

CITY OF GRANT
MINUTES

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DATE : September 2, 2014
TIME STARTED : 7:10 p.m.
TIME ENDED : 8:53 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 7:10 p.m.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Council Member Bohnen moved to approve the agenda with the addition of 6E, Town Hall Use, under New Business. Motion failed with no second.

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

CONSENT AGENDA

Bill List, \$49,259.81	Approved
Washington County Sheriff's Department, \$54,882.95	Approved
M.J. Raleigh Trucking, Gravel \$25,544.17	Approved
Kline Bros. Excavating, Road Maintenance, \$10,437.50	Approved
Audit Contract Extension, 2014-2016	Approved

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

STAFF AGENDA ITEMS

City Engineer, Phil Olson (No action items)

City Planner, Jennifer Haskamp

PUBLIC HEARING, Consideration of Resolution No. 2014-23, Conditional Use Permit Application, Loggers Trail, 11950 80th Street – City Planner Haskamp advised Loggers Trail Golf Club is currently operating with a Conditional Use Permit (CUP) which establishes the conditions under which the current golf course operations are permitted. In 2004 the CUP was granted to the Applicant based upon the preliminary plat and plans which detailed the site operations including the golf course and clubhouse facilities. The intent at the time, which is detailed in the CUP and Development Agreement, was to construct the permanent clubhouse according to a specific plan, which ultimately was never built due to the economic downturn. Now, with economic conditions improving, the Applicant, Dan Pohl on behalf of Loggers Trail Golf Club, would like to construct a permanent clubhouse that varies slightly from the previous plan and introduces some additional amenities that need to be addressed to ensure operations are compliant with the conditions as established within the permit. As such, Mr. Pohl is now requesting an amendment to their Conditional Use Permit to allow for the construction and operations of the permanent clubhouse at the Loggers Trail Golf Club.

Earlier this year, Mr. Pohl requested and was granted minor subdivision approval to create the 5-acre parcel on which the existing temporary clubhouse is located, and where the new permanent clubhouse will be constructed. That subdivision was approved (Resolution #2014-10), and the CUP must also be amended to include the legal description of the new parcel to ensure the permit is recorded properly to address the operations of the clubhouse.

City Planner Haskamp provided an overview of the application noting it only addresses the proposed changes/amendments, as the vast majority of the existing conditions as stated within the CUP will not change as a result of this application.

City Planner Haskamp reviewed the draft draft conditions to amend noting the existing conditional use permit will remain largely in force.

City Planner Haskamp referred to the County's potential stop light being installed at that corner and advised the use proposed on this site is consistent with the 2004 approved conditional use permit. There is no increased intensity of use so that potential project is not part of the proposed plan. She noted the parking situation on the site does need to be addressed.

City Attorney Vivian added in order to impose conditions of use there has to be a nexus for that condition. It is difficult to require a property owner to share in costs when there is no increase of the intensity of use on the site.

Mayor Carr opened the public hearing at 7:25 p.m.

1 Mr. Dan Pohl, President of Loggers Trail, came forward and stated he has sufficient, usable ADA
2 parking on site and has never exceeded the capacity of that parking. He was also told by the County
3 that the stop light there is to allow residents from Settlers to get on Manning Avenue. He noted the
4 special events at the facility will occur in the late afternoon or early evening at a time many golfers
5 have left the site.

6
7 Mr. Larry Lanoux, Keswick Avenue, came forward and requested clarification on the zoning change
8 that allowed supper clubs and wedding event centers.

9
10 Mayor Carr closed the public hearing at 7:28 p.m.

11
12 Mr. Pohl came forward and stated his facility is not a wedding venue. It is a golf course that he would
13 also like the option to host tournaments and special events.

14
15 City Planner Haskamp stated if the Council wants all parking to be on the site parking would be tight.
16 The vast majority of the time the current parking would be sufficient. During some events additional
17 parking may be required and the Council could condition the permit on having a parking lot attendant
18 at those times.

19
20 Discussion was held regarding operating hours and it was determined the times in the existing
21 conditional use permit would be allowed. It was also determine that the applicant would maximize
22 the current parking lot as much as possible. No additional parking would be allowed on the roadway
23 from Manning Avenue to the driveway location. No Parking signs would be installed on the west
24 side of the road from the driveway at the applicant's expense.

25
26 Resolution No. 2014-23 will be revised relating to the parking requirements and appear on the
27 consent agenda at the October 7, 2014 regular City Council meeting.

28
29 **PUBLIC HEARING, Consideration of Resolution No. 2014-24, Variance Application for Septic,**
30 **9200 Jeffery Blvd. N** – City Planner Haskamp advised the Applicant, Brook Parent of Parent Custom
31 Homes, LLC, on behalf of the Owners Paul and Kim Vanderwerf, has requested two after-the-fact
32 variances for setback related issues to the wetland/pond on site, and one variance for the septic tanks
33 to serve the new home on the property located at 9200 Jeffery Blvd. N.

34
35 Staff became aware of the issue when the Applicant submitted an application for a variance from the
36 wetland/pond grading buffer on site for installation of the septic tanks to serve the newly constructed
37 house. At the time when the application was made, staff was unaware that a building permit had
38 already been acquired for the home, and that the construction of the new home was nearly completed.
39 As such, an incomplete letter was sent to the Applicant indicating that the proposed house location
40 did not meet setbacks, and that additional information was necessary in order to process the request.
41 Upon receipt of the letter, Parent Custom Homes contacted staff to indicate that the house was already
42 constructed, and thus the issue became two after-the-fact variances requested for the home, and the
43 variance for the septic tank was still necessary due to the location of the home. The following staff
44 report summarizes the requested variances, and also proposes potential mitigation to offset the after-
45 the-fact nature of the request.

1 City Planner Haskamp reviewed the draft findings relating to the hardship and conditions of approval
2 noting a solution was worked out with the Applicant to provide some mitigation and place the area in
3 a conservation easement that meets the intent of the ordinance, which is to protect surface waer
4 bodies in the City. Therefore, staff is recommending approval of the variance request based on the
5 outlined conditions.

6
7 Mayor Carr opened the public hearing at 8:11 p.m.

8
9 No one was present to address the Council on this issue.

10
11 Mayor Carr closed the public hearing at 8:11 p.m.

12
13 It was the consensus of the Council that an after the fact variance is an issue for the City and the
14 Council does not want to see it happen again.

15
16 **Council Member Huber moved to adopt Resolution No. 2014-24, as presented. Council**
17 **Member Bohnen seconded the motion. Motion carried unanimously.**

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20 **City Attorney, Nick Vivian**

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22 **PUBLIC HEARING, Consideration of Resolution No. 2014-27, Vacate CUP's at 10495 Hadley**
23 **Avenue N and 10629 Jamaca Avenue N – City Attorney Vivian outlined Resolution No. 2014-27,**
24 **vacating two conditional use permits that are no longer operating within the City. The homeowners**
25 **were notified and the public hearing was published.**

26
27 Mayor Carr opened the public hearing at 8:14 p.m.

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

30
31 Mayor Carr closed the public hearing at 8:14 p.m.

32
33 **Council Member Huber moved to adopt Resolution No. 2014-27, as presented. Council**
34 **Member Bohnen seconded the motion. Motion carried unanimously.**

35
36 **NEW BUSINESS**

37
38 **August 5, 2014 City Council Meeting Minutes (Council Member Lobin abstain) – Council**
39 **Member Lobin was absent from the August 5, 2014 City Council meeting.**

40
41 **Council Member Bohnen moved to approve the August 5, 2014 City Council Meeting Minutes,**
42 **as presented. Council Member Tronrud seconded the motion. Motion carried unanimously.**

43
44 **Consideration of Resolution No. 2014-25, 2015 Preliminary Budget, Treasurer Schwarze – City**
45 **Treasurer Schwarze advised the City Council had two meetings to discuss the 2015 preliminary**

1 budget. Action must be taken on the preliminary budget this evening. Action on the final budget
2 occurs in December. She noted the increases in the budget are mainly due to some cost share on
3 County road projects and the Stillwater Fire Department increases.
4

5 **Council Member Huber moved to adopt Resolution No. 2014-25, as presented. Council**
6 **Member Tronrud seconded the motion. Motion carried unanimously.**
7

8 **Consideration of Resolution No. 2014-26, Preliminary Levy Certification, Treasurer Schwarze**
9 **– City Treasurer Schwarze advised the preliminary levy can go down but not be raised. The final levy**
10 **will be approved at the December Council meeting.**
11

12 **Council Member Bohnen moved to adopt Resolution No. 2014-26, as presented. Council**
13 **Member Huber seconded the motion. Motion carried unanimously.**
14

15 **PROCLAMATION – Celebrate Community Media Week** – Mayor Carr read a proclamation
16 acknowledging Celebrate Community Media Week.
17

18 **UNFINISHED BUSINESS**

19
20 There was no unfinished business.
21

22 **DISCUSSION ITEMS**

23 24 **City Council Reports:**

25
26 Council Member Tronrud asked that newsletter articles be submitted by the City Council no later than
27 September 12, 2014.
28

29 Mayor Carr stated he believes the City needs to work on the definitions in the Land Use Chart that are
30 not actually defined and place a moratorium on those uses until they are defined.
31

32 City Attorney Vivian explained the moratorium process and the need for it. He provided an example
33 and noted that it is prudent for the City to define all uses. As each use is defined, those particular uses
34 can come off the moratorium.
35

36 Council directed staff to come back at the October Council meeting with an outlined process for
37 defining the land use chart as well as a moratorium on the undefined uses.
38

39 Mayor Carr read a statement relating to the last Charter Commission meeting noting he does not want
40 to see the City of Grant change and he does not support sewer and water within the City.
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42 Council Member Bohnen stated he has been proud of the work done on the Charter Commission and
43 being of being a part of the Charter Commission. The Commission should not be dissolved prior to
44 the work being done.
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Staff Updates:

Administrator/Clerk Points advised the Council City Attorney Vivian attended and provided a data practices training seminar at the Washington County Clerk's Association (WCCA) at their quarterly meeting in August.

Administrator/Clerk Points requested the Council move public comment to the beginning of the Council meeting subject to the current rules.

It was the consensus of the Council that public comment would be moved to the beginning of the meeting starting at the November 2014 meeting.

COMMUNITY CALENDAR SEPTEMBER 3 THROUGH SEPTEMBER 30, 2014:

Mahtomedi Public Schools Board Meeting, Thursday, September 11 14th, 2014, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, September 11th and 25th, 2014, Stillwater City Hall, 7:00 p.m.

Charter Commission Meeting, Thursday, September 18th, 2014, Mahtomedi City Hall, 7:00 p.m.

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

The City Council adjourned to a work session to take public input from the following:

PUBLIC INPUT

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

1. Mr. Larry Lanoux – comments on Charter Commission use of Town Hall

No Council action was taken on public input and no matter was referred to staff to schedule on an upcoming agenda.

ADJOURN

1 **There being no further business, Council Member Bohnen moved adjourn at 8:53 p.m. Council**
2 **Member Lobin seconded the motion. Motion carried unanimously.**

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4 These minutes were considered and approved at the regular Council Meeting October 7th, 2014.

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Kim Points, Administrator/Clerk

Tom Carr, Mayor

APPROVED