

**City of Grant
City Council Agenda
November 8, 2012**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Thursday, November 8, 2012, in the Grant Town Hall, 8380 Kimbro Ave. for the purpose of conducting the business hereafter listed, and all accepted additions thereto.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF REGULAR AGENDA**
4. **APPROVAL OF CONSENT AGENDA**
 - A. October 2, 2012 City Council Meeting Minutes
 - B. Bill List, \$31,444.37
 - C. T.A. Schifsky & Sons, Jamaca Road Project, \$41,651.49
 - D. Kline Bros. Excavating, Road Maintenance, \$11,077.50
5. **PUBLIC COMMENT**
6. **CONCEPT PLAN REVIEW, MARK DEWEY**
7. **CONCEPT PLAN REVIEW, TONY COLLETTE**
8. **STAFF REPORTS**
 - A. City Engineer, Phil Olson
 - i. October Staff Report
 - B. City Planner, Breanne Rothstein
 - i. Harmony Horse Farm Code Enforcement
 - ii. October Staff Report
 - C. City Attorney, Nick Vivian
 - i. Axdahl Jacobs Development Agreement
 - ii. October Staff Report
 - D. Building Inspector, Jack Kramer (report for October building activities)
9. **NEW BUSINESS**
 - A. Water Pump at Town Hall, 8380 Kimbro
10. **OLD BUSINESS**
 - A. Website Items

11. DISCUSSION ITEMS

- A. Public Comment Inquires, Mayor Carr
- B. City Council Reports (any updates from Council)
- C. Staff Reports (any updates from Staff)

12. COMMUNITY CALENDAR NOVEMBER 9 THROUGH NOVEMBER 30, 2012:

Special Council Meeting, Certification of Election Results, Friday, November 9, 2012, City Office, 9:00 a.m.

Planning Commission Meeting, Monday, November 19, 2012, Town Hall, 7:00 p.m.

City Office Closed, Thursday, November 22, 2012, Thanksgiving Day

13. ADJOURNMENT

ADDRESSING THE CITY COUNCIL

Persons wishing to address the Council on a subject which appears on the agenda must wait until the item is discussed by the Council. The procedure for consideration of an agenda item is (1) staff presentation; (2) presentations by petitioner or advisory bodies (if required); (3) Council motion and seconded to place the matter on the floor; (4) Council questions of staff and/or advisory body reports and discussion; (5) presentations from the audience; and (6) Council decision.

Guidelines for Conduct at the City of Grant City Council Meetings
(Per 2007 Meeting Agendas)

The City of Grant welcomes the public to attend all public meetings, workshops, and hearings and you are encouraged to express your opinion during these meetings. To keep the agenda moving smoothly, the City uses the following basic guidelines for presentations made before the Council:

1. Public comment will be addressed as time allows and individuals must be recognized by the Mayor prior to making comment
2. Any individual addressing the Council will approach the microphone and clearly state both their name and address.
3. Comments shall be addressed to the City Council only and shall be confined to the agenda item under discussion.
4. Comments and reading of written statements shall be limited to 2 minutes and speakers will not be recognized to speak again until everyone who wishes to address the City Council has been heard. You are encouraged not to be repetitious of comments made by any previous speakers.

5. **The number of individual presentations may be limited by the City Council to accommodate the scheduled agenda items.**
6. **Speakers shall respect the dignity of others being addressed directly or indirectly.**

CITY OF GRANT
MINUTES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

DATE : October 2, 2012
TIME STARTED : 7:04 p.m.
TIME ENDED : 8:35 p.m.
MEMBERS PRESENT : Councilmember Bohnen, Fogelson, Huber, Potter
and Mayor Carr
MEMBERS ABSENT : None

Staff members present: City Attorney, Nick Vivian; City Engineer, Phil Olson; City Planner, Breanne Rothstein; and City Clerk, Kim Points

CALL TO ORDER

Mayor Carr called the meeting to order at 7:04 p.m.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

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

CONSENT AGENDA

September 4, 2012, City Council Meeting Minutes	Approved
Bill List, \$31,217.43	Approved
City of Hugo, Goodview Avenue Project, \$21,380.27	Approved
Kline Bros., Road Maintenance, \$16,970.00	Approved
Envirotech Services, Dust Control, \$14,896.81	Approved
City of Mahtomedi, 3 rd Quarter Fire Contract, \$28,739.50	Approved
Resolution No. 2012-10, Complaint Protocol And Communications Process	Approved
Resolution No. 2012-11, Data Practices Policy	Approved

1 **Council Member Potter moved to approve the Consent Agenda, as presented. Council Member**
2 **Bohnen seconded the motion. Motion carried unanimously.**

3
4 **PUBLIC COMMENT**

5
6 Mr. Larry Lanoux, Keswick Avenue, came forward and thanked the Council Members and Planning
7 Commissioners that attended the parade. He stated it was a great success with over 800 participants.
8 Art and Joyce Welander were the grand marshals. Mr. Welander passed away nine days after the
9 parade. Participants included on the Grant Town Hall replica included a World War II veteran as well
10 as a veteran from the Korean War. The Town Hall replica has been in several different parades
11 including the Mahtomedi homecoming parade. He referred to an article relating to Lake Elmo and
12 challenges of growth there and indicated everyone agrees no one wants to see that in the City of
13 Grant. He displayed a picture of pipes that are currently coming into Grant right now. He requested
14 that the Council direct the Planning Commission to look at separating the school site from Grant
15 which would result in taking the Met Council out of Grant.

16 Mr. Mark Wojcik, 110th Street, came forward and stated there are many people who do not follow
17 things closely. He stated there is often times a lot of gnashing and angst at the Council meetings
18 because there is a lot of passion within Grant. There is also a lack of leadership and a lot of
19 unanswered questions. The Council spent an hour discussing chaining down the portapot but the
20 school CUP pushed through very quickly. He referred to a copy of a letter that outlined the timeline
21 for the school which raises a lot of questions. The City needs to take the time to understand the
22 implications of water and sewer coming into Grant as well as traffic and other issues. He stated he
23 hopes the City will do a better job to understand the issues so the same mistakes are not made again.

24 Mr. Loren Sederstrom, 107th Street, came forward and stated he has been talking to the Church where
25 elections are held about bringing 4H back into the community. The City is divided by school districts
26 and there are no coffee shops. He stated he is doing some public outreach to try and bring the
27 community together.

28 Mr. John Smith, 67th Lane, came forward and stated there is a lot of shouldering work going on within
29 the City. He referred to and read the City's resolution relating to road shouldering. He displayed a
30 partial list of other areas that need work and showed a picture of a drain in the Indian Hills area. He
31 stated the question is why was the shouldering work on Joliet was prioritized over the Indian Hills
32 area and asked if it is because former and current Council Members live on Joliet.

33 Mr. Tim Kenley, City of Mahtomedi, came forward and stated he has a cable show called Speechless.
34 He stated he appreciates the openness of the meetings in Grant. He advised that the Mayor had
35 previously said he did not know the school site was a super fund site. He displayed an application
36 from 2002 for a clean-up program that Mr. Carr was the applicant for, but yet the Mayor has stated he
37 did not know about the site. He noted he tried to video tape a school district meeting and asked to
38 leave and he did not appreciate that.

39 Ms. Elizabeth Stockman came forward and stated she has heard rumors that the City of Grant scared
40 4H into leaving and not using the Town Hall. She stated she would like to clarify the reason 4H left
41 this building. The reason they left the City of Grant is because they have too many kids and there is
42 no restroom. That is why 4H moved to St. Andrews and they were able to split into two groups at St.

1 Andrews because there is more space. She added that the mowing and trimming of the trees within
2 the City is not good. She did speak to the Road Commissioner about it and she does not like what is
3 being done. It did not solve the problem and caused damage to the trees.

4 Mr. Bob Englehart, Joliet Avenue, came forward and stated there is still litigation going on with
5 campaign signs from the last election and it is happening again. Signs were stole from his property so
6 he rented the Town Hall float to display signs. He stated he would like to address the Council and
7 residents about the State Auditor's Office investigating Jeff Huber. He has received cable from the
8 Cable Commission and he should have refused that. The Council should make him pay \$9,000 back
9 to the Commission. He stated he would like a receipt to show that and ensure the matter is corrected.
10 If the Council does not take action they must be okay with it.

11 Mr. John Wycoff, 2345 Maryland, came forward and stated there is a code of ethics for realtors. He
12 stated he has offered to purchase some property in Grant several times and he believes the Mayor
13 never made the offer known to keep him out of Grant. Mr. Carr also told his real estate agent that you
14 would allow for a larger outbuilding than is really allowed. He asked how Mr. Carr can be the Mayor
15 of Grant.

16 Mr. Bill David came forward and stated there was a review of some of the Planning Commissioners
17 last month but not all of them. He asked why some were reviewed and some were not. The Council
18 did a review of all of the staff. He referred to a letter from the City Attorney that states a summary of
19 that review needs to be provided at the next meeting. That summary is not on the agenda and the
20 agenda was approved. He asked how the City Attorney is going to take care of that and stated it is
21 very concerning.

22 23 STAFF REPORTS

24 25 **City Engineer, Phil Olson**

26
27 **Jamaca Avenue Roadway Repair Project Bids** – City Engineer Olson provided the background and
28 outlined the two bids that were received for the project.

29
30 Council Member Bohnen recommended approval of the Schifsky bid if the project does move
31 forward. He stated hard numbers are needed to determine where the City is in the budget relating to
32 road projects. He advised he could pull back on a couple of projects to be able to move forward with
33 this one. The City could be in a position of \$5,000 to \$10,000 over the road budget if there is a
34 normal amount of snow.

35
36 City Treasurer Schwarze stated that during the budget discussions there was approximately \$60,000
37 available for road projects and the Council was aware that some of that would come from reserves.
38 She stated that in her opinion, the City should be spending some of its reserves on roads. The City is
39 close to 100% in reserves if the yearend numbers come in as projected.

40
41 Mayor Carr stated he just wants to make sure the City is watching the numbers and budgeting for
42 projects.

43

1 Council Member Potter stated the City has tried to target 75% in reserves. In his mind is he
2 comfortable spending some reserves.

3
4 Council Member Bohnen stated he can pull back on two projects in the amount of approximately
5 \$8,000. He recommended the City move forward with this project and takes the risk of being over
6 budget. The project could wait but it should have been done a year ago.

7
8 Council Member Huber asked for clarification regarding the portion of the project that the City would
9 not be charged for.

10
11 Council Member Bohnen explained that part of the project advising Mr. Schifsky will take care of
12 that at his cost because the area leads to his driveway. He does have buy in from the neighbors.

13
14 **Council Member Bohnen moved to approve the bid from Schifsky as presented and move**
15 **forward with the project. Council Member Fogelson seconded the motion. Motion carried**
16 **unanimously.**

17
18 **Staff Report** – City Engineer Olson reviewed the September staff report relating to engineering
19 activities.

20
21 **City Planner, Breanne Rothstein**

22
23 **Long Lake Discussion** – City Planner Rothstein provided a brief background and requested Council
24 direction. She noted the citizen request is for the City to submit an application to the DNR to clean
25 out the lake. The City does not need to be the applicant but can be. It is not an advantage for the City
26 to apply for the permit. Details of the application do matter. The type of vegetation and lake use is
27 also very important. The application is only two pages and is not cumbersome. The landowners can
28 apply directly to the DNR and staff can work with them if the Council provides that direction.

29
30 Mr. Bob Hill, landowner on Long Lake, came forward and stated the truth about the DNR and their
31 view of lakes is that this is the natural progression of a lake. The lake used to be open water and is
32 classified as a recreational lake. He displayed a map pointing out the Grant portion of the lake noting
33 it is all vegetation now. Some of the vegetation is wanted and some is not. Homeowners want to
34 convince the DNR to obtain a lake management plan to get the lake back to the original use.

35
36 Mr. Hill displayed a picture of what the DNR envisions the lake to be, which is basically a wetland,
37 and that is irresponsible. The property values are lowered and that is where the City has an interest.
38 The homeowners will fill out the permit application but they believe if the DNR is aware that the
39 community is watching it they will have more interest. The homeowners are not asking for City funds
40 as the project will be all funded privately. The homeowners will be approaching the City of
41 Mahtomedi and Dellwood as well.

42
43 Mr. Hill continued advising the process to take care of this issue is a combination of utilizing a clear
44 channel and hydraulic dredging. Some chemicals can be used and the City can enact their own shore
45 land management plan as buffers are needed.

1 Council Member Huber expressed concern that the City has not heard from other property owners in
2 terms of the buffering that may be proposed.

3
4 Mr. Hill advised there are two property owners on this end of the lake. Both will be part of the
5 application process and do support this.

6
7 Mayor Carr advised he would go to a meeting with the DNR to help with the process. He suggested
8 the Clerk send a letter of support on behalf of the City.

9
10 Council Member Bohnen confirmed there is a City process in place for the homeowners to submit an
11 escrow and utilize City staff if necessary.

12
13 City Planner Rothstein noted the homeowners may need a watershed permit. The City is the LGU if
14 dredging is necessary.

15
16 It was the consensus of the Council to write a letter of support to the DNR for the permit noting the
17 property owners are funding the project.

18
19 **Staff Report** – A report from City Planner Rothstein was provided for September 2012 planning
20 activities to be placed on file.

21
22 **City Attorney, Nick Vivian**

23
24 **Staff Report** – A report from City Attorney Vivian was provided for September 2012 to be placed on
25 file for review. He noted he has been working on the current litigation with the City Clerk. He
26 referred to the summary requirement relating to closed session and noted a closed session was not
27 held. It was requested the discussion be held in open meeting so no summary is required. An update
28 relating the current litigation will be sent out later in the month.

29
30 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for
31 September 2012 to be placed on file for review.

32
33 **NEW BUSINESS**

34
35 There was no new business.

36
37 **OLD BUSINESS**

38
39 **Website Items** – There was no discussion relating to the City website.

40
41 **DISCUSSION ITEMS**

42
43 **Public Comment Inquires, Mayor Carr** – Mayor Carr referred to the comments relating to the
44 shouldering work that is occurring in the City and advised that shouldering is something the City is
45 doing more of.

1 Council Member Bohnen stated the truth is the City does use a half hazard method of determining
2 where road work is done. He stated he goes out and looks at the potential areas for road work. He
3 invited anyone to come forward to help him with that or come up with a better process. The work on
4 Joliet started last year due to an erosion problem. All roads can't be fixed every year so it is spread
5 out as best he can. It may be more efficient if there were a road team.

6
7 Mr. Smith came forward and stated it appears the City is going from pillar to post and will continue to
8 do so. The squeaky wheel gets the grease. He noted he can make a lot of noise. A better process
9 needs to be developed for all of the roads and the issue is funding. He stated he would volunteer but
10 it wouldn't do any good.

11
12 Council Member Huber stated he did call the Road Commissioner and expressed concern regarding
13 the shouldering work on Joliet. He read an email from him outlining why the work was being done
14 and thanked him for the email. He inquired about the road count on Joliet. He read a letter regarding
15 why a review was done for three of the PC members and not all of them. The letter was from the
16 Attorney in St. Paul outling why they did not press charges. He stated he is unaware of any other PC
17 members having these alligations. He referred to the comments relating to the cable and cable
18 commission noting it is part of the compensation package from the cable commission for serving on
19 that commission on behalf of the City. Mayors and Council Members from other cities also serve on
20 that commission and receive the same compensation. He requested to see the letter Mr. Englehart
21 referred to regarding an investigation. He added he was willing and is willing to work on a road
22 referendum but will not do so without a road policy in place. He stated he will not put tax dollars into
23 a big kitty with no plan for those dollars.

24
25 Council Member Bohnen clarified the portion of Joliet that is having should work as well as the road
26 count on Joliet.

27
28 Council Member Huber stated Joliet is one of the busiest feeder streets within the City. He believes
29 that highest traveled roads often get road projects.

30
31 Mayor Carr requested current road counts for all streets within the City.

32
33 Mr. Smith came forward and asked if the cable is just a part of the Commission compensation
34 referring to a package for compensation. He stated that the road policy should be turned over to the
35 Planning Commission for review.

36
37 **City Council Reports** – Council Member Potter updated the Council on the road replacement project
38 noting 40-50 road signs have been replaced per the federal mandate.

39
40 Council Member Bohnen stated there were approximately 25 different projects going this month. He
41 requested that if anyone has any questions to please call him. He stated it is disheartening that the
42 roads and road project are not up to everyone's satisfaction but he is getting used to it. He stated he
43 would like any help that is available and it seems that citizens say they will help but then they don't.
44 He stated he is getting to the point that if someone else wants to do the Road Commissioner job they
45 should do it and he would be available to help. The constant criticizing is disheartening.

1 Mr. Larry Lanoux came forward and stated it is time to talk about hiring a City Administrator to get
2 the Road Commissioner help with some of these things and get them off the Road Commissioner's
3 plate. The City should go back to the part time clerk that was hired and get a full time administrator.
4

5 **Staff Reports (any updates from Staff)** – City Treasurer Schwarze noted the Truth in Taxation
6 hearing is December 4, 2012 at 6:00 p.m.
7

8 **COMMUNITY CALENDAR OCTOBER 3 THROUGH OCTOBER 31, 2012:**
9

10 **Candidate Forum, Wednesday, October 10, 2012, Mahtomedi High School, Black Box Theatre,**
11 **7:00 p.m.**
12

13 **Planning Commission Meeting, Monday, October 15, 2012, Town Hall, 7:00 p.m.**
14

15 **ADJOURN**
16

17 **There being no further business, Council Member Potter moved to adjourn at 8:35 p.m.**
18 **Council Member Fogelson seconded the motion. Motion carried unanimously.**
19
20

21 These minutes were considered and approved at the regular Council Meeting November 8, 2012.
22
23
24
25

26 _____
Kim Points, City Clerk

Tom Carr, Mayor

Disbursements List

City of Grant

Date range: 10/03/2012 to 10/29/2012

Vendor	Date	Check #	Total	Description	Void No	Account #	Detail
Payroll Period Ending 10/29/2012	10/29/2012	11873	\$3,424.63		No	100-41101-100	\$3,424.63
Sprint	10/29/2012	11874	\$32.60	City Cell Phone	No	100-43116-321	\$32.60
CenturyLink	10/29/2012	11875	\$163.23	City Phone	No	100-41309-321	\$163.23
Kline Bros Excavating	10/29/2012	11876	\$11,077.50	Road Maintenance	No	100-43101-300	\$3,370.00
						100-43108-300	\$1,997.50
						100-43111-300	\$600.00
						100-43126-300	\$5,110.00
KEJ Enterprises	10/29/2012	11877	\$1,915.00	Sign Replacement	No	100-43110-300	\$1,915.00
Lyle Signs, Inc.	10/29/2012	11878	\$106.88	Sign Replacement	No	100-43110-330	\$106.88
Xcel Energy	10/29/2012	11879	\$148.69	Utilities	No	100-43004-381	\$62.83
						100-43010-381	\$10.68
						100-43117-381	\$75.18
Croix Valley Inspector	10/29/2012	11880	\$5,382.10	Building Inspector	No	100-42004-300	\$5,382.10
M.J. Raleigh Trucking	10/29/2012	11881	\$1,224.00	Gravel Road Costs	No	100-43106-210	\$1,224.00
League of MN Cities Insurance Trust	10/29/2012	11882	\$407.00	Annual Insurance Deposit	No	100-41302-360	\$407.00
Maroney's	10/29/2012	11883	\$40.90	Roadside Garbage/Clean Up Day	No	100-43105-384	\$40.90
AirFresh Industries	10/29/2012	11884	\$133.91	PortaPot	No	100-43007-210	\$133.91
Press Publications	10/29/2012	11885	\$59.70	legals	No	100-41308-300	\$59.70
Waste Management	10/29/2012	11886	\$4,347.38	Recycling	No	100-43011-384	\$4,347.38
MN Department of Labor & Industry	10/29/2012	11887	\$2,406.22	Conf#15227163060	No	100-42005-520	\$2,406.22
Ken Roman	10/29/2012	11888	\$42.75	Video Services	No	100-41318-300	\$42.75
Eckberg Lammers	10/29/2012	11889	\$3,663.79	Legal Services	No	100-41204-300	\$1,509.97
						100-41205-300	\$570.75
						100-41206-300	\$1,542.57
						809-49310-300	\$40.50
WSB & Associates	10/29/2012	11890	\$4,234.25	Engineering	No	100-41203-300	\$1,054.50
						100-41209-300	\$2,309.75
						100-43102-300	\$455.00
						100-43110-300	\$257.00

Disbursements List

City of Grant

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Total</u>	<u>Description</u>	<u>Void</u>	<u>Account#</u>	<u>Detail</u>
David's Consulting	10/29/2012	11891	\$2,035.37	Roadside Services/Tax	No	100-43125-300	\$158.00
T. A. Schifsky & Sons, inc.	10/29/2012	11892	\$41,651.49	Jamaca Road Project	No	100-43108-300 100-43114-300	\$1,124.81 \$910.56
PERA	10/29/2012	11893	\$605.86	PERA	No	100-43128-330	\$41,651.49
IRS	10/29/2012	EFT28	\$1,070.11	Payroll Taxes October	No	100-41102-120 100-41113-100 100-41103-100 100-41107-100 100-41110-100 100-41112-100	\$325.37 \$280.49 \$343.32 \$473.23 \$188.49 \$65.07

Total For Selected Checks

\$84,173.36

\$84,173.36

T. A. Schifsky & Sons, Inc.
 2370 Highway 36
 North St. Paul, MN 55109
 USA

Invoice

Invoice Number:
 12-072/1

Invoice Date:
 10/29/12

Voice: 651-777-1313
 Fax: 651-777-7843

Page:
 1

Duplicate

Sold To:

CITY OF GRANT
 ATTN: CITY CLERK
 P.O. BOX 577
 WILLERNIE, MN 55090
 USA

Customer ID: GRANTCITYOF

Customer PO	Payment Terms	Sales Rep ID	Due Date
	Net 15 Days		11/13/12

Description	Amount
LABOR, MATERIAL & EQUIPMENT TO PAVE JAMACA AVE ROADWAY	39,500.00

	Subtotal	39,500.00
	Sales Tax	
	Total Invoice Amount	39,500.00
Check No:	Payment Received	
	TOTAL	39,500.00

1 1/2% interest per month charged on accounts 15 days past due.

T. A. Schifsky & Sons, Inc.
 2370 Highway 36
 North St. Paul, MN 55109
 USA

Invoice

Invoice Number:
 12-072/2

Invoice Date:
 10/29/12

Voice: 651-777-1313
 Fax: 651-777-7843

Page:
 1

Duplicate

Sold To:

CITY OF GRANT
 ATTN: CITY CLERK
 P.O. BOX 577
 WILLERNIE, MN 55090
 USA

Customer ID: GRANTCITYOF

Customer PO	Payment Terms	Sales Rep ID	Due Date
	Net 15 Days		11/13/12

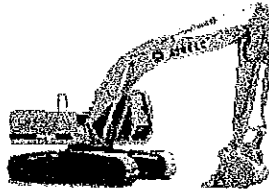
Description	Amount
ADDITIONAL GRAVEL ADDED TO RAISE SECTION OF JAMACA AVE ROADWAY	2,013.09

Subtotal	2,013.09
Sales Tax	138.40
Total Invoice Amount	2,151.49
Payment Received	
TOTAL	2,151.49

Check No:

1 1/2% interest per month charged on accounts 15 days past due.

KLINE BROS EXCAVATING
 8996 110th St N
 STILLWATER, MN 55082



Invoice

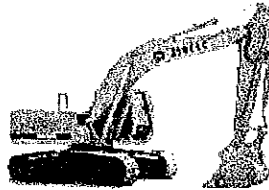
DATE	INVOICE #
10/25/12	2272

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ASPHALT ROAD SHOULDER WORK 100-43108

DUE DATE
11/4/12

DESCRIPTION	QTY	UNIT COST	AMOUNT
9-25-12 1845C (CUT HIGH SHOULDERS OFF JOLIET AVE AND HAUL AWAY)	4	85.00	340.00
9-25-12 KW T600	4	75.00	300.00
9-25-12 LNT9000	4	75.00	300.00
9-26-12 1845C	4.5	85.00	382.50
9-26-12 KW T600	4.5	75.00	337.50
9-26-12 LNT9000	4.5	75.00	337.50
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
Total			1,997.50

KLINE BROS EXCAVATING
 8996 110th St N
 STILLWATER, MN 55082



Invoice

DATE	INVOICE #
10/25/12	2271

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD GRADING

DUE DATE
11/4/12

DESCRIPTION	QTY	UNIT COST	AMOUNT
09-21-12 770BH	3	75.00	225.00
09-21-12 T500	3	65.00	195.00
09-22-12 770BH	3.5	75.00	262.50
10-01-12 770BH	4	75.00	300.00
10-02-12 770BH	4.5	75.00	337.50
10-02-12 T500	4.5	65.00	292.50
10-09-12 770BH	3.5	75.00	262.50
10-09-12 T500	3.5	65.00	227.50
10-15-12 770BH	4.5	75.00	337.50
10-15-12 T500	4.5	65.00	292.50
10-19-12 770BH	8.5	75.00	637.50
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			Total 3,370.00

KLINE BROS EXCAVATING
 8996 110th St N
 STILLWATER, MN 55082



Invoice

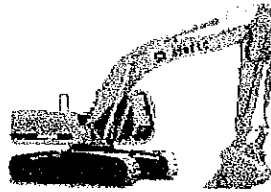
DATE	INVOICE #
10/25/12	2270

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	CULVERT WORK

DUE DATE
11/4/12

DESCRIPTION	QTY	UNIT COST	AMOUNT
9-20-12 EXTEND CULVERT ON IRONWOOD AVE SOUTH OF 120TH ST AND REPLACE APRON			500.00
9-20-12 HAUL 1 LOAD FILL FOR CULVERT	1	100.00	100.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			Total 600.00

KLINE BROS EXCAVATING
 8996 110th St N
 STILLWATER, MN 55082



Invoice

DATE	INVOICE #
10/25/12	2273

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	DITCHWORK

DUE DATE
11/4/12

DESCRIPTION	QTY	UNIT COST	AMOUNT
RESHAPE END OF 69TH ST AND CUT DOWN 2 FT BERM ALONG EAST SIDE OF CUL-DE-SAC			0.00
09-27-12 9010	4.5	100.00	450.00
09-27-12 1845C	4.5	85.00	382.50
09-28-12 9010	6	100.00	600.00
09-28-12 1845C	5	85.00	425.00
RESHAPE 66TH ST CUL-DE-SAC			0.00
10-16-12 9010	4.5	100.00	450.00
10-16-12 1845C	4.5	85.00	382.50
CUT SHOULDERS OFF INWOOD CT & 60TH			0.00
10-18-12 1845C	5	85.00	425.00
10-18-12 KW T600	6	75.00	450.00
10-18-12 LNT9000	6	75.00	450.00
10-19-12 1845C	5	85.00	425.00
10-19-12 KW T600	3	75.00	225.00
RESHAPE SE CORNER OF LANSING & 110TH ST			0.00
10-22-12 9010	2	100.00	200.00
10-22-12 1845C	2	85.00	170.00
10-22-12 KW T600	1	75.00	75.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	Total		5,110.00

DUEA CONCEPT PLAN

SUMMARY OF REQUEST- *My wife and I (Kim and Mark Duea) are requesting a lot split of our 21.2 acre parcel located at 7040 117th St. North, Grant Minnesota ("Property"). We purchased our hobby farm in 1999. We desire to split the Property so we can build a residence on a 5 acre piece on the northern high elevation of the Property. (HOUSE SKETCH ATTACHED AS EXHIBIT A) We will retain ownership of the 16.2 acre farm house as a rental property. We love every inch of our land and will retain ownership of the 16.2 acre hobby farm until we can pass it to our children. I have three zoning issues that I would appreciate input from City Staff and the Council.*

1. **LOT SPLIT/MINOR SUBDIVISION-** Sec. 32-246 Districts- A-2- Maximum Density-- One Dwelling per 10 acres, Minimal lot size 5 acres. Our Property is 21.2 acres, so a lot split satisfies density requirements as we will keep the current hobby farm at 16.2 acres, and 5 acres for the new home site. (Please see Exhibits B and Exhibit C for pictures of lot split and building site). Current zoning allows for homeowners to rent out their homes. The new home will have no issues meeting all other frontage, setback, area, height and other dimension requirements.

Request for guidance- We would like confirmation that conceptually we have no major issues with the maximum density requirement created by our proposed lot split.

2. **ACCESSORY BUILDINGS-** A lot split may create zoning issues because of our current accessory building. The current outbuildings have the following approx. square footage. (1) Large Pole Barn 4000, (2) Small Pole Barn 2250, (3) Milk Barn 810, (4) Big Garage 2,200, (5) Small Garage-576, (6) Donkey Barn 240, and Silos? **Six Total outbuildings that total 10,000 approximate square feet. (See Exhibit D for pictures of outbuildings)**

In order to comply with 32-313 (b)(2)(f) we may have to take down the two large pole barns. Cost of removal would be negated by the scrap value of the barns. However, two stated goals of the City's Comprehensive Plan are as follows: Goal 1- Ensure the preservation of existing rural character through appropriate rural development. Goal 3- Preserve and protect agricultural land and facilities, and encourage **hobby farms** through the City.

Request for guidance- We believe the two recently painted red and white pole barns framed by the two silos have historic and aesthetic value to Grant. Our hobby farm is one of the first in Grant as people from the western communities make their way east. We would like some guidance from the City as to what options there may be for us to build our house without tearing down the beautiful barns that make our current property look like a true hobby farm.

3. **ROAD ACCESS-** We would prefer to access the proposed building site by our current driveway and extend a gravel road to the proposed building site. Because we would retain ownership of both properties, access to the new residence using the current driveway would be ideal.

Request for guidance- Grant does not currently allow for shared driveways. Our alternate plan would be to access the land locked parcel by a gravel road through the western property line. Please look at Exhibit B for proposed roadway.

Thank you for your time reviewing this matter.

EXHIBIT
A

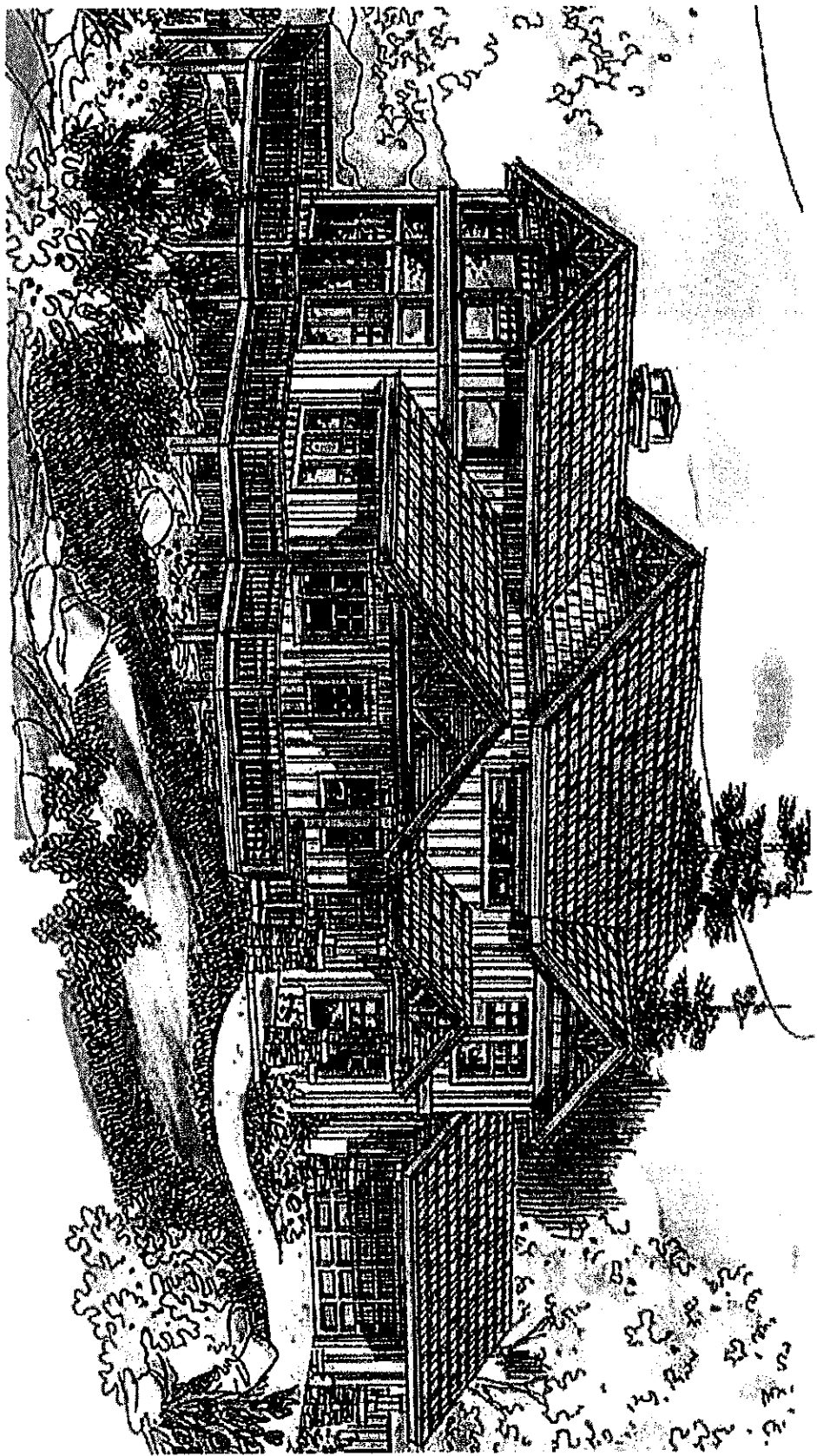


EXHIBIT
B



Koch Pipeline
 - - - CRUDE
 ——— PRODUCTS
 ——— WATER

2004 - NAIP Imagery

Washington Co., MN

7040 117th ST N

122142749

This map depicts the approximate location of Koch operated pipeline(s) and is being provided to the recipient solely for the purposes of the recipient's confidential use for planning purposes. The drawing is being loaned, not sold to the recipient. In consideration of the loan of this drawing the borrower agrees that the drawing will not be reproduced, copied, sold, loaned or otherwise disposed of directly or indirectly, nor used for any purpose other than for which the drawing is specifically furnished. Specifically, this drawing is not to be used in place of a notice to the corresponding State One Call Agency governing future excavation in the vicinity. This copy is uncontrolled and is valid only at the time of printing.



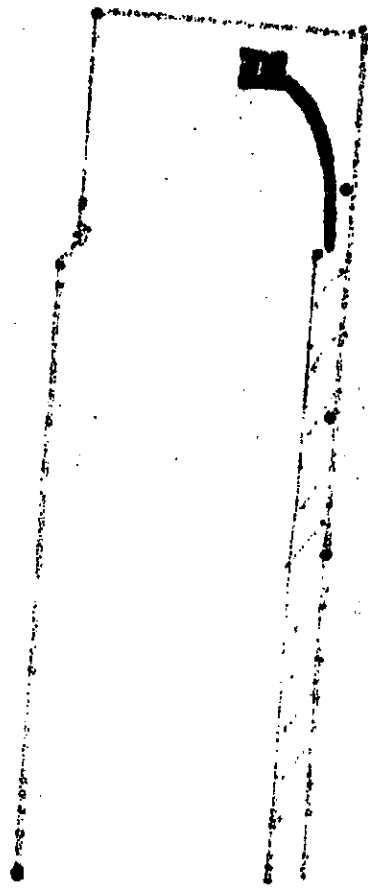


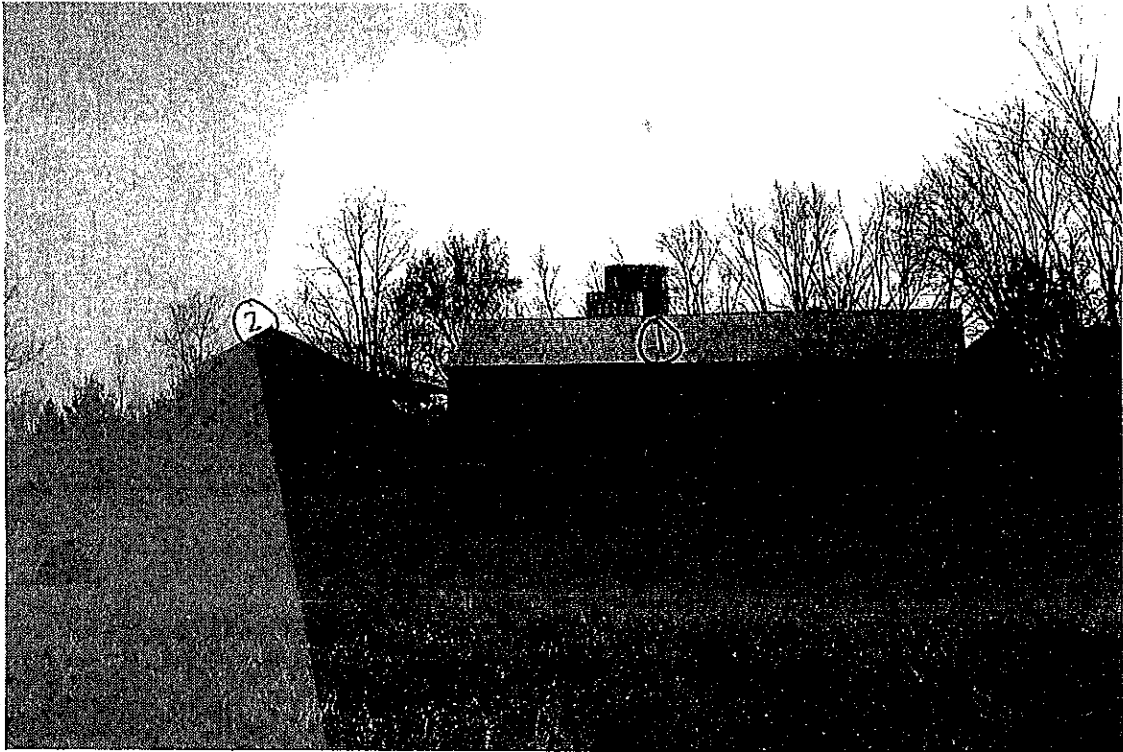
EXHIBIT
C



EXHIBIT
D



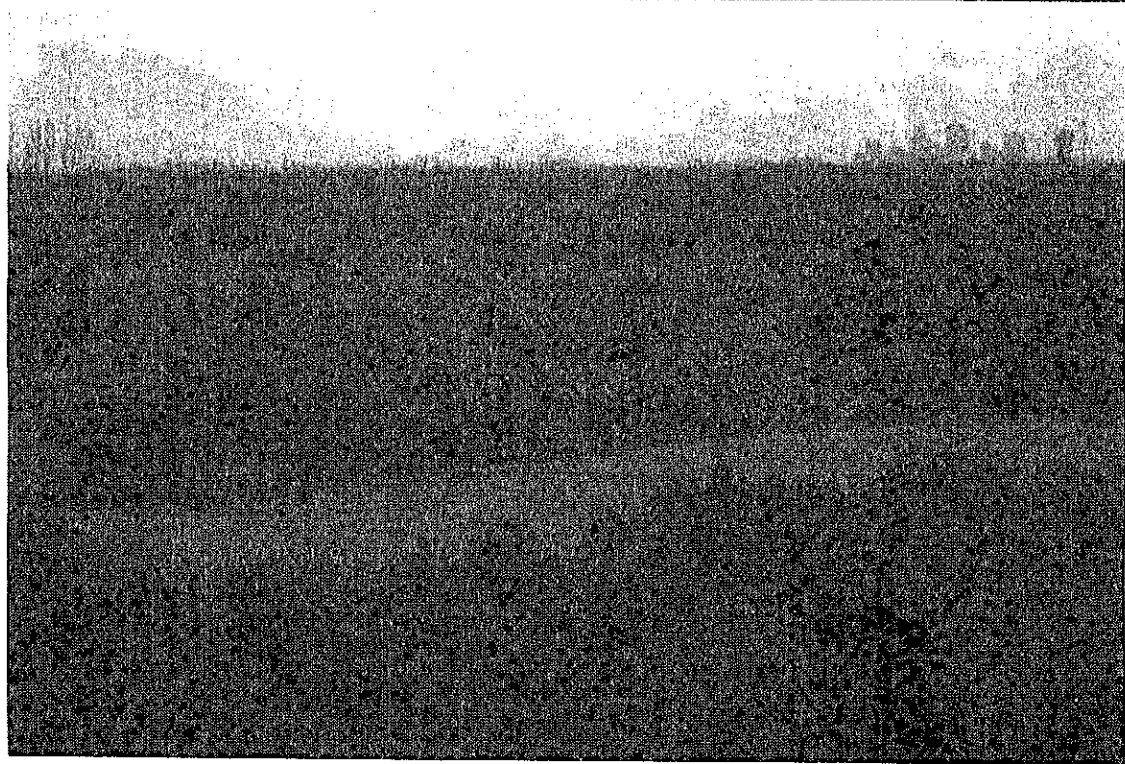
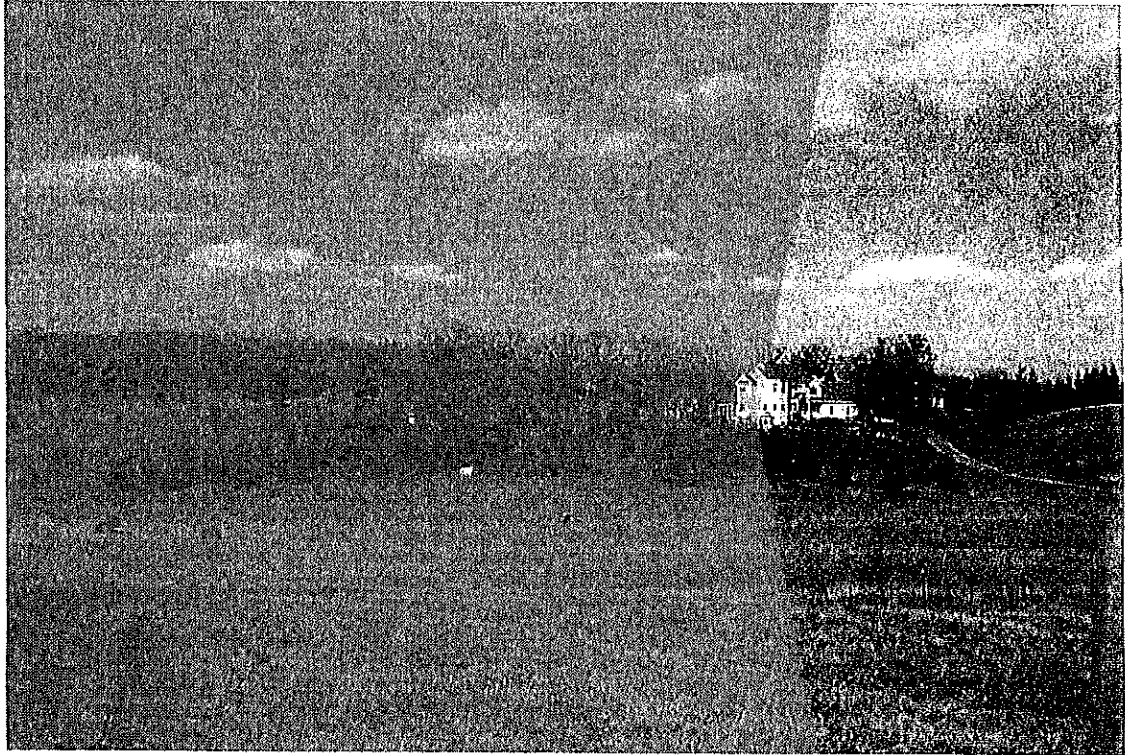
Current House



pole
Barns







Anthony J. (Tony) & Jodi L. Collette
9655 Keswick Ave. N.
Stillwater, MN 55082
651 342 3200
tony.collette@comcast.net

October 25, 2012

City of Grant
P. O. Box 577
Willernie, MN 55090

RE: Preliminary Sketch Plan Review/Minor Subdivision

9655 Keswick Ave. N. – Parcel #14.030.21.24.0003
Legally Described as S ½ N ½ SE ¼ NW ¼ Section 14 Township 30
Range 21 – “Parcel 3” – 9.87 Acres

XXXX Keswick Ave. N. – Parcel #14.030.2124.0004
Legally Described as N ½ S ½ SE ¼ NW ¼ Section 14 Township 30
Range 21 – “Parcel 2” – 9.87 Acres

To Whom It May Concern:

We are the owners of the above referenced properties. We have resided on Parcel 3 since June 2003. We have owned Parcel 2 since that time and it is currently vacant land.

We began marketing Parcel 2 for sale in April 2012. We have marketed the parcel as it currently exists – 9.87 acres. During the process, potential buyers have expressed interest in purchasing 5 acres. Therefore, we made preliminary inquiries with the City of Grant in order to determine if the creation of two new parcels (one containing 5 acres and the other containing 14.74 acres) complies with the Grant Code, and if so, what are the necessary steps required to achieve that goal.

It is our opinion that the proposed change constitutes a “Minor Subdivision” pursuant to Section 30-9 of the Grant Code. As outlined on the Minor Subdivision application, a Minor Subdivision:

- 1) Contains no more than two (2) lots fronting on an existing street.
- 2) Does not involve a new street or road.
- 3) Does not require the extension of municipal facilities or the creation of any public improvements.
- 4) Does not adversely affect the remainder of the parcel or any adjoining parcel.

Re-parceling the two existing parcels as described above complies with each of the above requirements.

Although not specifically defined as such in the Grant Code, it is also our understanding that the requested change constitutes what is commonly referred to as a "Lot Line Adjustment". That scenario is specifically addressed in Section 30-9(a)(2) due to the fact that we are requesting to simply add a parcel of land from one parcel to the adjoining/abutting parcel.

Pursuant to Article 30-9(a)(3), the resulting parcels are subject to any and all requirements contained in Section 32 of the Grant Code. It is our opinion that the resulting parcels will comply in all regards.

At present, due to the fact that the two existing parcels contain only 19.74 acres, the City Planner has stated that a Minor Subdivision is not allowed citing the density restrictions contained in Section 32-246(c)(2). That section requires a minimum of 20 acres in order to proceed with any subdivision. In response, we raised the fact that Section 246(c)(3) would apply in this circumstance. Section 246(c)(3) states the following:

Notwithstanding subsection (a) of this section, if any quarter-quarter section contains less than 40 acres of land, then the city shall allow a density calculation to be used allowing no more than four residential homesites within that quarter-quarter section.

The City Planner stated that the above referenced section does not apply. However, we respectfully disagree. Parcels 1 - 4 of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 14 contain a total of 39.49 acres. It is our understanding that the State of Minnesota was sectioned off in the 1840s or 1850s in accordance with the Public Land Survey System (PLSS) and that the resulting shortage was as a result of the imperfections of the process and the inadequacies of the equipment at that time. The result is that this $\frac{1}{4}$ $\frac{1}{4}$ section has less than 40 acres and that the above referenced language was specifically inserted into the Grant Code to address this very situation. Prior to and after re-parceling, there are only four home sites within the $\frac{1}{4}$ $\frac{1}{4}$ section. Therefore, re-parceling will be within the Grant Code.

Finally, we understand that the proceedings/agenda item to be conducted at the City Council meeting scheduled for November 8, 2012 is a preliminary review and that in order to complete a Minor Subdivision an application along with the applicable fee and escrow will be required. We estimate that it may cost \$8,000 - \$10,000 to achieve the Minor Subdivision. Therefore, we respectfully ask that the City Council and all concerned parties address the following questions/issues prior to our submission of the formal application:

1) *Is it in accordance with the Grant Code to re-parcel the two existing lots to one lot containing 5 acres and one lot containing 14.74 acres?*

2) *In light of the circumstances and pursuant to Section 30-9(a)(1), are there any requirements of the regulations that the City Council is willing to exempt?*

3) *In light of the circumstances and pursuant to Section 30-9(a)(2), is the City Council willing to approve the Minor Subdivision upon "submission of a survey by a registered land surveyor"?*

4) *Does the City Council or any concerned parties see any other issues that would indicate that the requested re-parceling is not in accordance with the Grant Code?*

A site plan, survey and other relevant information are enclosed for your reference regarding the above request. If you have any questions or comments in regard to the above or the enclosed, please feel free to contact me via phone or email.

Thank you in advance for your review and consideration of our request. We look forward to your response and feedback on November 8, 2012.

Sincerely,



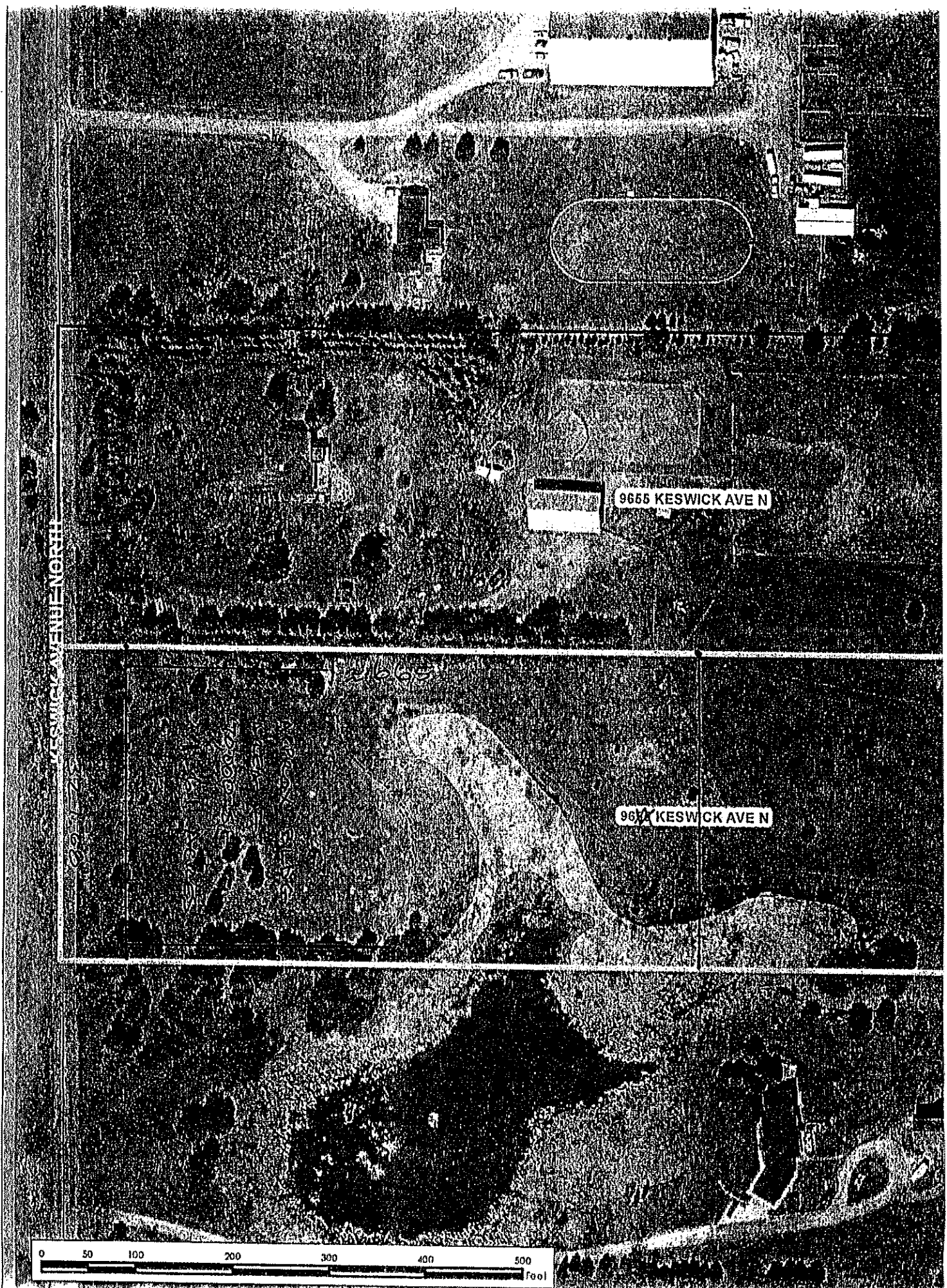
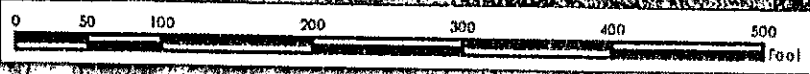
Tony Collette

Side Setback = 20'
Front Set Back = 65'
WETLAND SETBACK = 75' (SEC 12-136)

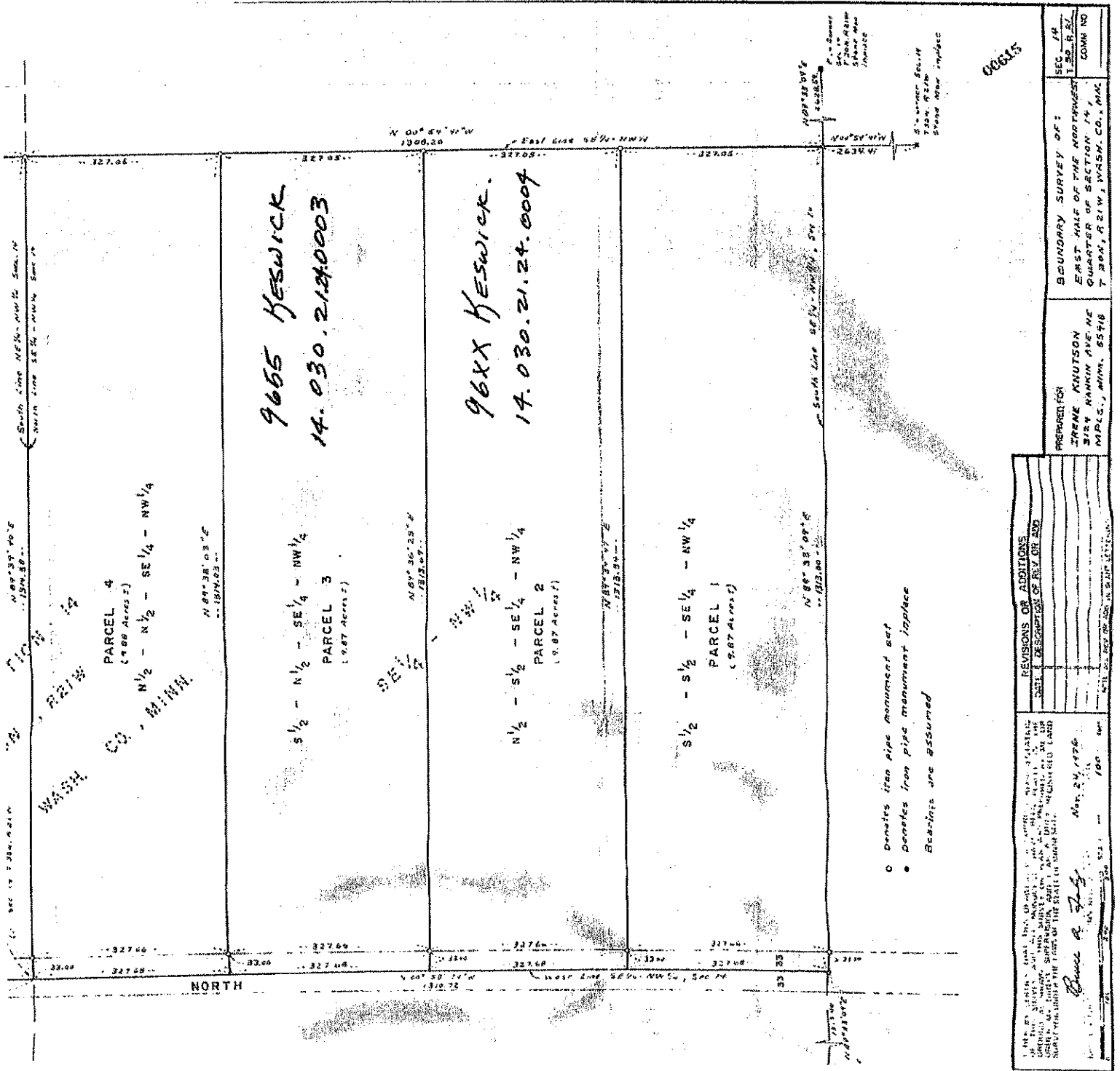
KESWICK AVENUE NORTH

9655 KESWICK AVE N

9667 KESWICK AVEN



EXISTING



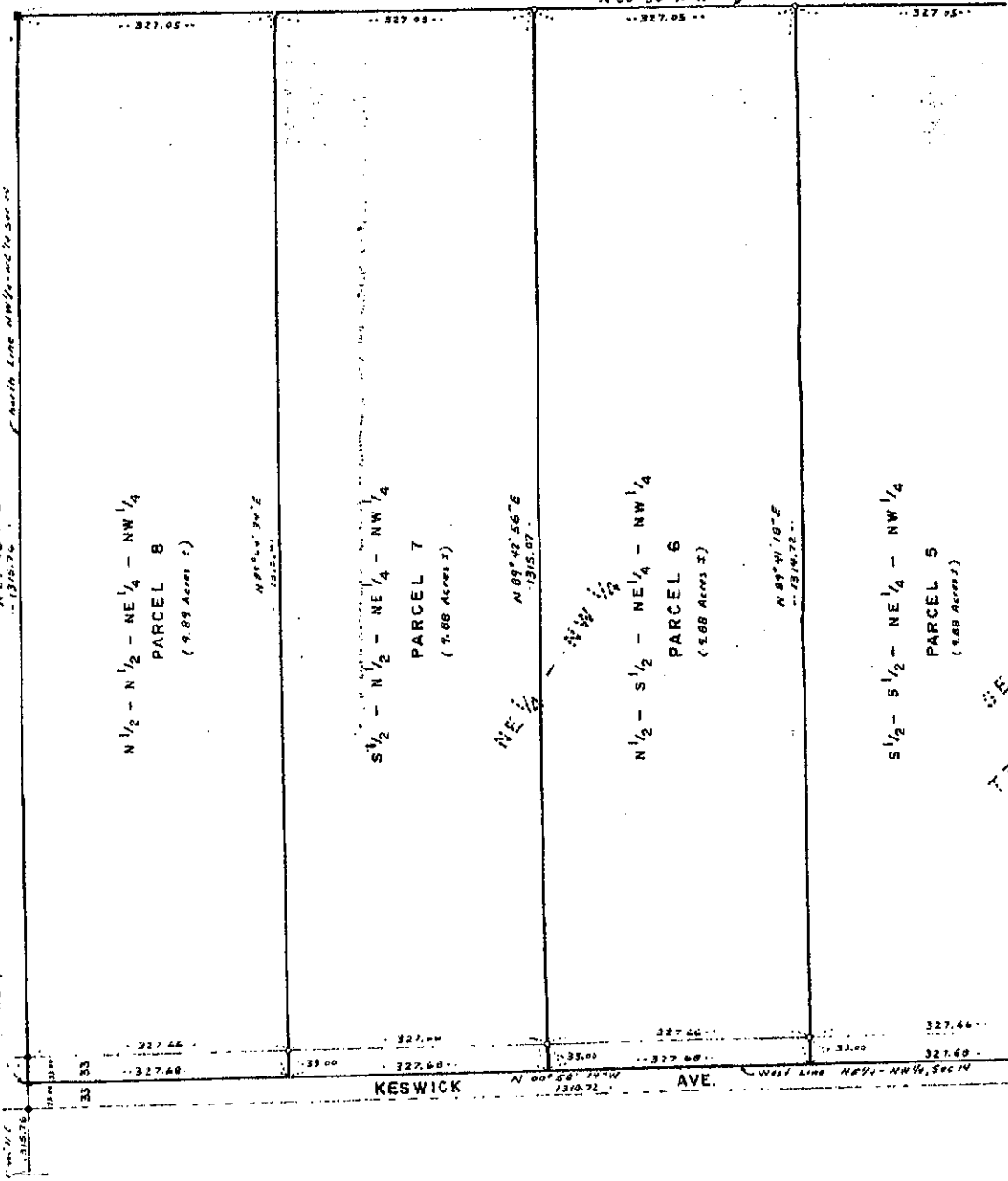
00615

NE Corner Sec. 14
T 20N, R 21W
Steele Mo.

North Line NW 1/4 - NW 1/4

N 89° 41' 18" E
1310.72

West Line NE 1/4 - NW 1/4, Sec 14



SE



Memorandum

To: *Honorable Mayor and City Council, City of Grant
Kim Points, City of Grant*

From: *Phil Olson, PE, City Engineer
WSB & Associates, Inc.*

Date: *October 29, 2012*

Re: *November Staff Report - Engineering*

A. Agenda Items

i. Staff Report/Council Update:

- a. **Manning Court Seal Coat Reimbursement:** The invoice for the Manning Court seal coat has been submitted to the DNR for reimbursement. The reimbursement for the seal coat is \$2221.14.
- b. **Comments on RCWD Rule Changes:** The Rice Creek Watershed District (RCWD) has proposed changes to their rules and provided cities an opportunity to comment on these revisions. In response, WSB prepared and submitted a memo on behalf of Grant. The memo that was sent to RCWD is attached. This review was completed in 3 hours.

If you have any questions, please contact me at 763-512-5245.



October 12, 2012

Board of Managers
Rice Creek Watershed District
Pheasant Ridge Drive NE, #611
Blaine, MN 55449-4539

Re: City of Grant Comments on
Proposed Revisions to RCWD Rules

Dear Board of Managers:

On behalf of the City of Grant, we have evaluated RCWD's draft rules and support the District's efforts to implement its policies in a more efficient and less confusing manner. We are also hopeful that this revision process will result in rules that are aligned to the goals and needs of our community.

Based on our review of your draft rules and the ongoing needs of the City of Grant, we offer several comments on behalf of the City regarding your proposed rule changes and additional rule revisions that we would like to see implemented. In addition, several observations / suggestions that we feel should be implemented on an administrative level are also provided. These changes would allow the Community to better manage stormwater so that the joint goals for water quality can be achieved, while allowing the City's storm water management activities to be completed in a more efficient manner:

- 1. The proposed water quality treatment standard of 1.5" of runoff from impervious surfaces may be too high, and could result in BMPs that are exceedingly expensive relative to their benefit.**

The cost efficiency of a volume control BMP diminishes considerably as the amount of runoff required for treatment increases; as the size of the treatment system increases, the frequency that the entire system is used decreases exponentially. For example, increasing the treatment standard from 1.1 inches to 1.5 inches increases the cost of the infiltration BMP by approximately 36%, while the additional volume / phosphorus load retained is less than 5%. If this additional 5% of retention is not needed, or could be provided elsewhere, the cost of BMPs used to meet RCWD Rules could be reduced District-wide by 36%. (See attached paper developed for MWMO when they were exploring this issue).

The Minimum Impact Design Standards (MIDS) Workgroup spent considerable time looking at this specific issue and recommended a water quality treatment standard of 1.1 inches of runoff over the impervious areas for new development. This standard is substantially less than the 1.5 inch standard proposed under RCWD Rules. The goal of the MIDS standard is to mimic native hydrology of a Minnesota site in its undeveloped condition and also aims to address anti-degradation and TMDL needs. The Workgroup that established this standard consists of numerous technical and policy experts from watershed districts, state agencies, municipalities, and the private sector. These professionals reached a consensus on this policy through rigorous technical examination and lengthy discussions.

Applicable Rule(s): Rule C.6.(c)

Recommendation: Revise Rule C.6.(c) by replacing 1.5 inches with 1.1 inches.

2. Additional flexibility should be incorporated into the Rules to allow member communities to meet RCWD goals in a cost effective manner.

The proposed rules do not offer the level of flexibility needed to address water quality goals in a cost-effective manner. The rules should be revised in order to ensure adequate flexibility for Cities to provide effective and cost-efficient water quality BMPs.

To achieve this objective, request the Rules be revised to address the following considerations:

- A. The proposed BMP locational siting provision requires BMPs to be constructed on site when feasible. Limited opportunity is available to forgo the construction of on-site BMP's for other considerations including access, well head protection, cost for maintenance, or simply based on cost to construct on-site BMP being excessive. The current rules have also forced linear projects to provide filtration or other treatment BMPs within boulevards or other small areas that are not ideal for BMPs. In many cases, the City and/or residents have found these BMPs undesirable, costly to maintain, and/or ineffective. In addition, in many cases treatment may already be provided in downstream BMPs, significantly reducing the value of the required on-site BMP. Language needs to be incorporated into the rules to allow for exceptions to using on-site BMP's in these cases.

For example, the benefits of a filtration feature that removes 50% total phosphorus is diminished to 25% when it discharges to a pond that removes 50% of the phosphorus load. The additional removal provided by the filter becomes even less when considering the soluble phosphorus load. In these cases, it is very likely that there would be off-site locations where BMPs would be more cost effective. Yet the proposed rules do not allow for these alternate locations to be considered.

- B. The draft rules do not allow Cities to use banked volume credits at their discretion. This offers little or no incentive for Cities to construct or maximize cost-effective BMPs that are able to infiltrate runoff. By allowing the use of banked credits at the City's discretion, the District can support the City's desire to pursue cost-effective BMPs in locations that are ideally suited for volume control.
- C. The draft rules do not allow for the use of banking of phosphorus credits independently unless the off-site BMPs are volume control BMPs. This does not offer incentives for communities to construct non-volume control BMPs even when the BMP could substantially reduce phosphorus loads and improve water quality.

Applicable Rule(s): C.6.(d); C.8.

Recommendation:

- A. Replace the first sentence of Section C.6.(d) with the following:
"BMP locational siting – The use of volume and non-volume control BMPs shall be located on-site to treat runoff at the point of generation, or provided at an off-site location agreed to by the local Municipality"
- B. Replace Rule 8.(b) with the following:
"Public entities unable to meet the water quality treatment standard of 6.(c) may request a water quality treatment debit from the District that shall be met with future water quality credits"
- C. In Rule 8 replace all references to "volume banking" and "volume credit" with the following: "water quality treatment banking", and "water quality credit".

3. Limit paperwork and review procedures needed for permitting.

Review procedures and the regulatory framework for RCWD permits are time consuming for both the applicant and District Staff. As a part of the rule update, it is recommended that the District evaluate the level of detail needed for review and determine the procedural actions and rule revisions that could occur to streamline the review process and ensure that value is provided by the District's permitting program.

Applicable Rule(s): Rule C

Recommendation: Revise Section C to limit regulation, particularly on public improvement projects. Refine proposed rules under C.6. and C.7. so it is clear when a project is able to meet the rules.

4. Provide an exception to Rule C for projects that do not increase pollutant loads in locations where TMDL goals have been achieved.

When new impervious surfaces are not created and downstream TMDL goals have been addressed, there should no longer be a need to require the construction and maintenance of additional water quality BMPs. The TMDL is the mechanism used to set the allowable pollutant discharges from an MS4 to surface waters. Once this standard is achieved, it is unreasonable to require additional expenditures to treat stormwater runoff from the area. Unless the District quantifies a specific need for the water quality requirements beyond those required in a TMDL, projects that do not create impervious surfaces should be exempt from the requirements of Rule C when a TMDL goal has been achieved.

Applicable Rule(s): Rule C

Recommendation: Exempt projects from Rule C requirements when no new impervious surfaces are added and downstream TMDL goals have been achieved within the watershed.

5. Eliminate the need for public entity inspection and maintenance agreements for MS4 Cities.

Inspection and maintenance of stormwater BMPs is already required for MS4 permit holders. The need to establish agreements between the City and the District to maintain public stormwater facilities is an unneeded exercise that provides little or no benefit to the public.

Applicable Rule(s): Rule C.11.(g)

Recommendation: Add the following sentence to the end of rule C.11.(g):
“A public permittee may incorporate inspection and maintenance activities into BMP Summary Sheet(s) of its MS4 Permit to meet this obligation.”

6. Rule 5.(b) should be modified to clarify that a combination of stormwater BMPs may be used to meet RCWD requirements.

Applicable Rule(s): C.5.(b)

Recommendation: Revise C.5.(b) to the following:
“Any Stormwater BMP or combination of BMPs may be used to meet the requirements of section 6, 7, 8, 9, and/or 10.”

7. It is unclear how Better Site Design (BSD) techniques of the Minnesota Stormwater Manual will be enforced under the proposed District Rules.

We question the need to include this as a rule and are concerned how this provision could be legally interpreted and the potential permitting issues that could result from this rule.

Applicable Rule(s): C.6.(a)

Recommendation: Delete Rule C.6.(a) or further define the requirements expected for BSD techniques to avoid permitting issues.

8. The requirement to manage sediment on-site is redundant to other Rules of the District and should be deleted.

The draft rules already require treatment on-site to the extent possible. In general, BMPs that are able to retain runoff volumes or phosphorus loads are capable of retaining sediment. Therefore, it appears that this rule is not necessary.

Applicable Rule(s): C.6.(b)

Recommendation: Delete Rule C.6.(b)

9. Rules must define a reasonable level of water quality treatment for sites that cannot implement infiltration BMPs.

The draft rules require infiltration or “water quality treatment [that] shall result in the same or less mass of total phosphorus (tp) leaving the site on an annual basis as that achieved by infiltration practice meeting the standard.” Table C1 indicates that infiltration BMPs are able to retain 90% of the phosphorus load, while all other BMPs provide significantly less treatment. Without the use of volume control BMPs or chemical treatment, it becomes impossible to achieve the proposed water quality requirements. This does not allow an option for sites where infiltration is not possible.

Applicable Rule(s): C.6.(c)

Recommendation: Revise Section C.6.(c) so that Rules can be achieved when infiltration is not an option.

10. The rules should allow credit for stormwater runoff treated during a rainfall event.

The proposed rules do not allow credit for the stormwater runoff that is treated during a rain event. This is problematic for sites with high design infiltration rates and could lead to costly, oversized infiltration facilities. In addition, it does not encourage placement of volume control BMPs at locations that are ideally suited for infiltration.

For example, it is not uncommon to find locations where the design infiltration rate dictated by the Minnesota Stormwater Manual may exceed 25 inches-per-hour. Over the course of a 24-hour rainfall event, more than 50 vertical feet of runoff could be infiltrated at these locations. If this volume is not accounted for in an infiltration design, the BMP’s

storage volume would need to be 25 times larger. The cost to construct the facility would increase by more than 25 times when land costs are considered.

Applicable Rule(s): C.6.(c)

Recommendation: Replace last paragraph of C.6.(c) with the following:
“Stormwater runoff treated by the BMP during a rain event may be credited towards the treatment requirement.”

11. The proposed Flood Control Rule under C.7. is unclear and may be difficult or impossible to implement in some locations.

The intention and specific requirements of the proposed flood control rule is unclear. Does the rule require a second volume control BMP to be constructed for each project? (“retention in volume... shall be provided elsewhere...” Or was it intended that volume control must be provided elsewhere if water quality treatment cannot be provided on site? Or was it intended that the volume control provided on-site could be used to satisfy the requirements of this rule without additional efforts? As currently written, it appears that the Rule requires volume control beyond that required under C.6.

Similar to the comment above on the water quality standard, we feel that RCWD must demonstrate the need for this proposed rule. Although several flood issues have been noted within the District, it seems unreasonable to require off-site volume control beyond the volume control already needed to satisfy RCWD Rules.

The need to locate off-site areas for volume control BMPs could become a significant burden for developers and the City. This is especially true on redevelopment and linear project sites where site constraints already limit options to provide volume control. It also places an unreasonable burden on locations where infiltration is not possible.

Finally, rule C.7.(c) allows an “approved” flood control program to meet the requirements of C.7. It is unclear what will be required in such a program. Although the basis of this rule may have good intentions, it seems like this is another layer of planning efforts that will be required for Cities to fully realize the benefits of RCWD’s Rules.

Applicable Rule(s): C.7.

Recommendation: Delete proposed rule C.7. or provide a detailed justification to demonstrate a need for the rule. Incorporate a rate control requirement similar to 7.a. or other extended detention basin design criteria into the alternate treatment options listed under Appendix C to allow additional credit when reducing peak discharges to a fraction of pre-developed conditions.

12. Clarify the mechanism that will allow for credits to be tracked and sold within the District.

As currently drafted, it is unclear if the rules will allow private entities to establish and sell volume reduction credits. Please revise rules to clarify who can establish credits, and, if necessary, the process that will be used to track credits and sell/transfer credits between entities.

Applicable Rule(s): C.8.

Recommendation: Revise to clarify establishment and sale of credits.

13. The rules should not limit the amount of water that may be irrigated through water reuse / irrigation systems.

In many circumstances, it is reasonable to irrigate substantially more than one inch of water. This is especially true for water reuse facilities where the goal is to maximize the amount of stormwater runoff used for irrigation.

Applicable Rule(s): C.11.(b)

Recommendation: Delete section C.11.(b)

14. Several definitions should be revised for clarity including the following:

- A. Impervious surface definition should be revised to "...impermeable material and having an infiltration rate less than the natural soils..."
- B. Freeboard definition should be revised for clarity. The proposed definition refers to both the low floor and low entry elevations. The District should determine if the definition applies to low floor elevation or the low entry elevation and should delete the other.
- C. Low entry definition should be revised to low building opening for clarity. Rather than defining low entry as low opening, it is suggested that the Rules eliminate the definition and refer to the term throughout the text as low building opening.
- D. Low floor definition should be revised for clarity. It is recommended that the low floor definition be replaced with the following: The elevation of the lowest floor of a habitable or inhabitable structure.
- E. Mill and overlay definition should be revised for clarity. This terminology has caused confusion in the past and should be thoroughly defined by the revised Rules. It is common for a portion of the base to be disturbed during mill and overlay projects.

Therefore, the District should consider allowing a portion of the base to be removed by revising the end of the definition to “without removing the base.”

- F. Municipal Separate Storm Sewer System (MS4) term should be revised to RCWD MS4. Since several MS4s exist within RCWD, the term should refer specifically to the RCWD MS4 unless the definition is revised by replacing “...by the Rice Creek Watershed District” with “...by the permittee”
- G. Runout elevation definition should be reconsidered. The runout elevation commonly refers to the normal outlet elevation and sometimes refers to sewer discharges. It is recommended that the terminology be revised to overland runout elevation, or the definition be revised to include sewer flows.
- H. Definition for rural section is not provided.

We appreciate your initiative to modify the District’s rules. We are hopeful that this rule revision process will foster new rules that allow us to more effectively and efficiently meet our shared goal to protect and manage surface waters within our City as well as throughout the District.

Sincerely,

WSB & Associates, Inc.


Paul Hudalla
Project Engineer

Attachments

cc: Phil Olson, WSB & Associates

ef

Environmental and Economic Impacts of Volume Control Policies

(APWA Conference Concurrent Session #6: Stormwater Management)

Presented by WSB & Associates, Inc.:
Pete Willenbring (pwillenbring@wsbeng.com)
Rich Hibbard (rhibbard@wsbeng.com)

Introduction/Background

Stormwater management policies for development and redevelopment projects in Minnesota typically require varying levels of stormwater volume reduction/infiltration. Infiltration practices provide many benefits to water resources by reducing runoff and pollutant loads. These practices also present some concerns related to their cost effectiveness, feasibility, and regional impact.

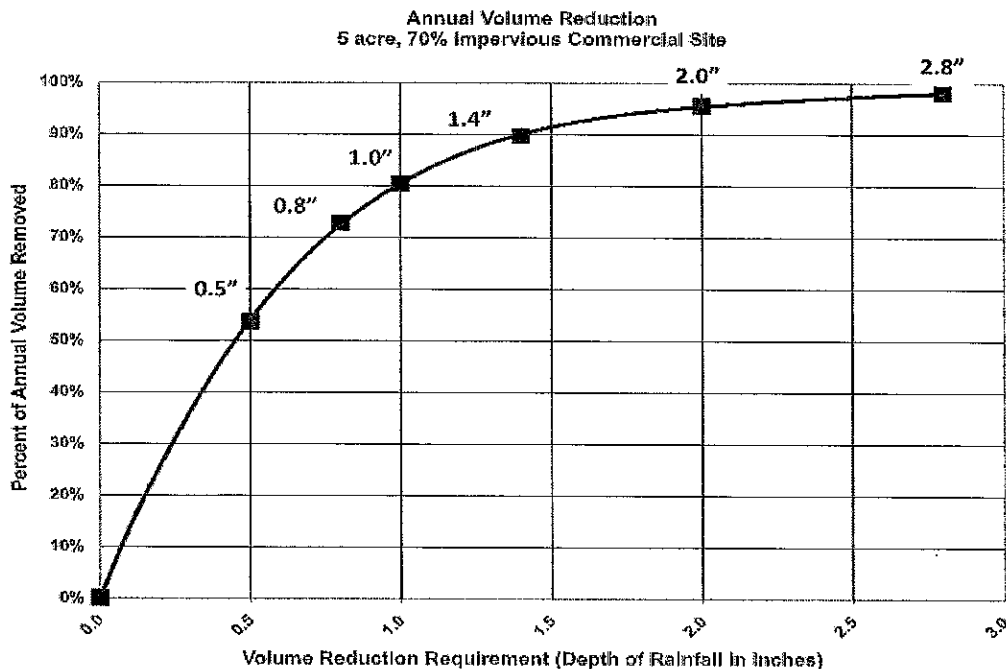
This presentation reviews the results of an analysis that was conducted to estimate the lifecycle costs associated with constructing, financing, and maintaining infiltration BMPs to meet various volume control policies and provides a comparison of environmental and economic impacts of the policies. This information will be valuable to those developing and implementing water quality policies and cost effective stormwater management practices.

Analysis Overview

- The analysis was completed for various land uses. However, this abbreviated presentation focuses on the results for a 5 acre commercial site with 70% impervious surfaces.
- BMPs were sized to infiltrate the runoff volume from rainfall events of 0.5", 0.8", 1.0", 1.4", 2.0", and 2.8". These values reflect commonly used volume reduction policies.
- Average annual pollutant removals were estimated by modeling the BMPs using the P8 Urban Catchment Model and 20 years of historic rainfall data.

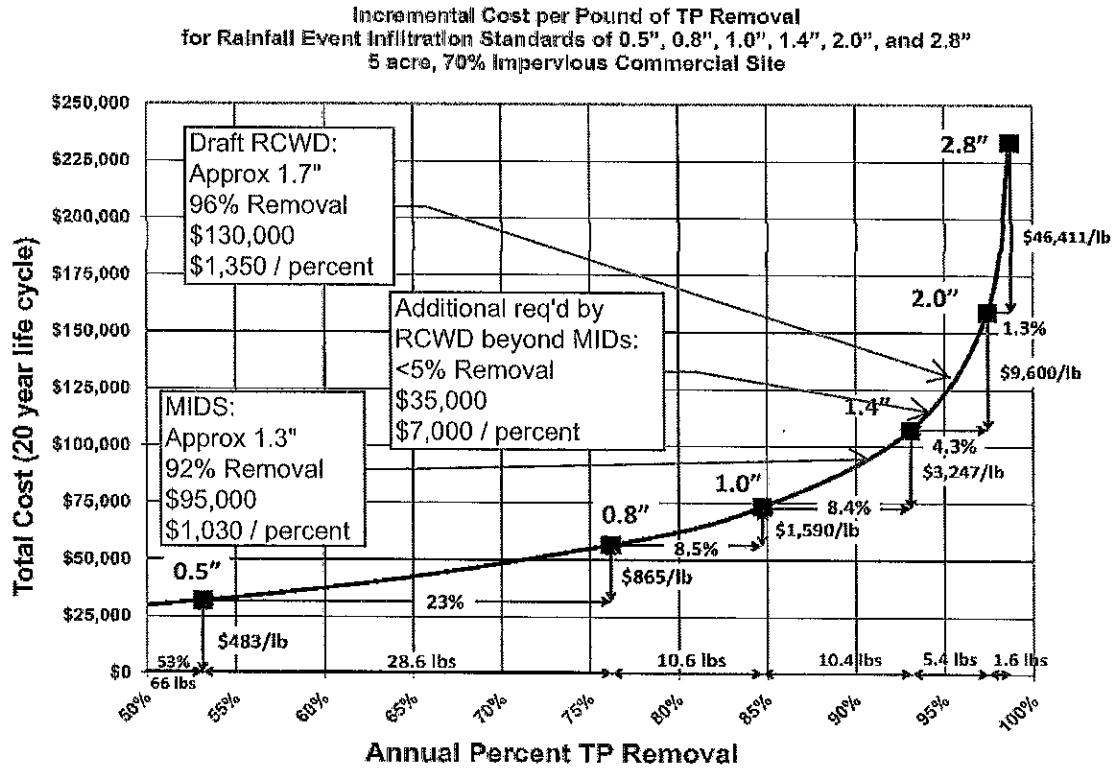
Findings/Observations

1. As the volume reduction requirement increases, the percentage of additional volume reduction (and pollutant removal) decreases exponentially.

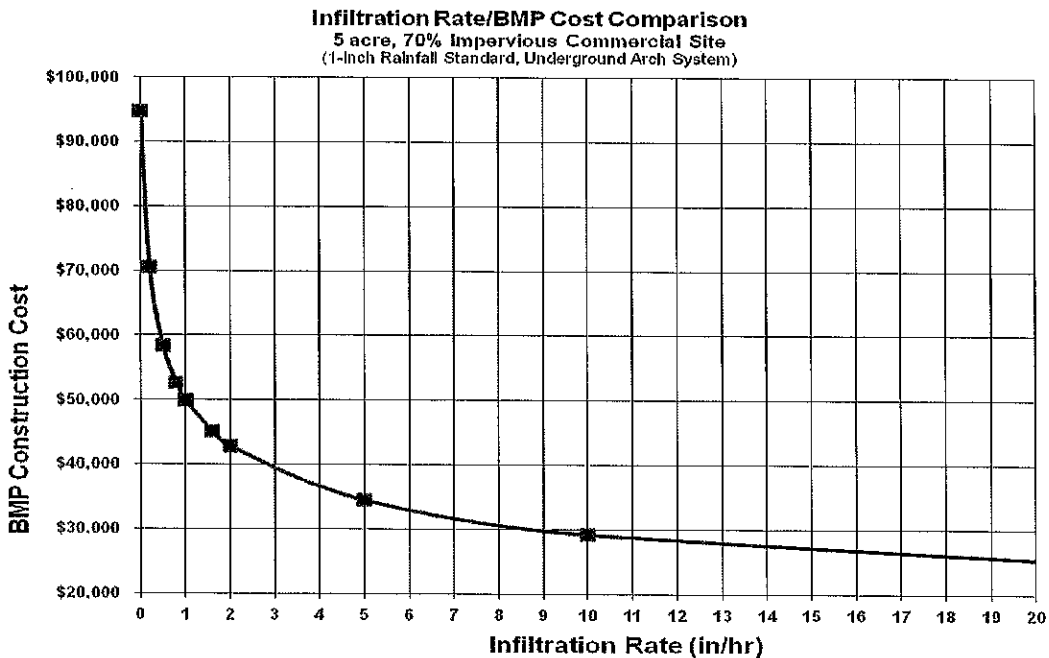


(Note: This table reflects volume reduction requirements based on rainfall depth. Many policies implement requirements based on runoff depth.)

- As requirements for annual phosphorus removal increase (based on annual percent removed from site), the incremental cost per pound of phosphorus removed increases exponentially.



- Infiltration BMP size and construction cost can be reduced significantly when they are constructed in areas with relatively high infiltration rates. Policies should encourage development of regional infiltration systems in these areas.



- Infiltration systems that are designed to provide volume reduction for rainfall events of 1.0-inch or less and are constructed in areas having infiltration rates of greater than 2.0 inches/hour were evaluated to be some of the most cost-effective water quality BMPs available. However, as volume reduction requirements increase and soil infiltration rates decrease, the cost effectiveness of these systems rapidly diminishes.



September 25, 2012

Lisa Magnolo-Hanschen
10000 Lansing Av
Grant, MN 55082

Harry Miller
3552 Highway 61N
White Bear Lake, MN 55110

Re: Existence of accessory apartments at 9250 Dellwood Road

Dear Ms. Magnolo-Hanschen and Mr. Miller;

Per the withdraw of your conditional use permit application to allow for the existence of the two accessory apartments located at Harmony Horse Farm at Victoria Station, your property currently is in violation of the City of Grant's zoning and building codes. Specifically, Section 32-313 (b) prohibits human habitation of any accessory structure. Also, Grant explicitly prohibits guesthouses, carriage houses, or other types of secondary living structures on a single parcel in Section 32-245 of City Code.

These accessory apartments were also constructed with no building permits and several building code violations were observed during a site visit by the building official.

Please remove the apartments from the accessory structures by October 25, 2012 in order to keep in compliance with city code. Failure to do so may result in further action by the City Council.

If you have any questions, please do not hesitate to contact me at (763) 231-4863, or brothstein@wsbeng.com.

Sincerely,

WSB & Associates, Inc.

Breanne Rothstein
City Planner

cc: Kim Points, City of Grant
Jack Kramer, City of Grant

Minneapolis ■ St. Cloud
Equal Opportunity Employer



Memorandum

To: *Honorable Mayor and City Council, City of Grant
Kim Points, City of Grant*

From: *Breanne Rothstein, Planner
WSB & Associates, Inc.*

Date: *October 25, 2012*

Re: *October Staff Report - Planning*

A. Code Enforcement Actions Update

There are two pending code enforcement actions city staff is currently analyzing.

#1-Harmony Horse Farm-occupancy of an accessory structure

A letter of violation has been sent, and the property owner did call the City Clerk to discuss the matter. However, no action has taken place, and the deadline for removal of the accessory units has passed. Staff is requesting City Council discussion regarding this matter and appropriate next steps to remedy the zoning and building code violation.

#2-Clearcutting of the property at 9007 Joliet Ave

The owner of the property at 9007 Joliet Ave has submitted a re-vegetation plan to restore the clear-cut site. This pending code enforcement action has been adequately resolved.

B. Items for the November Planning Commission meeting

a. Sprint CUP Application- 11900 Manning Trail-Tower Modifications

A public hearing notice has been published for a minor change to the antennas attached to the tower located at 11900 Manning Trail. The change consists of an addition of a satellite dish and the temporary installation of three antennas to allow for upgrades to technology.

b. CUP Application-8255 75th St N-Horse Boarding

A public hearing notice has been published for a horse-boarding facility which would allow 95 horses in paddocks/pasture. The request includes allowing for public events (up to 5 per year) and a request to exceed the number of horses per grazable acres than currently allowed as a permitted use in all agricultural districts.

C. Sprint Administrative Application-8930 North 60st Street-Tower Modifications

Staff has received an administrative permit to conduct temporary work on the tower at 8930 60st

If you have any questions, please contact me at 763-231-4863.

City Council Report for October 2012

To : Honorable Mayor & City Council Members

From: Jack Kramer Building & Code Enforcement Official

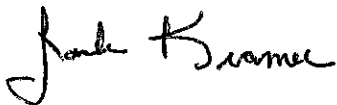
Zoning Enforcement:

No new violations noted for October

Building Permit Activity:

1. (28) Twenty-Eight building permits were issued for this time period with a total valuation of \$ 875,300.00.

Respectfully submitted,

A handwritten signature in black ink that reads "Jack Kramer". The signature is written in a cursive style with a large initial "J" and "K".

Jack Kramer

Building Official

Grant Master Form		Name	Project Address	Date Issued	Valuation:	City Fee:	75%	Plan CK Fe	Surcharge	Paid
Permit	Permit Type									
2012-127	Plumbing	Roytek	9900 Keswick Ave.	9/19/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-128	HVAC	Roytek	9900 Keswick Ave.	9/19/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-129	Re-Roof	Muller	8140 Lake Elmo Ave.	9/19/2012	\$ 26,000.00	\$ 401.85	\$ 301.38	\$ -	\$ 13.00	
2012-130	Drain Tile	Rite Way	6125 Keats Ave. N.	9/20/2012	\$ 6,210.00	\$ 139.30	\$ 104.47	\$ -	\$ 3.10	
2012-131	Re-Roof	Robinson	6161 Inwood Ct. N.	9/22/2012	\$ 8,000.00	\$ 153.25	\$ 114.93	\$ -	\$ 3.75	
2012-132	Re-Roof	Hansen	8410 Jamaca Ave. N.	9/25/2012	\$ 5,500.00	\$ 111.25	\$ 83.43	\$ -	\$ 8.75	
2012-133	House & Gar.	Olson	8015-80th. St. N.	9/25/2012	\$ 562,250.00	\$ 3,533.00	\$ 2,649.75	\$ 2,296.00	\$ 281.12	
2012-134	Garage repair	Aden	10348 Manning Ave. N	9/27/2012	\$ 5,000.00	\$ 111.25	\$ 83.43	\$ -	\$ 2.50	
2012-135	Plumbing	Thurnhorst	11710 Keats Ave.	9/27/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-136	HVAC	Cinnamon	7190 Jocelyn Ln. N.	9/29/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-137	Lower Level	Haws	11775 -102nd St. N	9/29/2012	\$ 69,500.00	\$ 783.75	\$ 587.81	\$ 509.43	\$ 34.75	
2012-138	HVAC Permit	Backhaus	7557 101 St. St. N.	10/1/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-139	Plumbing	Johnson P	9411 Joliet Ave. N.	10/3/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-140	HVAC Permit	Warian	6580 Jocelyn Rd. N.	10/3/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-141	Siding/Porch	Johnson	8196- 89th. St. N.	10/3/2012	\$ 28,000.00	\$ 422.05	\$ 316.53	\$ 274.33	\$ 14.00	
2012-142	Re-Roof	Stang	10436 - 61st. N.	10/3/2012	\$ 7,500.00	\$ 153.25	\$ 114.93	\$ -	\$ 3.75	
2012-143	HVAC Permit	Extream A	10860 -60th. St. N.	10/5/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-144	HVAC Permit	Gangnon	10850 -62 nd St. N.	10/6/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-145	HVAC Permit	Haws	10775 -102nd. St. N.	10/6/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-146	Deck/Ramp	Gausthaus	8390 Lofton Ave.	10/10/2012	\$ 45,000.00	\$ 593.75	\$ 445.31	\$ 385.93	\$ 22.50	
2012-147	HVAC	Apollo Hea	10775 Kimbro Ave. N.	10/10/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-148	HVAC Permit	Jensen	10425 - 60th. St. N.	10/12/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-149	Plumbing	Bruggema	9260 Jeffrey Ave. N.	10/12/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-150	Garage	Chapman	10475 -110th. St. N	10/12/2012	\$ 68,000.00	\$ 769.75	\$ 577.31	\$ 500.33	\$ 34.00	
2012-151	Plumbing	Christopher	8665 Kimbro Ln. N.	10/12/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-152	Re-Roof	Comfort	10435 Hadley Ave. N.	10/12/2012	\$ 10,000.00	\$ 181.25	\$ 135.93	\$ -	\$ 5.00	
2012-153	Plumbing	Roland	7590 Kimbro Ave. N.	10/16/2012	\$ -	\$ 80.00	\$ 60.00	\$ -	\$ 5.00	
2012-154	Remodeling	Roland	7590 Kimbro Ave. N.	10/16/2012	\$ 34,340.00	\$ 492.75	\$ 369.56	\$ -	\$ 17.17	
Monthly total					\$ 875,300.00	\$ 9,046.45	\$ 6,784.77	\$ 3,966.02	\$ 518.39	



Protecting, maintaining and improving the health of all Minnesotans

October 17, 2012

Grant Township Hall
c/o City Clerk
111 Wildwood Road
P.O. Box 577
Willernie, Minnesota 55090

Gentlemen/Ladies:

Subject: Unused, Unsealed Water-Supply Well, Former Public Water-Supply Well 5820527,
Located at Grant Township Hall, 8300 Kimbro Avenue North, Grant Township,
Washington County, Minnesota

Ms. Christine O'Brien, compliance officer, Minnesota Department of Health St. Paul office, sent a certified letter to you dated May 11, 2011, indicating there is an unused, unsealed water-supply well on your property located at Grant Township Hall, 8300 Kimbro Avenue North, Grant Township, Washington County, Minnesota. The well was taken out of service due to the presence of coliform bacteria. Our records do not indicate that a licensed well contractor has permanently sealed the well, or that the bacteriological problem has been corrected and the well has been placed back in service.

Minnesota Statutes, Chapter 103I, establishes the basic requirements for the construction, repair, and permanent sealing of wells in Minnesota. Chapter 103I requires that the owner of property on which a well is located, must have the well sealed if:

1. The well is contaminated;
2. The well was sealed in a manner that violates state requirements;
3. The well is located, constructed, or maintained in a manner such that its continued use or existence endangers the groundwater quality or is a safety or health hazard.

Well sealing is the process of filling a well with an approved grout in order to prevent the well from being a safety or groundwater contamination threat. Well sealing must be done by a licensed well contractor.

The well on your property is not in use and has not been sealed. It is therefore not in compliance with Minnesota statutes. You have two options to choose from to bring the well into compliance with Minnesota statutes and rules. You may:

1. Have the well repaired and put back into service; or
2. Have the well permanently sealed by a licensed well contractor or a licensed well sealing contractor.