

**City of Grant  
City Council Agenda  
June 29, 2017**

*The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Thursday, June 29, 2017, 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**

**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 two (2) minutes with five (5) speakers maximum. 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) \_\_\_\_\_
- (5) \_\_\_\_\_

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF REGULAR AGENDA**

**4. APPROVAL OF CONSENT AGENDA**

- A. June 6, 2017 City Council Meeting Minutes
- B. June 2017 Bill List, \$49,534.42
- C. Kline Bros Excavating, Road Work, \$8,766.25
- D. M.J. Raleigh Trucking, River Rock, \$19,452.48
- E. City of Mahtomedi, 2<sup>nd</sup> Quarter Fire Contract, \$33,317.50
- F. City of Stillwater, 1<sup>st</sup> Half Fire Contract, \$56,431.00

**5. STAFF AGENDA ITEMS**

**A. City Engineer, Brad Reifsteck**

- i. Consideration of 2017 Seal Coat Price Bid**

**B. City Planner, Jennifer Haskamp**

- i. Consideration of Resolution No. 2017- 13, Minor Subdivision, 9694 75<sup>th</sup> Street North**

- ii. Consideration of Resolution No. 2017-14, Variance from Road Setback for Garage Construction, 9051 Lansing Avenue North**

- iii. Consideration of Resolution No. 2017-15, Variance for Fence**

**C. City Attorney, Kevin Sandstrom (no action items)**

**6. NEW BUSINESS**

- A. Set 2018 Budget Work Session**

**7. UNFINISHED BUSINESS**

**8. DISCUSSION ITEMS**

**A. City Council Reports (any updates from Council, no action taken)**

- i. Fire Protection, Council Member Lanoux**

- ii. MS4 Report**

- iii. Mahtomedi Parking Reconstruction Permit**

- iv. Policy/Procedure for Calling and Posting Special Meetings**

**B. Staff Updates (updates from Staff, no action taken)**

- i. Road Petition Project Update**

**9. COMMUNITY CALENDAR JUNE 30 THROUGH JULY 31, 2017:**

**Mahtomedi Public Schools Board Meeting, Thursday, July 13th and 27th, Mahtomedi District Education Center, 7:00 p.m.**

**Stillwater Public Schools Board Meeting, Thursday, July 27th , Stillwater City Hall, 7:00 p.m.**

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

**10. ADJOURNMENT**

CITY OF GRANT  
MINUTES

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**DATE** : June 6, 2017  
**TIME STARTED** : 7:05 p.m.  
**TIME ENDED** : 8:50 p.m.  
**MEMBERS PRESENT** : Councilmember Carr, Kaup, Sederstrom  
Lanoux and Mayor Huber  
**MEMBERS ABSENT** : None

Staff members present: City Attorney, Kevin Sandstrom; City Planner, Jennifer Haskamp; City Treasurer, Sharon Schwarze; and Administrator/Clerk, Kim Points

**CALL TO ORDER**

The meeting was called to order at 7:05 p.m.

**PUBLIC INPUT**

(1) Mr. Craig Leiser came forward and commented on the drainage at Keats Avenue in terms of the drainage projects that Brown’s Creek has implemented and the success of those projects. He added they have completed the Comprehensive Plan update and hope to work with the City with their updates.

(2) Mr. Jerry Helander, 6261 Jasmine, came forward and stated the open meeting complaint made by Council Member Lanoux is flimsy at best and cost the City money in terms of the legal fees.

(3) Mr. Don Bakken, 8775 80<sup>th</sup> Street, came forward and requested speed limit enforcement on 80<sup>th</sup> Street. He added the Kline Bros. are doing a great job grading and applauded the Council for the opposition to the proposed annexation.

**PLEDGE OF ALLEGIANCE**

**SETTING THE AGENDA**

**Council Member Lanoux moved to approve the agenda with the addition of three items: Watershed District, Advertisement for Citizen Review of Comprehensive Plan and remove discussion of Solar Farms. Council Member Sederstrom seconded the motion. Motion failed with Council Member Carr, Kaup and Mayor Huber voting nay.**

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

**CONSENT AGENDA**

1	May 2, 2017 City Council Meeting Minutes	Approved
2		
3	May 2017 Bill List, \$53,251.77	Approved
4		
5	Kline Bros. Excavating, Road	
6	Work, \$22,096.25	Approved
7		
8	Brochman Blacktopping, \$13,888.50	Approved
9		
10	KEJ Winter Mix Pothole, \$13,410.00	Approved
11		
12	Croix Valley Inspector, \$10,677.25	Approved
13		

14 **Council Member Carr moved to approve the consent agenda, as presented. Council Member**  
 15 **Kaup seconded the motion.**

16  
 17 Council Member Lanoux submitted a special meeting request.

18  
 19 **Motion carried with Council Member Lanoux and Sederstrom voting nay.**

20  
 21 **STAFF AGENDA ITEMS**

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 23 **City Engineer, Brad Reifsteck**

24  
 25 **Consideration of 2017 Seal Coat Project for Quote Solicitation** – City Engineer Reifsteck advised  
 26 Council authorizes staff to solicit quotes for seal coat work and authorize Brochman Blacktopping to  
 27 complete patching.

28  
 29 In 2017, roadway maintenance is planned for the following streets:

- 30  
 31
- 32 • Kelvin Ave
  - 33 • 61st Street N
  - 34 • 67th Lane N
  - 35 • 67Street N
  - 36 • 60Th Lane N
  - 37 • 65TH Street N

38 The Seal Coat/Roadway maintenance plan allows the city to provide residents an opportunity to  
 39 petition for a larger overlay or rehabilitation project and utilize City maintenance dollars.

40  
 41 A standard letter was sent to the property owners along each roadway receiving maintenance. An  
 42 open house was held on April 20th, 2017 to answer resident questions and requesting resident  
 43 petitions for roadway improvements be submitted no later than May 27th. A petition was received for  
 44 65th Street.



1 If residents and the city elect to move forward with the planned patching, Brochman Blacktopping is  
2 already under contract for the city's patching work and is prepared to complete the work. The seal  
3 coat quotes will be solicited from contractors and bids will be brought back next month for Council  
4 approval.

5  
6 The budget for 2017 is \$58,000. The 2017 Seal Coat/Roadway Maintenance Plan is attached for  
7 review.

8  
9 **Council Member Lanoux moved to direct staff to solicit quotes from contractors for the 2017**  
10 **Seal Coat/Roadway Maintenance Project. Council Member Sederstrom seconded the motion.**  
11 **Motion carried unanimously.**

12  
13 **Consideration of Resolution No. 2017-11, Declaring Adequacy of Petition and Ordering**  
14 **Preparation of Report** – City Engineer Reifsteck advised a petition was received by the City on May  
15 24<sup>th</sup>, 2017 from Daniel Collins at 10177 N 65<sup>th</sup> Street requesting a feasibility study be completed for  
16 roadway improvements along 65<sup>th</sup> Street N, east of Keats Ave. The Petition was signed by at least one  
17 property owner for each parcel and 87.5% of all property owners signed the petition.

18  
19 This street was included as part of the 2017 CIP scheduled for roadway maintenance.

20  
21 **Council Member Sederstrom moved to adopt Resolution No. 2017-11, as presented. Council**  
22 **Member Lanoux seconded the motion. Motion carried unanimously.**

23  
24 Council noted the \$3000 allocated to the 2017 seal coat project on this roadway would be contributed  
25 to the road project to be consistent with past resident petitioned road projects.

26  
27 **Consideration of 2017 Special Road Projects** – City Engineer Reifsteck advised each year the City  
28 of Grant allocates dollars for special roadway projects apart from the yearly maintenance projects and  
29 roadway pothole patching.

30  
31 At the last Council meeting staff was directed to select a few good candidates for the 2017 Special  
32 Road Project. This year's Special Road Project candidates include the following:

- 33
- 34 • Keats Avenue – North 1/3 of roadway to complete patching from previous year special road
  - 35 project
  - 36 • Guard rail installation on 83<sup>rd</sup> Street
  - 37 • Gravel Road maintenance to stabilize and blend in more rock content on select gravel roads
  - 38 • Joliet Ave – North of 96<sup>th</sup>
  - 39 • Raising of Jocelyn Road N
  - 40 • Raising of Keats Avenue
- 41

42 Mayor Huber stated flooding this year did cause Keats and Jocelyn to be under water. The City has  
43 raised these roads before and would like to look at doing that again with funding from the Special  
44 Roads Projects. It would have to be determined by the Watershed District that the raising of those  
45 roads would not cause more flooding issues in other areas.

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Council Member Sederstrom stated there is grant money available to help fix the problem. Just raising the roads won't fix the problem entirely.

**The 2017 Special Roads Projects were prioritized as follows: 1)Raising of Keats Avenue; 2) Raising of Jocelyn road North; and 3) Guard Rail installation on 83<sup>rd</sup> Street and Ironwood Avenue.**

**City Planner, Jennifer Haskamp (no action items)**

**City Attorney, Kevin Sandstrom**

**PUBLIC HEARING, Consideration of Ordinance No. 2017-52, Moratorium on Land Use, Solar Farm Facilities** – City Attorney Sandstrom provided and reviewed a draft Ordinance for Moratorium on Land Use, Solar Farm Facilities to provide the City with review time noting a public hearing was published.

Mayor Huber advised a moritorium does not block solar farms but give the City time to study and draft an ordinance.

Mayor Huber opened the public hearing at 8:02 p.m.

No one was present to speak regarding Ordinance No. 2017-52.

**Council Member Carr moved to close the public hearing at 8:03 p.m. Council Member Kaup seconded the motion. Motion carried unanimously.**

**Mayor Carr moved to approve Ordinance No. 2017-52, as presented. Council Member Kaup seconded the motion carried with Council Member Lanoux voting nay.**

**Consideration of Resolution No. 2017-12, Authorization of Summary Publication of Ordinance No. 2017-52** – Resolution No. 2017-12 authorizes a summary publication of Ordinance No. 2017-52.

**Council Member Carr moved to adopt Resolution No. 2017-12, as presented. Council Member Kaup seconded the motion. Motion carried with Council Member Lanoux voting nay.**

**NEW BUSINESS**

**Acceptance of 2016 Final Audit Report** – City Treasurer Schwarze reviewed the audit report noting a couple of changes relating to City Attorney costs, building permit fees and the Keswick Avenue project that the City did not bond for. She stated overall the City came in very close to budget and the Council did a good job of budgeting for year 2016.

1 Mayor Huber noted the increase in the public safety budget noting that is out of the City's control.  
2 Road projects were up 27% but expenses only rose 1% for general government. The City always  
3 comes through the required audit with flying colors.  
4

5 Council Member Lanoux stated the City is paying for plowing in July and he has requested a  
6 forensic audit.  
7

8 City Treasurer Schwarze advised the Council decided to keep line items for the road work and pay  
9 monthly from those line items. That is a budgeting tool that is good for the City and is recorded  
10 monthly. It is very similar to a resident going on the budget plan for their utilities and making the  
11 same amount every month.  
12

13 **Council Member Carr moved to accept the 2016 Final Audit Report, as presented. Council**  
14 **Member Kaup seconded the motion. Motion carried with Council Member Lanoux and**  
15 **Sederstrom voting nay.**  
16

17 **UNFINISHED BUSINESS**  
18

19 There was no unfinished business.  
20

21 **DISCUSSION ITEMS**  
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23 **City Council Reports/Future Agenda Items (no action taken):**  
24

25 Mayor Huber stated a special meeting request was submitted earlier in the meeting. However, a  
26 neighborhood meeting has already been schedule and notices were mailed to residents. The meeting  
27 is June 26, 2017, 6:30 pm at Woodbury Lutheran Church – Oak Hill Campus. The Watershed  
28 District will be attending the meeting.  
29

30 Council Member Lanoux stated he has called for a special meeting next week and submitted that  
31 request in writing. It is a violation of civil rights and the City will be sued.  
32

33 City Attorney Sandstrom advised two members of the Council can submit a request for a special  
34 Council meeting. The majority must be present to have a special meeting. There is no requirement  
35 that meetings are taped and most often special meetings are not.  
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37 Council Member Carr stated he did not understand why there is argument about whose meeting is  
38 best. A neighborhood meeting has been scheduled and he will be present.  
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1 **Staff Updates (no action taken):**

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3 **City Legals Process** - City Attorney Sandstrom reviewed the two memos included in the packets  
4 relating to the litigation process and the complaint regarding a potential open meeting violation. He  
5 noted there was not an open meeting violation and no further action is required.  
6

7 Council Member Sederstrom expressed concern that the Council does not vote on lawsuits because he  
8 feels the Council needs to make those decisions.  
9

10 City Attorney Sederstrom stated the memo provided referred to civil litigation. The Council does not  
11 get into the prosecutions as law enforcement officials determine if there is probable cause.  
12

13 Other updates included: The July City Council meeting is on June 29, 2017 to accommodate for the  
14 4<sup>th</sup> of July holiday; League of Women voters conducted their study and all cities were found  
15 compliant with open meeting requirements; and the Stillwater Fire District has a new rating so  
16 residents should check with their insurance companies about a lower rate.  
17

18 **COMMUNITY CALENDAR JUNE 7 THROUGH JUNE 30, 2017:**

19 **Mahtomedi Public Schools Board Meeting, Thursday, June 8<sup>th</sup> and 22<sup>nd</sup>, Mahtomedi District**  
20 **Education Center, 7:00 p.m.**

21 **Stillwater Public Schools Board Meeting, Thursday, June 8<sup>th</sup>, Stillwater City Hall, 7:00 p.m.**

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

23 **ADJOURN**

24  
25 **Mayor Huber moved to adjourn at 8:50 p.m. Council Member Carr seconded the motion.**  
26 **Motion carried unanimously.**

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30 These minutes were considered and approved at the regular Council Meeting June 29, 2017.  
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36 Kim Points, Administrator/Clerk  
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Jeff Huber, Mayor

City of Grant

Disbursements Register

6/22/2017

Fund Name: All Funds

Date Range: 06/01/2017 To 06/30/2017

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
06/22/2017	Payroll Period Ending 06/30/2017	13450	June2017	N	Clerk Salary	100-41101-100-	\$ 3,545.23
	<b>Total For Check</b>	<b>13450</b>					<b>\$ 3,545.23</b>
06/22/2017	Croix Valley Inspector	13451	Building Inspector	N	Building Inspection	100-42004-300-	\$ 3,562.24
	<b>Total For Check</b>	<b>13451</b>					<b>\$ 3,562.24</b>
06/22/2017	AirFresh Industries	13452	PortaPot #26012/25789	N	Town Hall Porta Pot	100-43007-210-	\$ 125.00
	<b>Total For Check</b>	<b>13452</b>					<b>\$ 125.00</b>
06/22/2017	M.J. Raleigh Trucking	13453	River Rock	N	Gravel Road Costs	100-43106-210-	\$ 19,452.48
	<b>Total For Check</b>	<b>13453</b>					<b>\$ 19,452.48</b>
06/22/2017	Computer Wrangler	13454	Computer Maintenance	N	Equipment Repair	100-41317-224-	\$ 162.50
	<b>Total For Check</b>	<b>13454</b>					<b>\$ 162.50</b>
06/22/2017	CenturyLink	13455	City Phone	N	City Office Telephone	100-41309-321-	\$ 128.24
	<b>Total For Check</b>	<b>13455</b>					<b>\$ 128.24</b>
06/22/2017	Todd Smith	13456	Monthly Assessment Services - June	N	Property Assessor	100-41208-300-	\$ 1,991.92
	<b>Total For Check</b>	<b>13456</b>					<b>\$ 1,991.92</b>
06/22/2017	Washington County Property Records	13457	Assessing Fee	N	Assessing	100-41550-350-	\$ 250.73
	<b>Total For Check</b>	<b>13457</b>					<b>\$ 250.73</b>
06/22/2017	T. A. Schifsky & Sons, Inc.	13458	Asphalt #61023 #61082	N	Pothole Repairs	100-43109-210-	\$ 945.52
	<b>Total For Check</b>	<b>13458</b>					<b>\$ 945.52</b>
06/22/2017	Safety Signs	13459	Rental of Road Signs	N	Special Road Projects	100-43128-210-	\$ 873.20
	<b>Total For Check</b>	<b>13459</b>					<b>\$ 873.20</b>
06/22/2017	Ken Ronnan	13460	Video Tech Services	N	Cable Costs	100-41212-100-	\$ 45.00
	<b>Total For Check</b>	<b>13460</b>					<b>\$ 45.00</b>
06/22/2017	Andrew Hartsock	13461	Video Tech Services	N	Cable Costs	100-41212-100-	\$ 222.00
	<b>Total For Check</b>	<b>13461</b>					<b>\$ 222.00</b>
06/22/2017	Waste Management	13462	Recycling	N	Recycling	100-43011-384-	\$ 4,585.56

Fund Name: All Funds

Date Range: 06/01/2017 To 06/30/2017

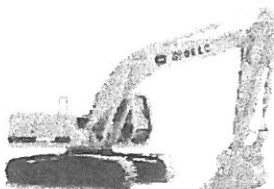
<u>Date</u>	<u>Vendor</u>	<u>Total For Check</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
06/22/2017	Brochman Blacktopping Co.	13463	13462	Patching	N	Pothole Repairs	100-43109-300-	\$ 1,379.00
		<b>Total For Check</b>	<b>13463</b>					<b>\$ 1,379.00</b>
06/22/2017	Sprint	13464	13464	City Cell Phone	N	Road Expenses - Other	100-43116-321-	\$ 35.00
		<b>Total For Check</b>	<b>13464</b>					<b>\$ 35.00</b>
06/22/2017	Press Publications	13465	13465	Public Hearings	N	Publishing Costs	927-41308-351-	\$ 20.00
		<b>Total For Check</b>	<b>13465</b>					<b>\$ 20.00</b>
06/22/2017	AIS	13466	13466	Network Set Up	N	Office Equipment	100-41314-210-	\$ 155.00
		<b>Total For Check</b>	<b>13466</b>					<b>\$ 155.00</b>
06/22/2017	Wells Fargo Business Card	13467	13467	Postage Public Hearing Notices	N	Escrow	926-49320-350-	\$ 14.01
		13467	13467				927-49320-350-	\$ 14.01
		<b>Total For Check</b>	<b>13467</b>				928-49320-350-	\$ 20.00
								<b>\$ 48.02</b>
06/22/2017	SHC, LLC	13468	13468	Planning	N	City Planner	100-41209-301-	\$ 1,848.50
		13468	13468			Escrow	915-49320-301-	\$ 106.00
		13468	13468				926-49320-301-	\$ 1,113.00
		13468	13468				927-49320-301-	\$ 1,139.50
		13468	13468				928-49320-301-	\$ 1,245.50
		<b>Total For Check</b>	<b>13468</b>					<b>\$ 5,452.50</b>
06/22/2017	Kline Bros Excavating	13469	13469	Road Maintenance	N	Grader Contractor	100-43101-300-	\$ 5,640.00
		13469	13469			Gravel Reclaiming	100-43127-220-	\$ 1,420.00
		13469	13469			Ditch Repair	100-43133-220-	\$ 1,706.25
		<b>Total For Check</b>	<b>13469</b>					<b>\$ 8,766.25</b>
06/22/2017	Eckberg Lammers	13470	13470	Legal Services	N	Legal Fees - General	100-41204-301-	\$ 3,136.35
		13470	13470			Legal Fees - Complaints	100-41205-301-	\$ 7,608.34
		13470	13470			Legal Fees - Prosecutions	100-41206-301-	\$ 1,925.71
		13470	13470			Escrow	922-49320-301-	\$ 46.25
		<b>Total For Check</b>	<b>13470</b>					<b>\$ 12,716.65</b>
06/22/2017	KEJ Enterprises	13471	13471	May 2017 Road Contractor	N	Animal Control	100-42006-300-	\$ 83.00
		13471	13471			Town Hall Mowing	100-43006-300-	\$ 125.00
		13471	13471			Ball Field Maintenance	100-43009-300-	\$ 125.00
		13471	13471			Road Engineering Fees	100-43102-300-	\$ 166.14
		13471	13471			Road Garbage Removal	100-43105-300-	\$ 167.00
		13471	13471			Gravel Road Costs	100-43106-300-	\$ 20.84

Fund Name: All Funds

Date Range: 06/01/2017 To 06/30/2017

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>F-A-O-P</u>	<u>Total</u>
		13471			Magnesium Chloride	100-43107-300-	\$ 41.67
		13471			Road Sign Replacement	100-43110-300-	\$ 83.84
		13471			Culvert Repair	100-43111-300-	\$ 20.84
		13471			Snow & Ice Removal	100-43113-300-	\$ 5,416.67
		13471			Road Brushing	100-43114-300-	\$ 2,250.00
		13471			Road Side Mowing	100-43115-300-	\$ 500.00
		<b>13471</b>					<b>\$ 9,000.00</b>
06/22/2017	WSB & Associates	13472	Engineering	N	Engineering Fees - General	100-41203-300-	\$ 583.00
		13472			Road Engineering Fees	100-43102-300-	\$ 1,475.00
		13472			MS4	100-43118-300-	\$ 267.00
		13472			Utility/ROW Permits	100-43132-300-	\$ 54.50
		<b>13472</b>					<b>\$ 2,379.50</b>
06/22/2017	PERA	13473	PERA	N	Clerk PERA	100-41102-120-	\$ 365.79
		13473			Clerk PERA Withholding	100-41108-100-	\$ 317.02
		<b>13473</b>					<b>\$ 682.81</b>
06/22/2017	Washington County Property Records	13474	TaxLevyBook	N	Audit Fees	100-41201-350-	\$ 35.00
		<b>13474</b>					<b>\$ 35.00</b>
06/22/2017	City of Mahtomedi	13475	2ndQuarter Fire Contract	N	Fire - Mahtomedi	100-42002-300-	\$ 33,317.50
		<b>13475</b>					<b>\$ 33,317.50</b>
06/22/2017	City of Stillwater	13476	1st Half Fire Contract	N	Fire - Stillwater	100-42003-300-	\$ 56,431.00
		<b>13476</b>					<b>\$ 56,431.00</b>
06/22/2017	IRS	EFT90	Payroll Taxes	N	Clerk FICA/Medicare	100-41103-100-	\$ 373.11
		EFT90			Clerk Medicare	100-41105-100-	\$ 70.72
		EFT90			Federal Withholding	100-41107-100-	\$ 447.58
		EFT90			Social Security Expens	100-41109-100-	\$ 302.39
		<b>EFT90</b>					<b>\$ 1,193.80</b>
		<b>Total For Selected Checks</b>					<b>\$ 167,501.65</b>

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



# Invoice

DATE	INVOICE #
6/21/17	2446

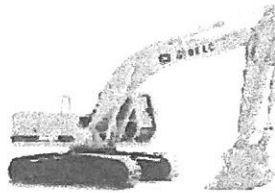
BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD GRADING 100-43101

DUE DATE
7/1/17

DESCRIPTION	QTY	UNIT COST	AMOUNT
6-08-17 770B	3.5	80.00	280.00
6-08-17 740A	2.5	80.00	200.00
6-11-17 740A	2.5	80.00	200.00
6-12-17 740A	7	80.00	560.00
6-13-17 770B	11	80.00	880.00
6-13-17 740A	11	80.00	880.00
6-14-17 770B	12.5	80.00	1,000.00
6-14-17 740A	13	80.00	1,040.00
6-18-17 770B	3.5	80.00	280.00
6-20-17 740A	4	80.00	320.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE		<b>Total</b>	5,640.00



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



# Invoice

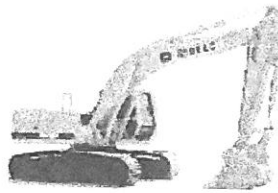
DATE	INVOICE #
6/21/17	2448

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	DITCHWORK 100-43126

DUE DATE
7/1/17

DESCRIPTION	QTY	UNIT COST	AMOUNT
80TH ST DITCHWORK			0.00
6-09-17 E70	5.25	90.00	472.50
6-09-17 1845C	5.25	85.00	446.25
6-09-17 LNT9000	5.25	75.00	393.75
6-09-17 T600	5.25	75.00	393.75
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	<b>Total</b>		1,706.25

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



# Invoice

DATE	INVOICE #
6/21/17	2447

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	GRAVEL RECLAIMING 100-43127

DUE DATE
7/1/17

DESCRIPTION	QTY	UNIT COST	AMOUNT
6-02-17 770B KESWICK & JOLIET	6.25	80.00	500.00
6-02-17 740A KESWICK & JOLIET	4	80.00	320.00
6-06-17 770B 110TH	3.75	80.00	300.00
6-06-17 740A 110TH	3.75	80.00	300.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE			
<b>Total</b>			1,420.00

M.J. RALEIGH TRUCKING INC.  
P.O. BOX 261  
STILLWATER, MN 55082-0261  
(651)-439-1488

STATEMENT  
CLOSING DATE

thru 5/31/17

CITY of GRANT  
111 WILDWOOD ROAD  
WILLERNIE, MN

55090

Cust. # 730

Invoice Date	Ref Number	Reference	Mat. Qty.	Unit Price	Haul/Service	Sales Tax	Charges/Credits
--------------	------------	-----------	-----------	------------	--------------	-----------	-----------------

Job #  
Job Name FOB  
Location 105, JAMACA, IRONWOOD, LANSING

5/24/2017	165783	C-5 MOD	117.81	TOI	\$9.20	\$0.00	\$1,083.85
5/24/2017	167571	C-5 MOD	71.2	TOI	\$9.20	\$0.00	\$655.04
5/24/2017	166004	C-5 MOD	170.17	TOI	\$9.20	\$0.00	\$1,565.56
5/24/2017	166417	C-5 MOD	144.7	TOI	\$9.20	\$0.00	\$1,331.24
5/25/2017	165575	C-5 MOD	135.28	TOI	\$9.20	\$0.00	\$1,244.58
5/25/2017	165784	C-5 MOD	214.99	TOI	\$9.20	\$0.00	\$1,977.91
5/25/2017	166286	C-5 MOD	157.83	TOI	\$9.20	\$0.00	\$1,452.04
5/25/2017	167572	C-5 MOD	120.49	TOI	\$9.20	\$0.00	\$1,108.51
5/25/2017	166418	C-5 MOD	145.1	TOI	\$9.20	\$0.00	\$1,334.92
5/25/2017	167573	C-5 MOD	95.56	TOI	\$9.20	\$0.00	\$879.15
5/25/2017	166005	C-5 MOD	218.73	TOI	\$9.20	\$0.00	\$2,012.32
5/26/2017	165576	C-5 MOD	137.45	TOI	\$9.20	\$0.00	\$1,264.54
5/26/2017	166288	C-5 MOD	117.07	TOI	\$9.20	\$0.00	\$1,077.04
5/26/2017	166419	C-5 MOD	95.2	TOI	\$9.20	\$0.00	\$875.84
5/26/2017	165786	C-5 MOD	119.38	TOI	\$9.20	\$0.00	\$1,098.30
5/26/2017	167524	C-5 MOD	53.44	TOI	\$9.20	\$0.00	\$491.65

SUBTOTAL 2114.4 SUBTOTAL \$19,452.48

MN SALES TAX INCLUDED IN UNIT PRICE  
WHERE APPLICABLE

WASH. CO. GRAVEL TAX INCLUDED BALANCE DUE \$19,452.48  
IN UNIT PRICE WHERE APPLICABLE

**BALANCE DUE \$19,452.48**



December 8, 2016

City of Grant  
c/o Kim Points  
P.O. Box 577  
Willernie, MN 55090

Dear Kim,

Please remit a check in the amount of \$33,317.50 for the 2<sup>nd</sup> quarter fire contract. Please pay July 1, 2017.

If you have any questions, please feel free to give me a call at 651-426-3344.

Thank you,

A handwritten signature in cursive script that reads "Jerene Rogers".

Jerene Rogers  
Account Clerk



DATE	INVOICE NO
6/1/2017	0054506

<b>BILL TO</b>
City of Grant P O Box 577 111 Wildwood Rd Willemie, MN 55090

DUE DATE
7/1/2017

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS ACCOUNT BALANCE						0.00
Fire Contract Jan - Dec 2017::						
1st Half Contract (\$112,862.00)	1.00	56,431.00	56,431.00	0.00	0.00	56,431.00
<b>INVOICE TOTAL:</b>			<b>56,431.00</b>	<b>0.00</b>	<b>0.00</b>	<b>56,431.00</b>

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (651) 430-8800

Customer Name: City of Grant  
 Customer No: 100353  
 Account No: 0000006 - AR account for 100353

DUE DATE	INVOICE NO
7/1/2017	0054506



**Please remit payment by the due date to:**

City of Stillwater  
 216 North 4th Street  
 Stillwater, MN 55082

Invoice Total: 56,431.00  
 Discounts: 0.00  
 Credit Applied: 0.00  
 Ending Balance: 56,431.00

**INVOICE BALANCE: \$56,431.00**  
**AMOUNT PAID: \_\_\_\_\_**



## Memorandum

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

**From:** *Brad Reifsteck, PE, City Engineer  
WSB & Associates, Inc.*

**Date:** *June 22, 2017*

**Re:** *2017 Pavement Management Program*

### Actions to be considered:

The City received one quote for seal coating streets in the 2017 Pavement Management Program Project. The request for quotes were sent to 3 contractors but Pearson Brothers was the only contractor to submit a bid. The quoted amount is consistent with last year’s pricing and Pearson Brothers is a reputable local seal coat contractor. Pearson Brothers, Inc quote is attached and listed below.

Pearson Brothers Inc..... **\$25,950**

A copy of the 2017 Seal Coat Project plan and contra is attached. Roadways included in the seal coat bids are listed below.

1. 67<sup>st</sup> Street / Lane N
2. 60<sup>th</sup> Lane N
3. 61<sup>st</sup> St N
4. Kelvin Ave N.

Brochman Blacktopping Company provided a quote to complete patching at various locations within the same project limits. As you know, Brochman Blacktopping has a current contract with the City to fill potholes and various other street pavement maintenance tasks. The quote for this work is **\$25,014** and is consistent with unit prices already under Contract. The patching will be completed prior to seal coating.

The total quoted amount for the 2017 Pavement Management Program is **\$50,964**, which is below the budgeted amount of \$58,239 and provides a 12% contingency.

All work is scheduled to be completed prior to September 15, 2017.

**Action:** Motion to award 2017 Seal Coat Project to the low bidder, Pearon Bros., Inc., Motion to accept quote from Brochman Blacktopping, Co. for bituminous patching.

Attachments: Pearson Bros, Inc and Brochman Blacktopping Quotes

# Project Manual

*June 13, 2017*

**Prepared for:**



City of Grant  
111 Wildwood Road  
Willernie, MN 55090

WSB Project No. 10208-000

701 Xenia Avenue South, Suite 300 Minneapolis, MN 55416 763.541.4800



## REQUEST FOR QUOTES

Request for Quotes: **2017 Seal Coat Project**  
City of Grant, MN

Submit To: Brad Reifsteck, PE  
Project Manager  
WSB & Associates, Inc.  
701 Xenia Avenue South, Suite 300  
Minneapolis, MN 55416  
Phone: 763-512-5243  
Fax: 763-541-1700  
Email: [breifsteck@wsbeng.com](mailto:breifsteck@wsbeng.com)

Due Date: **Friday June 23, 2017 at 10:00AM by email or fax.**

Location: Refer to the attached drawings and specifications.

Other Requirements: The undersigned certifies that the Contract Documents have been carefully examined, and that the site of the work has been personally inspected. The undersigned declares that the amount and nature of the work to be done is understood, and that at no time will misunderstanding of the Contract Documents be pleaded. On the basis of the Contract Documents, the undersigned proposes to furnish all necessary apparatus and other means of construction, to do all the work and furnish all the materials in the manner specified, and to accept as full compensation therefore the sum of the various products obtained by multiplying each unit price herein bid for the work or materials, by quantities thereof actually incorporated in the completed project, as determined by the Engineer.

In submitting this proposal, it is understood that the right reserved by the Owner to reject any or all quotes and to waive informalities.

As a part of this quote, the Contractor agrees to perform all work described in the specifications and shown on the plans for the following unit prices:



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Proposer: <u>Pearson Bros., Inc.</u>		Telephone No.: <u>763-391-6027</u>
Address: <u>11079 Lamont Ave NE</u>		Fax No.: <u>763-391-6027</u>
City, State, Zip: <u>HANDOVER, MN 55341</u>		

**QUOTE FORM**  
2017 SEAL COAT PROJECT  
CITY OF GRANT  
WASHINGTON COUNTY, MINNESOTA  
WSB PROJECT NO. 10208-000

No.	Mat. No.	Item	Units	Quantity	Unit Price	Total Price
1	2356.505	BITUMINOUS MATERIAL FOR SEAL COAT (CRS-2)	GALLON	5000	\$ <u>3.49</u>	\$ <u>17,450.00</u>
2	2356.507	SEAL COAT AGGREGATE (FA-2)	TON	200	\$ <u>20.00</u>	\$ <u>4,000.00</u>
3	2575.601	TRAFFIC CONTROL	L. SUM	1	\$ <u>4,500.00</u>	\$ <u>4,500.00</u>
<b>TOTAL IMPROVEMENTS - BASE QUOTE</b>						\$ <u>25,950.00</u>

Submitted by:

If a corporation, what is the state of incorporation?

MINNESOTA

If a partnership, state full name of all co-partners.

Official Address

11079 LAMONT AVE NE

HANOVER, MN 55341

Date: JUN 16 2017

Firm Name

PEARSON BROS., INC.

By JACK I PEARSON  
(An Authorized Signature)

Title PRESIDENT



11079 Lamont Ave NE Hanover, MN 55341  
Office: 763-391-6622 • Fax 763-391-6627

**Responsible Contractor Verification**  
**Minnesota Statute 16.C.285**

City of Grant - 2017 Seal Coat Project  
(Public Project Name and Number)

The undersigned is an owner/officer of the Pearson Bros., Inc. submitting a Bid or Proposal and **swears under oath** that, as of the time of submitting it's Bid or Proposal for the above-referenced project ("project"), the company verifies compliance with each of the minimum criteria in Minnesota Statute 16C.285, subd. 3.

The first-tier subcontractors that the company preliminarily intends to **engage** for work on the project are:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

The first-tier subcontractors listed above have provided to the company verifications of compliance required by Minnesota Statute 16C.285, subd. 3 (7).

Pearson Bros., Inc. has not yet determined all subcontractors who will be hired for the Project. The remaining first-tier subcontractors that Pearson Bros., Inc. intends to retain on the Project have not yet been determined. If Pearson Bros., Inc. retains additional subcontractors for the Project after submitting this additional subcontractor with which it has a direct contractual relationship and shall submit a supplemental verification confirming compliance with Minnesota Statute 16C.285, subd. 3, clause (7), within 14 days after retaining those subcontractors.

Date: 6/16/17

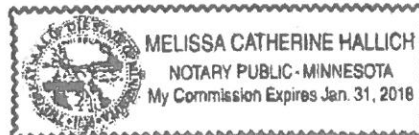
Pearson Bros., Inc.

By: Jack E. Pean

It's: President  
Owner/Officer

Subscribed and sworn to before me  
This 16<sup>th</sup> day of June, 2017.

Melissa C. Hallich  
Notary Public



DIVISION 1

---

GENERAL REQUIREMENTS

1010 – SUMMARY OF WORK ..... 1  
1014 – WORK SEQUENCE ..... 1  
1015 – PROJECT STORAGE AREA..... 1  
1400 – QUALITY CONTROL..... 1  
1401 – CODES AND STANDARDS ..... 1  
1402 – "OR EQUAL" CLAUSE ..... 1  
1507 – UTILITY PROPERTY AND SERVICE ..... 2  
1533 – TRAFFIC CONTROL..... 2  
1547 – PROTECT EXISTING PAVEMENTS..... 2  
1548 – PROTECT EXISTING SURFACE IMPROVEMENTS ..... 2  
1550 – ACCESS ROADS ..... 2  
1560 – WORKING HOURS ..... 2  
1561 – NOISE CONTROL ..... 3  
1562 – DUST CONTROL ..... 3  
1740 – WARRANTY ..... 3  
PROTECTION OF THE PUBLIC..... 3  
1903 – COMPENSATION FOR INCREASED OR DECREASED QUANTITIES..... 3  
CONSTRUCTION LIMITS ..... 3

## DIVISION 1

---

### GENERAL REQUIREMENTS

#### **1010 – SUMMARY OF WORK**

This project includes seal coating improvements within the City of Grant, Washington County, Minnesota.

The work to be done under this Contract shall include the furnishing of all labor, materials, tools, and equipment necessary to complete the work as shown in the plans and specified herein.

The Owner is the City of Grant. All work will be completed within public right-of-way, property under direct control of the Owner, easements obtained by the Owner, or on property for which the Owner has been granted right-of-entry.

#### **1014 – WORK SEQUENCE**

The Contractor shall perform his work in such a manner as to cause the least interference with adjoining property owners and the general public.

Quotes will be received until 10:00 a.m., Friday, June 23, 2017, by the City of Grant's engineer at WSB & Associates, 701 Xenia Avenue South, Suite 300, Minneapolis, MN 55416. The bids may be held for up to 60 days. The winning CONTRACTOR shall have all contracts signed and required bonds secured and delivered to the City of Grant prior to starting construction.

It is anticipated the contract will be awarded at the June 29, 2017 City Council meeting. Work shall not begin until after that date.

The City only has a limited amount of funds for seal coating. If prices come in higher than expected the city may remove road segments from the project.

The project must be completed, including sweeping and restoration, by September 15, 2017, unless specifically directed by the Engineer.

#### **1015 – PROJECT STORAGE AREA**

The Contractor shall be responsible for identifying and providing a project storage area. The area shall be cleaned up and fully restored to the pre-existing condition prior to closing out this project. The clean up and restoration of the project storage area shall be the Contractor's responsibility, no compensation will be made for this work.

#### **1400 – QUALITY CONTROL**

Any person representing federal or state agencies, the Engineer, or Owner shall have the right-of-entry to inspect the work being performed by the Contractor. If the case warrants, the Contractor shall provide proper facilities for such access and inspection.

The Contractor shall notify the resident observer anytime he anticipates working on this project. No work will be allowed without notifying the observer a minimum of twenty-four (24) hours beforehand.

Testing of materials will be paid for by the Owner. Any retesting due to failures shall be at the expense of the Contractor.

#### **1401 – CODES AND STANDARDS**

Reference to codes and standards established by federal, state, and local agencies, or the professional and trade societies and associations shall be to the latest edition.

When conflicting information is given, the most restrictive shall apply. Any questions of intent will be determined by the Engineer upon written request by the Contractor.

#### **1402 – “OR EQUAL” CLAUSE**

Whenever a material or article required is shown on the Plans or in the Specifications by using the name of a product or of a particular manufacturer, it is to be understood that other products or materials, which will adequately perform the required function may be considered equal and satisfactory in the Engineer's opinion. A comparable product shall not be purchased or installed without the Engineer's approval.

#### **1507 – UTILITY PROPERTY AND SERVICE**

All bidders are expected and assume the responsibility to contact the affected utilities prior to submitting the bid to determine the extent of their facilities within the project area and the scope and anticipated schedule of the facility relocation, removal, or adjustment.

The Contractor may not make claims for costs or damages due to alleged delays or disruption, and releases the Owner from any such claims for the failure of any private utility with facilities affected by the project to promptly relocate, remove, or adjust such facilities.

#### **1533 – TRAFFIC CONTROL**

The Contractor shall furnish, erect and maintain warning lights and barricades as required to adequately warn and protect the public from hazardous protrusions, materials, excavations, etc., resulting directly or indirectly from the construction. These signs, barricades and flashers shall conform to the standards illustrated in the Mn/DOT Manual on Uniform Traffic Control Devices and the Temporary Traffic Control Zone Layout Field Manual.

The Contractor shall maintain **access** at all times to properties affected by construction.

Traffic control shall be measured and paid for as a single lump sum item for all labor, materials, and equipment required to control traffic flow through the project area as specified. Payment will be based on the percentage complete as determined by the Engineer.

#### **1547 – PROTECT EXISTING PAVEMENTS**

The City intends to protect the existing pavement on all streets adjacent to the construction work. The Contractor shall provide and use only rubber-tired dozers, front-end loaders, and other necessary equipment on all work where street pavements or portions of pavements are undisturbed for the protection of the pavements or in such locations as the Engineer may direct.

No compensation will be made to the Contractor for replacement of damaged in-place utilities and existing pavements caused by the Contractor.

#### **1548 – PROTECT EXISTING SURFACE IMPROVEMENTS**

It shall be the Contractor's responsibility to protect, and/or remove and reinstall all fences, irrigation systems, mailboxes, and other items required to construct the proposed improvements.

Mail service must be maintained during the project. At completion of the project, all mailboxes whether moved for construction or not, shall be reset adjacent to the new roadway in accordance with the local Postmaster's requirements.

The work associated with protecting, and/or removing and reinstalling all fences, street signs, mailboxes, lawn irrigation systems, and other items shall be considered incidental to the project unless specific bid items are provided.

#### **1550 – ACCESS ROADS**

The Contractor shall maintain **access** to all **areas** for residents and commercial traffic, and emergency vehicles at all times.

#### **1560 – WORKING HOURS**

Working hours will be from 7:00 a.m. to 7:00 p.m., Monday through Friday. Requests for expansion of working hours must be approved by the City. The Contractor shall submit all requests through the Engineer. The Contractor shall structure the proposed project schedule based on the stated working hours.

#### **1561 – NOISE CONTROL**

The Contractor shall comply with local and state ordinances on noise abatement. All equipment shall have effective mufflers on engine exhaust systems.

#### **1562 – DUST CONTROL**

The Contractor shall be responsible for dust control. Dust control will be considered incidental to project cost.

#### **1710 – CLEANUP**

During the progress of the work, the area affected shall be kept clean and free of all rubbish and surplus materials. All unneeded construction equipment shall be removed from the site and all damage repaired so that the public and adjacent property owners are inconvenienced as little as possible.

Where materials or debris have washed or flowed into or have been placed in water courses, ditches, gutters, drains, catch basins, or elsewhere as a result of the Contractor's operations, such material or debris shall be removed and satisfactorily disposed of during progress of work. All ditches, channels, drains, etc. shall be kept in a clean and neat condition. Street sweeping adjacent areas affected by construction will be required periodically by Engineer.

On or before the completion of work, the Contractor shall, unless otherwise directed in writing, remove all temporary works, tools and machinery or other construction equipment placed by him. He shall remove all rubbish from any grounds which he has occupied and shall leave all of the premises and adjacent property affected by the operation in a neat and restored condition satisfactory to the Engineer. Clean up is incidental to the project cost.

#### **1740 – WARRANTY**

The Contractor for this work shall guarantee and maintain the stability of all his work, equipment and materials for a period of two (2) years from date of final payment.

#### **PROTECTION OF THE PUBLIC**

The Contractor shall provide any barricades, fences or other means of protection necessary to properly execute the work and adequately protect his employees, employees of the Owner, employees of the Engineer, and members of the public according to federal, state, and local regulators.

All labor and materials necessary to comply with these provisions are incidental, and no payment shall be made.



### **1903 – COMPENSATION FOR INCREASED OR DECREASED QUANTITIES**

It should be noted that there will be no adjustment in unit price for increased or decreased quantities. In addition, the Township reserves the right to reduce certain quantities or delete certain items from each section of the bids as the Township sees fit. There will be no additional compensation due to remobilization of equipment as necessary to complete punch list items or other items not completed by the Contractor. There will be no additional compensation due to restocking charges for materials not used on the project.

### **CONSTRUCTION LIMITS**

The Contractor shall confine his operations to the roadway right of way.

**DIVISION 2**

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**SPECIAL PROVISIONS**

2356 – BITUMINOUS SEAL COAT .....1

## DIVISION 2

---

### SITE WORK

#### **2356 – BITUMINOUS SEAL COAT**

##### 2356.1 – DESCRIPTION

This project includes seal coating roadways in the City of Grant, Minnesota. Street sweeping is incidental.

Section 2356 of the Mn/DOT "Standard Specifications for Construction," 2005 Edition and all modifications shall apply except as modified herein.

##### 2356.2 – MATERIALS

###### A. BITUMINOUS MATERIAL

Bituminous material shall be of the kind and grade as indicated in the plans or directed by the Engineer and shall conform with Mn/DOT Specification 3151.

Emulsified Asphalt **CRS-2**

###### B. AGGREGATE

Aggregate shall conform to Mn/DOT Specification 3127 for **FA-2 (one-eighth inch [1/8"] Trap Rock Chips)** 100% crushed aggregate.

The aggregate for any single street or area shall be obtained from one source.

###### C. STOCKPILE

The Contractor shall work with the City of Grant to determine an approved stockpile location.

The Contractor shall furnish Public Works with at least one week advance notice prior to delivery of stockpile. Contractor shall contact the City to coordinate a stockpile location. Due to the volume of aggregate needed for the project, a working pile may have to be utilized. The Contractor shall ensure that public access is not obstructed at any time. The Contractor shall contact the City Engineer prior to stockpiling or delivery of aggregate to any site.

###### D. TEMPORARY RAISED PAVEMENT MARKINGS (TRPM)

Provide a qualified TRPM of the appropriate type for seal coat. Qualified materials can found on MnDOT's Qualified Products List on the Office of Traffic, Safety and Operations website.

###### E. SUBMITTALS

The Contractor shall furnish the Engineer with material testing analysis seventy-two hours (72 hours) prior to commencement of work.

##### 2356.3 – CONSTRUCTION REQUIREMENTS

Construction requirements shall be in conformance with Mn/DOT Specification 2356.3 and as indicated herein.

The Contractor shall completely roll all sealed areas with pneumatic rollers. A minimum of three rollers shall be rolling and must roll a minimum of four (4) passes over all areas at a speed of no more than 5 miles per hour.

Prior to starting work, the Contractor shall meet with the Engineer to discuss the method and means of material supply, work schedule, and generally review the specifications.

Traffic rerouting shall be the responsibility of the Contractor. All flag men, barricades, flashers and safety measures are the sole responsibility of the Contractor. Strict enforcement of traffic rerouting shall be maintained in accordance with Section 2356.3 of the State Specifications.

**Contractor shall supply and install "No Parking" signs on all streets, at least 24 hours before seal coating begins,** Contractor will be responsible to get parked cars moved. Contractor shall also supply and install loose gravel signage and leave them in-place until the street has been swept.

Contractor shall cover manhole and valve shutoff covers to protect from seal coat material with sand and pick up sand immediately after seal coating and remove sand from site.

The Contractor shall make arrangements with the City to obtain water as may be required for the project.

Immediately prior to the application of any bituminous material, the Contractor shall sweep and clean the road surface for the full width to be treated. **After completion of the application of seal coat, the Contractor shall sweep up the surplus of aggregate within twenty-four (24) hours. The Contractor shall re-sweep the areas between seven (7) and fifteen (15) days after application.** In the event the re-sweeping is not completed within fifteen (15) calendar days after completion of the seal coat application, a penalty of One Hundred Dollars (\$100.00) per day on each street identified as not having been swept shall be charged until the sweeping is completed.

All sweeping shall be accomplished with a self-propelled pick-up type sweeper. Application of water may be required to minimize the creation of air borne dust and assist in the cleaning operation.

The excess aggregate swept from the streets prior to seal coating shall be the property of the Contractor and removed from the site.

Temporary raised pavement markings and coordination with the City shall be completed as **incidental** to the seal coat operations.

The surplus aggregate swept from the streets after seal coating shall be removed by the Contractor and will become property of the Contractor.

A. APPLICATION OF BITUMINOUS SEAL MATERIAL

Bituminous seal material shall be applied at a rate of 0.25 gallons per square yard.

B. APPLICATION OF AGGREGATE

The cover aggregate shall be applied at a rate of twenty-five (20) pounds per square yard unless bleed through occurs in which additional aggregate shall be applied.

The FA-2, (trap rock) will be inspected by the City for conformance to specifications. The Contractor shall notify the City when the aggregate is ready for inspection and shall not place any aggregate until inspected by City. Aggregate samples submitted for testing must be taken from several areas of the stockpile after it is on the job site.

On site aggregate is to be tested by the Owner before use in seal coating. If aggregate does not meet specifications, Contractor is responsible for cost incurred for testing.

Application of Blotting Material – The Contractor shall apply dust blotting material where bleeding is detected as directed by City personnel.

#### 2356.4 – BASIS OF PAYMENT

Payment for the trap rock aggregate shall be made as "2356.507... Seal Coat Aggregate (FA-2)" and shall be compensation in full for all labor, materials, and equipment necessary to complete seal coating using trap rock aggregate.

#### 2356.4 – METHOD OF MEASUREMENT

##### A. BITUMINOUS MATERIAL

Bituminous material applied on the road will be measured by volume in gallons at sixty degrees Fahrenheit (60°F) in accordance with ASTM Tables D1250 and D633.

The Contractor shall furnish measure slips of volume delivered to job.

##### B. SEAL COAT AGGREGATE

Seal coat aggregate will be measured by the square yard.

#### 2356.5 – BASIS OF PAYMENT

Payment for "Bituminous Material for Seal Coat (CRS-2)" at the contract price per gallon shall be compensation in full for all costs to furnish all labor, equipment, documentation and materials necessary for the preparation, cleaning, and sealing of the streets on the basis of the following schedule.

The price of the bituminous seal coat aggregate shall include the cost of furnishing all labor, equipment, and materials necessary to place the seal coat aggregate.

All sweeping and removal of the sweepings after seal coating shall be considered incidental to the contract with no additional compensation allowed.

**If any application rate, as determined by the Engineer, is greater than ten percent (10%) over that designated by the Engineer at the start of the project, the materials in excess shall be incidental to the project.**



# 2017 Pavement Management Program (PMP) Map Grant, Minnesota



overlay Patching  
60th Lane  
and 61st St Lane



# BLACKTOPPING CO.

www.brochmanpaving.com

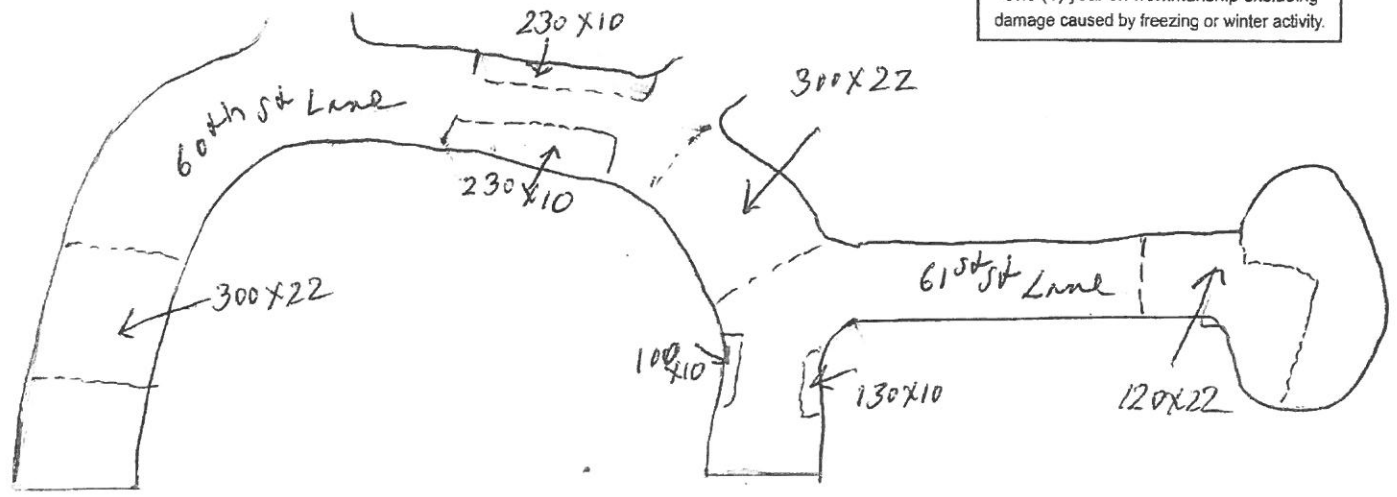
12770 McKusick Rd. N., Stillwater, MN 55082 MN: (651) 439-5379 WI: (715) 294-1622

## Service Contract

NAME: City of Grant DATE: 6/14/17  
 ADDRESS: 111 Wildwood Rd. TELEPHONE: 612-214-7053  
 CITY: Willernie STATE: MN 55090 FAX: BRAD Reifsteck  
 E-MAIL: breifsteck@wsbg.com WSB

JOB TYPE:  
22,740 sq feet  ASPHALT WORK \$ 25,014.<sup>00</sup>  
 CEMENT WORK \$ \_\_\_\_\_  
 SURFACE SEAL \$ \_\_\_\_\_  
 CRACK SEAL \$ \_\_\_\_\_  
 TRUCKING \$ \_\_\_\_\_  
 SNOWPLOWING \$ \_\_\_\_\_  
 OTHER \$ \_\_\_\_\_  
 TOTAL COST: \$ \_\_\_\_\_

### JOB SKETCH:



**ASPHALT AND CEMENT WARRANTY**  
 One (1) year on workmanship excluding damage caused by freezing or winter activity.

CONTRACTOR AGREES TO SUPPLY LABOR, MATERIALS, AND EQUIPMENT FOR THE FOLLOWING JOB DESCRIPTION:

Mill Ends of Patching - overlay areas shown with 1 1/2 to 2 inches of new Asphalt with Tack over old Asphalt

CUSTOMER SIGNATURE

CONTRACTOR SIGNATURE

Customer agrees to make full payment upon completion of job. Late fees of 1.5% per month will be charged on past due accounts over 30 days

PLEASE SEND PAYMENT TO: BROCHMAN BLACKTOPPING CO., 12770 MCKUSICK Rd. N., STILLWATER, MN 55082

ANY QUESTIONS PLEASE CALL (651) 439-5379 OR E-MAIL US AT brochmanpaving@msn.com.

Original - White      Customer Copy - Yellow      Office - Pink



## STAFF REPORT

**TO:** Mayor and City Council Members  
 Kim Points, City Administrator/Clerk

**Date:** June 21, 2017

**RE:** Application for Minor Subdivision  
 9694 75<sup>th</sup> Street North

**CC:** Kevin Sandstrom, City Attorney

**From:** Jennifer Haskamp, Consulting City Planner

### Background

The Applicant and Owner, David Washburn (Applicant), is requesting permission to subdivide the property located at 9694 75<sup>th</sup> Street North into two (2) parcels. There is an existing homestead and several accessory buildings located on the existing property.

### Planning Commission Summary

On June 20, 2017 the Planning Commission held a duly noticed public hearing to consider the Applicant's request to subdivide the subject parcel into two lots. A few members of the public provided testimony and asked questions of the Applicant regarding the potential location of the new home on Parcel A, and generally inquired about the proposed lot configurations and sizes. After closing the Public Hearing the Planning Commissioners discussed the Application, staff presentation and public testimony. The Planning Commission unanimously recommended approval of the subject Minor Subdivision with draft conditions as prepared and presented by staff.

The following staff report is generally as presented to the Planning Commission on June 20<sup>th</sup>, but has been updated to reflect their recommendation that the City Council approve the Minor Subdivision with conditions. A draft resolution of approval, as directed by the Planning Commission, has been prepared and is attached to this staff report for your review and consideration.

### Project Summary

Owner & Owner:	David Washburn
PID:	2703021130001
Address:	9694 75 <sup>th</sup> Street North
Zoning & Land Use:	A-2
Request:	Minor Subdivision to create one ~27.99 Acre Lot, and one ~5.51 Acre Lot

The Applicant is proposing a Minor Subdivision (lot split) of the existing 33.5 Acre parcel into two (2) lots that could be developed with single-family residential uses in the future. No new structures are proposed as part of this application; however, the intent is to create two buildable residential lots. There is an existing homestead located on the subject property which would remain in its current configuration for now, but may be subject to redevelopment in the future. To demonstrate that both parcels are developable, the Applicant





has submitted a wetland delineation for the property, septic/soil borings, and a Survey demonstrating the proposed configuration.

## **Review Criteria**

The City's subdivision ordinance allows for minor subdivisions and lot line adjustments as defined in Section 30-9 and 30-10. The sections of the code that relate to dimensional standards and other zoning considerations are provided for your reference:

Secs. 32-246

## **Existing Site Conditions**

The existing parcel is located north of 75<sup>th</sup> Street North and is approximately 33.5 acres. The existing parcel is bordered by 75<sup>th</sup> Street North on the south, and contains approximately 880-feet of frontage. There is an existing homestead on the parcel located approximately 330-feet to the west of the easterly property line and setback approximately 110-feet from the southerly property line (approximately 170-feet from the centerline). Current right-of-way for 75<sup>th</sup> Street North is platted as part of the county's roadway and is not included in the subject property's acreage calculation. There are five (5) accessory buildings on the site with a total square footage of approximately 2,806 square feet. There are currently two accesses onto the property from 75<sup>th</sup> Street North; there is a driveway into the existing homestead, and a second more substantial field road located approximately 370-feet to the west of the homestead's driveway.

The Applicant completed a wetland delineation for the site which identified 11 wetlands of various sizes. The wetlands are generally clustered on the south and eastern half of the site, with only the northwestern 10-15 +/- acres being fairly dry. Based on an aerial review, this area appears to be the only portion of the site that has been used for agricultural uses and/or open grasslands. The remaining 20-25 acres of the site includes intermittent wetland areas, woodlands, tree cover and rolling topography.

## **Comprehensive Plan Review**

The adopted Comprehensive Plan sets a maximum density of 1 unit per 10 acres in the A-2 land use designation. The proposed minor subdivision/lot line rearrangement of the 33.5 acres results in one additional unit. The original 40 included the adjacent Exception parcel, which when considered collectively would result in three (3) lots on 40 acres, or a proposed gross density of approximately 1 unit per 13 acres. The minor subdivision as proposed meets the density requirements as established in the comprehensive plan. Further, the intent of the A-2 land use designation is to promote rural residential uses, and the proposed subdivision is consistent with that objective.

## **Zoning/Site Review**

### Dimensional Standards

The following site and zoning requirements in the A-2 district are defined as the following for lot standards and structural setbacks:



Dimension	Standard
Lot Area	5 acres
Lot Width (public street)	300'
Lot Depth	300'
FY Setback – County Road (Centerline)	150'
Side Yard Setback (Interior)	20'
Rear Yard Setback	50'
Maximum Height	35'

*Lot Area and Lot Width*

The proposed subdivision is depicted on Attachment B: Minor Subdivision. As shown the proposed subdivision would result in newly created Parcel A and Parcel B. The following summary of each created parcel is identified on the table below:

**Lot Tabulation:**

Parcel	Size	Frontage/Lot Width	Lot Depth
Parcel A	27.99 Acres	380.33'	1,854'
Parcel B	5.51 Acres	500.03'	395.68'

*As proposed, both created lots meet the city’s dimensional standards for size, frontage/lot width and lot depth.*

**Setbacks**

The existing homestead and accessory structures are located on proposed Parcel B, and are subject to the city’s setback requirements. The existing principal structure is setback approximately 110-feet from the right-of-way line (southerly property line) of 75<sup>th</sup> Street North which is County State Aid Highway 12. However, the City’s ordinance requires that the setback be measured from the centerline of the roadway, and the existing home is setback approximately 170-feet from the centerline of the roadway and therefore meets the city’s setback requirement. The existing home will be setback approximately 300-feet from the created westerly property line, 230-feet from the easterly property line, and 240-feet from the rear property line. As proposed the existing home will meet all setback requirements. The accessory building located the closest to the proposed westerly property line is setback approximately 66-feet, and meets the City’s ordinance requirements. The accessory building located the closest to the northerly property line is approximately 160-feet, and meets the City’s ordinance requirements. All other property lines are existing and remain in their current configuration (south and easterly property lines are unchanged and therefore setbacks to existing structures not evaluated).

It should also be noted that the existing accessory building located near the proposed westerly property line of Parcel B is setback approximately 40-feet from the delineated boundary of Wetland #3. The City’s ordinances require a 50-foot wetland buffer and an additional 10-foot structural setback from the wetland buffer. The existing accessory building would be considered a legal non-conforming structure. All future buildings would be required to meet the wetland setbacks and any improvements to existing non-conforming structures would be subject to applicable ordinance requirements. However, the proposed subdivision has no



impact on the wetland setback and therefore is not an issue with respect to the requested subdivision; but, the Applicant and any future homeowners should be aware of the wetland setback requirements when planning for development or redevelopment of the lots. ***Staff would recommend including a condition that all new structures, accessory and principal, must comply with the city's wetland buffer setback requirements.***

Since no new structures are proposed as part of this subdivision, ***staff would recommend including a condition that all future structures and improvements will be subject to the applicable setback rules and regulations in effect at the time of application.***

#### Access & Driveways

No new access or driveways are proposed as part of this application. There is an existing driveway that serves the existing home on Parcel A, and there is an existing gravel driveway/trail that provides access to Parcel B. The Applicant should be aware that any new accesses will be subject to review and approval from Washington County because 75<sup>th</sup> Street North is under their authority. Staff would recommend including a condition that all new accesses, or changed accesses, are subject to review and approval by Washington County.

#### Accessory Structures

As previously stated there are five (5) accessory structures on the site which total approximately 2,806-square feet. All of the structures will be located on newly created Parcel B, which will be subject to the Accessory Structure standards contained in Section 32-313. On parcels between 5 and 9.59 acres, a combined square footage not to exceed 2,500 square feet and no more than three (3) buildings are permitted. It appears from the survey that the two smaller buildings (7.3' x 7.6' and 6.5' x 12.8') would not be counted against the quantity of buildings permitted because they would be classified as Sheds per ordinance; however, this should be confirmed with the Applicant. Based on conversations with the Applicant they are comfortable removing, at a minimum the building that is 13.4'x16.7' which would reduce the square footage of building by approximately 224 square feet, and if the other two structures are deemed sheds, would then bring Parcel B into compliance with current ordinance standards. However, if the two smaller structures do not meet the definition of a "Shed" then the Applicant would be required to work with City staff on a removal plan that would bring the parcel into compliance. ***Staff would recommend including a condition that the Applicant shall provide a written statement, and identify on a corresponding exhibit, which buildings will be removed, and which buildings would be classified as a 'Shed'.*** Since the buildings are currently existing on the site, ***Staff would also recommend including a condition that the Applicant be required to submit a Letter of Credit, or other tool acceptable to the City Attorney, that would cover the removal costs of the identified accessory buildings*** to ensure the property is brought into compliance. Further, the Planning Commission should discuss whether there is a time limit on removal, so that the corresponding LOC can be drafted to reflect that schedule.

#### Utilities (Septic & Well)

##### **Septic System – Soil Borings**

The existing home is currently served by a septic system that will continue to be used for the existing homestead. Both the septic system and well are located on Parcel B. ***Staff would recommend including a condition that any redevelopment of the parcel with a new, or substantially larger, principal structure may necessitate a new septic system and at such time a septic permit must be obtained from Washington County.*** To demonstrate the buildability of Parcel A, the Applicant submitted septic/soil



borings which were submitted to Washington County for their preliminary review. Since a new home is not currently proposed on Parcel A, the review is conceptual and a system has not been designed. However, based on the preliminary results it appears that there is adequate area on Parcel A to install a septic system to support a new home, if and when, proposed. *Staff would recommend including a condition of approval that a septic permit must be acquired from Washington County prior to the city issuing a building permit for a principal structure on Parcel A.*

### Wells

There is an existing well on Parcel B that will continue to be used for the property. Since Parcel A is vacant and no home is designed yet for the lot no well has been installed. *Staff would recommend including a condition that if and when a new home is proposed on Parcel A that the appropriate permits to install a well must be obtained prior to the city issuing a building permit.*

### Other Subdivision Standards

In addition to the dimensional standards identified in Section 32-246 of the City's Zoning Ordinance, there are some additional design standards found in Section 30-107 Lot Requirements which are summarized below:

- "Side lot lines shall be substantially at right angles to straight street lines...unless topographic conditions necessitate a different arrangement."

The north end of the proposed westerly property line jogs slightly. The Applicant has indicated that this jog is due to the location of the existing driveway on Parcel A that they would like to keep intact. It appears that there would be sufficient area to adjust this lot line to remove the jog and still avoid the existing drive. Staff would recommend the Applicant consider adjusting this line to comply with the ordinance.

### Other Agency Review

The subject property is located on CSAH 12, and therefore is subject to Washington County's review and comment. Staff received an email from Washington County staff who has reviewed the proposed subdivision. Washington County is requesting an additional 15-feet of right-of-way in the form of an easement be dedicated along the frontage of the subject property. Staff would recommend including this as a condition of approval, and request that the Survey be updated to reflect the additional right-of-way.

Additionally, as previously discussed, if and when development or redevelopment of the lots occurs proper permits for installation of wells, septic systems, or driveways will be subject to review and approval of the appropriate permitting authorities.

### **Requested Action**

Staff has prepared a draft resolution of approval with conditions, as directed by the Planning Commission, which is attached for your review and consideration.

#### *Attachments:*

Attachment A: Application

Attachment B: Minor Subdivision exhibit, dated 11/16/2016



Attachment C: Washington County Email 6/13/2017  
Attachment D: Draft Resolution 2017-13





PA 4/27/17

Application Date:	
Fee: \$400	Escrow: \$4,000

check # 7188 - 400.00  
check # 7189 - 4,000.00

## MINOR SUBDIVISIONS

A minor subdivision is any subdivision containing not more than two lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property.

PARCEL IDENTIFICATION NO (PIN): 27-030-21-13-000		ZONING DISTRICT & COMP PLAN LAND USE:
LEGAL DESCRIPTION: See surveyor		LOT SIZE:
PROJECT ADDRESS: 9694 - 75th St N Stillwater, MN 55082	OWNER: Name: David Washburn Address: 9694 - 75th St N City, State: Stillwater, MN Phone: 612/366-4588 Email: redcardfarm@mac.com	APPLICANT (IF DIFFERENT THAN OWNER): Mailing Address use for correspondence: David Washburn 9694 - 75th St N Stillwater, MN 55082 redcardfarm@mac.com 612/366-4588
DESCRIPTION OF REQUEST: Permission to create a 5.51 acre lot which includes the existing home and two conforming out buildings. The remaining 27.99 ac lot will be vacant and contain/retain two density units.		
EXISTING SITE CONDITIONS: 1 home & 2 out buildings		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Chapter 30; Section 30-9		

### 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"/>	<p><b>Site Plan:</b> Technical drawing demonstrating existing conditions and proposed changes (Full scale plan sets shall be at a scale not less than 1:100)</p> <ul style="list-style-type: none"> <li>▪ North arrow and scale</li> <li>▪ Name, address, phone number for owner, developer, surveyor, engineer</li> <li>▪ Streets within and adjacent to the parcel(s) including driveway access points</li> <li>▪ Topographic data at two (2) foot contour intervals and steep slopes</li> <li>▪ Proposed lot sizes (with dimensions) indicating setbacks for newly created lots</li> <li>▪ Buildable area with acres and square footage identified</li> <li>▪ Wetland limits (delineation)</li> <li>▪ Drainage plans</li> <li>▪ Soil tests for the installation of an on-site septic system</li> </ul>

Application for: **MINOR SUBDIVISION**  
City of Grant

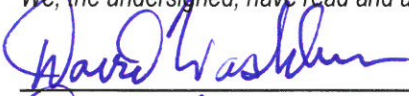
		<ul style="list-style-type: none"> <li>▪ Septic system and well location</li> <li>▪ Building locations and dimensions with setbacks</li> <li>▪ Vegetation and landscaping</li> <li>▪ Wetland Delineation</li> <li>▪ Shoreland classifications: waterbodies, Ordinance High Water Level, 100 year flood elevation, and bluff line</li> <li>▪ Name of subdivision with lot and block numbers of property, if platted</li> </ul> <p><b>COPIES: 20 copies (4 sets at 22" x 34" and 16 at 11" x 17" format)</b></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A <u>certificate of survey</u> , by a registered land surveyor for each parcel will be required. The survey must show newly created lots and the original lot, limits of any wetland, one acre of buildable area, and elevation of the building site above any lake, stream, wetland, etc.
<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 property for approvals and necessary permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within 1,320 feet, contact Washington County Surveyor's Office: (651) 430-6875
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minor Subdivision submittal form completed and signed by all necessary parties
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$4,000


**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 for minor subdivision.

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.*

  
\_\_\_\_\_  
Signature of Applicant

  
\_\_\_\_\_  
Signature of Owner

4/26/17  
\_\_\_\_\_  
Date

4/26/17  
\_\_\_\_\_  
Date



Jennifer Haskamp <jhaskamp@swansonhaskamp.com>

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## Minor Sub - Washburn

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**Ann Pung-Terwedo** <Ann.Pung-Terwedo@co.washington.mn.us>  
To: Jennifer Haskamp <jhaskamp@swansonhaskamp.com>

Tue, Jun 13, 2017 at 10:32 AM

Jennifer,

The future right-of-way requirements identified in the 2030 Washington County Comprehensive Plan (Transportation Plan), Minimum Right-of-Way Widths for County Roads along this section of County State Aid Highway (CSAH) 17, Stillwater Blvd is 150 feet or 75 feet from the centerline of the roadway. There is currently 60 feet so 15 feet of right-of-way should be dedicated by an easement.

Thanks,

**Ann**

**Ann Pung-Terwedo** | Senior Planner

Phone: 651-430-4362 | Fax: 651-430-4350

[Ann.pung-terwedo@co.washington.mn.us](mailto:Ann.pung-terwedo@co.washington.mn.us)

**Washington County Public Works Department**

11660 Myeron Rd North | Stillwater, MN 55082

“Plan, build and maintain a better Washington County”



**From:** Jennifer Haskamp [mailto:jhaskamp@swansonhaskamp.com]

**Sent:** Monday, June 12, 2017 11:01 AM

**To:** Ann Pung-Terwedo <Ann.Pung-Terwedo@co.washington.mn.us>

**Subject:** Minor Sub - Washburn

[Quoted text hidden]



**CITY OF GRANT, MINNESOTA  
RESOLUTION NO. 2017-13**

**RESOLUTION APPROVING A REQUEST FOR MINOR SUBDIVISION AT  
9694 75<sup>TH</sup> STREET NORTH**

**WHEREAS**, David Washburn (“Applicant”) submitted an application for a Minor Subdivision of the property located at 9694 75<sup>th</sup> Street North (“Subject Property”) in the City of Grant, Minnesota; and

**WHEREAS**, the proposed subdivision will create two new lots described as Parcel A and Parcel B on the submitted survey dated November 16, 2016; and

**WHEREAS**, proposed Parcel A is approximately 27.99 acres and is vacant; and

**WHEREAS**, proposed Parcel B is approximately 5.51 acres and contains an existing principal structure and five accessory structures; and

**WHEREAS**, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on June 20, 2017; and

**WHEREAS**, on June 20, 2017 the Planning Commission unanimously recommended approval of the Minor Subdivision subject to certain conditions; and

**WHEREAS**, the City Council has considered the recommendation of the Planning Commission and the Applicant’s request at a regular City Council meeting which took place on June 29, 2017.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA**, that it does hereby approve the request of David Washburn for a Minor Subdivision as described in Chapter 30, based upon the following findings pursuant to Section 30-4 of the City’s Subdivision Ordinance. The City Council’s Findings relating to the standards are as follows:

- The minor subdivision and combination will not negatively affect the physical characteristics of the lots or the neighborhood.
- The proposed minor subdivision conforms to the city's comprehensive plan.
- The minor subdivision creates two lots, Parcel A 27.99 acres and Parcel B 5.51 acres, and complies with the density requirements of the guided A-2 land use designation.
- The minor subdivision to create Parcel A and Parcel B creates two lots that comply with the A-2 zoning district.
- The minor subdivision will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.

**FURTHER BE IT RESOLVED** that the following conditions of approval of the Minor Subdivision shall be met:

1. Any future development or redevelopment of Parcel A or Parcel B shall be subject to the rules and regulations related to the applicable zoning and subdivision ordinances in effect at time of application.
2. The Applicant shall submit a revised Minor Subdivision survey to reflect Washington County's request for an additional 15-foot right-of-way easement on the southerly property line along CSAH 12.
3. The Minor Subdivision survey shall be updated to adjust the westerly property line of Parcel B to remove the jog and create a straight property line.
4. All future structures and improvements, accessory and principal, must comply with the city's wetland buffer setback requirements
5. All future structures and improvements will be subject to the applicable setback rules and regulations in effect at the time of application.
6. The Applicant shall provide a written statement and identify on a corresponding exhibit which buildings will be removed, and which buildings are classified as a "shed" per the City's Ordinance.
7. The Applicant shall submit a schedule and building removal plan that will be reviewed and approved by city staff to ensure Parcel B complied with the A-2 zoning standards.
8. The Applicant shall submit a Letter of Credit, or other financial form acceptable to the City Attorney, to ensure the removal of the accessory buildings is completed and that Parcel B is brought into compliance with the city's ordinances.

9. Any redevelopment of Parcel B with a new, or substantially larger, principal structure may necessitate a new septic system and at such time a septic permit must be obtained from Washington County prior to the City issuing a building permit.
10. A septic permit must be acquired from Washington County prior to the city issuing a building permit for a principal structure on Parcel A.
11. If, and when, a new home is proposed on Parcel A the appropriate permits to install a well must be obtained prior the city issuing a building permit.
12. Any new driveway access to Parcel A or Parcel B from CSAH 12 shall be subject to review and approval of Washington County.
13. The City Attorney shall review and stamp the deeds associated with the created parcels.
14. All escrow amounts shall be brought up to date and kept current.

Adopted by the Grant City Council this 29th day of June 2017.

\_\_\_\_\_  
 Jeff Huber, Mayor

State of Minnesota            )  
   ) ss.  
 County of Washington        )

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on \_\_\_\_\_, 2017 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
 Kim Points  
 Clerk

City of Grant



## STAFF REPORT

**TO:** Mayor and City Council Members  
 Kim Points, City Clerk/Administrator  
 Kevin Sandstrom, City Attorney

**Date:** June 21, 2017

**From:** Jennifer Haskamp

**RE:** Variance from Front Yard Setback to construct Accessory Building at 9051 Lansing Avenue N.

### Background

The Applicants and Owners (“Applicants”), Jon and Michelle Weaver, have requested a variance from front yard setback to construct a new accessory structure (detached garage) on their property. The Applicants live on the property in the existing principal structure that contains an attached garage. There are extensive wetlands and sloping topography on the site which constrains the area available for construction of any new accessory structure(s).

### Planning Commission Summary

On June 20, 2017 the Planning Commission held a duly noticed public hearing to consider the Applicants’ request for a variance from the front yard setback to encroach approximately 41-feet to construct a new accessory building. One member of the public provided public testimony and commented on how surface waters in the area tended to fluctuate, and that the City should be aware of this when considering any encroachments into the wetland buffer areas. After the public hearing was closed, the Planning Commission discussed the application, public testimony and considered the staff report. The Planning Commission unanimously recommended approval of the variances with conditions as drafted by staff.

The following staff report is generally as presented to the Planning Commission and summarizes the requested variance, and existing conditions of the site. The staff report has been updated to reflect the recommendation of the Planning Commission, and a draft resolution of approval is attached for your review and consideration.

### Project Summary

Applicant & Owner: Jon & Michelle Weaver	Site Size: 9.86 Acres Location: 9051 Lansing Avenue North Existing Home: Constructed in 1991 Zoning & Land Use: A-2
Request: Variance from front yard setback to construct an accessory structure (detached garage) on the subject property. The location of the proposed detached garage is in front of the principal structure and would encroach approximately 41.2’ into the required front yard setback.	

As referenced above, the Applicants have requested the following variance:



- Structural Setback from front yard lot line on Lansing Avenue, which serves as the primary frontage and access to the existing principal structure.
- In addition to the requested variance, Staff has identified an additional potential setback encroachment associated with the proposed structure. The survey prepared by Cornerstone Land Surveying, Inc., dated May 8, 2017 identifies an approximate wetland boundary based on aerial data. As shown, the proposed location of the detached garage would encroach into the city's wetland buffer requirements and structural setbacks from a wetland buffer. This is further discussed in subsequent sections of this report.

The following summary of the requested variance and proposed project is as follows:

- The proposed Accessory Structure (detached garage) would be accessed from the existing driveway, and no new curb-cuts/drives are requested as part of this application.
- The proposed Accessory Structure (detached garage) is 24' x 24', or 576 square feet. The purpose of the Accessory Structure is for storage of personal property such as cars, garden equipment, etc., and is therefore defined as a "*detached residential accessory building*" per the City's ordinances.
- There are no other existing accessory buildings on site.
- The proposed Accessory Structure is located in front of the principal structure.

### **Review Criteria**

Section 32-60 establishes the criteria for granting and review of variance requests. In addition to a site plan and development plans, the variance application process requires the Applicants to prepare a statement of reasons why the request is made describing the hardship (or practical difficulty) where a hardship is defined in Section 32-59 as, "the proposed use of the property and associated structures in question cannot be established under the conditions allowed by this chapter or its amendments and no other reasonable alternate use exists; however, the plight of the landowner must be due to physical conditions unique to the land, structure or building involved and are not applicable to other lands, structures or buildings in the same zoning district....Economic considerations alone shall not constitute a hardship."

The applicant has provided a brief narrative describing the practical difficulty of their property to construct an accessory building/detached garage which is provided in Attachment 1: Application.

### **Existing Site Conditions**

The subject property is approximately 9.86 acres, an unplatted corner lot that is bordered by Lansing Avenue along the westerly property line and Dellwood Road North (Highway 96) on the southerly property line. There is an existing principal structure located approximately 345' north of the Highway 96 right-of-way, and is setback approximately 50-feet from the Lansing Avenue right-of-way. The existing home is accessed from a u-shaped driveway which is connected to Lansing Avenue. There are no existing accessory structures on the site. The site includes extensive wetland areas behind (to the east) and to the south of the principal structure.



A wetland delineation was not submitted or completed as part of this application; however, the National Wetland Inventory (NWI) and GIS data available identifies this wetland complex on their mapping. Additionally, the site is vegetated with significant tree cover surround the wetland complex. The site is heavily sloped with approximately the western third (1/3) of the site on higher ground, and then sloping steeply to the east into the wetland complex.

### **Dimensional Standards**

The following site and zoning requirements in the A-2 district regulate the site and proposed project:

<b>Dimension</b>	<b>Standard</b>
Lot Size	5 acres
Frontage – public road	300'
Front Yard Setback	65'
Side Yard Setback	20'
Rear Yard Setback	50'
Height of Structure	35'
Driveway Setback	5'
Wetland Buffer Setback (Type 3, 4, 5)	50'
Structural Setback from Wetland Buffer	10'

The subject property is an existing lot and contains an existing principal structure with an attached garage, and there are no other accessory buildings currently on site. The lot in its current configuration meets the dimensional standards for frontage, lot size, and density. The existing principal structure does not appear to meet the minimum front yard setback requirements; however, there are no changes proposed to the principal structure and therefore if it is non-compliant with respect to setbacks the structure would be considered legally non-conforming and subject to the non-conforming rules of the ordinance. However, since the proposed project does not include any alterations to the principal structure, no further analysis or consideration is made with respect to this issue.

The purpose of this review is to consider the application for a variance to construct a new accessory structure (detached garage) on the subject parcel in a location that does not meet the City's current dimensional standards. The following review applies specifically to the requested variance and proposed accessory structure.

### **Lot Size/Constraints**

The subject property is approximately 9.86 Acres per the survey submitted as part of this application (Attachment B: Certificate of Survey) and meets the city's minimum lot size requirements. As previously noted there is an existing home on the subject property, and there are no other structures on the site. While



the lot size exceeds the minimum area requirements, the buildable area onsite is constrained due to the presence of significant wetlands and sloping topography. The natural physical constraints of the property limit the buildable area on the site, leaving the ‘high-and-dry’ land on the western third of the property leaving the remained largely unbuildable or inaccessible. The buildable area is further limited by the presence of dedicated right-of-way which extends along the entire western property line associated with Lansing Avenue, and along the entire southern property line for Dellwood Road (Highway 96). These physical constraints affected where the existing home was placed, which was generally near the west-central portion of the site on the high point (knoll) of the site. The existing home is accessed from a u-shaped driveway, and the proposed accessory building would be accessed from this driveway of the southern end of the horseshoe.

The Applicant has also been in touch with the Browns Creek Watershed District (BCWD) who has indicated their preference to locate the new accessory building as far away from the existing wetland complex as possible to protect the water quality. *Given the presence of the wetlands, the sloping topography and the location of the existing driveway and principal structure the proposed location of the new accessory structure seems like the only reasonable location available to site the building.*

### Setbacks

The Applicants are requesting relief from the City’s front yard setback requirements to permit them to construct a new accessory structure that encroaches into the setback. The following definition of “Setback” can be found in Section 32-1 Definitions, and is provided for your review and consideration when considering this request:

*Setback means the minimum horizontal distance between a structure and street right-of-way, lot line or other reference point as provided by ordinance. Distances are to be measured perpendicularly from the property line to the most outwardly extended portion of the structure.*

Setback can apply to front, rear and side yards as well as setbacks from other features on site such as wetlands, waterbodies, septic systems and wells. The Applicants’ materials specifically requested a variance from the front yard setback, which as indicated on the table on the previous page, requires all structures to be setback a minimum of 65-feet from the right-of-way line. As indicated on the Certificate of Survey the proposed location of the new Accessory Structure would be setback only 23.8-feet from the right-of-way line on Lansing Avenue. The proposed location of the new Accessory Structure would meet all other lot-line setback requirements (side yards and rear yard).

In addition to the Applicants’ identified requested variance, staff has also identified the potential encroachment of the new structure into the city’s required wetland setback. The following summary of this issue is provided:

### Wetland Setbacks





As previously described, the City’s ordinance provides dimensional standards and requirements from lot lines, but also setbacks from wetlands. As shown on the Certificate of Survey prepared by Cornerstone Land Surveying, there is a significant wetland complex located on the subject property. The wetland areas were not formally delineated; however, the survey identifies the approximate wetland location based on an aerial photo analysis. As shown on the table on the previous page, there is a 50-foot buffer around all Type 3, 4 and 5 wetlands, with an additional 10-foot structural setback from the buffer area. As shown on the Detail drawing submitted on the Certificate of Survey, the proposed structure would encroach into the wetland buffer and would fail to meet the structural setback from the wetland buffer. As drawn, it appears that the new structure would encroach approximately 5-10’ into the wetland buffer, and would encroach 10-feet into the structural setback.

It should be noted that because a wetland delineation was not completed to determine the wetland boundary, it is not possible to determine the exact extent of the encroachment. However, staff is confident that the proposed location would encroach into the setbacks, and therefore, would require additional variances to construct the garage in the proposed location.

The following table summarizes the requested variances, and also notes whether the request was made by the Applicants or identified by the staff through this review process.

Requested Variances

See Attachment B for Certificate of Survey for corresponding drawing:

Standard	Required	Proposed	Variance	Description
Front Yard Setback	65’	23.8’	41.2’	The current home is located in the west central portion of the site, and the proposed Accessory Structure would be accessed from the existing driveway. The area with the existing home is the natural high point on the site. (APPLICANT)
Wetland Buffer	50’	40-45’ (+/-)	5-10’ +/-	There is a large wetland located to the east and south of the existing principal structure. The location of the new garage appears to encroach into the required wetland buffer. A wetland delineation was not completed to determine the full extent of the encroachment. (STAFF)
Structural Setback from Wetland Buffer	10’	0’	10’	The proposed structure would encroach fully into the structural setback area, as well as extend into the wetland buffer. (STAFF)

Analysis of Variance from Front Yard Setback

The request for a variance from front yard setback seems reasonable given the site constraints as described in the Applicants’ narrative, the comments of the BCWD and as demonstrated on the Certificate of Survey. Based on the submitted information, the site has natural physical constraints due to the presence of the wetlands and the sloping topography. Further, the buildable area is reduced by the presence of right-of-way



on the western property line (Lansing Ave) and on the southern property line (Highway 96). Based on the physical constraints on the buildable area of the property, there does not appear to be a location on site where the Accessory Structure could be constructed and meet all setback requirements.

#### Analysis of Variance from Wetland Setbacks

While the Applicants did not request a variance from the wetland buffer setback and structural setback from wetland buffer, it is clear from the Certificate of Survey that the proposed location does not meet these setbacks. Staff would make the following notes regarding the wetland setback issues:

- If the desired and optimum location for the accessory building is to the south of the existing home, there does not appear to be a location that would meet the wetland buffer setbacks. This area is naturally constrained by the existing home, the configuration of the existing driveway and the wetlands.
- If this is the desired location, then staff would recommend a boundary determination of the wetland edge closest to the proposed Accessory Structure Location be performed to identify with more accuracy the extent of the encroachment, and to determine if the building could be shifted and/or the orientation changed slightly to reduce/minimize the encroachment.
- Once the wetland edge is identified, staff would recommend that the affected buffer area (or the quantity of encroachment square footage) be 'averaged' and added to other areas along the wetland edge as permitted by ordinance.

If the Planning Commission agrees with this approach, staff would recommend including these steps/standards as conditions of approval. If conversely the Planning Commission thinks that additional information regarding the wetland edge is necessary to determine the extent of the encroachment, the Planning Commission could request that this information be submitted prior to making a recommendation to the City Council. Staff would request the Planning Commission discuss the wetland setback issue and the approach at the meeting and provide direction to the staff.

#### **Accessory Buildings**

Section 32-313 regulates accessory buildings quantity and size. The proposed structure is defined within this section of the ordinance as a "*Detached residential accessory building* means an accessory building used or intended for the storage of motor driven passenger vehicles, hobby tools, garden equipment, workshop equipment, etc., with a maximum gross area regulated in subsection (b) of this section."

Subsection (b)(2)(e) Parcels between 9.6 and 14.99 acres allows a maximum combined square footage of 3,500 square feet and up to four (4) accessory buildings. There are no other accessory buildings on site, and the proposed detached garage is approximately 24'x24' with a total square footage of 576 SF. As proposed, the building meets the City's Ordinance requirements for square footage.



With respect to the proposed location of the Accessory Structure, Subsection (i)(2) States that “A detached garage or other accessory building which is less than 300 feet from the front lot line and in front of the principal structure on the lot may be constructed after the issuance of a certificate of compliance, provided that the detached garage or accessory building meets the following requirements:

- a. The detached garage or accessory building meets the setback requirements of the underlying zoning district; and
- b. The exterior of the detached garage or other accessory building is consistent with the design and character of the principal structure on the lot on the effective date of the ordinance from which this article is derived; and
- c. The applicant is issued a building permit for the detached garage or accessory building if one is required.

As stated within this staff report, since the proposed Accessory Structure does not meet the front yard setback a variance is required, which overrides subsection (a) above, and thus results in the Applicants’ request for a variance. If a variance is recommended for approval by the Planning Commission, they could also recommend that the Certificate of Compliance (COC) be waived since this process will include reasonable conditions that would be redundant to those that would likely be included in a COC.

If the Planning Commission recommends waiving the COC, staff would suggest that the variance include a condition that addresses subsection (b) above. Since the proposed Accessory Structure is located in front of the Principal Structure and is located closer to the road than 300-feet staff still believes it is important for the exterior of the structure be consistent with the design and character of the principal structure. While the Applicants did include an elevation of the proposed Accessory Structure, the elevation did not include a description of how it complies with the standard that it be consistent in color and character to the Principal Structure (house).

### **Engineering Standards**

The City Engineer has reviewed the attached Certificate of Survey and has no comments at this time. The City Engineer would recommend including a condition that the Applicant be required to obtain a grading permit prior to commencement of any site work, if applicable.

### **Other Agency Review**

The site is located in the Browns Creek Watershed District (BCWD). Per the correspondence provided with the Application and found in Attachment A, if the proposed project remains below their thresholds for fill/grading and size no BCWD permits are required for construction. Staff would recommend including in any condition of approval that the applicant is responsible to acquire any necessary permits from the BCWD, and should be aware that they are subject to the review if the project’s parameters should change as full grading plans are developed.



**Action requested:**

Staff has prepared a draft resolution of approval with conditions, as directed by the Planning Commission, for your review and consideration.

*Attachments*

Attachment A: Application and Applicant's Narrative (5/18/2017)

Attachment B: Certificate of Survey dated 5/8/2017

Attachment C: Draft Resolution 2017-14

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



ka 5/18/17 \$3400.00

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

Application Date:	
Fee: \$400	Escrow: \$3,000

Check # 8944

## VARIANCE REQUEST

In certain cases a variance from the strict enforcement and adherence to the zoning ordinance may not be possible due to practical difficulties associated with a property. A practical difficulty means that the proposed use of the property and associated structures in question cannot be established under the conditions allowed by the zoning ordinance and that no other reasonable alternate use exists. The following application is provided for such circumstances and will be determined by the Board of Adjustment for the City of Grant.

<b>PARCEL IDENTIFICATION NO (PIN):</b> <b>LEGAL DESCRIPTION:</b> See Attached		<b>ZONING DISTRICT &amp; COMP PLAN LAND USE:</b>  <b>LOT SIZE:</b> 10 acres / A2
<b>PROJECT ADDRESS:</b> 9051 Lansing Ave N Stillwater MN 55082	<b>OWNER:</b> Name: Jon & Michelle Weaver Address: Same as project Address City, State: ↓ Phone: 651-430-0499 / 651-485-7912 Email: jweaver@bellbanks.com	<b>APPLICANT (IF DIFFERENT THAN OWNER):</b>
<b>BRIEF DESCRIPTION OF REQUEST:</b> Variance Request to Build Garage		
<b>EXISTING SITE CONDITIONS:</b> 10 Acre Lot. Deep Slopes & wetland No other area to build garage		
<b>APPLICABLE ZONING CODE SECTION(S):</b> Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Chapter 32, Sec. 32-60. Variances.		

### 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"/>	<b>Site Plan:</b> All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow <ul style="list-style-type: none"> <li>▪ Property dimensions</li> <li>▪ Area in acres and square feet</li> <li>▪ Setbacks</li> <li>▪ Location of existing and proposed buildings (including footprint, and dimensions to lot lines)</li> <li>▪ Location of current and proposed curb cuts, driveways and access roads</li> <li>▪ Sanitary sewer (septic) and water utility plans</li> <li>▪ Location of well and septic systems on adjacent properties</li> <li>▪ Location of wetlands and other natural features</li> <li>▪ Existing and proposed parking (if applicable)</li> <li>▪ Off-street loading areas (if applicable)</li> <li>▪ Existing and proposed sidewalks and trails</li> </ul>
COPIES: 1 plan at 22"x34", 12 plans at 11"x17" (half scale)		

Application for: VARIANCE  
City of Grant

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>Architectural/Building Plan (if Applicable):</b> All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow</p> <ul style="list-style-type: none"> <li>▪ Location of proposed buildings and their size including dimensions and total square footage</li> <li>▪ Proposed floor plans</li> <li>▪ Proposed elevations</li> <li>▪ Description of building use</li> </ul> <p>COPIES: 1 plan set 22"x34", 12 plan sets 11"x17" (half scale)</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><b>Written Narrative:</b> Describe your request and the practical difficulties that are present on the site and why a Variance is sought.</p> <p>COPIES: 15</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Statement acknowledging that you have contacted other governmental agencies such as Watershed Districts, County departments, State agencies, or others that may have jurisdiction over your project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mailing labels with names and address of property owners within ¼ mile (1,320 feet). Contact Washington County to obtain list/labels.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paid Application Fee: \$400
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Escrow Paid: \$3,000

MATERIALS THAT MAY BE REQUIRED UPON THE REQUEST OF THE CITY PLANNER

<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Survey of the property:</b> An official survey, by a licensed surveyor, must be submitted with the application. The survey shall be scalable and in an 11" x 17" format.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Wetland Delineation:</b> A wetland delineation may be necessary depending on the reason for the variance, and stated site constraints.</p>
<input type="checkbox"/>	<input type="checkbox"/>	Electronic copy of all submittal documents

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.

Michelle Weaney  
Signature of Applicant

5/18/17  
Date

\_\_\_\_\_  
Signature of Owner (if different than applicant)

\_\_\_\_\_  
Date

LEGAL DESCRIPTION :

PT SE1/4-SW1/4 SD SEC 13 DESC AS FOLL:COM @ S 1/4 COR SD SEC THN N ALG N & S 1/4 LN FOR 703.8FT THN  
W 772.6FT TO C/L TOWN RD THN SELY ALG SD C/L 774.98FT TO S LN SD SEC THN E ALG S LN SD SEC FOR 456FT  
TO POB SECTION 13 TOWNSHIP 030 RANGE 021

## Administrator/Clerk

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**From:** Michelle <michelle@cityofgrant.com>  
**Sent:** Thursday, May 18, 2017 11:00 AM  
**To:** clerk@cityofgrant.com  
**Subject:** New garage build on 9051 Lansing Ave No.

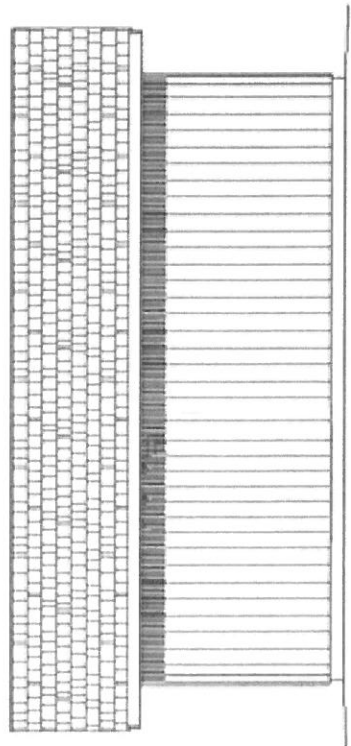
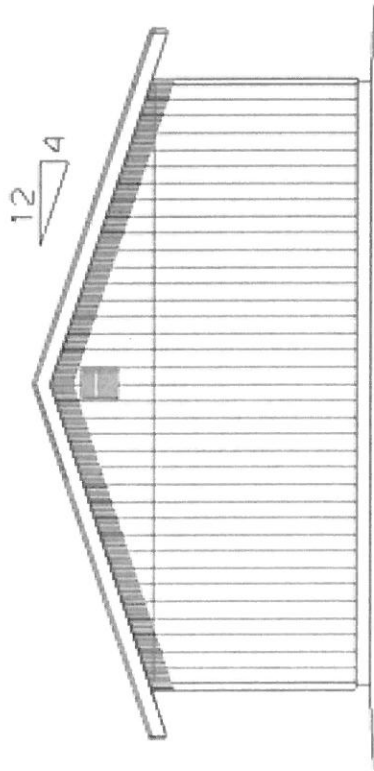
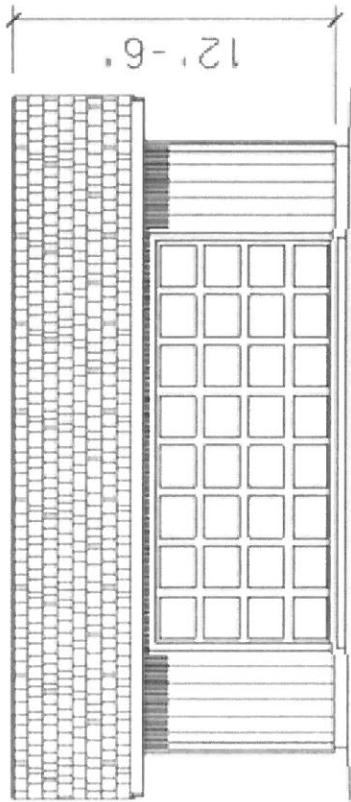
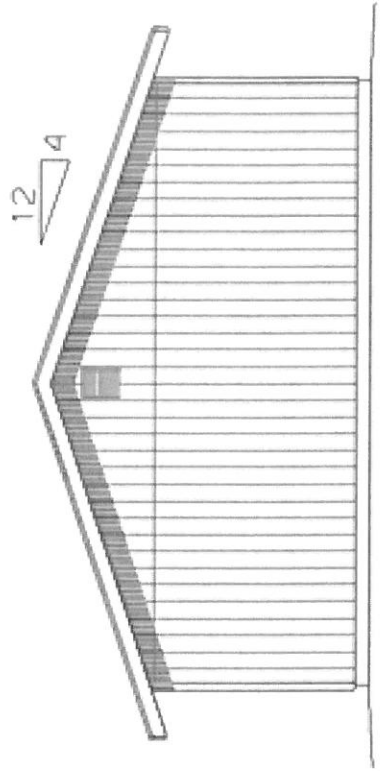
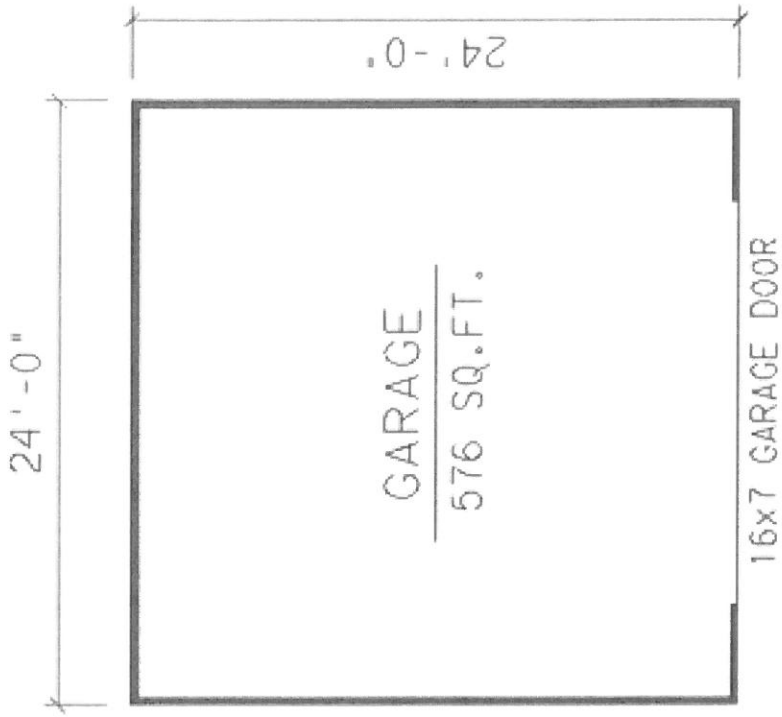
Grant City Council –

We were hoping to build a new 2 car garage on our property located at 9051 Lansing Ave North in the city of Grant. The garage is 24x24 with a poured wall & a block foundation. There will be minimal ground movement on the site because of the concrete wall and the span Crete floor.

The proposed location of the garage does not meet the road setbacks, therefore we are requesting a variance due to the topography of our property. There is no other location to build a garage.

Sincerely,  
Jon & Michelle Weaver  
9051 Lansing Ave N  
Grant, MN 55082





**CITY OF GRANT, MINNESOTA  
RESOLUTION NO. 2017-14**

**RESOLUTION APPROVING A VARIANCE FROM FRONT YARD SETBACKS,  
WETLAND BUFFER SETBACKS AND STRUCTURAL SETBACK FROM A  
WETLAND BUFFER TO CONSTRUCT AN ACCESSORY STRUCTURE LOCATED AT  
9051 LANSING AVENUE NORTH, GRANT, MN**

**WHEREAS**, Jon and Michelle Weaver (“Applicant”) has submitted an application for a variance from the required front yard setback to construct a new accessory structure located at 9051 Lansing Avenue North, in the City of Grant, Minnesota; and

**WHEREAS**, the parcel is a corner lot with dedicated right-of-way easements along the westerly and southerly property lines that are unbuildable; and

**WHEREAS**, the subject parcel has significant sloping topography from the west to east limiting the upland area on the lot; and

**WHEREAS**, there are wetlands on the site as identified on the National Wetland Inventory that are not buildable and limit the area in which any structures could be constructed; and

**WHEREAS**, there are no reasonable locations on the parcel that would be outside of all applicable yard and wetland buffer setbacks to construct an accessory structure that are accessible; and

**WHEREAS**, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on June 20, 2017, and subsequently recommended that the City Council approve the Applicant’s requested variance and staff’s identified variances with conditions.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA**, that it does hereby approve the request of Jon and Michelle Weaver, based upon the following findings pursuant to Section 32-59 and 32-60 of the City’s Zoning Ordinance which provides that a Variance may be granted if a hardship is demonstrated. The City Council’s Findings relating to the standards are as follows:

- The buildable area on the subject property is constrained by natural features including a large wetland and significant sloping topography.
- There is a significant area of land, which would otherwise be buildable, in the designated right-of-way for both Lansing Avenue and Dellwood Road North (Highway 96) which further constrains where any lot improvements could be located.
- The site constraints on site are not self-created, are the result of the natural landscape or are associated with a public improvement.

**FURTHER BE IT RESOLVED**, that the following conditions of approval of the Variances shall be met:

- The Applicant shall submit description of how the proposed Accessory Structure is consistent in character and color to the principal structure.
- The Applicant shall acquire a wetland edge determination (wetland boundary) for that portion of wetland closest to the Accessory Structure to determine the square footage affected by the encroachment.
- After the wetland edge is identified, the amount of wetland buffer impact shall be determined. The impacted wetland buffer area shall be averaged, and that portion which is impacted should be mitigated with additional protected buffer area on site.
- The additional buffer (averaged area) should be placed into an easement that shall be identified on an updated Certificate of Survey, or on a separate exhibit, which shall be recorded with the property and the approved variance.
- A building permit should be obtained prior to any site work being completed.
- A grading permit should be obtained from the City Engineer, if applicable.
- The Applicant shall be responsible for obtaining any required permits from Browns Creek Watershed District (BCWD).
- The Applicant shall obtain all necessary permits and approvals from any other regulatory agency, including, but not limited the BCWD, which may have authority over the construction of the new accessory structure.

Adopted by the Grant City Council this 29<sup>th</sup> day of June 2017.

\_\_\_\_\_  
Jeff Huber, Mayor

State of Minnesota            )  
  ) ss.

County of Washington )

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on \_\_\_\_\_, 2017 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this \_\_\_\_ day of \_\_\_\_\_, 2017.

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Kim Points  
Clerk  
City of Grant

## City Council report for May 2017

Date: June 17, 2017

To: Honorable Mayor & City Council Members

From: Jack Kramer Building Official

### Zoning Enforcement:

1. Mr. James Fehling 10100-65<sup>th</sup>.St. N. Violation of the City of Grant Zoning Ordinance Section 32-320 Reasonable Maintenance Required.

a. The City received a formal complaint that Mr. Fehling has old wood (green treated), trash bags with leaves stored along the West Property line. Upon inspection of the property the complaint is valid.

I sent a letter to Mr. Fehling on May 20<sup>th</sup> advising him of the violation. I will re-inspect the property within the next fifteen days to verify compliance.

2. Ms. Helen Resong 8177 Jocelyn Ln. N. Violation of the City of Grant Zoning Ordinance Section 12-20 Movable Property declared a Public Nuisance and Section 32-320 Reasonable Maintenance required & Section 32-316 Exterior (B),(C),(D).

a. The City received a formal complaint that Ms. Resong has stored excessive outside storage located in the front yard of the property. Ms. Resong is a repeat offender and considered a Hoarder by the Washington County Public Health Dept.

I sent a letter April 17<sup>th</sup>, 2017 to Ms. Resong indicating a repeat violation. I have been monitoring the property for abatement and Ms. Resong is in the process of clean-up. I will observe the continuing clean-up progress.

3. Mr. Gene Anderson 8275-114<sup>th</sup>. St N. Violation of the City of Grant Zoning Ordinance Section 32-184 Driveway Access Permit.

a. The City received a formal complaint that Mr. Anderson installed a driveway access to his property without having an approved Driveway Access Permit. I sent a letter to Mr. Anderson on June 11<sup>th</sup>, 2017 and have been in contact with Mr. Anderson, he will be making application for the driveway access.

### Building Permit Activity:

Twenty Three (23) Building Permits have been issued for a total of \$ 345,399.00

Respectfully submitted,

Jack Kramer Building Official

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

Respectfully submitted,

Grant Master Form										
Permit	Permit Type	Name	Project Address	Date Issued	Valuation:	City Fee:	75%	Plan CK Fee:	Surcharge	
2017-95	HVAC	Husnick Homes	6780 Lake Elmo Ave	5/19/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-96	Re-Roof	Derosier	10596 - 83rd. St.	5/24/2017	\$ 8,000.00	\$ 153.25	\$ 114.93	\$ -	\$ 4.00	
2017-97	HVAC	Husnick Homes	6780 Lake Elmo Ave	5/25/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-98	Plumbing	Vujovich	8860 Kimbro Ave. N	5/25/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-99	Re-Roof	Rumquist	7145-115th, St.N.	5/26/2017	\$ 27,900.00	\$ 443.75	\$ 332.81	\$ -	\$ 13.95	
2017-100	Re-Roof	Seanger	8838 Jamaca Ave. N	5/26/2017	\$ 7,947.00	\$ 153.25	\$ 114.93	\$ -	\$ 3.97	
2017-101	Plumbing	Lindgren	9370 Jasmine Ave. N	5/27/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-102	Shed	Wieland	6950 manning Ave.N	5/30/2017	\$ 5,350.00	\$ 125.25	\$ 93.93	\$ -	\$ 2.67	
2017-103	HVAC	Schulte	9785 Justen Trail N.	5/30/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-104	HVAC	Weber	9718-83rd. St. N.	5/30/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-105	Re-Roof	Appledorm	10055 hadley Ave. N	5/31/2017	\$ 13,000.00	\$ 222.90	\$ 167.17	\$ -	\$ 6.50	
2017-106	Re-Roof	Monson	7330-101st. St. N.	6/1/2017	\$ 20,000.00	\$ 321.25	\$ 240.93	\$ -	\$ 10.00	
2017-107	Re-Roof	Bigalke	11395 Irish Ave. N.	6/1/2017	\$ 19,800.00	\$ 321.25	\$ 240.93	\$ -	\$ 9.90	
2017-108	Windows	Renewal	10980 Inwood Ave.N	6/1/2017	\$ 18,682.00	\$ 238.00	\$ 178.50	\$ -	\$ 9.34	
2017-109	Gar. Court	Olson	9535 Joliet Ave. N.	6/2/2017	\$ 119,120.00	\$ 1,105.75	\$ 829.31	\$ 718.73	\$ 59.56	
2017-110	HVAC	James	8668 Jamaca Ave. N	6/2/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-111	HVAC	Hamel	8205-114th. St. N	6/3/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-112	Plumbing	Hamel	8205-114th. St. N	6/3/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-113	Re-Roof	Ozzello	8967 Joliet Ave. N.	6/8/2017	\$ 24,000.00	\$ 377.25	\$ 282.93	\$ -	\$ 12.00	
2017-114	Deck	Borelli	10940-105th. St.N.	6/10/2017	\$ 3,600.00	\$ 97.25	\$ 72.93	\$ -	\$ 1.80	
2017-115	Chimney Rep.	Munson	7330-101st. St. N.	6/12/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-116	Gas Line	Couture	10220 Jamaca Ave.	6/13/2017	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2017-117	Pole Barn Add	Hoban	9099 Justen Trail N.	6/14/2017	\$ 78,000.00	\$ 839.75	\$ 629.81	\$ 545.83	\$ 39.00	
Monthly total						\$ 345,399.00	\$ 5,278.90	\$ 3,959.11	\$ 1,264.56	\$ 183.69