

CITY OF GRANT  
MINUTES

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**DATE** : October 7, 2014  
**TIME STARTED** : 7:03 p.m.  
**TIME ENDED** : 7:44 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; and Administrator/Clerk, Kim Points

**CALL TO ORDER**

Mayor Carr called the meeting to order at 7:03 p.m.

**PLEDGE OF ALLEGIANCE**

**SETTING THE AGENDA**

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

**CONSENT AGENDA**

- September 2, 2014 City Council Meeting Minutes Approved
- Bill List, \$133,345.50 Approved
- City of Mahtomedi, 3<sup>rd</sup> Quarter Fire Payment, \$30,490.00 Approved
- Kline Bros. Excavating, Road Maintenance, \$25,542.50 Approved
- Resolution No. 2014-23, Loggers Trail Conditional Use Permit Approved
- Resolution No. 2013-29, Jasmine Hills Final Plat Approved
- Jasmine Hills Development Agreement Approved

1 Ordinance No. 2014-36, Land Use Moratorium Approved

2

3 Resolution No. 2014-28, Summary Publication of  
4 Ordinance No. 2014-36 Approved

5

6 Update of Snow Plowing Policy Approved

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8 **Council Member Bohnen moved to approve the Consent Agenda, as presented. Council**  
9 **Member Lobin seconded the motion. Motion carried unanimously.**

10

11 **STAFF AGENDA ITEMS**

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13 **City Engineer, Phil Olson (No action items)**

14

15 **City Planner, Jennifer Haskamp**

16

17 **PUBLIC HEARING, Consideration of Resolution No. 2014-30, Variance Request for Septic,**  
18 **9285 84<sup>th</sup> Street N** – City Planner Haskamp advised the Applicants and Owners (“Applicants”), Terry  
19 Aske and Janet Eitrem, have requested a variance from wetland/pond setbacks for a septic system on  
20 the property located at 9285 84<sup>th</sup> Street North. In July Washington County Environmental Services  
21 received a Compliance Inspection Report for the system currently serving the home that indicated the  
22 subsurface sewage treatment system (SSTS) was failing and would need to be replaced. As such, the  
23 Applicants attempted to replace the system and were notified by the County that the location of the  
24 replacement system is within the City’s required wetland setbacks and thus would need to obtain a  
25 variance from the city prior to being issued a permit for installation of the new system.

26

27 City Planner Haskamp reviewed the application and staff analysis noting that according to the City  
28 Code, Sections 32-59 and 32-60 establishes the criteria for granting and review of variance requests.  
29 The variance application review requires the Applicants to prepare a statement of reasons why the  
30 request is made describing the hardship (or practical difficulty) which is described as, “the proposed  
31 use of the property and associated structures in question cannot be established under the conditions  
32 allowed by this chapter or its amendments and no other reasonable alternate use exists; however, the  
33 plight of the landowner must be due to physical conditions unique to the land, structure or building  
34 involved and are not applicable to other lands, structures or buildings in the same zoning  
35 district....Economic considerations alone shall not constitute a hardship.”

36

37 The following draft findings related to the hardship (practical difficulty) are provided for your review  
38 and consideration:

- 39 ■ The Applicants must replace the failing system to comply with the Notice and Order to  
40 Comply issued by the Washington County Department of public Health and Environment.
- 41 ■ Replacement of the failing system is a health, safety, and welfare issue and must be completed  
42 to the satisfaction of Washington County to protect the current and future home owners.
- 43 ■ The lot is considered a legal non-conforming property for lot size, area and dimensions and  
44 constrains the buildable area on the site limiting the available locations to site the new system.

- 1       ▪ There are three wetland/pond areas and significant topography and vegetation which limit the  
2       available area to site the replacement system.

3

4 Draft Conditions:

- 5       ▪ The Applicants shall be required to obtain the proper permits from the Washington County  
6       Department of Public Health and Environment prior to installation of the replacement system.
- 7       ▪ The replacement system must be placed outside of all wetland/ponding areas on the site.

8

9 City Planner Haskamp reviewed the attached draft resolution of approval for Council consideration.

10

11 Mayor Carr opened the public hearing at 7:10 p.m.

12

13 No one was present to address the Council on this issue.

14

15 Mayor Carr closed the public hearing at 7:11 p.m.

16

17 **Council Member Bohnen moved to adopt Resolution No. 2014-30, as presented. Council**  
18 **Member Tronrud seconded the motion. Motion carried unanimously.**

19

20 **Land Use Definition Process** – City Planner Haskamp advised the land use definition process goes  
21 along with the land use moratorium that was approved this evening. There are twenty-two land uses  
22 that currently do not have definitions. She outlined a process for defining these and asked for Council  
23 feedback.

24

25 It was the consensus of the Council to start with defining the most critical uses and as they are  
26 completed they will be taken off the moratorium.

27

28 This item will appear on the next Council agenda.

29

30 **City Attorney, Nick Vivian (No action items)**

31

32 **NEW BUSINESS**

33

34 There was no new business.

35

36 **UNFINISHED BUSINESS**

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38 There was no unfinished business.

39

40 **DISCUSSION ITEMS**

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42 **City Council Reports:**

43

1 Mayor Carr stated the newsletter went out. There is a Charter meeting on October 16<sup>th</sup> and more  
2 information can be obtained there. He noted the draft Charter is also posted on the City website.

3  
4 Council Member Bohnen stated the city is ready now for the Justin Trail project but culverts need to  
5 be installed under the driveways. The Council had approved an expenditure of \$5,000 but the  
6 culverts will be a separate expenditure. He asked for Council direction regarding the property owner  
7 paying for the culverts.

8  
9 Mayor Carr stated those are driveway culverts and the property owner is responsible for them. The  
10 City can install them but they have to pay for the materials or the access will be limited.

11  
12 It was the consensus of the Council to have the City Attorney coordinate with the City Engineer and  
13 property owners regarding the material costs of the culverts.

14  
15 **Mayor Carr moved to direct staff to work with the homeowner regarding culvert installation at  
16 their expense and potential access and authorize work up to \$5,000 for Justin Trail. Council  
17 Member Bohnen seconded the motion. Motion carried unanimously.**

18  
19 **Staff Updates:**

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21 City Attorney Vivian referred to memo's included in the Council packets relating to legal questions  
22 and complaints. He outlined a memo regarding the Charter question petition in relation to removing  
23 signatures noting signatures cannot be revoked.

24  
25 **COMMUNITY CALENDAR OCTOBER 8 THROUGH OCTOBER 31, 2014:**

26 **Mahtomedi Public Schools Board Meeting, Thursday, October 9<sup>th</sup>, 2014, Mahtomedi District  
27 Education Center, 7:00 p.m.**

28 **Stillwater Public Schools Board Meeting, Thursday, October 9<sup>th</sup> and October 23<sup>rd</sup>, 2014,  
29 Stillwater City Hall, 7:00 p.m.**

30 **Charter Commission Meeting, Thursday, October 16<sup>th</sup> 2014, Mahtomedi City Hall, 7:00 p.m.**

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

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33 The City Council adjourned to a work session to take public input.

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35 **PUBLIC INPUT**

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37 **Citizen Comments – Individuals may address the City Council about any item not  
38 included on the regular agenda. The Mayor will recognize speakers to come to the  
39 podium. Speakers will state their name and address and limit their remarks to three (3)  
40 minutes. Generally, the City Council will not take any official action on items discussed  
41 at this time, but may typically refer the matter to staff for a future report or direct that  
42 the matter be scheduled on an upcoming agenda.**

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No one was present for public input and no Council action was taken.

**ADJOURN**

**There being no further business, Council Member Bohnen moved adjourn at 7:44 p.m. Council Member Lobin seconded the motion. Motion carried unanimously.**

These minutes were considered and approved at the regular Council Meeting November 6<sup>th</sup>, 2014.

\_\_\_\_\_  
Kim Points, Administrator/Clerk

\_\_\_\_\_  
Tom Carr, Mayor

