

**City of Grant
City Council Agenda
January 7, 2014**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, January 7, 2014, 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. December 3, 2013 City Council Meeting Minutes
 - B. Bill List, \$35,881.36
 - C. KEJ, Snow Removal and Sign Replacement \$23,120.00
 - D. 2014 Tort Liability, City DOES NOT Waive Monetary Limits
 - E. Clerk 3% Pay Increase for 2014, per approved 2014 City Budget
5. **2013 YEAR END REVIEW, MAYOR TOM CARR**
6. **STAFF AGENDA ITEMS**
 - A. City Engineer, Phil Olson
(No action items)
 - B. City Planner, Jennifer Haskamp
 - i. Scott Jordan Proposed Text Amendment Application, Public Hearing
 - ii. Ordinance No. 2014-31, Amending the Grant Code of Ordinances
 - iii. Ed Schmidt Proposed Text Amendment Application, Public Hearing
 - C. City Attorney, Nick Vivian
(No action items)
7. **NEW BUSINESS**
 - A. 2014 Appointment List
 - B. Ordinance Number 2014-30, 2014 Fee Schedule
 - C. Resolution No. 2014-01, Summary Publication of 2014 Fee Schedule
 - D. 2014 City Council Meeting Schedule
 - E. Resolution No. 2014-02, 2014 Liquor License, Windy Acres

8. UNFINISHED BUSINESS

9. DISCUSSION ITEMS

A. City Council Reports (any updates from Council)

B. Staff Updates

10. COMMUNITY CALENDAR JANUARY 8 THROUGH JANUARY 31, 2014:

Mahtomedi Public Schools Board Meeting, Thursday, January 9th, 2014, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, January 9th and 23rd , 2014, Stillwater City Hall, 7:00 p.m.

Charter Commission Meeting, Thursday, January 16th, 2014, Mahtomedi City Hall, 7:00 p.m.

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

11. ADJOURNMENT

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. _____
2. _____
3. _____
4. _____

I. GUIDELINES FOR CONDUCT AT GRANT CITY MEETINGS

1. Public input (agenda item) and public comment during agenda items will be addressed as time allows and individuals must be recognized by the Meeting Chair prior to making comments.
2. Any individual addressing the Council will approach the microphone and clearly state their name and full address.

3. Comments and reading of written statements shall be limited to two (3) minutes. You are encouraged not to be repetitious of comments made by any previous speakers.
4. No personal attacks are allowed during any public input, public comment or public hearings.

II. PUBLIC INPUT

Public Input will be held after the meeting is adjourned. Four (4) speakers limited to three (3) minutes each.

III. PUBLIC COMMENT – DURING AGENDA ITEMS

Citizens may share their comments or concern on a specific agenda item if called upon by the City Council. This is the portion of the Council meeting that citizens may comment on an individual agenda item if called on to do so. All comments must be addressed to the Mayor and Council and name and full address must be stated clearly. If the agenda item has had a public hearing, this will not be a continuation of that hearing.

CITY OF GRANT
MINUTES

DATE : December 3, 2013
TIME STARTED : 7:04 p.m.
TIME ENDED : 8:47 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 7:04 p.m.

PLEDGE OF ALLEGIANCE**SETTING THE AGENDA**

Item 9C, Update of Video Taping of Charter Commission, was added to the regular agenda.

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

CONSENT AGENDA

November 4, 2013 City Council Meeting Minutes Approved

Bill List, \$68,424.07 Approved

City of Stillwater, 2nd Half Fire
Contract, \$46,243.00 Approved

City of Mahtomedi, 4th Quarter Fire
Contract, \$29,601.75 Approved

Kline Bros., Road Maintenance, \$18,221.25 Approved

Miller Excavating, Jocelyn Lane
Culvert, \$34,582.00 Approved

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

3
4 CONCEPT PLAN REVIEW, HIGHWAY 96 & MANNING AVE. COUNTRY CLUB, ED
5 SCHMIDT
6

7 Mayor Carr advised Mr. Schmidt was present at the last meeting and he doesn't believe there was
8 much clarity then. The issue is there is nothing in the ordinance that fits the proposed use. He stated
9 he does like the concept plan but he would like to figure out the best way to proceed. He stated the
10 Council will have a discussion and Mr. Schmidt can indicate when he feels he has the clarification
11 that is needed.

12
13 Mr. Ed Schmidt came forward and stated he would like to proceed with an application and would like
14 to know the easiest way to do this.

15
16 Council Member Bohnen stated he would like to know what staff thinks can be approved as far as the
17 proposed use.

18
19 Mayor Carr stated this is a policy decision for the Council to make.

20
21 City Planner Haskamp stated there are a couple of current uses that could accommodate this use. A
22 country club, lodge or commercial recreation would be allowed in the A2 zone. A supper club is not
23 allowed in the A2 zoning district.

24
25 City Attorney Vivian advised the lack of definitions within the code is the problem. The question
26 becomes what is the definition of these uses. He could apply for a country club but will have the
27 burden of proofing the use fits what is commonly known as a country club. There are also two other
28 uses that could accommodate the proposal if the Council believes it is another use or if the Council
29 thinks it would be better to move forward with a text amendment. The Council can define the uses if
30 they choose to do so.

31
32 Council Member Lobin stated there are two golf clubs in the City but they have to close at 10:00 p.m.
33 If the proposed use is called a country club, they would have to have the same rules as the golf clubs.

34
35 Council Member Tronrud inquired about the ramifications of approving a CUP with different
36 conditions as a current CUP with similar uses.

37
38 City Attorney Vivian advised every application is different and on its own. Every business of a
39 similar type will not have the same conditions. The City has to consider the facts and circumstances
40 of each application.

41
42 Council Member Huber asked if there are any current CUP's with a country club designation.

43
44 City Planner Haskamp stated she is not aware of any CUP's with a country club designation.
45

1 Council Member Huber stated he feels that a country club and a golf club are very different. The
2 proposal is for a country club. Others are free to amend their CUP so why would the City change
3 zoning? The City can define country club. He stated he should have seen an application come
4 forward this month for a CUP. He stated he is confused as to why Mr. Schmidt is back for another
5 concept plan review.

6
7 Mayor Carr stated there is no definition for country club so the City can't say that is what it is.
8 Applewood and Loggers have to close at 10:00 p.m. There is a definition for supper club. Good
9 government should be consistent. He stated he understands the City can apply different conditions to
10 different CUP's but he doesn't think the City should do that. If the proposed business fails and Mr.
11 Schmidt needs to change the type of business it could be an issue. The other option is to call it
12 something different all together. The City does have a text amendment application.

13
14 Council Member Tronrud stated he likes the idea of the business but no use fits it perfectly. It is the
15 applicant's decision on how to apply. He added that he would like to see a use that fits the proposed
16 business better than what the City currently has.

17
18 Council Member Bohnen stated he would not go back and compare old CUP's that were issued under
19 different zoning standards, different times and different City Council's. There are 19,000 cars that
20 travel at this corner every day. The parcel can handle this use and the impact is minimal. He stated
21 he does not think the City should be in the business of telling people what to do if their business
22 should fail. If the proposed business were to fail and be sold it would be up to the new owner to
23 perhaps change the use. He added he is not going to suggest changing the zoning uses for the A2
24 zone.

25
26 Mayor Carr stated that both Loggers and Applewood are on County roads. Supper clubs are allowed
27 in the A1 zone. If the City were to focus on supper club, the definition can be tweaked to mandate it
28 is only allowed on County roads, State roads, etc. He advised he is concerned about the future of the
29 City of Grant.

30
31 Council Member Huber stated that exploring Mr. Schmidt's business model prior to a CUP is not
32 applicable. A CUP for a country club could be conditioned on the athletic facilities. Changing the
33 definition of supper club because it is allowed in the A1 zone can be done next month. He stated he
34 does not see the point of changing zoning for supper clubs when the City can just define country club.

35
36 Mayor Carr requested a poll of the Council Members:

37
38 Council Member Lobin stated in her opinion the use should be supper club to allow for a future use.

39
40 Council Member Huber stated he believes the City should define country club.

41
42 Mayor Carr stated he would like to see a new use or a text amend to allow a supper club in the A2
43 zone.

1 Council Member Tronrud stated he would like a new use or pursue supper club although country club
2 is the closest use.

3
4 Council Member Bohnen stated he would support changing the ordinance. However, if he is applying
5 tomorrow he can't advise him to apply for something that is not currently allowed.

6
7 **STAFF AGENDA ITEMS**

8
9 **City Engineer, Phil Olson – No action items.**

10
11 **City Planner, Jennifer Haskamp**

12
13 **Proposed Text Amendment Application** – City Planner Haskamp advised the applicant, Scott
14 Jordan, attended the September City Council meeting and presented a concept plan to run and operate
15 a wedding/banquet venue from the existing barn on his property located at 7373 120th Street North,
16 Grant, MN. Through the course of discussion at the concept plan review, it was determined that the
17 proposed use is not something currently addressed within the City's ordinances and therefore a
18 proposed amendment to the text of the zoning ordinance would be necessary in order to consider such
19 a use. As such, Mr. Jordan has submitted an application for consideration by the Council of
20 amending the text to allow the proposed use.

21
22 City Planner Haskamp reviewed the staff report and noted a public hearing has been scheduled for
23 this evening and also on January 7, 2014. Staff will prepare draft findings at the direction of the City
24 Council upon completion of the public hearing and discussion at the Council meetings.

25
26 City Planner Haskamp advised staff is seeking direction from the Council with respect to the
27 proposed language. Specifically staff is looking for direction on the following: 1) consistency with
28 the Comprehensive Plan; 2) thoughts on "seasonal business" or "rural event facility"; 3) clarification
29 and/or standards that maybe should be added in a new section of the code.

30
31 Mayor Carr stated a general Council discussion should be held tonight regarding the application. He
32 stated the Planner did a good job on reviewing the application and the staff report. He agreed that
33 seasonal business is too broad and noted there are not many differences between the A1 and A2 Zone.

34
35 Council Member Bohnen stated he agrees with putting the use in both A1 and A2 zones but direct
36 access to a state or county road should be included.

37
38 Mayor Carr opened the public hearing at 8:00 p.m.

39
40 Ms. Joyce Weland, 83rd Street, came forward and stated the notice in the paper refers to A1 zoning
41 and the Council is talking about the A2 zone, which is very confusing. She asked if the proposal
42 conforms to the City's Comprehensive Plan and noted a previous proposal for a stable with a grocery
43 store was turned down. She stated she believe this is leap frog development and supper clubs are not
44 allowed in any zone. She stated the proposal is a commercial use and commercial uses belong on
45 Highway 36.

1 Mr. Larry Lanoux, Keswick Avenue, came forward and stated the City has a City Council making
2 decisions and the Council disbanded the Planning Commission. The Planning Commission should be
3 looking at this proposal. The applicants did not have the opportunity to go before the Planning
4 Commission.

5
6 Ms. Sharon Schwarze, Joliet Avenue, came forward and stated she lives across the street from a
7 property that could be a potential venue if this is changed. She stated she moved out to Grant to be
8 near farms, not large venues. Businesses use tax dollars in terms of security and safety services.
9 Many cities are considering an overlay district on the edges of their cities and suggested the City look
10 into that option.

11
12 Mr. Bob Tufty, Jasmine Avenue, came forward and stated he thought storage on that site would be a
13 good use. He stated it is a beautiful property.

14
15 The public hearing was continued to the January City Council meeting.

16
17 Mayor Carr advised setbacks, screening, security and alcohol sales are very important to this type of
18 use. He stated he would not like to see pole barn events and would like this structured so it does not
19 allow that.

20
21 City Attorney Vivian advised neighboring properties will get notice of a CUP hearing and will have
22 the opportunity again to speak. The City of Scandia just approved a similar use that does not allow
23 amplified music and has to be up to commercial code. The City will draft an ordinance that makes
24 sense for the City of Grant.

25
26 Ms. Schwarze came forward and stated that in the past, the City has sent out notices to make
27 neighbors aware of zoning changes.

28
29 City Attorney Vivian advised there is no requirement to notice neighbors because the proposed
30 change is not land specific.

31
32 Council Member Bohnen advised he supports the change in both A1 and A2 zones on properties that
33 are on a state or county road and would prefer a more specific use.

34
35 Council Member Huber stated he would like to limit this type of use to a specific number of
36 properties within the City and also want limited amplified music outdoors.

37
38 Council Member Tronrud stated he likes the rural event facility use. His concerns have been
39 addressed but he does want the use to be up to commercial code and fire code.

40
41 Mayor Carr advised if it were restricted to heritage farms that would self-limit the number of these
42 types of use.

43
44 City Planner Haskamp confirmed there is interest in adding a use for a rural event facility. She
45 proposed the addition of architectural standards.

1 City Attorney Vivian advised the application will be on the January Council meeting agenda with the
2 intent of Council action.

3
4 **City Attorney, Nick Vivian – No action items.**

5
6 **NEW BUSINESS**

7
8 **Resolution No. 2013-24, 2014 Final Budget -** City Treasurer Schwarze reviewed the 2014 final
9 budget resolution noting the public hearing was held earlier this evening. No one was present to
10 speak at the public hearing.

11
12 Council Member Bohnen inquired about the potential change in the treasurer line item.

13
14 Mayor Carr advised he has no problem with increasing that line item but the timing is bad.

15
16 Council Member Huber agreed and stated he would like to talk about that increase during the
17 preliminary budget time.

18
19 **Council Member Huber moved to adopt Resolution No. 2013-24, as amended. Council Member**
20 **Tronrud seconded the motion. Motion carried unanimously.**

21
22 **Resolution No. 2013-25, 2014 Certification of Levy –** City Treasurer Schwarze reviewed the levy
23 certification resolution.

24
25 **Council Member Bohnen moved to adopt Resolution No. 2013-25, as presented. Council**
26 **Member Huber seconded the motion. Motion carried unanimously.**

27
28 **Resolution No. 2013-26, 2014 Liquor License, Applewood Golf Club – Council Member Huber**
29 **moved to adopt Resolution No. 2013-26, as presented. Council Member Bohnen seconded the**
30 **motion. Motion carried unanimously.**

31
32 **Resolution No. 2013-27, 2014 Liquor License, Gausthause – Council Member Huber moved to**
33 **adopt Resolution No. 2013-27, as presented. Council Member Bohnen seconded the motion.**
34 **Motion carried unanimously.**

35
36 **Resolution No. 2013-28, 2014 Liquor License, Indian Hills Golf Club – Council Member Huber**
37 **moved to adopt Resolution No. 2013-28, as presented. Council Member Bohnen seconded the**
38 **motion. Motion carried unanimously.**

39
40 **Resolution No. 2013-29, 2014 Liquor License, Loggers Trail – Council Member Huber moved to**
41 **adopt Resolution No. 2013-29, as presented. Council Member Bohnen seconded the motion.**
42 **Motion carried unanimously.**

43
44 **UNFINISHED BUSINESS**

1 **Stillwater Fire Contract, Mayor Carr** – Mayor Carr advised he did speak with the Stillwater City
2 Administrator and the proposed increase is going to happen. The City is limited regarding options
3 and he thinks the City needs to approve the contract. Further discussion regarding this issue can
4 occur in the future.

5
6 **Council Member Bohnen moved to accept the Stillwater Fire Contract, as presented. Council**
7 **Member Lobin seconded the motion. Motion carried unanimously.**

8
9 **Resolution No. 2013-18, Investment Policy, Sharon Schwarze** – City Treasurer Schwarze reviewed
10 the draft policy noting the minor changes and recommended approval based on those revisions.

11
12 Council Member Huber referred to page 2 and requested “investment officials” also be changed to
13 “investment advisor”.

14
15 **Council Member Bohnen moved to adopt Resolution No. 2013-18, as amended. Council**
16 **Member Tronrud seconded the motion. Motion carried unanimously.**

17
18 **DISCUSSION ITEMS**

19
20 **City Council Reports:**

21
22 Mayor Carr referred to a copy of a letter from the County relating to the Metropolitan Council’s
23 forecasts.

24
25 **Staff Reports:**

26
27 There were no updates from staff.

28
29 **Update of Video Taping of Charter Commission, Council Member Bohnen** – Council Member
30 Bohnen advised the last Charter Commission meeting was not successfully taped. He asked the City
31 Council to think about options to help with the recording of Charter Commission meetings.

32
33 Mayor Carr advised the City Attorney has stated expenses for the Charter Commission have to relate
34 directly to the Charter document.

35
36 City Attorney Vivian advised the City should adhere to state statute whether video recording expenses
37 are reimbursed or not.

38
39 Council Member Bohnen stated he believes the City Council has the authority to spend dollars on the
40 video taping of Charter Commission meetings. Residents need to be able to view the meetings.

41
42 Council Member Huber stated the City can’t do that legally. There must be some training issues with
43 the recording of the meetings. The playback of those meetings is allowed because there is no
44 expense.

COMMUNITY CALENDAR DECEMBER 4 THROUGH DECEMBER 31, 2013:

Mahtomedi Public Schools Board Meeting, Thursday, December 12, 2013, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, December 5th and 19th, 2013, Stillwater City Hall, 7:00 p.m.

Charter Commission Meeting, Thursday, December 19, 2013, Mahtomedi City hall, 7:00 p.m.

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

ADJOURN

There being no further business, Council Member Huber moved to adjourn at 8:47 p.m. Council Member Tronrud seconded the motion. Motion carried unanimously.

These minutes were considered and approved at the regular Council Meeting January 7, 2014.

Kim Points, Administrator/Clerk

Tom Carr, Mayor

Disbursements List

City of Grant

Date range: 12/04/2013 to 12/30/2013

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Total</u>	<u>Description</u>	<u>Void</u>	<u>Account #</u>	<u>Detail</u>
Payroll Period Ending 12/27/2013	12/27/2013	12254	\$3,171.64		No	100-41101-100	\$3,171.64
Computer Wrangler	12/27/2013	12255	\$417.79	Computer Repair	No	100-41317-300	\$417.79
CenturyLink	12/27/2013	12256	\$167.78	City Phone	No	100-41309-321	\$167.78
Graphic Resources	12/27/2013	12257	\$1,143.24	Fall Newsletter	No	100-41307-320	\$1,143.24
Washington County Sheriff	12/27/2013	12258	\$208.65	12/9 Council Meeting Security	No	100-42001-300	\$208.65
Maroney's	12/27/2013	12259	\$193.13	Roadside Garbage	No	100-43105-384	\$193.13
AirFresh Industries	12/27/2013	12260	\$133.91	PortaPot #16018	No	100-43007-210	\$133.91
Smith Appraisal Service	12/27/2013	12261	\$1,810.83	Monthly Assessment Services	No	100-41208-300	\$1,810.83
KEJ Enterprises	12/27/2013	12262	\$23,120.00	Snow Removal/Signs	No	100-43110-300 100-43113-300 100-43114-300	\$1,012.50 \$21,492.50 \$615.00
Halogen	12/27/2013	12263	\$29.98	Domain Renewal - 2 years	No	100-41312-300	\$29.98
Waste Management	12/27/2013	12264	\$4,347.38	Recycling	No	100-43011-384	\$4,347.38
Ken Roman	12/27/2013	12265	\$50.00	Video Services	No	100-41318-300	\$50.00
Press Publications	12/27/2013	12266	\$14.05	legals/Charter/Assessment	No	100-41308-351	\$14.05
Eckberg Lammers	12/27/2013	12267	\$5,494.61	Legal Services	No	100-41204-300 100-41205-300 100-41206-300 801-49310-300 870-49310-300	\$2,192.91 \$1,396.47 \$1,544.11 \$166.12 \$195.00
Sprint	12/27/2013	12268	\$33.00	City Cell Phone	No	100-43116-321	\$33.00
Xcel Energy	12/27/2013	12269	\$342.42	Utilities	No	100-43004-381 100-43010-381 100-43117-381	\$280.18 \$11.27 \$50.97
Lyle Signs, Inc.	12/27/2013	12270	\$4,078.64	Sign Replacement	No	100-43110-330	\$4,078.64
Croix Valley Inspector	12/27/2013	12271	\$2,547.92	Building Inspector	No	100-42004-300	\$2,547.92
Milke Perron	12/27/2013	12272	\$374.94	Brushing/Sales Use Tax	No	100-43114-300	\$374.94
PERA	12/27/2013	12273	\$584.95	PERA	No	100-41102-120	\$314.14

12/30/2013

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>
IRS	12/27/2013	EFT44	\$1,045.41	December Payroll Taxes	No	100-41113-100	\$270.81
						100-41103-100	\$331.48
						100-41107-100	\$382.45
						100-41110-100	\$268.65
						100-41112-100	\$62.83
Kline Bros Excavating	12/30/2013	12312	\$7,533.75	Road Maintenance	No	100-43002-300	\$4,787.50
						100-43101-300	\$2,746.25
Swanson Haskamp Consulting	12/30/2013	12313	\$1,957.34	Planning	No	100-41209-300	\$1,201.00
						865-49310-300	\$345.00
						867-49310-300	\$204.34
						870-49310-300	\$207.00
Petty Cash	12/30/2013	12314	\$200.00	Office Supplies	No	100-41310-210	\$100.00
						100-41313-210	\$100.00
Total For Selected Checks			\$59,001.36				\$59,001.36

KEJ Enterprises

Invoice

Ken Johnson
611 Florence Avenue
Mahtomedi, MN 55115

Date	Invoice #
12/23/2013	452

Bill To
City of Grant PO Box 577 Willernie, Minn 55090

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
6	Plow streets with large truck 12/2	95.00	570.00
1	Plow streets with small truck 12/2	85.00	85.00
	dec mobilization fee	1,000.00	1,000.00
6	Sand streets 12/3	85.00	510.00
11	Plow streets with large truck 12/4	95.00	1,045.00
12	Plow streets with small truck 12/4	85.00	1,020.00
5	plow pick-up 12/4	60.00	300.00
6	Plow streets with large truck 12/5	95.00	570.00
8	Plow streets with small truck 12/5	85.00	680.00
5	plow pick-up 12/5	60.00	300.00
6	Sand streets large 12/7	85.00	510.00
7	Sand streets small 12/7	75.00	525.00
1.5	Sand streets small 12/8	75.00	112.50
8	Sand streets large 12/8	85.00	680.00
4	Sand streets large 12/9	85.00	340.00
9	Sand streets large 12/10	85.00	765.00
8	Sand streets large 12/12	85.00	680.00
12	Plow streets with large truck 12/14	95.00	1,140.00
8	Plow streets with small truck 12/14	85.00	680.00
9	plow pickup 12/14	60.00	540.00
9	Plow streets with large truck 12/16	95.00	855.00
8	Plow streets with small truck 12/16	85.00	680.00
9	plow pick-up 12/16	60.00	540.00
8	Sand streets 12/17	85.00	680.00
5	Sand streets 12/18	85.00	425.00
5	Sand streets 12/19	85.00	425.00
10	Plow streets with large truck 12/20	75.00	750.00
8	Plow streets with small truck 12/20	85.00	680.00
8	plow pick-up 12/20	60.00	480.00
3	Plow streets with small truck 12/23	85.00	255.00
	Plow streets with large truck 12/23	95.00	95.00
9	Plow streets with large truck 12/25	95.00	855.00
9	Plow streets with small truck 12/25	85.00	765.00
8	plow pick-up 12/25	60.00	480.00
		Total	

Ken Johnson
611 Florence Avenue
Mahtomedi, MN 55115

Date	Invoice #
12/23/2013	452

Bill To
City of Grant PO Box 577 Willernie, Minn 55090

P.O. No.	Terms	Project

[illegible]

KEJ Enterprises

Ken Johnson
611 Florence Avenue
Mahtomedi, MN 55115

Invoice

Date	Invoice #
11/30/2013	449

Bill To
City of Grant PO Box 577 Willernie, Minn 55090

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
	chip up brush Hadley area 2 men and chipper 10/5/13	615.00	615.00
	Nov mobilization fee	1,000.00	1,000.00
1.5	order and install street signs at Ironwood and 114th	45.00	67.50
		Total	\$1,682.50

SECTION I: LIABILITY COVERAGE WAIVER FORM

Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not to waive the statutory limits has the following effects:

- *If the city does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000. on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.
- *If the city waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$1,500,000. on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$1,500,000., regardless of the number of claimants.
- *If the city waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

This decision must be made by the city council. **Cities purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage.** For further information, contact LMCIT. You may also wish to discuss these issues with your city attorney.

City of GRANT ^{statutory} accepts liability coverage limits of \$ 1,500,000 from the League of Minnesota Cities Insurance Trust (LMCIT).

Check one:

- ☒ The city **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.
- ☐ The city **WAIVES** the monetary limits on tort liability established by Minnesota Statutes 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council meeting _____

Signature _____ Position _____

Return this completed form to LMCIT, 145 University Ave. W., St. Paul, MN. 55103-2044

STAFF REPORT

TO: Mayor and City Council Members **Date:** December 29, 2013 (revised)
November 22, 2013

CC: Kim Points, Administrator/Clerk, Nick
Vivian, City Attorney and Phil Olson,
City Engineer **RE:** Proposed text amendment to
Chapter 32 of the City of Grant
Zoning Ordinance to allow for a
seasonal wedding/banquet venue in
the A-1 zoning district

From: Jennifer Haskamp

SUMMARY

At the regular City Council meeting on December 3, 2013 the following staff report was presented for review and consideration by the Council regarding the Proposed Text Amendment to allow "Seasonal Business" uses with a Conditional Use Permit in the A-1 zoning district. Resulting from Council discussion and after hearing from the public, staff was directed to prepare some additional language related to performance standards regarding the proposed text amendment. The following staff report has been updated to include council's direction and additions are identified by underlined and italics for ease of review.

BACKGROUND

City Council December 3, 2013 Review

At the December council meeting a public hearing was opened and council discussion was held to consider the application to amend Chapter 32 of the City Code to allow Seasonal Businesses within the A-1 zoning district with a Conditional Use Permit (CUP). After discussion was held and public testimony taken, staff understood the Council's recommendations as follows:

- Amending the text to allow "Seasonal Business" with a CUP is too broad, and greater specificity regarding the proposed change is needed.
- Amending the text to allow a wedding barn venue under a "Rural Event Facility" with specific performance standards could be acceptable. Additionally, consideration for such use should be given in both the A-1 and A-2 zoning districts.
- Staff should prepare draft performance standards as a new Section 32-352 of the Zoning chapter and address items such as: sound, building code, architectural standards, etc.; for review by the City Council and Public at the regular January Council meeting.

December Staff Report

The Applicant, Scott Jordan, attended the September City Council meeting and presented a concept plan to run and operate a wedding/banquet venue from the existing barn on his property located at 7373 120th Street North, Grant, Minnesota. Through the course of discussion at the concept review it was determined that the

proposed use is not something currently addressed within the City's ordinances and therefore a proposed amendment to the text of the zoning ordinance would be necessary in order to consider such a use. As such, Mr. Jordan has submitted an application for consideration by the council of amending the text to allow the proposed use.

PROJECT SUMMARY

Applicant: Scott Jordan <i>Materials submitted by Jim Cox, AIA, Afton Architects & Planners</i>	Request: Text amendment to Section 32-245 (c) Table of Uses; Change the Seasonal Business designation of "N" to "C" for the A-1 zoning district
Address: 7373 120 th Street North <i>(proposed change would apply to all A-1 zoned properties)</i>	Site size: 23.72 Acres

The Applicant has proposed to amend the City's Zoning Ordinance to allow for a wedding/banquet venue with the issuance of Conditional Use Permit (CUP). The submitted application is attached for your review; and the following proposed changes are summarized for your consideration:

- Section 32-245 (c) Table of Uses. The table currently includes "business – seasonal" and identifies it as "N" or not permitted in all zoning districts. The applicant has proposed to change the designation under A-1 to "C" which would allow the use with a Conditional Use Permit and public hearing.
- The description provided by the Applicant is a "seasonal wedding/banquet venue." The applicant further states that "This (type of) seasonal business will contribute to the preservation and protection of agricultural land, facilities and lifestyles by saving and re-purposing the existing barn and farm yard."

ANALYSIS

Division 4, Section 32-116 of the City's Zoning Ordinance allows for amendments to the zoning chapter, if such request is initiated by the City Council, Planning Commission or by a resident's petition. The Applicant is a resident of the City and therefore has initiated the amendment for consideration. When considering the proposed amendment the Council should consider, at a minimum, the following:

1. Are the proposed changes consistent with the City's adopted Comprehensive Plan?
2. Are the proposed changes compatible with existing regulations and standards within the adopted zoning district?
3. Will the proposed changes have a negative impact on the health, safety and welfare of the community?
4. If the proposed changes are found to be consistent; are there additional considerations which should be addressed within the ordinance modifications?

Comprehensive Plan

The City's adopted comprehensive plan focuses on retaining the community's rural lifestyle and ensuring new uses are compatible with existing agricultural and rural residential uses. The proposed addition of a seasonal wedding/banquet venue use could be consistent with the Comprehensive Plan's focus on rural lifestyle provided the definition and supporting standards reinforce the focus on protection of large parcels, existing barns, and proper buffering between uses to protect rural residential enjoyment.

Consistency with Zoning

Section 32-243 defines the intent and purpose of the A-1 zoning district as,

"A-1 districts preserve land to be utilized for agriculture and commercial food production on lots smaller than those required in AP districts. A-1 districts provide areas of rural lot density housing with lots large enough for significant agricultural activity to occur."

Review of the A-2 zoning district is also necessary if the proposed recommendations, as preliminary discussed by the Council in December, were to allow such facilities in both zoning districts. As such the intent and purpose in the A-2 zoning district is stated as:

"The A-2 districts provide rural low density housing in agricultural districts on lands not capable of supporting long-term, permanent commercial food production. A-2 district lot sizes will provide for marginal agriculture and hobby farming."

While the proposed modifications do not directly relate to agricultural uses, the proposed changes would be most compatible with larger acreage parcels to ensure proper buffering and area is provided for such a use.

Section 32-1 offers some definitions to further clarify some of the uses found in the Table of Uses found in Section 32-245(c); however, the proposed "Business – Seasonal" is not defined, likely because it is not allowed in any district. However, review of the Table of Uses for similar business types to a seasonal wedding/banquet venue could include: Supper Clubs, Country Clubs, and Clubs/Lodges which are venues that provide opportunities for larger groups to gather, and often have events and food/beverage services associated with the business. All are all allowed within the A1 zoning district with issuance of a Conditional Use Permit, and the Country Club and Clubs/Lodges are also allowed with a CUP in the A2 (and supper clubs are not currently allowed). While these uses are not the same, they are similar with respect to intensity of the site, business operations, and site considerations that would be necessary when evaluating a proposed project.

Review of the Table of Uses also reveals that all business types of uses within the A1 and A2 district, when allowed, require a Conditional Use Permit. Further, the CUP process would require the applicant to submit a detailed site plan which would include parking, circulation, lighting, and general plans for site operations, among other things. Therefore, the request of the applicant to include the proposed use with issuance of a CUP is consistent with how other business uses are evaluated within the city – and reasonable conditions

would seem to address some of the most obvious concerns that would be associated with a wedding/banquet venue.

Proposed Changes & Additional Considerations

The Applicant has proposed to simply modify the table of uses to allow seasonal business in the A1 zoning district with a Conditional Use Permit. The applicant did not offer any additional modifications, but suggested that the applicability (with respect to their request) would be to allow for the operation of a seasonal wedding/banquet facility from their existing barn.

Staff discussed the proposed changes at the staff meeting held in November, and would offer some additional considerations/modifications if the proposed use is something that the Council wishes to consider:

- “Seasonal – Business” is broad and could relate to several types of businesses. Staff would recommend rather than simply modifying the ‘seasonal – business’ use within the Table, instead adding something more descriptive to accommodate the proposed use. As an example, Scandia recently adopted a new ordinance related to such facilities and have defined them as a “Rural Event Facility”. This description offers a bit more description and would narrow the type of uses that would fit within the definition.
- Staff would also recommend placing a definition into Section 32-1 related to the use added within the table. Proposed sample language using the ‘Rural Event Facility’ example is provided for your consideration:
 - “*Rural Event Facility* means a facility that operates on a for-profit basis to host outdoor or indoor gatherings. The gatherings may include, but are not limited to, events such as weddings or other ceremonies, banquets, picnics or any other gatherings of a similar nature. Such facilities shall be required to obtain a Conditional Use Permit, and must meet the following additional minimum standards:
 - Located on a minimum of 20 acres, and zoned A1 or A2;
 - Have direct access to County or State Road”

As background, staff performed a cursory GIS review of parcels within the City that would be affected if the proposed definition stated above were adopted (minimum of 20 acres, zoned A1 and access to a County Road). The analysis revealed that approximately 35 +/- parcels would qualify under these conditions, this equates to less than 2% of all parcels within the community.

Additionally, if both the A1 and A2 zoning districts were to be included, approximately 80 +/- parcels could qualify, which is approximately 3.4% of the parcels in the City.

- Based upon the discussion and recommendation of the City Council at the December 3, 2013 meeting, draft text was prepared and is attached as Ordinance 2013-03. The draft language was structured similarly to other performance standards within the adopted Code of Ordinances.

PUBLIC HEARING

A second public hearing has been scheduled for the January 7, 2014 City Council meeting to provide an opportunity for the public to comment on the proposed amendments.

FINDINGS (draft)

The following draft findings are presented based upon the discussion held in December which indicated general support of the proposed amendment. Additional findings, or findings of denial, can be drafted based upon the public hearing and discussion in January.

- Amending the Zoning Ordinance to allow Seasonal Business with a CUP is too broad, and does not provide enough description to address the types of uses that could be associated with such use.
- Rather than "Seasonal Business", describing the proposed text change as a "Rural Event Facility", with the proposed definition, provides greater description and specificity regarding types of uses that would be permitted.
- The "Rural Event Facility" use will require a Conditional Use Permit to ensure appropriate conditions are applied to protect the health, safety and welfare of existing neighborhoods, adjacent properties and subject facility.
- Since the A1 and A2 zoning districts are similar in purpose and intent, "Rural Event Facility" as a use should be permitted in both zoning districts provided the specified conditions of the definition and performance standards are met.
- Allowing "Rural Event Facilities" only on parcels greater than 20-acres will ensure that appropriate buffers, setbacks and conditions can be applied to protect adjacent rural residential parcels in the A1 and A2 zoning districts.
- Requiring "Rural Event Facilities" to be located on either a County or State Road will ensure adequate access and road infrastructure is available to adequately serve the facility.
- All appropriate permits and compliance with County and State regulations shall be required for all facilities and operations.
- Adoption of specific performance standards will help protect existing neighborhoods, adjacent properties and the right to enjoyment of property.

RECOMMENDATIONS

Staff is seeking direction from the City Council to prepare a resolution of approval or denial with applicable findings.

Attachments:

Applicant's Submittal
Ordinance 2013-01

October 16, 2013

City of Grant
PO Box 577
Willernie, MN 55090
Attn: Kim Points, City Administrator

Re: Text Amendment Application

Kim,

Below are the required submittals for a text amendment to the City's zoning ordinance allowing seasonal business in an A1 zoning district with a conditional use permit.

1. Current Text or Map in Comprehensive Plan and/or Zoning Ordinance
 - a) Chapter & Section Number: Zoning Ordinance Sec 32-245 (c) Table of Uses
 - b) Existing text: Business-seasonal designated as "N=Not permitted" in Agricultural A1 Zoning District
2. Proposed Text and/or Map Changes

Propose to designate Business-seasonal as "C=Conditional use permit and public hearing" in Agricultural A1 Zoning District
3. Written Narrative

Scott Jordan, the Owner of 7373 120th St N, proposes to convert the barn on his property for use as a seasonal wedding/banquet venue. This proposed use supports the goals of the Comprehensive Plan by protecting Grant's rural character. This seasonal business will contribute to the preservation and protection of agricultural land, facilities & lifestyles by saving and re-purposing the existing barn & farm yard. This proposed use will not negatively affect the general welfare, public health and safety. The barn will be upgraded to meet commercial building codes. The property is well screened from neighbors by dense trees & elevation changes. Access to the property is via County Rd 7 and will not cause increased traffic through any neighborhoods. All parking will be accommodated within the property and will require no street parking.
4. Graphic representations of how the amendment will benefit the property

The amendment will benefit the property by preserving the rural character, see attached photograph of the existing barn that will be saved.
5. Statement acknowledging contact with other governmental agencies


Washington County & Rice Creek Watershed have been contacted. Neither agency has concerns at this time.
6. Mailing Labels for public hearing notification

Owner will work with City Planner to ensure that hearing notifications get sent to the appropriate households.
7. Application Fee \$100

\$100 Application fee is attached to this letter
8. Escrow Fee \$1000

\$1000 Escrow fee is attached to this letter

Sincerely,

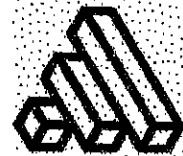


Jim Cox, AIA

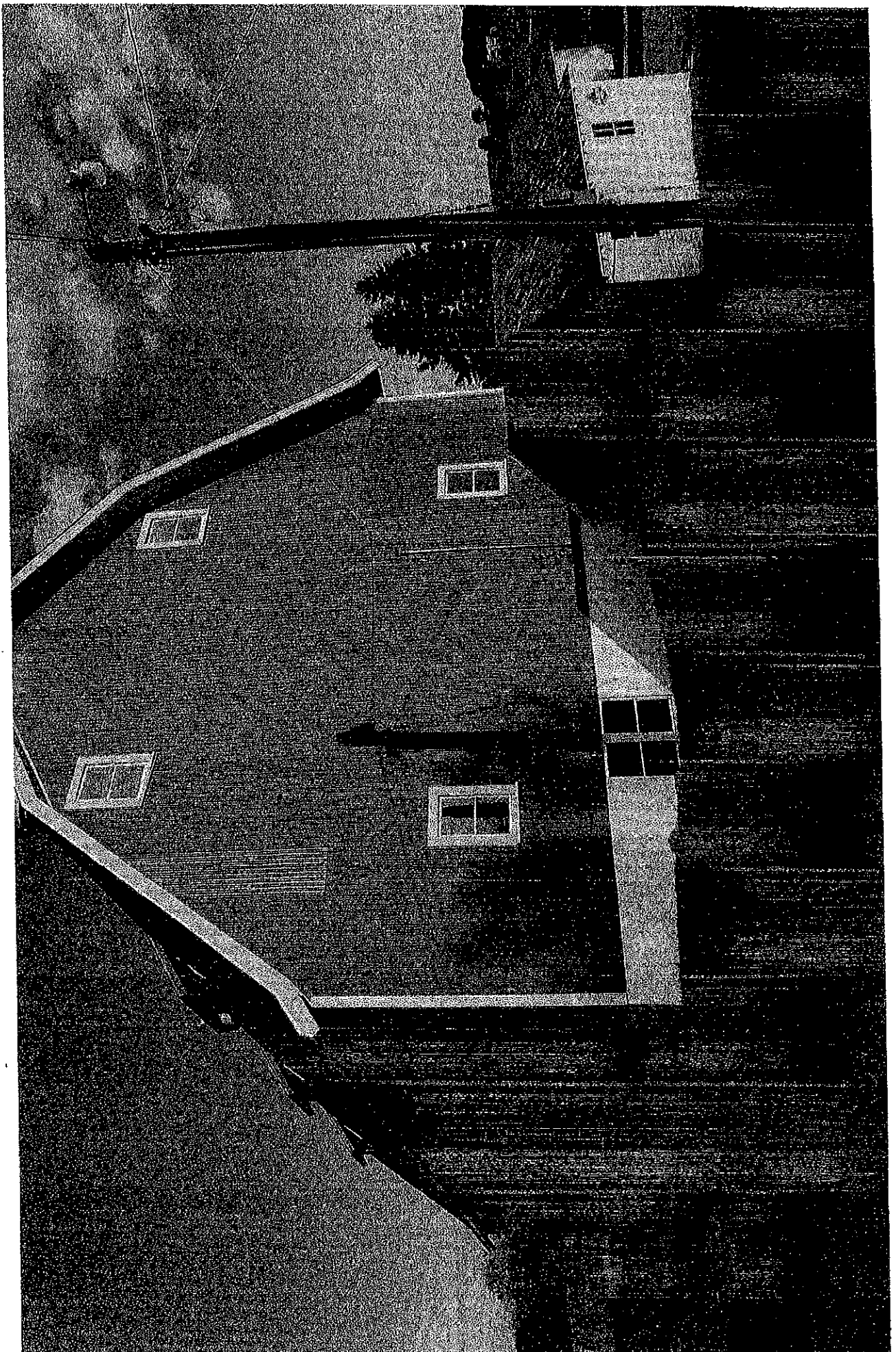
Enclosed: Signed Application Form
Photograph of existing barn
\$100 Fee
\$1000 Escrow

Afton Architects & Planners, Ltd.

- Architecture
- Interior Design
- Planning
- Construction Management



Afton Architects & Planners, Ltd.
12941 22nd Street South
Afton, Minnesota 55001
Phone: 651-436-3689
Fax: 651-436-1936
Email: aftonarchitects@msn.com



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



Phone: 651.426.3393
Fax: 651.429.1998
Email: clerk@cityofgrant.com

Application Date:	
Fee: \$100	Escrow: \$1000

COMPREHENSIVE PLAN OR ZONING AMENDMENT -- (MAP OR TEXT)

It is the policy of the City of Grant that the enforcement, amendment, and administration of any components of the Zoning Ordinance be accomplished with due consideration of the recommendations contained in the City's Comprehensive Plan. Therefore, any Comprehensive Plan Amendment, or Zoning Amendment shall be considered for consistency among both documents.

LEGAL DESCRIPTION: <u>WATHCO, MA.</u>	ZONING DISTRICT & COMP PLAN LAND USE: <u>A-1</u>
<u>McDonalds Preserve Lot 4 & 5</u>	LOT SIZE:
OWNER: Name: <u>Scott Jordan</u>	APPLICANT (IF DIFFERENT THAN OWNER):
Address: <u>7273 120th St. N</u>	
City, State: <u>Grant, MN.</u>	
Phone: <u>612-288-2723</u>	
Email: <u>SAJordanConstruction@gmail.com</u>	
REQUESTED ACTION: <input type="checkbox"/> Map Amendment <input checked="" type="checkbox"/> Text Amendment <input type="checkbox"/> Map & Text Amendment	
If, MAP AMENDMENT, REQUEST TO REGULATE LAND USE AND/OR ZONING FROM: _____ TO: _____	
*Please note that you will need to amend both the zoning and land use if a map change is requested.	
APPLICABLE ZONING CODE SECTION(S): Please review the following documents to assist with your request: 1. Grant Minnesota City Code 2. City Comprehensive Plan	

Submittal Materials

The following materials must be submitted with your application in order to be considered complete. If you have any questions or concerns regarding the necessary materials please contact the City Planner.

AP - Applicant check list, CS - City Staff check list

AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Current Text or Map In Comprehensive Plan and/or Zoning Ordinance.</u> The following must be included in your submittal: <ul style="list-style-type: none">▪ Chapter and Section Number▪ Existing Text of the Section.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Proposed Text and/or Map Changes:</u> Submit your proposed changes to the text or Map, or both. Please make sure to consider how your changes affects different chapters in the plan or ordinance, and consider this when you submit your application. Make sure to address all areas that might be affected by your changes. (For example, a land use change might impact the traffic and transportation section, so make sure to address both chapters).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Written Narrative.</u> Your description should include how you intend to use and/or benefit by the Comprehensive Plan or Zoning Ordinance Amendment and should include the following: <ul style="list-style-type: none">▪ Address how the proposed CPA or Zoning Amendment will affect adjacent properties.▪ Does your proposed language affect any other section the Comp Plan or Zoning Ordinance?▪ Does your proposed language affect density? (increase or decrease?)

Application for: **COMPREHENSIVE PLAN OR ZONING AMENDMENT**
City of Grant

<input checked="" type="checkbox"/>	<input type="checkbox"/>	Any graphic representations of how the amendment(s) will benefit your property (if applicable)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your request.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Mailing labels with names and addresses of property owners within 1,250 feet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$100
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Escrow: \$1000

Review and Recommendation by the Planning Commission. The Planning Commission shall consider oral or written statements from the applicant, the public, City Staff, or its own members. It may question the applicant and may recommend approval, disapproval or table by motion the application. The Commission may impose necessary conditions and safeguards in conjunction with their recommendation.

Review and Decision by the City Council. The City Council shall review the application after the Planning Commission has made its recommendation. The City Council is the only body with the authority to make a final determination and either approve or deny the application.

**Please note that if your request is granted, it does not represent any specific project approvals related to your property. Additional applications and processes may be required to obtain your approvals if your amendment is approved.*

This application must be signed by ALL owners of the subject property or an explanation given why this is not the case.

We, the undersigned, have read and understand the above.

Signature of Applicant

Date

Signature of Applicant

Date

Signature of Owner

Date

CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 2014-31

**An Ordinance Amending the Grant Code of Ordinances
Establishing Section 32-352 of Chapter 32, Zoning
Regarding Rural Event Facilities**

The City Council of the City of Grant, Washington County, Minnesota, does hereby ordain as follows:

SECTION 1. AMENDMENT OF CHAPTER 32, ZONING, OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 32, Article I, Section 32-1, "Definitions" is hereby AMENDED to ADD the following:

"Rural Event Facility means a facility that operates on a for-profit basis to host outdoor or indoor gatherings. The gatherings may include, but are not limited to, events such as weddings or other ceremonies, banquets, picnics or any other gatherings of a similar nature. Such facilities shall be required to obtain a Conditional Use Permit, and must meet the following additional minimum standards:

- Located on a minimum of 20 acres, and zoned A1 *or* A2;
- Have direct access to County *or* State Road"

SECTION 2. AMENDMENT OF CHAPTER 32, ZONING, OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 32, Article I, Section 32-245, "Table of uses", Item (c) is hereby AMENDED to ADD the following:

USE					
(KEY) CC=Certificate of Compliance N=Not Permitted		Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
Rural Event Facility	Conservancy N	C	C	N	N

SECTION 3. ESTABLISHMENT OF SECTION 32-352 OF ARTICLE IV, CHAPTER 32, ZONING, OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 32, Zoning, Article IV, Division 1, Section 32-352 "**Rural Event Facility**" is hereby ADDED as follows:

“Sec. 32-352. Rural Event Facility.”

- (a) *Purpose and intent.* The purpose is to establish regulations and performance standards related to Rural Event Facilities that allow for reuse and adaption of historically important structures within the city, while ensuring protection of adjacent properties and rural residential neighborhoods. For example, the reuse of an historic barn on a site which can be protected and reused as a rural event facility will ensure such structure is retained as a part of the rural character of the community.
- (b) *Permitted use.* The reuse and adaption of an accessory structure for purposes of a rural event facility, as previously defined, is a permitted use within the A-1 and A-2 zoning districts with the issuance of a Conditional Use Permit.
- (c) *Performance standards.* The rural event facility must comply with all rules and regulations of Federal, State, County, and local agencies and the following performance standards:
 - 1) A rural event facility may only be located on a site where such facility is accessory to a principal residential use.
 - 2) Events shall be limited to a maximum of 300 persons.
 - 3) Adequate utilities, including sewage disposal, must be available on the site. The applicable portion of the building code shall determine the appropriate type of bathroom facilities required on a site, and any on-site sewage treatment facilities needed shall be installed under a permit issued by Washington County.
 - 4) The rural event facility shall have direct access from a county or state road, and such site must be 20 acres or greater.
 - 5) The rural event facility shall provide on-site parking sufficient to handle all guests, staff, vendor and owner vehicles. All parking standards shall be consistent with those stated within the City's Code of Ordinance.
 - 6) Sound amplification is permitted for ceremonies whether located within the rural event facility or on the grounds. All other sound amplification is permitted only within the facility's building, and must adhere to all local and County sound ordinances. Events shall not generate noise that unreasonable annoys, disturbs, or endangers the comfort or peace of any persons, or precludes their enjoyment of property or affects their property's value.
 - 7) The rural event site shall be located at least 100 feet from any lot line, and additional screening may be required for any outdoor event areas. All potential event areas shall be designated on the site plan submitted for review.
 - 8) The rural event facility shall be architecturally designed to be consistent with the principal structure; with particular interest in re-use and adaption of historically significant structures within the City.
 - 9) The rural event facility must comply with all rules and regulations of Federal, State, County and Local agencies.
 - 10) The City may impose conditions related to landscaping, access, security, sanitary sewer, liability or other insurance requirements, and other conditions as necessary.

SECTION 4. SEVERABILITY.

In the event that court of competent jurisdiction adjudges any part of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included within that judgment.

SECTION 5. EFFECTIVE DATE.

This ordinance takes effect upon its adoption and publication according to law.

WHEREUPON, a vote, being taken upon a motion by Council member _____ and seconded by Council member _____, the following upon roll call:

Voting AYE:

Voting NAY:

Whereupon said Ordinance was declared passed adopted this ____ day of _____, 2014.

Thomas Carr, Mayor

Attest: Kim Points, City Clerk

STAFF REPORT

TO: Mayor and City Council Members **Date:** December 30, 2013

CC: Kim Points, Administrator/Clerk, Nick Vivian, City Attorney and Phil Olson, City Engineer **RE:** Proposed text amendment to Chapter 32 of the City of Grant Zoning Ordinance to allow Supper Clubs in the A2 zoning district with a Conditional Use Permit (CUP)

From: Jennifer Haskamp

BACKGROUND

The Applicant, Ed Schmidt, attended the November and December City Council meetings and presented a concept plan to run and operate a business that would include: food, alcohol and banquet facilities; and recreational facilities such as softball, bocce ball, volleyball and miniature golf on the same site. Through the course of discussion at the concept reviews it was preliminarily determined by the Council that the proposed use is somewhat of a hybrid of uses between a Country Club and Supper Club based upon the City's Ordinance. While Country Clubs are currently allowed with a CUP within the A2 zoning district; Supper Clubs are not a permitted use and therefore the proposed business does not appear to strictly adhere to the City's ordinances. As such, Mr. Schmidt has submitted an application for consideration by the council of amending the text to allow Supper Clubs within the A2 zoning district, thereby allowing him to subsequently make an application for a CUP that would address all of the uses proposed by his concept.

PROJECT SUMMARY

Applicant: Ed Schmidt	Request: Text amendment to Section 32-245 (c) Table of Uses; Change the Supper Club designation of "N" to "C" for the A-2 zoning district
Address: 11205 St Croix Trail N. <i>(proposed change would apply to all A2 zoned properties)</i>	Site size: 20.8 Acres

The Applicant has proposed to amend the City's Zoning Ordinance to allow Supper Clubs in the A2 zoning district with the issuance of Conditional Use Permit (CUP). The submitted application is attached for your review; and the following proposed changes are summarized for your consideration:

- Section 32-245 (c) Table of Uses. The table currently includes "Supper Club" and identifies it as "N" or not permitted in the A2, R1, and Conservancy zoning districts. The table identifies that "Supper Club" is permitted with a Conditional Use Permit ("C") within the A1 and General Business (GB) zoning districts. The applicant has proposed to change the designation under A2 to "C" which would allow the use with a Conditional Use Permit and public hearing consistent with the A1 zoning district.
- The Applicant is not proposing to change the current definition of Supper Club which is identified within section 32-1 Definitions. Based upon the submitted materials, Mr. Schmidt believes that the hybrid of a Country Club and Supper Club, with existing definitions would accommodate the proposed facility he would propose to operate.

ANALYSIS

Division 4, Section 32-116 of the City's Zoning Ordinance allows for amendments to the zoning chapter, if such request is initiated by the City Council, Planning Commission or by a resident's petition. The Applicant is a resident of the City and therefore has initiated the amendment for consideration. When considering the proposed amendment the Council should consider, at a minimum, the following:

1. Are the proposed changes consistent with the City's adopted Comprehensive Plan?
2. Are the proposed changes compatible with existing regulations and standards within the adopted zoning district?
3. Will the proposed changes have a negative impact on the health, safety and welfare of the community?
4. If the proposed changes are found to be consistent; are there additional considerations which should be addressed within the ordinance modifications?

Comprehensive Plan

The City's adopted comprehensive plan focuses on retaining the community's rural lifestyle and ensuring new uses are compatible with existing agricultural and rural residential uses. The City's adopted land use plan guides a significant portion of the parcels within the community as either A1 or A2, with the primary objective of retaining larger lot sizes and protecting existing neighborhoods and parcels. Originally the A1 parcels tended to be larger and are primarily located along the perimeter of the City, and tend to be located adjacent to County or State Roads. The A2 land use designation is similar to the A1 requiring larger lots, but generally tends to be located along City roads and tends to be slightly smaller lots. As currently adopted, Supper Clubs are permitted with a CUP within the A1 district, as these parcels tend to be better situated with proximity to infrastructure and larger lots. However, the proposed modification to allow Supper Clubs within the A2 land use designation could be consistent with the Comprehensive Plan's focus on rural lifestyle provided that the definition and supporting standards reinforce the focus on protection of large parcels and proper buffering between uses to protect rural residential enjoyment.

Consistency with Zoning

Section 32-243 defines the intent and purpose of the A-2 zoning district as,

"The A-2 districts provide rural low density housing in agricultural districts on lands not capable of supporting long-term, permanent commercial food production. A-2 district lot sizes will provide for marginal agriculture and hobby farming."

Currently, the described intent and purpose of the A-2 zoning district is not dissimilar to the A-1 zoning district which also seeks to protect and provide "rural lot density housing". Furthermore, the lot standards for minimum lot size, setbacks, and density is the same in both the A1 and A2 zoning districts. As previously stated, the A-1 zoning district currently allows a Supper Club with a Conditional Use Permit, where Supper Club is defined in Section 32-1 as:

"Supper club means a building with facilities for the preparation and serving of means and where meals are regularly served at tables to the general public. The building must be of sufficient size and design to permit the serving of meals to not less than 50 guests at one time. Intoxicating liquors may be sold on-sale and live entertainment and/or dancing shall be permitted."

As stated within the ordinance, the Supper Club definition does not regulate a minimum lot size or any other significant performance standards beyond the number of guests. However, a Supper Club would be required to meet standards for off-street parking, signage, lighting, etc., in order to be in compliance with all other adopted ordinances as established within the City Code. The same standards would also be required if the Council were to consider allowing Supper Clubs with a CUP in the A2 zoning district.

Review of the Table of Uses also reveals that all business types of uses within the A1 and A2 district, when allowed, require a Conditional Use Permit. Further, the CUP process would require the applicant to submit a detailed site plan which would include parking, circulation, lighting, and general plans for site operations, among other things. Therefore, the request of the applicant to include the proposed use with issuance of a CUP is consistent with how other business uses are evaluated within the city – and reasonable conditions would seem to address some of the most obvious concerns that would be associated with a Supper Club.

Proposed Changes & Additional Considerations

The Applicant has proposed to simply modify the table of uses to allow Supper Clubs in the A2 zoning district with a Conditional Use Permit. The applicant did not offer any additional modifications, but suggested that the applicability (with respect to their request) would be to allow for the operation of the business as depicted within his Concept Plan which included recreational, food/beverage and banquet facilities.

Since there is an existing definition within the Ordinance, the Council must consider how allowing Supper Clubs – given the current definition – would affect all potential properties within the A2 zoning district. As indicated, the A2 properties tend to be located more centrally within the community and tend to be on smaller lots and located on local road.

Staff discussed the proposed changes at the staff meeting held in December, and would offer some additional considerations if the proposed modification is something that the Council wishes to consider:

- Providing additional requirements/modifications to the existing definition could be accomplished at the same time as this amendment, if desired. For example, the definition could be modified to restrict the lot size to a minimum of 15 or 20 acres, and have direct access to a County or State Road.
 - For example, if the minimum lot size was added to the Supper Club definition requiring a minimum of 20 acres with direct access to a County or State road approximately 80 +/- parcels would qualify. This represents approximately 3.4% of all total parcels in the community.
 - Staff has not completed a review to determine whether or not there are any existing "Supper Clubs" within the community, currently with a CUP, that would not meet this standard, and would therefore be deemed legally non-conforming. However, if the Council wishes to pursue this definition, this analysis can be completed.
- Although there is a definition for Supper Club provided, there are no specific performance standards identified within the ordinance. If the Council is concerned about the use, there would be an opportunity to add a new section 32-352 Supper Clubs to further clarify and define the standards expected from any new facility. Such items that could be include are:
 - Signage,
 - Lighting
 - Landscaping
 - Architectural Standards
 - Others?

Many of these things can be addressed through the standard CUP process, and may really depend on the site and the proposed facility. However, general performance standards could be drafted if desired, and prepared for the February meeting if directed by Council.

PUBLIC HEARING

A public hearing has been scheduled for the January 7, 2013 City Council meeting.

FINDINGS

Staff will prepare draft findings at the direction of the City Council upon completion of the public hearing and discussion at the Council meeting.

RECOMMENDATIONS

Staff is seeking direction from the Council with respect to the proposed language. Specifically staff is looking for direction on the following:

- Consistency with the Comprehensive Plan;
- Does "Supper Club", as defined within the ordinance adequately address the proposed use? Does it need to be modified? To what extent?
- Do you think additional clarification and/or standards should be added in a new section 32-351 (see discussion on page 4) and if so, what further standards would you see as relevant

Attachments: Applicant's Submittal

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



Phone: 651.426.3383
Fax: 651.429.1998
Email: clerk@cityofgrant.com

Application Date:	
Fee: \$100	Escrow: \$1000

COMPREHENSIVE PLAN OR ZONING AMENDMENT - (MAP OR TEXT)

It is the policy of the City of Grant that the enforcement, amendment, and administration of any components of the Zoning Ordinance be accomplished with due consideration of the recommendations contained in the City's Comprehensive Plan. Therefore, any Comprehensive Plan Amendment, or Zoning Amendment shall be considered for consistency among both documents.

LEGAL DESCRIPTION:	ZONING DISTRICT & COMP PLAN LAND USE: A2 LOT SIZE: 20.8
OWNER: Name: Edward Schmidt Address: 11205 St. Croix Trail N. City, State: Stillwater MN 55083 Phone: 612 889 9832 Email: edateks@Comcast.net	APPLICANT (IF DIFFERENT THAN OWNER): Same
REQUESTED ACTION: <input type="checkbox"/> Map Amendment <input checked="" type="checkbox"/> Text Amendment <input type="checkbox"/> Map & Text Amendment	
IF, MAP AMENDMENT, REQUEST TO REGUIDE LAND USE AND/OR ZONING FROM: _____ TO: _____. <i>*Please note that you will need to amend both the zoning and land use if a map change is requested</i>	
APPLICABLE ZONING CODE SECTION(S): Please review the following documents to assist with your request. 1. Grant Minnesota City Code 2. City Comprehensive Plan <i>To Allowed Supper Clubs in A2</i>	

Submittal Materials

The following materials must be submitted with your application in order to be considered complete. If you have any questions or concerns regarding the necessary materials please contact the City Planner.

AP - Applicant check list, CS - City Staff check list

AP	CS	MATERIALS
<input type="checkbox"/>	<input type="checkbox"/>	<u>Current Text or Map in Comprehensive Plan and/or Zoning Ordinance.</u> The following must be included in your submittal: <ul style="list-style-type: none">Chapter and Section NumberExisting Text of the Section
<input type="checkbox"/>	<input type="checkbox"/>	<u>Proposed Text and/or Map Changes:</u> Submit your proposed changes to the text or Map, or both. Please make sure to consider how your changes affects different chapters in the plan or ordinance, and consider this when you submit your application. Make sure to address all areas that might be affected by your changes. (For example, a land use change might impact the traffic and transportation section, so make sure to address both chapters).
<input type="checkbox"/>	<input type="checkbox"/>	<u>Written Narrative.</u> Your description should include how you intend to use and/or benefit by the Comprehensive Plan or Zoning Ordinance Amendment and should include the following: <ul style="list-style-type: none">Address how the proposed CPA or Zoning Amendment will affect adjacent properties.Does your proposed language affect any other section the Comp Plan or Zoning Ordinance?Does your proposed language affect density? Increase or decrease?

Application for: **COMPREHENSIVE PLAN OR ZONING AMENDMENT**
City of Grant

<input type="checkbox"/>	<input type="checkbox"/>	Any <i>graphic representations</i> of how the amendment(s) will benefit your property (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have authority over your request.
<input type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and addresses of property owners within 1,250 feet.
<input type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$100
<input type="checkbox"/>	<input type="checkbox"/>	Paid Escrow: \$1000

Review and Recommendation by the Planning Commission. The Planning Commission shall consider oral or written statements from the applicant, the public, City Staff, or its own members. It may question the applicant and may recommend approval, disapproval or table by motion the application. The Commission may impose necessary conditions and safeguards in conjunction with their recommendation.

Review and Decision by the City Council. The City Council shall review the application after the Planning Commission has made its recommendation. The City Council is the only body with the authority to make a final determination and either approve or deny the application.

***Please note that if your request is granted, it does not represent any specific project approvals related to your property. Additional applications and processes may be required to obtain your approvals if your amendment is approved.*

This application must be signed by ALL owners of the subject property or an explanation given why this not the case.

We, the undersigned, have read and understand the above.

Edward J. Schmidt
Signature of Applicant

12/4/13
Date

Signature of Applicant

Date

Signature of Owner

Date

Application for text Amendment

Dec 27, 2013

1. Current text.

A 32-1 Definitions 32-243 Districts Established &
32-245 table of uses

B Existing text: Supper Clubs designated as
(N = Not Permitted in A2 zoning District

2 Proposed text

Proposed to allow Supper Clubs as "C = Conditional use
permit and public hearing" in A2 zoning District

3 Written Narrative

I propose to allow Supper Clubs in A2 District
See Attachment.

4 the amendment will benefit the property by
allowing a dual use Consistent with Comprehensive plan
the changes will affect A2 property to allow for similar use

5 Currently A1 and A2 are very similar so there
should be minimal impact of change

Ed Schmidt

Received 12/27/13
Kim Pints

October 21, 2013

To Whom It May Concern:

I am submitting the concept drawings of the proposed layout for the country club I am pursuing to build located on the northwest corner of Hwy 96 and Manning Avenue in City of Grant. *21 acres total*

The country club will have food, alcohol and a banquet facility available. The sporting events will include softball, bocce ball, volleyball and miniature golf.

The facility should not have a major impact on the city itself. Trees on the property will be relocated to provide adequate screening of noise and lighting. The outdoor events will be over by 10:00 p.m.

I have been in discussion with the county regarding and entrance/exit on Manning Avenue. I have also talked to neighbors Bob Grogen, Lyle Bertsloff, Harold McCann and they have no objections. *In need of Robert OWENERS*

If you have any questions or need more information, feel free to contact me anytime.

Regards,

Ed Schmidt
Work: 651-439-1910
Mobile: 612-889-9832

**CITY OF GRANT
2013 APPOINTMENT LIST**

Schedule A

City Council Member Appointments/ Per Council Members	
Liaison/ Appointments	Council Member
Deputy Mayor	Jeff Huber
Emergency Preparedness	Tina Lobin
Metro Council	David Tronrud
Newsletter Editor	Jeff Huber
Road Commissioner	Steve Bohnen
Planning Commission Liaisons/	
Oak Wilt	
Weed Control	Mayor Carr
Browns Creek Watershed	
Valley Branch Watershed	
Rice Creek Watershed	
Carnelian-Marine Watershed	

Staff and Consultant Appointments/ Per Council Members	
Service Providers	
Attorney	Nick Vivian
Administrator/Clerk	Kim Points
Engineer	Phil Olson
Inspector	Jack Kramer
Planner	Jennifer Haskamp
Treasurer	Sharon Schwarze
Animal Removal	SRAC
City Assessor	Todd Smith
City Auditor	Larson/Allen
Brushing	Mike Perron/David's Consulting/KEJ
Depository	Wells Fargo
Fire Marshall (Co-Marshalls)	Joyce Welander/Bob Tufty
Roadside Mowing	Davids Consulting/Ken Johnson
Newspaper	White Bear/St. Croix Lowdown
Recycling	Waste Management
Road Grading	Kline Brothers
Roadside Trash	Maroney
Septic Permits	Washington County
Snow Plowing	KEJ
Tree Service	Davids Consulting/KEJ
Video Technician	Ken Ronnan
Animal Control Liaison	Tina Lobin
Webmaster	Halogen
Investment Advisor	Robert Mikkelsen
Volunteer Appointments	
Cable Commissioner	Jeff Huber/Steve Bohnen
Ballfield	Administrator/Clerk
Heritage Preservation	Joyce Welander
Roadside Cleanup Day	Joyce Welander

**CITY OF GRANT
2014 APPOINTMENT LIST**

Schedule A

City Council Member Appointments/ Per Council Members	
Liaison/ Appointments	Council Member
Deputy Mayor	Jeff Huber
Emergency Preparedness	Tina Lobin
Metro Council	David Tronrud
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Oak Wilt	
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Browns Creek Watershed	
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Attorney	Nick Vivian
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Roadside Cleanup Day	Joyce Welander

AGENDA ITEM 7B

STAFF ORIGINATOR Kim Points
MEETING DATE January 7, 2014
TOPIC 2014 Fee Schedule

BACKGROUND

The City's fee schedule is adopted annually by ordinance and requires publication. No major fee changes are being recommended at this time. For your reference, attached is the 2013 Fee Schedule.

Staff is recommending the addition of the following Utility Companies for ROW permits:

Permit/Escrow Fees	Application Fee	Escrow Fee
Qwest/CenturyLink	\$200	\$3,000
Comcast	\$200	\$3,000
Koch Pipeline	\$200	\$3,000
Xcel Energy (gas/electric)	\$0	\$0

Staff is also recommending MediaOne be removed from the fee schedule.

OPTIONS

1. Approve the 2014 Fee Schedule as presented
2. Approve the 2014 Fee Schedule with revisions



Ordinance No. 2013-29 **2013 FEE SCHEDULE** **FEES, CHARGES, AND ESCROW**

CITY OF GRANT

Mailing Address: P.O. Box 577
 Willernie, Minnesota 55090
 Town Hall: 111 Wildwood Road
 Phone: (651) 426-3383 Fax: (651) 429-1998
 E-mail: clerk@cityofgrant.us

Make checks payable to City of Grant.

Under State and local planning laws, any property owner may petition for rezoning and/or platting. The City, upon receipt of such a petition, will process the application in accordance with the procedures and provisions of the ordinances.

The City charges the petitioner a filing fee for this processing, as well as requiring that he/she pay all costs the City may incur in processing and "hearing" the application. An escrow amount will be required at the time application fees and the application is received by the City's Consultant.

<i>For Each Application</i>	<i>Application Fees</i>	<i>Escrow*</i>	<i>TOTAL</i>
Minor Subdivision	\$400	\$4,000	\$400 plus \$4,000 escrow
Major Subdivision	\$1,000 + \$25 per lot	\$7,000	\$1,000 + \$25 per lot plus \$7,000 escrow
Variance	\$400	\$3,000	\$400 plus \$3,000 escrow
Conditional Use Permit (CUP) (Amended and New)	\$400	\$3,000	\$400 + \$3,000 escrow
Conditional Use Permit (CUP) Annual Review Fee	\$100		\$100
All other Land Use Issues	\$100	\$1,000	\$100 + \$1,000 escrow
Certificate of Compliance (COC)	\$50	\$900**	\$50 + \$950 escrow**
COC Amendment	\$50	\$200	\$50 + \$200 escrow
Grading Permit Fees	\$150 for 50 - 100 Cubic yards \$300 <100 Cubic Yards	No Escrow \$1000- \$3000 Escrow	Dependent upon number of yards

- * Unused escrow amounts will be returned to the applicant.
- * COC Escrow required only for issues that require City Planner analysis or review. Examples include:
 - Accessory buildings in front of the primary structure
 - Projects involving issues related to animal units per grazable acres
 - Buildings meeting the state definition of an "agricultural building"
 - Other complex zoning issues requiring Planner analysis or review
- * For additional information, see also the Escrow Account Policies Form.
- Permits applied for after work has begun will be two times the standard fee.

Below are listed other permits required for various activities in the City of Grant.

<i>Other Permits</i>	<i>Permit Fees</i>
Sign Permit	\$50
Charitable Gambling Operations Permit	\$100

Demolition Permit	\$100
Mann Lake Parking Permit	\$10/resident OR \$50/non-resident
Burn Permits	\$10

Below are listed other fees associated with City services.

<i>False Alarm Fees</i>	<i>Commercial</i>	<i>Residential</i>
False Fire Alarms (Alarms 1-2)	No Charge	No Charge
False Fire Alarms (Alarms 3+)	Actual cost of response Minimum charge: \$50 Maximum charge: \$400	Varies with actual cost

<i>Other False Alarms</i>	<i>Commercial</i>	<i>Residential</i>
Alarms 1-2	No Charge	No Charge
Alarms 3-6	\$60 each	\$50 each
Alarms 7+	\$100 each	\$75 each

<i>Permit/Escrow Fees</i>	<i>Application Fee</i>	<i>Escrow Fee</i>
Qwest	\$200	\$3,000
MediaOne	\$200	\$3,000
Comcast	\$200	\$3,000

<i>Liquor License Fees</i>	<i>Fee</i>
On-Sale Liquor	\$2,000
On-Sale Sunday	\$200
On-Sale Beer 3.2	\$200
Off-Sale Liquor	\$200

<i>Miscellaneous Fees</i>	<i>Fee</i>
Subdivision Ordinance-Copy	\$20
Zoning Ordinance-Copy	\$25
Comprehensive Plan-Copy	\$10
Special Assessment	\$20
Dishonored Check	\$40
Copies	.25 per page
Notary Fee – Non-resident	\$5.00
Solicitor's License Fee	\$75
Meeting DVD-Copy	\$10
Wetland Review Specialist	
\$100/\$500 Escrow	
MLCCS Review Fee	\$75

Driveway Permit	\$50
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Preapplication Meeting/Planner	\$200
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Make checks out to the City of Grant

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

ORDINANCE 2014-30

**AN ORDINANCE ESTABLISHING A FEE SCHEDULE FOR THE CITY OF
GRANT, MINNESOTA**

THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA DOES HEREBY
ORDAIN:

SECTION 1. AUTHORITY.

Minnesota Law and the Ordinances of the City of Grant allow the City to collect fees for processing applications and licenses for certain activities within the City of Grant. The City Staff reviewed the fees established for 2014 and the actual costs of processing applications and licenses in the City. The City Staff has recommended the approval of the 2014 Master Fee and Escrow Schedule to the Council.

SECTION 2. ADOPTION OF FEE SCHEDULE.

The 2014 Master Fee and Escrow Schedule which is attached and incorporated herein by reference as Exhibit A is hereby adopted.

SECTION 3. ESCROW ACCOUNT.

Applicants may be required to escrow money with the City of Grant in order to pay for the fees charged to the City of Grant by the City Attorney, Engineer or Planner for review of an application or license.

In those cases, where an escrow account is required, the Applicant shall be required to replenish the escrow account when the balance in the escrow account contains \$1,000 or less, unless the City Council by formal motion determines that the project is complete or this requirement is waived by formal action of the City Council.

Any project, application or request made to the City of Grant which has a negative escrow balance will not be further reviewed by the City until the escrow account is current or will be denied for failure to keep the escrow account current.

SECTION 4. REPEAL OF INCONSISTENT ORDINANCE.

Any Ordinances within the City of Grant which conflict with this Ordinance are hereby repealed and replaced by the conditions and terms contained herein.

SECTION 5. SEVERABILITY.

In the event that a court of competent jurisdiction adjudges any part of this Ordinance to be invalid, such judgment shall not affect any other provisions of this Ordinance not specifically included within the judgment.

SECTION 6. EFFECTIVE DATE.

This Ordinance takes effect upon its adoption and publication according to law.

WHEREUPON, a vote, being taken upon a motion by Council Member _____ and seconded by Council Member _____, the following members upon roll call:

Voting AYE:

Voting NAY:

Whereupon said Ordinance was declared passed adopted this 7th day of January, 2014.

Thomas Carr, Mayor

Attest: Kim Points, Administrator/Clerk



Ordinance No. 2014-30 **2014 FEE SCHEDULE** **FEES, CHARGES, AND ESCROW**

CITY OF GRANT

Mailing Address: P.O. Box 577
 Willernie, Minnesota 55090
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 Phone: (651) 426-3383 Fax: (651) 429-1998
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Meeting DVD-Copy	\$10
Wetland Review Specialist	
\$100/\$500 Escrow	
MLCCS Review Fee	\$75
Driveway Permit	\$50
Preapplication Meeting/Planner	\$200

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2014-01

**A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA,
PROVIDING FOR THE SUMMARY PUBLICATION OF ORDINANCE NO. 2014-30, AN
ORDINANCE ESTABLISHING A FEE SCHEDULE FOR THE CITY OF GRANT,
MINNESOTA**

WHEREAS, On January 7, 2014, at a Regular Meeting of the Grant City Council, by majority vote, the City Council adopted Ordinance No. 2014-30 which establishes the fee schedule for 2014 for the City of Grant; and

WHEREAS, State law requires that all ordinances adopted be published prior to becoming effective; and

WHEREAS, the City Council for the City of Grant has determined that publication of the title and a summary of Ordinance No. 2014-30 would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, the City Council for the City of Grant has reviewed the summary of Ordinance No. 2014-30 attached and incorporated herein as **Exhibit A**; and

WHEREAS, the City Council for the City of Grant has determined that the text of the summary clearly informs the public of the intent and effect of Ordinance No. 2014-30.

NOW THEREFORE BE IT RESOLVED, the City Council for the City of Grant hereby:

1. Approves the text of the summary of Ordinance No. 2014-30 attached as **Exhibit A**.
2. Directs the City Clerk to post a summary publication of Ordinance No. 2014-30 in all public locations designated by the City Council.
3. Directs the City Clerk to publish the summary in the City's legal newspaper within ten days.
4. Directs the City Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

Dated this 7th day of January, 2014.

Tom Carr, Mayor

ATTEST:

Kim Points, Administrator/Clerk

Exhibit A

Ordinance Summary

Ordinance No. 2014-30

**AN ORDINANCE ESTABLISHING A FEE SCHEDULE
FOR THE CITY OF GRANT, MINNESOTA**

On January 7, 2014, the City of Grant adopted an ordinance amending its annual fee schedule (the "Ordinance"). The Ordinance restated the fee schedule for 2014, with the addition utility company permit fees and escrows.

A printed copy of the Ordinance is available for inspection by any person during regular office hours at the office of the City Clerk or by standard or electronic mail.

2014 City of Grant Meeting Calendar

All meetings are at 7 PM @ the Town Hall (8380 Kimbro Ave.) unless otherwise noted.
Land Applications are due approximately 6 weeks before the Council meetings.

Month	City Council Regular Meeting	City Council Workshop Meeting	Planning Commission Regular Meeting
January	01/07/14		N/A
February	02/04/14		
March	03/04/14		
April	04/01/14		
May	05/01/14		
June	06/03/14		
July	07/01/14		
August	08/05/14		
September	09/02/14		
October	10/07/14		
November	11/06/14		
December	12/02/14		
January	01/06/15		

Thursday, May 1, Regular Council Meeting

Thursday, November 6, Regular Council Meeting

Meeting Schedule Subject To Change

AGENDA ITEM 7E

STAFF ORIGINATOR Kim Points
MEETING DATE January 7, 2014
TOPIC 2014 Liquor License

BACKGROUND

Every year at the December City Council meeting, liquor licenses are approved for the following year, based on state approval, insurance, background checks and all fees paid.

One liquor license holder within the City submitted the request for renewal and the required fees after the December meeting. Attached is resolution to approve that license for 2014.

STAFF RECOMMENDATION

Approve the 2014 Liquor License for Windy Acres based on state approval, insurance, background checks and all fees being paid.

Resolution No. 2014-02

Resolution to Approve On-Sale/Off Sunday Liquor License for Big T Inc. (DBA: Windy Acres)

WHEREAS, Big T, Inc. submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Off-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2014 through December 31, 2014:

Big T Inc.

11154 60th Street N

Stillwater, MN 55082

Licensee: Kerry Townsend

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the City Clerk..

PASSED: January 7, 2014 by the City Council of the City of Grant

Tom Carr, Mayor

Kim Points, Administrator/Clerk

City Council Report for December 2013

To: Honorable Mayo & City Council Members

From: Jack Kramer Building & Code Enforcement Official

Zoning Enforcement:

1 Wildwood Elementary School 8698- 75th. St. N. Mahtomedi, MN. Violation of Conditional Use Permit item # 10 Parking lot & Driveway lighting.

The city received a formal complaint from a resident located on 80th. St. regarding the parking lot and driveway lighting. The complaint indicated that the school was in violation of the CUP by allowing the lighting from the school parking lot and driveway to cross over the property lines.

I inspected the site several times and found the lighting to be in conformance with the requirements of the CUP. The individual who initiated the complaint disagreed with my findings and was certain the school property was in violation

I contacted the school district and requested a light meter test to be performed to determine the legitimacy of the complaint and resolve the issue.

The school district maintenance supervisor performed the test along all of the property line locations and the test indicated that no light was being directed across the borders of the school district property.

Abated Zoning Violations:

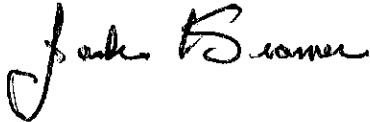
1. Mr. Jackson King 10620 -60thy. St. N. Violation of the City of Grant Zoning Ordinance Section 32-181 Building Permit and Compliance with the Building Code Required.

a. Mr. Jackson has acquired necessary building permits and upon inspection of the property, it was noted that several violations were discovered and a correction note was issued for the abatement of the violations. Re inspection of the property will occur at the end of the month.

Building Permit Activity:

1. (21) Twenty –One permits were issued with a total valuation of \$ 172,961.00

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jack Kramer". The signature is written in a cursive, flowing style.

Jack Kramer

Building & Zoning Code Enforcement Official

Grant Master Form

Permit	Permit Type	Name	Project Address	Date Issued	Valuation:	City Fee:	75% Plan CK Fe	Surcharge	Paid
2013-205	Plumbing Permit	Speltz	8310 Lake Elmo Ave.	11/11/2013	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2013-206	Re-Roof	Scholz	9610 Dellwood Rd. N.	11/13/2013	\$ 7,500.00	\$ 153.25	\$ 114.93	\$ -	\$ 3.75
2013-207	Addition	Swanson	10258-119th. St. N.	11/14/2013	\$ 30,000.00	\$ 442.25	\$ 398.02	\$ 287.46	\$ 15.00
2013-208	Remodeling	DeVetter	8481 Lake Elmo Ave.	11/14/2013	\$ 2,000.00	\$ 69.25	\$ 51.93	\$ -	\$ 1.00
2013-209	Remodeling	Borgmeier	9707 Janero Ct.N.	11/14/2013	\$ 30,000.00	\$ 442.25	\$ 331.68	\$ -	\$ 15.00
2013-210	HVAC Permit	Hill	9940 Hidden Glade Rd	11/16/2013	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2013-211	Remodeling	Ward/Clap	10205-103rd. St. N.	11/18/2013	\$ 30,000.00	\$ 442.25	\$ 331.68	\$ 287.46	\$ 15.00
2013-212	Re-Roof	Beskar	9255-96th. St. N.	11/18/2013	\$ 9,475.00	\$ 181.25	\$ 135.93	\$ -	\$ 4.73
2013-213	Re-Roof	Molenda	11160 Manning Trail N	11/18/2013	\$ 43,148.00	\$ 583.65	\$ 437.73	\$ -	\$ 21.57
2013-214	Sign	Hedberg L	8400-60th. St. N.	11/18/2013	N/A	\$ 50.00	\$ 37.50	\$ -	\$ -
2013-215	HVAC Permit	Dunham	8050 Imperial Ave. N.	11/21/2013	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2013-216	HVAC Permit	Buller	8635 - 80th. St.N.	11/21/2013	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2013-217	Remodeling	King	10620-60th. St. N.	11/22/2013	\$ 2,000.00	\$ 69.25	\$ 51.93	\$ -	\$ 1.00
2013-218	Plumbing Permit	King	10620-60th. St. N.	11/22/2013	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2013-219	HVAC Permit	King	10620-60th. St. N.	11/22/2013	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2013-220	Bathroom	Hertz	10597-114th. St. N.	11/25/2013	\$ 18,000.00	\$ 293.25	\$ 219.93	\$ 190.61	\$ 9.00
2013-221	HVAC Permit	DeRoosier	10596-83rd. St.N.	11/29/2013	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2013-222	HVAC Permit	Scholl	10018-Indigo Trl.N.	11/30/2013	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2013-223	Plumbing Permit	LaForce	9800 Justin Trail N.	12/4/2013	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
2013-224	Windows	Leahy	10851-62nd St. N.	12/5/2013	\$ 838.00	\$ 39.34	\$ 29.50	\$ -	\$ 0.41
2013-225	HVAC Permit	Hertz	10597-114th. St. N.	12/6/2013	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 5.00
Monthly total					\$ 172,961.00	\$ 3,565.99	\$ 2,740.76	\$ 765.53	\$ 161.96