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	y	al A1	al A2	al R1	Business (GB)
Archery range, commercial outdoors	C	C	C	N	N
<u>Gun clubs or ranges, indoor.</u>	N	C	C	N	NC
Gun ranges	N	N	N	N	N

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Commercial Schools

Based on the Council discussion in April, staff reviewed the existing ordinance and more specifically recent definitions to see how/or if a karate school, for example, would be permitted. If “Commercial Schools” were to be removed from the table of uses a karate school would not be permitted as a standalone business/structure. It could possibly fit within the definition of a “Home Occupation” if it is an accessory use, but it would not be permitted otherwise. As such, staff would recommend that the use remain, and slightly modified to “Schools – commercial”, and staff has prepared the following draft definition for your review:

Schools – commercial means a school established to provide for the teaching of clerical, managerial, or artistic skills including such things as karate, painting and dance. Such facilities may be owned and operated privately for profit or not-for-profit.

Use	Conservancy	Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
Commercial Schools <u>Schools - commercial</u>	N	N	N	N	C

14 **Schools – public and private**

15 During the April City Council meeting it is Staff’s understanding that the Council was interested
16 in adding some general performance standards to staff’s proposed March definition for public
17 and private schools. In response staff has provided the following modification to the definition
18 which is identified with an underline. One item to note, is that the size or square footage of the
19 building (scale) permitted will be constrained by several existing factors within the City’s
20 existing ordinance including coverage requirements, height maximums, setbacks, wetland
21 setbacks and sizing of septic systems. If additional regulation is desired, staff would look to the
22 Council to provide further direction so that staff may draft additional performance standards to
23 include within the definition, or within the appropriate section of the code.

24 **Schools – public and private** means an institution or building in which children and young
25 people usually under 19 receive education. Such institutions may be funded by public funds,
26 private organizations, or private individuals. Such facilities must have frontage on an improved
27 county or state roadway, and have a minimum of 20 contiguous acres.

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Use	Conservancy	Agricultural	Agricultural	Residential	General
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	y	al A1	al A2	al R1	Business (GB)
Schools – public and private	N	C	C	C	N

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Mayor Carr stated he does not envision a club gun being commercial. There is less residential impact if it is a private indoor gun club. Retail sales within the club also needs to be addressed.

Council Member Huber stated he supports an indoor club depending on how it is organized and meets all setback and state law, even if the facility is commercial. The amount of traffic and impact of an indoor club would be less even if it were not just private. The noise would be inside and traffic could be handled with performance standards.

City Planner Haskamp stated the retail aspect would have to be investigated further but the City would want that as part of the definition.

Council Member Lanoux stated he does not want to see an indoor club’s revenue limited by not allowing retail.

The Council directed staff to move forward with the draft definition for gun club and archery range.

City Haskamp advised the term commercial school is not a term that is used frequently. Some of the smaller schools for project, such as a dance or karate school, may be handled through the home occupations definition. She suggested the City keep the commercial land use in the table but rename it to Schools/Commercial.

The Council directed staff to move forward with the school definitions and publish the public hearing on those draft definitions.

City Attorney, Kevin Sandstrom (no action items)

NEW BUSINESS

There was no New Business.

UNFINISHED BUSINESS

Addendum to Newsletter Template, City Rules of Procedure – Council Member Huber advised he would like to discuss the fact that Council Members can no long write articles for the newsletter but the City Attorney is not present. Previous articles were discussed at the last meeting and the potential of the authors being legally liable. Mr. Sandstrom has no background on this issue.

1 **Council Member Huber moved to table Addendum to Newsletter Template, City Rules of**
2 **Procedure, to the next regular City Council meeting. Council Member Lobin seconded the**
3 **motion. Motion carried with Council Member Lanoux and Sederstrom voting nay.**

4
5 **DISCUSSION ITEMS**

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7 **City Council Reports:**

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9 Mayor Carr stated he was hoping to get some funds from the state for road improvements but
10 was unable to talk to them. He stated he attended the Mayor's meeting which is a group that has
11 been getting together for years. It is beneficial to get together and have community updates. He
12 advised that he requested the School plant some more trees for screening. The School District
13 very clearly indicated they are not interested in merging with the Stillwater Schools. He added
14 that the County may be moving up with the moving of the access.

15
16 Council Member Huber stated he did talk to several people regarding funding for McKusick.
17 There is no interest but he would be reaching out to Fran Miron regarding comments made about
18 the City of Grant. He stated there is a large surplus in the State's budget and it appears as though
19 it will be spent on mass transit and only 3% of that surplus will go back to local infrastructure.
20 He suggested everyone reach out to Kathy Lohmer regarding this issue.

21
22 Council Member Lanoux stated there was a fire at his house caused by a wasp's nest. He
23 thanked all the fire departments that were involved and noted the dry hydrant is still failing. The
24 City recently went after a cable reporter for harassment charges.

25
26 **Council Member Lanoux moved to have the City provide a formal apology to Mr. Tim**
27 **Dewuske Council Member Sederstrom seconded the motion.**

28
29 Mayor Carr stated Mr. Dewuske did do it but got out of it because a Council Member Sederstrom
30 signed an affidavit saying he was a reporter.

31
32 Council Member Huber stated a ticket was given. The complaint was made because there was
33 sufficient evidence to issue a citation.

34
35 Council Member Lobin provided the background of the incident and stated Council Member
36 Lanoux and Sederstrom sent a citizen in question to harass her and take video of her at a ski
37 event. She was chased through the event and had to call the police. The police wrote the report
38 and issued a citation. The police filed the charges. She did ask why the affidavit was signed in
39 October but the incident happened the previous July. He was told to go there and was told what
40 to do by Council Member Lanoux and Sederstrom.

41
42 **Motion failed with Council Members Huber, Lobin and Mayor Carr voting nay.**

43
44 **Staff Updates:**

1 There were no staff updates.

2 **COMMUNITY CALENDAR MAY 4 THROUGH MAY 31 , 2016:**

3

4 **Mahtomedi Public Schools Board Meeting, Thursday, May 12th and May 26th, Mahtomedi**
5 **District Education Center, 7:00 p.m.**

6 **Stillwater Public Schools Board Meeting, Thursday, May 12th , Stillwater City Hall, 7:00**
7 **p.m.**

8 **City Office Closed, Memorial Day, May 30th, 2016**

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

10

11 **ADJOURN**

12

13 **Mayor Carr moved to adjourn at 8:44 p.m. Council Member Huber seconded the motion.**
14 **Motion carried unanimously.**

15

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18 These minutes were considered and approved at the regular Council Meeting June 7, 2016.

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23 _____
Kim Points, Administrator/Clerk

Tom Carr, Mayor

APPROVED