

**City of Grant
City Council Agenda
June 5, 2018**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, June 5, 2018, 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. May 1, 2018 City Council Meeting Minutes
- B. May 2018 Bill List, \$60,938.36
- C. Brochman Blacktopping, \$21,075.31
- D. 2018 Dust Control, Low Bid, Envirotech, \$0.869 Per Unit
- E. Kline Bros. Excavating, Road Work, \$28,945.00

5. **STAFF AGENDA ITEMS**
 - A. City Engineer, Brad Reifsteck (no action items)
 - B. City Planner, Jennifer Haskamp
 - i. Consideration of Resolution No. 2018-10, Conditional Use Permit Application, 9080 Justen Trail North
 - C. City Attorney, Dave Snyder (no action items)
6. **NEW BUSINESS**
 - A. Consideration of Jeff Schafer for Fire Warden Appointment, Administrator/Clerk
 - B. Acceptance of 2017 Audit Report, City Treasurer
7. **UNFINISHED BUSINESS**
8. **DISCUSSION ITEMS** (no action taken)
 - A. Staff Updates (updates from Staff, no action taken)
 - B. City Council Reports/Future Agenda Items
9. **COMMUNITY CALENDAR JUNE 8 THROUGH JUNE 30 2018:**

Mahtomedi Public Schools Board Meeting, Thursday, June 14th and 28th, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, June 14th, Stillwater City Hall, 7:00 p.m.

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

July City Council Meeting, Thursday, June 28, 2018, Town Hall, 7:00 p.m.
10. **ADJOURNMENT**

CITY OF GRANT
MINUTES

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DATE	: May 1, 2018
TIME STARTED	: 7:00 p.m.
TIME ENDED	: 8:49 p.m.
MEMBERS PRESENT	: Councilmember Carr, Kaup, Sederstrom Lanoux and Mayor Huber
MEMBERS ABSENT	: None

Staff members present: City Attorney, Dave Snyder; City Treasurer, Sharon Schwarze; and Administrator/Clerk, Kim Points

CALL TO ORDER

The meeting was called to order at 7:00 p.m.

PUBLIC INPUT

Mr. Bob Tufty, 6365 Jasmine Avenue, came forward and announced there is a burn ban on for approximately one month.

Mr. Len Volin, 9950 83rd Street N, came forward and explained the problems relating to dust control within the City of Grant.

City Attorney Snyder requested a five minute recess at 7:08 p.m.

Mayor Huber called the meeting back to order at 7:13 p.m.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Council Member Lanoux made a motion. Council Member Sederstrom seconded the motion.

City Attorney Snyder advised a new policy was adopted last month in an effort to keep order and the motion and second were out of order and will not be considered.

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	April 3, 2018 City Council Meeting Minutes	Approved
2		
3	April 2018 Bill List, \$66,473.49	Approved
4		
5	Cooperative Agreement, Traffic Signal at	
6	CSAH 15 and Liberty Avenue	Approved
7		
8	Cooperative Agreement, Traffic Signal at	
9	CSAH 15 and CSAH 12	Approved
10	Cooperative Agreement, Traffic Signal at	
11	CSAH 15 and Settlers Way	Approved
12		

13 **Council Member Lanoux moved to approve the consent agenda with removing the April 3, 2018**
14 **City Council Meeting Minutes, April 2018 Bill List and Cooperative Agreement, Traffic Signal**
15 **at CSAH 15 and Settlers Way. Motion failed with Council Members Carr, Kaup and Mayor**
16 **Huber voting nay.**

17
18 **Council Member Carr moved to approve the consent agenda, as presented. Council Member**
19 **Kaup seconded the motion. Motion carried with Council Member Lanoux and Sederstrom**
20 **voting nay.**

21
22 **STAFF AGENDA ITEMS**

23
24 **City Engineer, Brad Reifsteck**

25
26 **Consideration of Resolution No. 2018-08, Accepting Bids and Awarding Construction Contract**
27 **for the 65th Street Roadway Improvements** – City Engineer Reifsteck advised that following public
28 hearing, the City Council ordered the public improvements included in the project in the project area
29 at the September 5, 2017 regular Council Meeting.

30
31 The attached letter of recommendation and bid tabulation summary indicates the recommended low
32 bidder as North Valley, Inc. of Nowthen, MN with a grand total bid of \$41,287.36 or approximately
33 8% below the construction estimate of \$44,777.00.

34
35 The improvements are anticipated to be funded by special assessments to benefitting properties, in
36 accordance with the Assessment Policy, adopted by City Council.

37
38 For projects that will contain special assessments, such as the assessments for roadway reconstruction
39 and street reconstruction improvement projects, as required by Minnesota State Statute, Chapter 429
40 and consistent with the Assessment Policy, an Assessment Hearing will need to be held to consider
41 the adoption of assessments. This hearing is proposed to be held at the August 7, 2018 City Council
42 meeting.

43

1 Final project cost will be declared once project construction is completed. Final project completion
2 date is scheduled for June 30, 2018. Adopt final assessment amount at regular council meeting on
3 August 7, 2018.

4
5 **Council Member Carr moved to adopt Resolution No. 2018-08, as presented. Council Member**
6 **Kaup seconded the motion. Motion carried unanimously.**

7
8 **Consideration of 2018 Roadway Maintenance, Authorization for Bids** – City Engineer Reifsteck
9 advised the following streets have been identified in the City’s adopted Seal Coat / Roadway
10 Maintenance Plan for work in 2018:

- 11
12 • 107th Street (Jamaca to Joliet)
13 • Jody Avenue, CT, CIR (West of Joliet)
14 • Justen Trl (Hwy 96 to Joliet)
15 • 96th Street / Janero Ct (East and West of Justen Trl)
16 • Grenelefe Ave (South of 117th St)

17
18 This year’s project will include a combination of patching and seal coating.

19
20 The Seal Coat/Roadway maintenance plan allows the City to give residents an opportunity to utilize
21 money for a larger rehabilitation or overlay project. By notifying residents that their road is scheduled
22 for maintenance, residents would have the ability to petition the city for a project and supplement the
23 cost partially with City funding already designated for use. A standard letter will be mailed to the
24 property owners along each roadway. Letters will be sent by the end of May and will request resident
25 feedback by the end of June.

26
27 If the city elects to move forward with the planned patching, Brochman Blacktopping is already under
28 contract for the city’s patching work and is prepared to complete the work. The seal coat work will
29 be solicited for quotes by at least three contractors that have previously done work for the City.

30
31 The Estimated cost for 2018 Roadway Maintenance is \$69,498. The 5 year Seal Coat/Roadway
32 Maintenance Plan is attached for review. The 2018 Budget is 68,000.

33
34 **Council Member Kaup moved to authorize advertisement for bids, 2018 Roadway**
35 **Maintenance, as presented. Council Member Carr seconded the motion. Motion carried with**
36 **Council Member Lanoux voting nay.**

37
38 **Consideration of 2018 Special Roads Projects** – City Engineer Reifsteck advised the following
39 projects have been identified by Staff for the City’s special roadway project for 2018:

- 40
41 • Wetland fill & guardrail installation Keats Avenue
42 • Wetland fill & guardrail installation Jocelyn Road
43 • Keats Avenue (just south of 65th Street to 67th Street)

1 Keats Ave and Jocelyn Road were raised approximately 2 feet last year to minimize future roadway
2 flooding. As part of these on-going improvements it is recommended by staff to soften the slopes
3 adjacent to the roadway and install guardrails to protect vehicles from the steep slopes and existing
4 wetlands.

5
6 Plate beam guardrails will be installed along these sections of roadways due to its sharp curvature.
7

8 The approximate cost for this project is \$70,000.
9

10 Over the last few years the City has made improvements to the paved section of Keats Avenue
11 between Hwy 36 to just south of 65th Street. City staff is recommending completing the remaining
12 paved section of Keats Avenue from just south of 65th Street to 67th Street.
13

14 The approximate cost for this project is \$45,000.
15

16 The total estimated cost for this year's special roads project is \$115,000. The special Roadway budget
17 is \$129,000.
18

19 **Council Member Carr moved to authorize advertisement for bids, 2018 Special Roads**
20 **Projects, as presented. Council Member Kaup seconded the motion. Motion carried**
21 **unanimously.**
22

23 **Consideration of CSAH 15 & 80th Street Cooperative Agreement** – City Engineer Reifsteck
24 advised a cooperative agreement between the City of Grant, Stillwater and Washington County is
25 required for this signal. The cooperative agreement establishes the maintenance responsibilities
26 between all parties.
27

28 The monthly electrical service expenses necessary to operate the traffic control Signal system and
29 integral streetlights, including the cost of establishing and perpetuating a connection to the electrical
30 grid and subsequent ongoing electrical service expenses, shall be paid as follows:
31

- 32 • 50% of electrical expenses shall be paid by Stillwater
- 33 • 50% of electrical expenses shall be paid by Grant.
- 34 • Stillwater shall receive and pay all such invoices and invoice Grant semi-annually.
35

36 The annual cost for this signal to the City of Grant is approximate \$300.00
37

38 The County is accepting all other cost responsibilities for this signal.
39

40 **Council Member Kaup moved to approve CSAH 15 & 80th Street Cooperative Agreement, as**
41 **presented. Council Member Carr seconded the motion. Motion carried unanimously.**
42
43
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45

1 **City Planner, Jennifer Swanson (no action items)**

2
3 **City Attorney, Dave Snyder (no action items)**

4
5 **NEW BUSINESS**

6
7 **Consideration of IT Policy Revision, Administrator/Clerk** – Administrator/Clerk advised the City
8 Auditor has a recommended change to the Grant IT Policy relating to the changing of passwords.
9 Section 15, Passwords, states “The changing of passwords is up to the discretion of each employee
10 and must be documented”.

11
12 The proposed revision will state “The changing of passwords will be conducted at a minimum of
13 every month”.

14
15 **Council Member Carr moved to approve IT Policy Revision, as presented. Council Member**
16 **Kaup seconded the motion. Motino carried unanimously.**

17
18 **Consideration of Policy Procedure Revision, Administrator/Clerk** – Administrator/Clerk advised
19 At the April, 2018 City Council meeting the Council suggested a revision to the City of Grant Policy
20 and Procedure Manual relating to City Council meeting agenda items.

21
22 Included in the packets is a draft language revision to Section 2, Item C, Addition of Agenda Items
23 clarifying the policy relating to the addition of agenda items.

24
25 **Council Member Carr moved approve Policy Procedure Revision, as presented. Council**
26 **Member Kaup seconded the motion. Motion carried with Council Member Lanoux and**
27 **Sederstrom voting nay.**

28
29 **Consideration of Resolution No. 2018-09, Extension of Comprehensive Plan,**
30 **Administrator/Clerk** – Administrator/Clerk advised the City is requesting a three month extension
31 for submittal of the Comprehensive Plan Updates.

32
33 **Council Member Lanoux moved to approve a steering committee within the City of Grant to**
34 **work on the Comprehensive Plan and meet at Town Hall. Council Member Sederstrom**
35 **seconded the motion. Motion failed with Council Member Carr, Kaup and Mayor Huber**
36 **voting nay.**

37
38 **Council Member Carr moved to adopt Resolution No. 2018-09, as presented. Council Member**
39 **Kaup seconded the motion. Motion carried unanimously.**

40
41 **UNFINISHED BUSINESS**

42
43 There was no unfinished business.

44 **DISCUSSION ITEMS (no action taken)**

1 **Staff Updates (updates from Staff, no action taken)**

2
3 There were no staff updates.

4
5 **City Council Reports/Future Agenda Items**

6
7 **Burn Ban – approximately for the month of May.**

8
9 **City Clean Up Day very successful in spite of the snow in the ditches.**

10
11 **No future agenda items were determined.**

12
13 **COMMUNITY CALENDAR MAY 2 THROUGH MAY 31, 2018:**

14 **Mahtomedi Public Schools Board Meeting, Thursday, May 10th and 24th Mahtomedi District**
15 **Education Center, 7:00 p.m.**

16 **Stillwater Public Schools Board Meeting, Thursday, May 10th, Stillwater City Hall, 7:00 p.m.**

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

18
19 **ADJOURNMENT**

20
21 **Council Member Carr moved to adjourn the meeting at 8:49 pm. Council Member Kaup**
22 **seconded the motion. Motion carried unanimously.**

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28
29 These minutes were considered and approved at the regular Council Meeting June 5, 2018.

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34 _____
35 Kim Points, Administrator/Clerk

36 _____
Jeff Huber, Mayor

Fund Name: All Funds

Date Range: 05/01/2018 To 05/29/2018

<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>
05/29/2018	Washington County Transportation	13751	Snow and Ice Control Inv #140273	N	Snow & Ice Removal	100-43113-210-	\$ 982.07
	Total For Check	13751					\$ 982.07
05/29/2018	ADT Security Services	13752	Annual Service Charge	N	Town Hall Maintenance	100-43003-300-	\$ 676.08
	Total For Check	13752					\$ 676.08
05/29/2018	Brochman Blacktopping Co.	13753	Patching	N	Pothole Repairs	100-43109-300-	\$ 21,075.31
	Total For Check	13753					\$ 21,075.31
05/29/2018	Richard Lennartson	13754	Mailbox Replacement	N	Miscellaneous Expenses	100-41306-220-	\$ 50.00
	Total For Check	13754					\$ 50.00
05/29/2018	Marty Bode, MCFOA Treasurer	13755	Membership Dues	N	LMC Dues	100-41304-310-	\$ 50.00
	Total For Check	13755					\$ 50.00
05/29/2018	Press Publications	13756	Publishing	N	Publishing Costs	100-41308-351-	\$ 52.65
		13756			Petitioned - 65th Street	100-43172-351-	\$ 94.77
		13756			Escrow	936-49320-351-	\$ 41.38
	Total For Check	13756					\$ 188.80
05/29/2018	KEJ Enterprises	13757	May 2018 Road Contractor	N	Animal Control	100-42006-300-	\$ 83.00
		13757			Town Hall Mowing	100-43006-300-	\$ 125.00
		13757			Ball Field Maintenance	100-43009-300-	\$ 125.00
		13757			Road Engineering Fees	100-43102-300-	\$ 166.14
		13757			Road Garbage Removal	100-43105-300-	\$ 167.00
		13757			Gravel Road Costs	100-43106-300-	\$ 20.84
		13757			Magnesium Chloride	100-43107-300-	\$ 41.67
		13757			Road Sign Replacement	100-43110-300-	\$ 83.84
		13757			Culvert Repair	100-43111-300-	\$ 20.84
		13757			Snow & Ice Removal	100-43113-300-	\$ 5,416.67
		13757			Road Brushing	100-43114-300-	\$ 2,250.00
		13757			Road Side Mowing	100-43115-300-	\$ 500.00
	Total For Check	13757					\$ 9,000.00
05/29/2018	Croix Valley Inspector	13758	Building Inspector	N	Building Inspection	100-42004-300-	\$ 5,138.99
	Total For Check	13758					\$ 5,138.99
05/29/2018	Johnson Turner Legal	13759	April Billing	N	Legal Fees - General	100-41204-301-	\$ 2,011.00
		13759			Legal Fees - Complaints	100-41205-301-	\$ 864.00
		13759			Legal Fees - Prosecutions	100-41206-301-	\$ 1,700.00
		13759			Escrow	916-49320-301-	\$ 72.00

Fund Name: All Funds

Date Range: 05/01/2018 To 05/29/2018

<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>
		13759				922-49320-301-	\$ 1,064.00
		13759					\$ 5,711.00
05/29/2018	WSB & Associates	13760	Engineering	N	Engineering Fees - General	100-41203-300-	\$ 1,676.00
		13760			MS4	100-43118-300-	\$ 184.00
		13760			Special Road Projects	100-43128-300-	\$ 2,844.00
		13760			Utility/ROW Permits	100-43132-300-	\$ 240.00
		13760			Petitioned - 65th Street	100-43172-300-	\$ 2,577.00
		13760			Escrow	922-49320-300-	\$ 3,234.00
		13760					\$ 10,755.00
05/29/2018	Sprint	13761	City Cell Phone	N	Road Expenses - Other	100-43116-321-	\$ 47.77
		13761					\$ 47.77
05/29/2018	PERA	13762	PERA	N	Clerk PERA	100-41102-120-	\$ 376.77
		13762			Clerk PERA Withholding	100-41108-100-	\$ 326.53
		13762					\$ 703.30
05/29/2018	Kline Bros Excavating	13763	Road Maintenance	N	Grader Contractor	100-43101-301-	\$ 11,200.00
		13763			Gravel Road Costs	100-43106-301-	\$ 5,415.00
		13763			Ditch Repair	100-43133-220-	\$ 12,330.00
		13763					\$ 28,945.00
05/29/2018	SHC, LLC	13764	Planning	N	City Planner	100-41209-301-	\$ 1,822.50
		13764			Escrow	916-49320-301-	\$ 480.00
		13764				922-49320-301-	\$ 540.00
		13764				936-49320-301-	\$ 1,140.00
		13764					\$ 3,982.50
		13764					\$ 110,958.67

Total For Selected Checks

Brochman Blacktopping Co.

7020 Lake Elmo Ave N
 Stillwater, MN 55082

MN: 651-439-5379 WI: 715-294-1622

eMail: brochmanpaving@msn.com
 Website: www.brochmanpaving.com

Invoice

Date	Invoice No.
5/14/2018	7153

Bill To:

City Of Grant
 111 Wildwood Road
 P.O. Box 577
 Willernie, MN 55090

Terms Net 15

Due Date 5/29/2018

Description	Qty	Rate	Amount
Asphalt Mix - Tons (City of St. Paul Asphalt Plant)	10	70.56	705.60
Truck With Driver (hrs)	7	88.00	616.00
Skid Loader With Bucket (hrs)	6.5	78.00	507.00
Roller With Operator (hrs)	6.5	73.00	474.50
Labor (per man - hours)	13	57.00	741.00
Labor & Materials for asphalt pothole repairs at Greeneleaf, Joilet and Jodi (12APR2018)			
Asphalt Mix - Tons	12.5	55.82	697.75
Truck With Driver (hrs)	7	88.00	616.00
Skid Loader With Bucket (hrs)	6.5	78.00	507.00
Roller With Operator (hrs)	6.5	73.00	474.50
Labor (per man - hours)	13	57.00	741.00
Labor & Materials for asphalt pothole repair on Jodi, Justin, Juno and 101st (23APR2018)			
Asphalt Mix - Tons	12	55.82	669.84
Truck With Driver (hrs)	6.25	88.00	550.00
Skid Loader With Bucket (hrs)	6	78.00	468.00
Roller With Operator (hrs)	6	73.00	438.00
Labor (per man - hours)	12	57.00	684.00
Labor & Materials for asphalt pothole repair on Joilet most of street. (24APR2018)			
Asphalt Mix - Tons	8	55.82	446.56
Truck With Driver (hrs)	5.25	88.00	462.00
Skid Loader With Bucket (hrs)	5.5	78.00	429.00
Roller With Operator (hrs)	5.5	73.00	401.50
Labor (per man - hours)	11	57.00	627.00
Labor & Materials, asphalt pothole repairs Irish, Leeward many areas (25APR2018)			

Total:

Payments/Credits:

Balance Due:

Thank you for your business.

Brochman Blacktopping Co.

7020 Lake Elmo Ave N
Stillwater, MN 55082

MN: 651-439-5379 WI: 715-294-1622

eMail: brochmanpaving@msn.com
Website: www.brochmanpaving.com

Invoice

Date	Invoice No.
5/14/2018	7153

Bill To:

City Of Grant
111 Wildwood Road
P.O. Box 577
Willernie, MN 55090

Terms Net 15

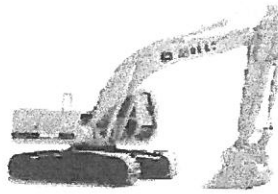
Due Date 5/29/2018

Description	Qty	Rate	Amount
Asphalt Mix - Tons	13	55.82	725.66
Truck With Driver (hrs)	7.5	88.00	660.00
Skid Loader With Bucket (hrs)	8	78.00	624.00
Roller With Operator (hrs)	8	73.00	584.00
Labor (per man - hours)	13	57.00	741.00
Labor & Materials for asphalt pothole repair Leeward, Irish (26APR2018)			
Asphalt Mix - Tons	7	55.82	390.74
Truck With Driver (hrs)	5.75	88.00	506.00
Skid Loader With Bucket (hrs)	5.5	78.00	429.00
Roller With Operator (hrs)	5.5	73.00	401.50
Labor (per man - hours)	11	57.00	627.00
Labor & Materials for asphalt pothole repairs: Kimbro and Leeward (30APR2018)			
Asphalt Mix - Tons	6	55.82	334.92
Truck With Driver (hrs)	5.25	88.00	462.00
Skid Loader With Bucket (hrs)	5	78.00	390.00
Roller With Operator (hrs)	5	73.00	365.00
Labor (per man - hours)	5	57.00	285.00
Labor & Materials for asphalt pothole repairs: Hadley Ave, Hidden Glen (09MAY2018)			
Asphalt Mix - Tons	7	55.82	390.74
Truck With Driver (hrs)	5.5	88.00	484.00
Skid Loader With Bucket (hrs)	5	78.00	390.00
Roller With Operator (hrs)	5.5	73.00	401.50
Labor (per man - hours)	11	57.00	627.00
Labor & Materials for asphalt pothole repairs: Keats (11MAY2018)			

Thank you for your business.

Total:	\$21,075.31
Payments/Credits:	\$0.00
Balance Due:	\$21,075.31

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



Invoice

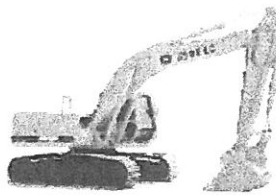
DATE	INVOICE #
5/28/18	2474

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

DUE DATE
6/7/18

DESCRIPTION	QTY	UNIT COST	AMOUNT
4-23-18 770B	3	80.00	240.00
4-23-18 740A	5.5	80.00	440.00
4-24-18 740A	5	80.00	400.00
4-25-18 740A	7.25	80.00	580.00
4-27-18 770B	4.5	80.00	360.00
4-27-18 740A	4.75	80.00	380.00
4-30-18 770B	5	80.00	400.00
4-30-18 740A	6.25	80.00	500.00
5-02-18 740A	7	80.00	560.00
5-05-18 770B	4	80.00	320.00
5-09-18 770B	11	80.00	880.00
5-09-18 740A	8.75	80.00	700.00
5-10-18 770B	7	80.00	560.00
5-10-18 740A	6.5	80.00	520.00
5-11-18 770B	3.5	80.00	280.00
5-11-18 740A	4.5	80.00	360.00
5-15-18 770B	6.5	80.00	520.00
5-15-18 740A	6.5	80.00	520.00
5-18-18 770B	2	80.00	160.00
5-19-18 770B	5	80.00	400.00
5-21-18 770B	4	80.00	320.00
5-21-18 740A	7	80.00	560.00
5-25-18 770B	7.5	80.00	600.00
5-25-18 740A	8	80.00	640.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	Total		11,200.00

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



Invoice

DATE	INVOICE #
5/28/18	2475

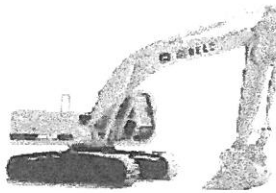
BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ROAD GRAVEL 100-43106

DUE DATE
6/7/18

DESCRIPTION	QTY	UNIT COST	AMOUNT
5-10-18 LOADS OF RC-5 HAULED FOR 99TH ST CT	5	75.00	375.00
5-10-18 1845C RESHAPE AND SPREAD GRAVEL	3	85.00	255.00
5-10-18 T600	1	75.00	75.00
5-11-18 LOADS OF RC-5 HAULED TO 115TH ST	6	75.00	450.00
5-11-18 1845C SHAPE CUL-DE-SAC AND SPREAD GRAVEL	4	85.00	340.00
5-15-18 LOADS OF RC-5 HAULED FOR JASMINE TRL NORTH OF 110TH ST	4	75.00	300.00
5-16-18 LOADS OF RC-5 HAULED FOR JASMINE TRL NORTH OF 110TH ST	5	75.00	375.00
5-16-18 JD 550 SHAPE CUL-DE-SAC AND SPREAD GRAVEL	3.5	100.00	350.00
5-17-18 LOADS OF RC-5 HAULED FOR JASMINE TRL NORTH OF 110TH ST	5	75.00	375.00
5-17-18 JD 550 SHAPE AND SPREAD RC-5	4	100.00	400.00
5-18-18 LOADS OF RC-5 HAULED TO JASMINE TRL NORTH OF 110TH ST	6	75.00	450.00
5-18-18 JD 550 SPREAD RC-5	2	100.00	200.00
5-23-18 LOADS OF RC-5 HAULED TO JASMINE AVE NORTH OF 65TH ST	5	75.00	375.00
5-23-18 1845C SPREAD GRAVEL	2	85.00	170.00
5-24-18 LOADS OF RC-5 HAULED TO JARVIS AVE BY CHURCH	5	75.00	375.00
5-24-18 1845C SHAPE ROAD AND SPREAD GRAVEL	2	85.00	170.00
5-25-18 LOADS OF RC-5 HAULED TO JAMACA AVE NORTH OF 63RD ST	4	75.00	300.00
5-25-18 770B SPREAD GRAVEL	1	80.00	80.00
Total			5,415.00

AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE

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



Invoice

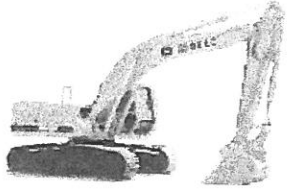
DATE	INVOICE #
5/28/18	2476

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

DUE DATE
6/7/18

DESCRIPTION	QTY	UNIT COST	AMOUNT
5-07-18 DITCHWORK ALONG 115TH ST			0.00
5-07-18 E70	7	90.00	630.00
5-07-18 1845C	7	85.00	595.00
5-07-18 LNT9000	7	75.00	525.00
5-07-18 T600	7	75.00	525.00
5-08-18 E70	7	90.00	630.00
5-08-18 1845C	7	85.00	595.00
5-08-18 LNT9000	7	75.00	525.00
5-08-18 T600	7	75.00	525.00
5-11-18 E70 DIG OVER NORTHERN NATURAL GAS PIPELINE WITH REP ONSITE	3	90.00	270.00
5-11-18 T600	3	75.00	225.00
5-11-18 LNT9000	1	75.00	75.00
5-17-18 DITCHWORK ON JASMINE TRL NORTH OF 110TH ST AT END WHERE ROAD WAS ALMOST IMPASSABLE THIS SPRING			0.00
5-17-18 E70	5	90.00	450.00
5-17-18 1845C	5	85.00	425.00
5-17-18 T600	4.5	75.00	337.50
5-17-18 LNT9000	3	75.00	225.00
5-18-18 E70	4	90.00	360.00
5-18-18 1845C	6	85.00	510.00
5-18-18 T600	6	75.00	450.00
5-22-18 DITCHWORK ON 65TH ST EAST OF DRIVEWAY ON SOUTH SIDE			0.00
5-22-18 E70	6	90.00	540.00
5-22-18 1845C	7	85.00	595.00
5-22-18 LNT9000	7	75.00	525.00
5-22-18 T600	7	75.00	525.00
5-23-18 DITCHWORK ON JASMINE AVE NORTH OF 65TH ST			0.00
5-23-18 E70	6	90.00	540.00
5-23-18 1845C	7	85.00	595.00
5-23-18 T600	7	75.00	525.00
5-23-18 LNT9000	2	75.00	150.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	Total		11,872.50

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



Invoice

DATE	INVOICE #
5/28/18	2477

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

DUE DATE
6/7/18

DESCRIPTION	QTY	UNIT COST	AMOUNT
5-24-18 JARVIS AVE DITCHWORK BY CHURCH			0.00
5-24-18 E70	2	90.00	180.00
5-24-18 1845C	1.5	85.00	127.50
5-24-18 T600	2	75.00	150.00
Total			457.50

AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE

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



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

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

CONDITIONAL USE PERMIT

Certain uses, while generally not suitable in a particular Zoning District, may, under certain circumstances be acceptable. When such circumstances exist, a Conditional Use Permit may be granted. Conditions may be applied to the issuance of the Permit and/or periodic review may be required. The Permit shall be granted for a particular use and not for a particular person or firm.

PARCEL IDENTIFICATION NO (PIN):		ZONING DISTRICT & COMP PLAN LAND USE:
LEGAL DESCRIPTION:		LOT SIZE:
PROJECT ADDRESS:	OWNER: Name: Phillip & Kristy Gusick Address: 9080 Justen Trail No City, State: Stillwater, MN 55082 Phone: 651-592-4662 Email: kristy@psm-marketing.com	APPLICANT (IF DIFFERENT THAN OWNER):
BRIEF DESCRIPTION OF REQUEST: Requesting a Conditional Use Permit to house up to five horses on our property		
EXISTING SITE CONDITIONS:		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code section for a detailed description of required submittal documents, and subsequent process. 1. Division 5. Conditional Use Permits 32-141 through 157		

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

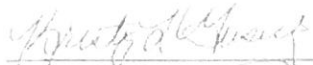
AP	CS	MATERIALS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Site Plan: All full scale plans shall be at a scale not smaller than 1" = 100' and include a north arrow</p> <ul style="list-style-type: none"> ▪ Property dimensions ▪ Area in acres and square feet ▪ Setbacks ▪ Location of existing and proposed buildings (including footprint, and dimensions to lot lines) ▪ Location of utilities ▪ Location of well and septic systems on adjacent properties ▪ Location of current and proposed curb cuts, driveways and access roads ▪ Existing and proposed parking (if applicable) ▪ Off-street loading areas (if applicable) ▪ Existing and proposed sidewalks and trails ▪ Sanitary sewer and water utility plans <p>COPIES: 4 plans at 22"x34", 20 plans at 11"x17"</p>

Application for: **CONDITIONAL USE PERMIT**
City of Grant

<input type="checkbox"/>	<input type="checkbox"/>	<p>Grading/Landscape Plan: 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"> ▪ Grading Plan ▪ Vegetation, landscaping, and screening plans including species and size of trees and shrubs ▪ Wetland Delineation ▪ Buildable area ▪ Topographic contours at 2-foot intervals, bluff line (if applicable) ▪ Waterbodies, Ordinary High Water Level and 100 year flood elevation ▪ Finished grading and drainage plan sufficient to drain and dispose of all surface water accumulated <p>COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>Architectural/Building Plan (if Applicable): 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"> ▪ Location of proposed buildings and their size including dimensions and total square footage ▪ Proposed floor plans ▪ Proposed elevations ▪ Description of building use <p>COPIES: 4 plan sets 22"x34", 20 plan sets 11"x17"</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Written Narrative Describing your request: A written description of your request for the Conditional Use will be required to be submitted as a part of your application. The description must include the following:</p> <ul style="list-style-type: none"> ▪ Description of operation or use ▪ Number of employees (if applicable, if not state why) ▪ Sewer and water flow/user rates (if applicable, if not state why) ▪ Any soil limitations for the intended use, and plan indicating conservation/BMP's ▪ Hours of operation, including days and times (if applicable) ▪ Describe how you believe the requested conditional use fits the City's comprehensive plan <p>COPIES: 20</p>
<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 ¼ mile (1,320 feet).
<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"/>	Survey of the property: An official survey, by a licensed surveyor, must be submitted with the application. The survey shall be scalable and in an 11" x 17" or 8 ½" x 11" format.
<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.


Signature of Applicant

10/26/17
Date


Signature of Owner (if different than applicant)

10/26/17
Date

October 2017

Dear City of Grant Planning Commission, City Council and City Planner-

We would like to respond to the formal complaint that was made recently regarding the amount of horses we have on our property at 9080 Justen Trail North. Being newer to the community of Grant, we have recently been made aware of the ordinance requiring two acres per horse and therefore would like to provide some context as to our request for a 'Conditional Use Permit (CUP).' As you contemplate our request for a CUP, we ask that you take into consideration the following narrative about our situation.

BACKGROUND

We acquired our property on August 1, 2016 via a 'for sale by owner' process after we knocked on the former owner's door in July of 2015 to ask them if they would consider selling their property to us. Surprisingly, they were actually interested in selling their home but did not want to move until the summer of 2016. We were thrilled about this news because making the move would help us accomplish three goals; getting our kids into a much better school district, allowing us to move our horses onto our own property, and getting us (Phil and I) back to our country roots in the rural-based community of Grant so we could raise our daughters the same way we were raised.

WHY WE HAVE HORSES

Our horses play an extremely important role in our family as we compete nationally in the sport of "Polocrosse." (Polocrosse is an equine sport that is similar to the sport of polo, but is played on a much smaller field, and is played with a lacrosse type racket and a foam-like ball.) Our two daughters (Kasey, age 16 and Carolyn, age 12) play along with me (Kristy). The Polocrosse tournaments we compete in are held in locations across the country and frequently require us to travel to locations such as Texas, Colorado, Tennessee, Alabama and Montana. We have really invested in this sport because it allows us to travel as a family to locations across the country with our horses. We are extremely grateful for the 'windshield time' we've been able to spend together as a family as we travel to these various tournaments together. Because we often travel over 1,000 miles per tournament, we have a horse trailer that holds 5 horses so we can each bring the horses we are going to compete with in that tournament along with a spare horse for our family in case one of our horses is injured. We are also required to bring a horse that we can throw into what's called an 'umpire pool' which allows for those individuals who are serving as umpires for the weekend's tournament to ride while umpiring our games.

Generally, we typically only have four horses at our home as our property only provides adequate shelter for four horses. However, from time to time, there may be five horses at our house, weather permitting. We also occasionally have visiting friends from out of state who bring their horses – or our daughters have their friends over, along with their horses, for a sleepover. We would also like to communicate are not boarding any horses for other people nor do we ever plan on boarding any horses for money on our property.

Having grown up in rural communities, both Phil and I know first-hand the sense of responsibility children gain when they must care for their own animals on a daily basis. Before moving to our home in Grant, we were boarding our horses at a facility in Hugo. However, as our kids got more serious about the sport of Polocrosse and horses in general, we both strongly believed that they needed to have the opportunity to take part in the daily responsibility of taking care of their own horses. That is what inspired us to make the move to a hobby farm.

The other skill our kids have gained through the opportunity to take care of their own horses and participate in the sport of Polocrosse is an incredible sense of independence. At the tournaments, they are required to completely care for their own horse which includes knowing how to feed them, saddle them, and set up "electronic pens" for their horses at every location we go to. Through this sport, they have also met friends from all over the country – and from other countries as well – due to the immense amount of traveling we have done.

MANAGEMENT OF OUR PROPERTY

Having grown up on a large, well-managed Standardbred racehorse breeding farm in Michigan, I learned the importance of maintaining your equine property. My family took an amazing amount of pride in having one of the most beautiful equine properties in the state of Michigan. In fact, on weekends our farm was a local destination for people to come visit because it was a picturesque farm with well-cared for mares and babies in beautifully manicured pastures. This is the level of care our family has esteemed to have with our property and our horses here in Grant.

As a graduate from Colorado State University which is one of the top equine universities in the country with a minor in Equine Science, I was required to take classes in equine management, nutrition, and pasture management. Because managing our property and taking excellent care of our horses is extremely important to us, we adhere to the following procedures:

- Consistently mowing and dragging our pastures to ensure management of weeds and manure
- Providing hay for our horses daily which is primarily fed in hay nets or hay 'huts' to reduce the amount of waste
- Removing and composting excess manure. We also have some friends and neighbors who are using our manure for fertilizer for their gardens. Please see our site plan for the composting site on our property. And if needed, any additional manure is removed by neighbors John David of Grant, MN and/or Ernie Trettel of Hugo, MN. (Please Note: we are following the recommendations of University of MN Pasture Management expert, Michele DeBoer)
- Following nutritional guidelines for 'sport horses' (aka equine athletes) as prescribed by my brother Kevin Isley who is a Certified Equine Nutritionist for 'Uckele Health and Nutrition' based in Blissfield, Michigan (who will serve as a reference if needed)
- Following the guidelines for equine worming, teeth floating and shots as suggested by our vet clinic, Stillwater Equine (who will also serve as a reference for our care if needed)
- Regularly having our horses' hooves trimmed and maintained by our farrier, Dale Blomquist (who will also serve as a reference if needed)
- Taking regular riding lessons to continue to improve our skills from professional trainer and coach, Danielle Koeppen (who will also serve as a reference if needed)

- Removing any manure that is left by our horses on the road when we ride down the road to exercise our horses. (Our neighbor Sarah Hoban can serve as a reference to this fact if needed)
- Maintaining an active membership in the "Grant Trail Rangers" which is a non-profit corporation, established in 1978 to promote responsible horseback riding and cross-country skiing in Grant Township. To ensure the continued opportunity for these recreational experiences, this group has established a permission-based system of private horse and ski trails throughout the City of Grant. (President of the Grant Trail Rangers, Tamara Cameron, can also serve as a reference if needed)

PROPERTY IMPROVEMENTS

Since taking possession of the property, we've made the following improvements:

- Replaced and improved the fencing
- Took measures to control gopher issues
- Installed water service from our home to the barn
- Installed electrical service to the barn
- Removed several dead and/or dying trees
- Installed eaves on the barn
- Cleaned out the clutter from the barn and surround area
- Consistently mowing the entire property on a regular basis, including the pastures
- Adding additional soil around the base of the barn to eliminate mud and erosion
- Dragging the pastures regularly to ensure there is no manure or weed buildup

IN CONCLUSION

Our experience since moving to Grant in August 2016 has been nothing short of outstanding. We have thoroughly enjoyed meeting and interacting with our neighbors, taking care of our horses and sending our daughters to Mahtomedi Middle School and High School. It is our top priority to continue to maintain and improve our property as we take an extreme level of pride in caring for it – and for our horses. Our horses are like family members to us and they are playing an important part in the development of our daughter's sense of responsibility, leadership and independence.

While this busy stage of life with our kids and horses is likely only going to last a few more years, we are grateful for this time together with our kids while we have it.

Our specific request is to have no more than five horses with occasional visiting horses

Thank you for allowing us to share our story and for the opportunity share to request a CUP. We appreciate your time and consideration.

Sincerely,

Phil and Kristy Gusick
9080 Justen Trail North
Stillwater, MN 55082

September 12, 2017

To Whom It May Concern:

On September 12, 2017 I contacted the Brown's Creek Watershed District and spoke to Karen Kill regarding my application for a 'Conditional Use Permit' to have additional horses on our property in the City of Grant. I told Karen that I was required to contact her office per the CUP application to see if there was any additional permits or applications she needed us to complete.

Per my conversation with Karen on that day, she stated that she did not need anything from us at this time.

Please let us know if there is anything else you need us to do regarding this particular step in the application process.

Thank you,

Phil and Kristy Gusick
9080 Justen Trail North
Stillwater, MN 55082

Jill Linse, MD
5894 Otter Ridge Circle
White Bear Lake, MN 55110
651-249-6882

August 1, 2017

To Whom It May Concern:

I am writing to emphasize the importance of the Gusicks' horse ownership. I have been their family physician for over twenty years and have delivered both of their daughters. Their fifteen-year-old daughter, Kasey, has autism. It is well established that equine therapy greatly improves an autistic person's social development. The social interaction developed with horses is transferable to human interactions. Over the years, Kasey has far exceeded expectations in a number of aspects of her life, especially socially.

In addition, it is well known that team sports build confidence and social skills. The entire Gusick family participates in equine polocrosse teams, which has been especially beneficial for Kasey. The family trains their own horses, and the daughters learn responsibility by helping in daily chores.

Please take Kasey Gusick's autism into consideration when making allowances in the Gusicks' house ownership.

Sincerely,

Jill Linse, MD

August 5, 2017

Kristy Gusick
9080 Justen Trail N.
Grant, MN 55082

Dear Kristy,

It was a pleasure visiting with you and seeing all of the work you have put into your farm.

Following our visit, I have made some recommendations for your pasture, based on our practical and scientific understanding of both horses and forages. Our recommendations are meant to optimize your operation by limiting inputs, maximizing production, and reducing environmental impacts.

Your manure management plan currently set in place is acceptable; which includes having an area to stockpile manure for at least 180 days and having the manure hauled away twice a year. I will also send you more information regarding the composting plan we discussed during our visit.

In regard to the pasture, installing a dry lot or sacrifice area would help maximize your pasture productivity. The dry lot should be 400 ft² per horse. When grass is down to 3 – 4", you can mow and drag the pastures, as you have currently been doing, and then keep your horses on the dry lot to allow the pastures to rest and regrow uniformly.

If you have any questions or concerns, please do not hesitate to contact me using the information listed below.

Best Regards,

Michelle DeBoer
Graduate Research Assistant
PHD Candidate, Equine Studies
University of Minnesota
Schu23343@umn.edu
612-750-8633

August 5, 2017

Kristy Gusick
9080 Justen Trail N.
Grant, MN 55082

Dear Kristy,

It was a pleasure visiting with you and seeing all of the work you have put into your farm.

Following our visit, I have made some recommendations for your pasture, based on our practical and scientific understanding of both horses and forages. Our recommendations are meant to optimize your operation by limiting inputs, maximizing production, and reducing environmental impacts.

Your manure management plan currently set in place is acceptable; which includes having an area to stockpile manure for at least 180 days and having the manure hauled away as needed. I will also send you more information regarding the composting plan we discussed during our visit.

In regards to the pasture, installing a dry lot or sacrifice area would help maximize your pasture productivity. The dry lot should be 400 ft² per horse. When grass is down to 3 – 4", you can mow and drag the pastures, as you have currently been doing, and then keep your horses on the dry lot to allow the pastures to rest and regrow uniformly.

If you have any questions or concerns, please do not hesitate to contact me using the information listed below.

Best Regards,

Michelle DeBoer
Graduate Research Assistant
Schu23343@umn.edu
612-750-8633

Specific Manure Management Plan for Gusick Property

We are implementing a manure management plan for our property that consists of a combination of manure spreading, composting and manure removal.

Our primary manure management strategy is spreading. With the amount of property we have, we are able to spread our manure on our pasture – and then drag it on a regular basis to ensure it spreads evenly and does not build up. It is our main priority to keep the manure spread so it doesn't build up which will help keep the fly population down as well as keep the manure revitalizing the pasture.

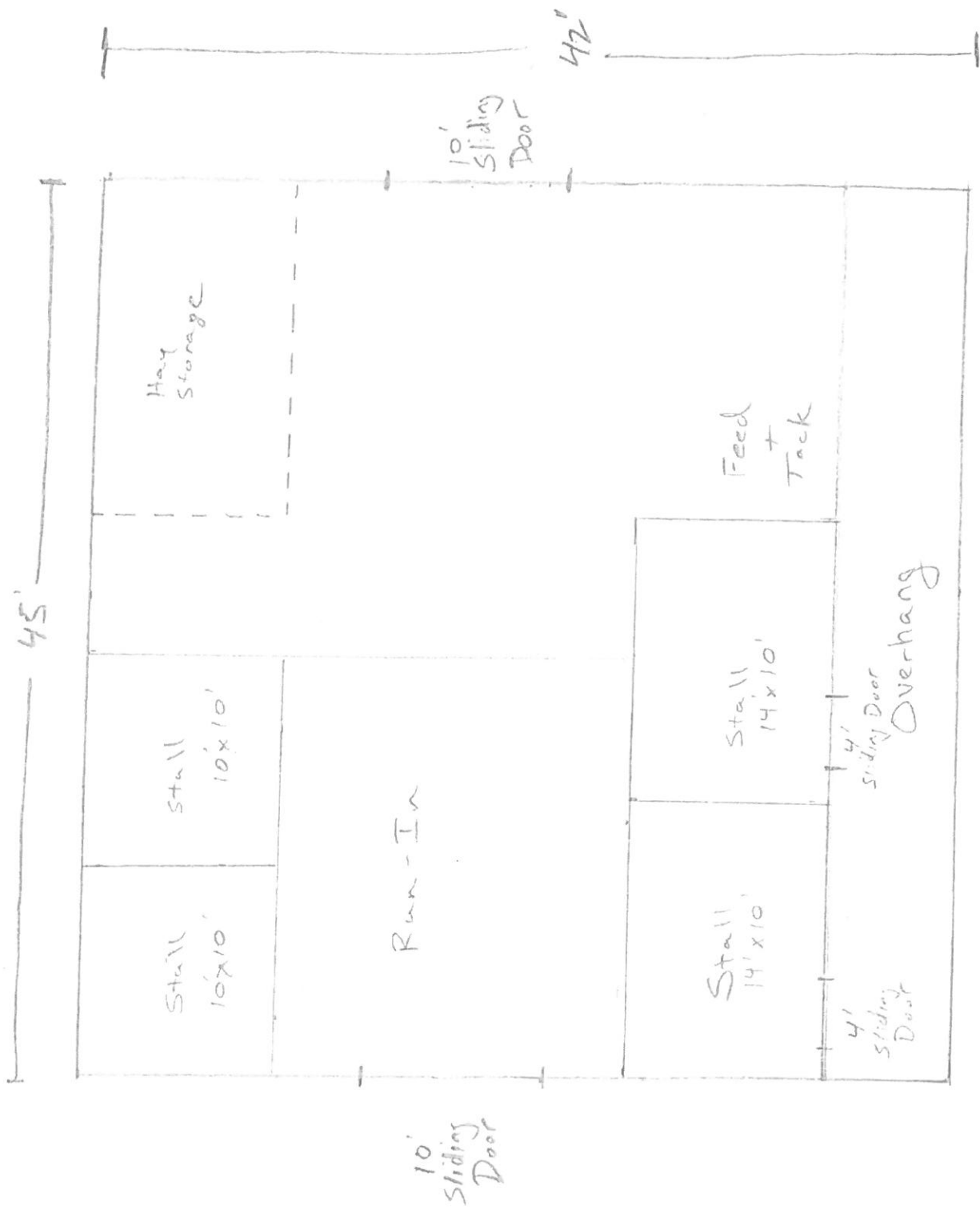
Our secondary manure management strategy is composting. We are educated on the process of composting manure and have established a small composting pile which is being used for fertilizer / gardening purposes when its ready.

Our third manure management strategy is the removal of any excess manure that cannot adequately be spread or composted. We have made arrangements with local large farm owners to remove our excess manure as needed.

The strategy we use varies on the time of year, amount of rain and sun. Because of the variety in weather conditions in Minnesota, it's important that we are able to utilize all three various strategies to keep our manure managed effectively, keep the fly population to an absolute minimum and also keep the odor of manure as non-existent as possible.

Sincerely,

Phil and Kristy Gusick



Rev.	Change Description	ECR#	Date

PIN 15.030.21.33.0005
Address 9080 JUSTEN TRL N
Owner GUSICK PHILLIP R & KRISTY L
Class Residential

AREA
 TOTAL ACRES: 5.38
 TOTAL SQUARE FEET: 234,353




Energy Solutions
 INTERNATIONAL, INC.

Confidential: This drawing is the property of Energy Solutions International, in General and in Detail. It shall not be copied or any of its contents disseminated to outside parties without the written consent of Energy Solutions International. All Rights Reserved.

Permissible Tolerances Unless Otherwise Specified
 Decimals +/- .031
 Angles +/- 1 Degree

Drawn By: MWT
Checked By:
Engineer:

Date: 3/1/2018
Scale: 1" = 100'
Sheet: 1 of 1

Title: 9080 Justen Trail North
CNC Proj#:
Drawing#:



STAFF REPORT

To: Mayor and City Council
Kim Points, City Clerk

CC: David Snyder, City Attorney

From: Jennifer Haskamp
Consulting City Planner

Date: May 29, 2018

RE: Application for a Conditional Use Permit (CUP) to board up to five (5) Horses on property located at 9080 Justen Trail N.

Summary of Request & Background

The Applicants and Owners Phillip and Kristy Gusick made an application for a Conditional Use Permit (CUP) in November of 2017 to permit boarding of up to five (5) horses on their property. The initial application was deemed incomplete, and additional information was needed for staff to complete its review. In late March 2018 staff received the additional information as requested, and the following staff report provides a review and analysis of the Applicant's CUP request.

Public Hearing & Notice

A duly noticed public hearing was held on May 15, 2018, and letters were mailed to individual property owners within ¼-mile of the subject project informing them of the application request and public hearing. No members of the public provided testimony, and the public hearing was closed.

Planning Commission Recommendation

After the staff presentation and public hearing, the Planning Commission discussed the Application and asked questions of the Applicant. Although no public testimony was provided, the Planning Commissioners did receive an email from a resident that was concerned about setting precedent for the number of horses and that it may detract/affect property values if properties were permitted to board that many horses on a property.

Some of the key points of discussion by the Planning Commission regarding the application are as follows:

- Permitted number of horses with CUP: The Applicant requested permission to board up to five (5) horses, but only four (4) permanently. After discussion, the Planning Commission recommended that permanent accommodations be provided to board 5 horses because it would be too subjective to determine when four versus five horses would be permitted. The following applicable staff report sections have been updated accordingly.
- Concern regarding precedent: While the Planning Commission acknowledged that this may set some 'precedent' the current ordinances conditionally permit the proposed use. This request is for personal boarding and involves no commercial operations. Generally, the planning commission concluded



that the use is consistent with the zoning and comprehensive plan provided the conditions as recommended with the noted amendments are met.

After discussion, the Planning Commission unanimously recommended approval of the Conditional Use Permit to the City Council for consideration.

The following staff report is generally as presented at the Planning Commission meeting. The conditions, as amended, are provided in the attached draft CUP for review and consideration by the City Council. A draft resolution of approval is provided that summarizes the findings as discussed by the Planning Commission.

Project Summary

Applicants & Owners: Kristy and Phillip Gusick	Site Size: 5.38 Acres
Zoning & Land Use: A-2	Request: Conditional Use Permit (CUP)
Address: 9080 Justen Trail N. Lot 6 Block 1, Victoria Station	PIDs: 1503021330005

The Property Owners and Applicants (hereafter referred to as “Applicants”) are requesting a CUP to allow for boarding of up to five (5) horses on their residential property. As indicated in the Applicant’s narrative, the requested CUP is for personal use and no commercial boarding operations are proposed as part of this application. The following summary of the existing site improvements as described within the Applicant’s narrative (Attachment A), and shown on the site plan, are provided:

Existing Homestead: There is an existing homestead located on the property which is the residence of the Applicants. Three of the four lot lines are bordered by right-of-way and the primary frontage of the property and access is from the easterly property line which is Justen Trail N.

Main Barn: There is an existing barn that is approximately 45’ x 42’ with a total of 1,890 square-feet that is located about 100-feet west of the principal structure. As indicated within the Applicant’s narrative, there is shelter for up to four (4) horses within the barn structure. However, the Applicants testified at the planning commission meeting that there is adequate area in the Main Barn to protect up to five horses during periods of inclement weather. A floor plan of the barn is provided as Attachment C.

Pasture Area: As described within the narrative, and shown on the aerial, the pasture area is entirely fenced in and the fence line generally follows property lines and encloses the area west of the barn. Based on the aerial and GIS information there is approximately 2.8 acres of land fenced in and used for the pasture area.

Main Access and Parking: There is one driveway access to the property from Justen Trail North which provides access to the existing home and barn. There is no additional parking beyond the existing attached garage and driveway. No additional access or parking is proposed as part of this application.

Utilities: The existing homestead is currently served by a private well and individual septic system. No changes are proposed as part of this application.



Operations: The Applicants' narrative describes the reason for the requested CUP to allow for personal boarding of up to five (5) horses on their residential property. As stated, typically only four horses (4) would be present on the property because the existing facilities only provide permanent/year-round shelter for four horses. However, at certain times and weather permitting a fifth horse may be present. There are no commercial boarding activities, events, breeding or any other commercial use proposed as part of this application.

Review Criteria

According to the City Code, Conditional Use Permits are subject to the process and review criteria stated in City Code Section 32-152. The City Code further states the following for consideration when reviewing a Conditional Use Permit (32-141):

“(d) In determining whether or not a conditional use may be allowed, the City will consider the nature of the nearby lands or buildings, the effect upon traffic into and from the premises and on adjoining roads, and all other relevant factors as the City shall deem reasonable prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety.”

(e) If a use is deemed suitable, reasonable conditions may be applied to issuance of a conditional use permit, and a periodic review of said permit may be required.”

Further Section 32-146 lays out nine specific standards to consider when reviewing a request for a conditional use permit.

Additionally, Sections 32-328 Horse Boarding and Training; and 32-337 Livestock provide additional criteria when considering CUPs for the proposed use.

Existing Site Conditions

The subject lot is approximately 5.38 acres, is regular in size and is described as Lot 6 Block 1 of the Victoria Station subdivision. The subject parcel is bordered on three sides by roadways, including the rear (west) which is Jamaca Avenue North, the side yard (south) and front yard (east) which are bordered by Justen Trail North. The existing home and barn are accessed via a single driveway to the easterly property line and Justen Trail North. The lot is relatively open with some vegetated buffers along property lines and near the existing home. There is an existing home, barn, and fenced pasture area that are proposed to support the horse boarding operations.

A wetland delineation was not submitted as part of this application, however, based upon the National Wetland Inventory (NWI) and GIS information there do not appear to be any wetlands on site.

Comprehensive Plan Review



The site is guided A-2 Small Scale Agricultural which promotes rural residential and agricultural uses. The principal use of the property for a single-family rural residential homesite with an accessory barn which is generally consistent with the goals for the A-2 land use designation as stated within the Comprehensive Plan.

Zoning/Site Review

The City of Grant zoning ordinance permits “Horse Boarding and Training Facilities” for operations that exceed 1 horse per 2 grazable acres with a Conditional Use Permit. The following review is provided with respect to how the proposed project conforms, is consistent, or inconsistent with the zoning and site regulations.

Dimensional Standards

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

Dimension	Standard
Lot Size	5 acres
<i>Grazable Acres</i>	<i>1 Horse per 2 Grazable Acres</i>
Frontage – public road	300'
Front Yard Setback	65'
Side Yard Setback	20'
Rear Yard Setback	50'
Height of Structure	35'
Fence	May be on property line, but not within any ROW
Driveway Setback	5'
Parking Lot setback	10' from ROW
Wetland Setback Structure (Buffer)	75' (50')

Lot Size/Area:

Section 32-337(f) of the ordinance requires a minimum of 5-acres for the keeping of domestic farm animals (horses) and requires a minimum of 2-acres of grazable land. The subject parcel is approximately 5.4 acres excluding right-of-way, and meets the minimum lot size for the keeping of horses.

Based on available data it appears that there approximately 4 acres of grazable land per the City’s definition. Per Section 32-337 subsection (g) the lot size would permit the keeping of 2 horses without a CUP.

The existing lot meets the city’s minimum standards for lot size and area for the keeping of horses. The existing lot size would permit the keeping of two horses, and the request to permit an additional three (3) horses requires a conditional use permit for greater density as described in Section 32-337 subsection (h).



Setbacks & Frontage: The subject property is a corner lot and has primary frontage from Justen Trail North which forms the eastern property boundary. The rear lot is bordered by Jamaca Avenue North (CR-9). The existing home is setback approximately 130-feet from the north and south property lot lines (side yards) and 137-feet from the easterly property line (front). The barn is situated in the rear yard and is setback approximately 390-feet from the west property line (rear), 116-feet from the north and 169-feet from the south property line (side yards). ***All yard setbacks of both the existing home and the barn meet or exceed the City's ordinance setback requirements. The existing principal structure meets the City's frontage requirements and front yard setbacks. No additional improvements or new structures are proposed as part of this application.***

Accessory Building (Barn) The existing barn is approximately 1,890 square feet and there are no other accessory buildings on site. Per Section 32-313 subsection (d) parcels between 5 and 9.59 acres are permitted up to three (3) accessory buildings with a total square footage not to exceed 2,500 SF. ***The existing barn meets the City's accessory building standards for size and number permitted.***

Parking Area (Location & Spaces): As stated, the Applicants are not proposing to conduct any commercial boarding or other business activities on the subject property. Parking for the existing home includes an attached garage, and driveway which provides access to both the principal structure and barn. Based on the narrative, the number of visitors anticipated to the home as a result of the horse boarding is not substantially different than any other residential property in the City. ***Based on the operations as proposed, staff does not believe any additional parking is warranted on site and the Applicants and any visitors have sufficient area to park cars and/or horse trailers on the site.***

Driveway/Circulation: The principal structure and accessory buildings are accessed from a single gravel driveway which connects to Justen Trail North. The Applicants have stated that the proposed boarding is for personal use and no events or other commercial activities are proposed as part of this application. Therefore, it is anticipated that the Applicants have the ability to control traffic and timing of large vehicles and/or trailers entering and exiting the site. ***Based on the proposed operations, and the existing site layout the driveways and circulation appear adequate to allow for safe ingress and egress into the operations.***

Architecture, Building Height, Accessory Structure Floor Plans: The Applicants submitted a floor plan for the barn that is used to support the operations. The height of the structures is not known; however, the buildings are existing at the date of this permit application and no changes are proposed to the existing structures.

Barn:

The floor plan submitted for the Barn shows area for four (4) horse stalls, run-in area, feed and tack and hay storage. After presentation by the Applicant, the 'stalls' denoted on the floor plan are flexible and could accommodate all five (5)



horses, if necessary, during periods of inclement weather. Although the Applicants requested permission to have up to five equines on the property with only four permanently onsite, the planning commission and staff concluded this would be hard to enforce and that simply permitting up to five horses would be easier to monitor. Based on the information provided, there is adequate space to contain and board five horses on the site. Staff conducted research on a previous application to understand what facilities are necessary, particularly in winter and summer (inclement weather), for horses through the University of Minnesota Extension Services. Based on that research, it seems that the only necessary 'improvements' are to make sure that there is a shelter/wind break area available for all horses during winter months. In this case, the barn provides adequate permanent shelter of five horses as presented by the Applicants at the Planning Commission meeting. ***As proposed, the Planning Commission concluded and recommended that up to five horses be permitted onsite provided the conditions of the CUP are met.***

Utilities (well and septic):

The existing home is served by a well and individual septic system, which are both located on the Site Plan (Attachment B). The Applicant stated within the narrative that they have pulled water service and electrical services to the barn since they purchased the property in 2016. The existing well is located south of the home, and the septic system is located north of the home, and both are located outside of the fenced pasture area. ***As constructed and installed, the existing utilities meet setback requirements and there are no known additional improvements needed to support the proposed operations.***

Manure Management Plan/MPCA

While the City's ordinance states that a feedlot permit for the proposed use is required from the MPCA, as researched for a previous application, given the size and scale of the proposed operations a feedlot permit is not applicable.

The Applicants submitted a Manure Management Plan as part of this application which identifies three manure management strategies including spreading, composting and removal. Their primary strategy is spreading within the pasture which requires management by dragging to ensure even spreading to prevent build up and to reduce the fly population. The methodology also supports revitalizing of the pasture. Additionally, a small compost pile has been established on the property which can be used as fertilizer. Finally, if spreading and composting is not available, excess manure is removed that cannot be adequately spread or composted. A small compost site is shown on the site plan located north of the existing home and barn, and setback approximately 105-feet from the existing septic system and drainfields.

Staff researched these practices through the University of Minnesota extension services and found this methodology to be recommended, provided proper spreading and composting practice is followed. The Applicants provided a letter from a Graduate Research Assistant at the University of Minnesota extension services that also details additional strategies for the pasture to optimize its operation by "limiting inputs, maximizing production, and reducing



environmental impacts.” (Attachment

Based on staff’s research, and materials presented, provided the Applicant follows the Manure Management Plan as submitted, staff believes these practices are adequate and meets the City’s ordinances.

Pasture Management

Given the relatively small pasture area, the Applicants provided additional narrative and support for permitting the number of horses on the property. As indicated by the letter dated August 5, 2017 from Graduate Research Assistant Michelle DeBoer, the pasture area should be adequate based on the recommendation. The recommendation by Ms. De Boer is to install a dry lot to maximize pasture productive. The dry lot is recommended to be approximately 400 square feet per horse, which is equivalent to approximately 2,000 square feet. As previously stated the pasture area is approximately 2.8-acres or 121,968 square feet, allow for the practices as recommended by Ms. DeBoer. ***With proper management, based on the supporting materials, it appears that adequate pasture area is available to support the requested number of horses on the property.***

Fence

The Applicant has stated that they have repaired portions of the fence since acquiring the property in 2016. An important aspect of the operations is to contain the horses, which requires that the fence be kept in good repair. ***Staff would recommend including a condition that the fence line must be managed, maintained and kept in good repair to ensure horses remain on the property.***

Engineering Standards

There are no site improvements proposed or considered as part of this application. The existing facilities, access driveway and gravel areas are proposed to be used for the operation. Since no site improvements to the site, the City Engineer does not have any additional comments.

Other Agency Review

The property is located within the Brown’s Creek Watershed District (BCWD), and the Applicants have stated that they have contacted the BCWD and no permits are required to continue operations at the facility. (see attached description dated September 12, 2017). ***Staff would recommend including a condition that all permits from other agencies having regulatory authority over the operations are the responsibility of the Applicant to obtain and maintain, as applicable.***

Action requested:

The draft Resolution of Approval with conditions and Conditional Use Permit are attached for your review and consideration. T



- The Horse boarding operations use conforms to the City's Comprehensive Plan for rural residential and agricultural uses.
- Horse boarding and training of equines at a density that exceed 1 animal unit per 2 grazable acres is conditionally permitted per the City's zoning code.
- The Horse boarding operations will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.
- The Horse boarding operations is compatible with the existing neighborhood.
- The Horse Boarding operations meets the conditions or standards adopted by the city through resolutions or other ordinances.
- The Horse boarding operations will not create additional requirements for facilities and services at public cost beyond the city's normal low-density residential and agricultural uses.

Attachments

Exhibit A: Narrative dated October 2017

Exhibit B: Site Plan dated March 1, 2018

Exhibit C: Supplemental Information, including building floor plans, submitted May 2018

Exhibit D: Manure Management Plan (undated)

Exhibit E: Letter from Michelle DeBoer, University of Minnesota, August 5, 2017

Exhibit F: Statement regarding Brown's Creek Watershed District, September 12, 2017

Exhibit G: Application dated October 27, 2017

**GUSICK HORSE BOARDING
CONDITIONAL USE PERMIT
CITY OF GRANT**

APPLICANTS: Phillip and Kristy Gusick

LEGAL DESCRIPTION: Attachment A

PID: 1503021330005

ZONING: A-2

ADDRESS: 9080 Justen Trail North
Grant, MN 55082

DATE: June 5, 2018

This is a Conditional Use Permit to allow for the personal boarding of horses as shown on the Site Plan dated March 1, 2018 and within the narrative dated October 2017. Any expansion of the Horse Boarding facilities, or intensification of the operations, shall require an amendment to this Conditional Use Permit.

All uses shall be subject to the following conditions and/or restrictions imposed by the City Council, City of Grant, Washington County, Minnesota, and applicable ordinances, statutes or other laws in force within the City:

1. This permit shall be recorded against the subject property.
2. The personal horse boarding operations may be allowed to keep a maximum of 5 horses on the subject property.
3. At the expense of the Applicant, the City's building official shall perform a site inspection of the existing barn to verify that it meets the building code for the boarding of equines. If any improvements/alterations are needed the applicant shall be responsible for making any improvements to comply with the conditions of this permit.
4. All operations on site shall meet the MPCA's noise standards and regulations.
5. It shall be the responsibility of the Applicants to obtain all necessary permits from Washington County, MPCA, Browns Creek Watershed District, Washington Conservation District, or any other agency having jurisdiction over the subject use.
6. Any future expansion or intensification of the horse boarding operations shall require an amendment to the Permit. Intensification shall include, but not be limited to, any commercial boarding operations, events, or the permanent keeping of additional horses.

7. No signage is approved as part of this permit. Any future signage shall be subject to the sign ordinance in place at time of application and may require an amendment to the CUP.
8. No public events or shows are approved as part of this permit; if any public events or shows are desired an amendment to this permit may be required.
9. The fence around the pasture area shall be kept in good condition and repair and every reasonable effort shall be made to keep all horses associated with the operations contained onsite.
10. The current Manure Management Plan shall be maintained, and if any changes are proposed, a revised manure management plan shall be submitted to the City and placed in the property file. Every effort shall be made to prevent any adverse impact to adjacent properties including runoff, flies, and any other nuisances that may result from the storage or composting of manure from the operations.
11. Appropriate wind breaks, utilizing the industry's best practices, shall be in place and maintained to protect all horses onsite during periods of inclement weather. Such wind breaks may include, but not be limited to, lean-to structures, tree stands, designated horse stalls, and any other areas within the facilities.
12. All escrow amounts shall be brought up to date and kept current.
13. This permit shall be reviewed in compliance with the City's CUP review process, which maybe on an annual basis.
14. Any violation of the conditions of this permit may result in the revocation of said permit.

IN WITNESS WHEREOF, the parties have executed this agreement and acknowledge their acceptance of the above conditions.

CITY OF GRANT:

Date: _____

 Jeff Huber, Mayor

Date: _____

 Kim Points, City Clerk

State of Minnesota)
)ss.
 County of Washington)

On this _____ day of _____, 2018, before me, a Notary Public, personally appeared Tom Carr and Kim Points, of the City of Grant, a Minnesota municipal corporation within the State of Minnesota, and that said instrument was signed on behalf of the City of Grant by the authority of the City Council, and Jeff Huber and Kim Points acknowledge said instrument to be the free act and deed of said City of Grant.

Notary Public

APPLICANT/OWNER:
Phillip and Kristy Gusick

Date: _____

By: _____

Its: _____

Date: _____

Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this _____ day of _____, 2018, before me, a Notary Public, personally appeared _
_____ the Owner who acknowledged that said instrument was authorized and
executed on behalf of said Applicant.

Notary Public

EXHIBIT A

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2018-10**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
9080 JUSTEN TRAIL NORTH
(GUSICK HORSE BOARDING)**

WHEREAS, Phillip and Kristy Gusick (“Applicants”) has submitted an application for a Conditional Use Permit to permit the boarding of up to five (5) horses on the property located at 9080 Justen Trail North (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the Applicants reside on the Subject Property; and

WHEREAS, the Horse Boarding use will be accessory to the principal use; and

WHEREAS, the Planning Commission has considered the Applicant’s request at a duly noticed Public Hearing which took place on May 15, 2018; and

WHEREAS, on May 15, 2018 the Planning Commission recommended approval of the application 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 5, 2018.

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 Phillip and Kristy Gusick for a Conditional Use Permit, based upon the following findings pursuant to Section 32-147 of the City’s Zoning Ordinance which provides that a Conditional Use Permit may be granted “if the applicant has proven to a reasonable degree of certainty” that specific standards are met. The City Council’s Findings relating to the standards are as follows:

- Horse boarding and training of equines at a density that exceed 1 animal unit per 2 grazable acres is conditionally permitted per the City's zoning code.
- The use conforms to the city's comprehensive plan and maintains large lot sizes in compliance with the guided land used designation.
- The use will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood if conditions of the permit are met.
- The use meets conditions or standards adopted by the city (through resolutions or other ordinances).
- The use will not create additional requirements for facilities and services at public cost beyond the city's normal low density residential and agricultural uses.
- The use will not result in the destruction, loss or damage of natural, scenic, or historic features of importance.
- The use will not increase flood potential or create additional water runoff onto surrounding properties.

FURTHER BE IT RESOLVED that the following conditions of approval of the Conditional Use Permit shall be met:

1. The Applicant shall meet and comply with all of the conditions stated within the Conditional Use Permit dated June 5, 2018 (the "Permit").
2. The Permit shall be reviewed in compliance with the City's CUP review process, which may be on an annual basis.
3. Any violation of the conditions of the Permit may result in the revocation of said Permit.
4. All escrow amounts shall be brought up to date and kept current.
5. The Owner shall obtain any necessary permits from Washington County, Minnesota Department of Health, Browns Creek Watershed District, Washington Conservation District, the MPCA or any other regulatory agency having jurisdiction over the proposed use, which are necessary in carrying out its operations on the premises.

Adopted by the Grant City Council this 5th day of June 2018.

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 _____, 2018 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 _____, 2018.

Kim Points
Clerk
City of Grant

City Council Report for May 2018

Date: May 28, 2018

To: Honorable Mayor & City Council Members

From: Jack Kramer Building & Code Enforcement Official

Zoning Enforcement:

No New Violations to Report

Abated Zoning Violation:

1. Ms. Nancy Ludwig 6090-117th. St N. (Abandoned Vehicles).

a. All vehicles have been removed.

Building Permit Activity:

Twenty –one (21) Building Permits were issued for a total valuation of \$ 407,526.85

Respectfully submitted,



Jack Kramer

Building & Code Enforcement Official



Dennis J. Hooegeveen, CPA, Principal
State and Local Government, CliftonLarsonAllen LLP

Direct 612-397-3063, Mobile 952-456-2638
dennis.hooegeveen@CLAconnect.com

Main 612-376-4500, Fax 612-376-4850
220 South Sixth Street, Suite 300, Minneapolis, MN 55402
CLAconnect.com

Formal Complaint City of Grant.

I City Councilman Larry Lanoux am submitting accounting irregularities for your review prior to approving your yearly audit.

Johnson Turner Attorney David Snyder allowed the city to enter into a contract exceeding \$ 100,000.00 without going out for public bid when asked by minority councilman. KEJ Enterprises is payed for mowing ditches in January and snowplowing in July . Checks are written monthly out of Miscellaneous Expenses without receipts Animal Control, Town Hall Mowing Ball Field Maintenance, Garbage Removal , Gravel Road Costs, Culvert Repair Road Brushing Road Mowing. To date I have not seen a Certificate of Insurance for the sub contractors that he uses.

I Councilman Larry Lanoux made a request be provided the certificates of insurance for all persons performing work for the city of Grant. To date the city Administrator has failed to provide that documentation for review. I suspect that KEJ Enterprises does not have certificates of insurance from the sub contractors he uses to perform his contract with the city . KEJ does not provide detailed billing for work performed as it

is not required if he is a maintenance contractor as Klein Bros Excavating.

As a contractor performing work for municipalities I am well aware that all contractors and sub contractors are required to provide certificates of insurance providing indemnification of liability to to cities they work in.

Johnson Turner Attorney David Snyder allowed Mayor Jeff Huber appoint himself as Cable Commissioner.

Mayor Jeff Huber may be in violation of Mn Statute 471.895

City Attorney David Snyder has refused a request to give a legal opinion of this statute allowing violation of this statute.

471.895 CERTAIN GIFTS BY INTERESTED PERSONS PROHIBITED.

Subdivision 1.**Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Gift" has the meaning given it in section 10A.071, subdivision 1.

(c) "Interested person" means a person or a representative of a person or association that has a direct financial interest in a decision that a local official is authorized to make.

(d) "Local official" means:

(1) an elected or appointed official of a county or city or of an agency, authority, or instrumentality of a county or city; and

(2) an elected or appointed member of a school board, a school superintendent, a school principal, or a district school officer of any independent school district.

Subd. 2.**Prohibition.** An interested person may not give a gift or request another to give a gift to a local official. A local official may not accept a gift from an interested person.

Subd. 3.Exceptions. (a) The prohibitions in this section do not apply if the gift is:

- (1) a contribution as defined in section 211A.01, subdivision 5;
- (2) services to assist an official in the performance of official duties, including but not limited to providing advice, consultation, information, and communication in connection with legislation, and services to constituents;
- (3) services of insignificant monetary value;
- (4) a plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;
- (5) a trinket or memento costing \$5 or less;
- (6) informational material of unexceptional value; or
- (7) food or a beverage given at a reception, meal, or meeting away from the recipient's place of work by an organization before whom the recipient appears to make a speech or answer questions as part of a program.

(b) The prohibitions in this section do not apply if the gift is given:

- (1) because of the recipient's membership in a group, a majority of whose members are not local officials, and an equivalent gift is given or offered to the other members of the group;
- (2) by an interested person who is a member of the family of the recipient, unless the gift is given on behalf of someone who is not a member of that family; or
- (3) by a national or multistate organization of governmental organizations or public officials, if a majority of the dues to the organization are paid from public funds, to attendees at a conference sponsored by that organization, if the gift is food or a beverage given at a reception or meal and an equivalent gift is given or offered to all other attendees.

Mayor Jeff Huber believes that he is allowed to accept free cable and internet services as payment for sitting on this cable commission.

Subd. 3.**Exceptions.** (a) The prohibitions in this section do not apply if the gift is:

- (1) a contribution as defined in section 211A.01, subdivision 5;
- (2) services to assist an official in the performance of official duties, including but not limited to providing advice, consultation, information, and communication in connection with legislation, and services to constituents;

Ramsey Washington Suburban Cable Commission

MISSION

OF THE RAMSEY WASHINGTON SUBURBAN CABLE COMMISSION

MONITOR

Monitor the operation of cable communications and the cable system serving these municipalities

PROVIDE

Provide administration, enforcement, and renewal of the cable franchises of our municipalities

PROMOTE

Promote, coordinate, administer and develop community cable television programming

ACT

Act to insure equitable and reasonable rates and service levels for the citizens of our municipalities

RWSCC receives no funding or oversight from internet services.

It provides free internet given to cable commissioners.

SCC provides free PEG Public Education Government cable services to all citizens free of charge.

Public Officials serving on the cable commission are prohibited by statute from receiving gifts and or services.

Free internet services provided to cable commissioners for which they have no oversight of is in direct violation of Minnesota Statute 471.895.

Has the city of Grant or the RWSCC provided Mayor Jeff Huber a w-2 statement to claim on his taxes for the services provided for serving on the cable commission with an approximate \$ 2,000.00 per year?

Prior to the City of Grant approving the year end audit I expect that



will render an opinion as the City of Grant Attorney David Snyder refused to do so when asked for by Councilman Larry Lanoux at City council meetings.

The League of Minnesota Cities has been informed of this issue also.

In an effort to show transparency prior to approving the year end audit your acknowledgement and decision to these issues will be appreciated .

Larry Lanoux
Councilman
City of Grant

Administrator /Clerk
Kim Points
City of Grant Mn
111 Wildwood Road
Willernie Mn 55090

May 24 2018

Citizen Complaint Form

This document shall be attached to the cities citizen complaint form.

Nature of Complaint Threatening Harassment Blackmail

Complaint to be filed against City of Grant Attorney David Snyder and the City of Grant.

On April 3 2018 during a brief city council recess from 7:08 to 7:10 pm

City Attorney David Snyder threatened and blackmailed Councilman Loren Sederstrom. Witnessed by Councilman Larry Lanoux.

This is a actionable item under Minnesota Law

As such I demand a public apology at the next city council meeting to be part of the video recording and entered into the minutes as part of the record.

If Councilman Loren Sederstrom is forced to commence a lawsuit against the City of Grant and City Attorney David Snyder to stop this behavior , be advised that I will seek recovery of all attorney's fees and costs incurred as a result.

While we hope this is not necessary , I am prepared to pursue whatever legal and equitable remedies that are available .

A formal complaint may also be filed with the

Lawyers Professional Responsibility Board
1500 Landmark Towers
345 St. Peter Street
St Paul Mn 55102

Johnson Turner Legal
56 E. Broadway Ave., Suite #206
Forest Lake, MN 55025

Washington County Sheriffs Office
15015 62nd St N,
Stillwater, MN 55082

Please copy all council members and include in the June 5 2018 city council packet for discussion.
Failure to do so may result in further action .

Councilman Loren Sederstrom
City Of Grant

January 12, 2018

**CERTIFIED MAIL NO. 7007 3020 0710 8836
RETURN RECEIPT REQUESTED**

Michael Morehouse
9643 110th Street N
Stillwater, MN 55082-8441

RE: Administrative Penalty Order
Ground Reclamation, Washington County

Dear Mr. Morehouse:

The Minnesota Pollution Control Agency (MPCA) is issuing the enclosed Administrative Penalty Order (APO) to Michael Morehouse for violations of Minnesota's environmental requirements. Please read the APO carefully. You must take action within 30 days after you receive this letter.

You must:

- Pay the enclosed invoice: \$3,450

During the investigation of the violations, you submitted information to the MPCA. The MPCA considered all the information you provided. However, we did not make changes to the violations listed in the Alleged Violation Letter (AVL).

You have a right to formally dispute this action within 30 days after receiving the APO. Instructions are in the RIGHT TO REVIEW section of the APO.

If you have questions or need assistance, contact me at 651-757-2564 or nicholas.nistler@state.mn.us.

Sincerely,

Nicholas Nistler

This document has been electronically signed.

Nicholas Nistler
Environmental Specialist
Stormwater Section
Municipal Division

NN:ss

Enclosure

this huge debt and fund federal programs for the states?

Here's how I see it. The federal government will reduce funding to the states for infrastructure, roads, education, Medicare, along with raising the federal fuel tax, or forcing states to charge tolls on roadways.

To cover the reduced funding from the feds, one can only assume the states and counties will be forced to increase taxes on things such as income, fuel, sales and property taxes, as well as general fees and the like. Also, let's not forget the "raise" we will be getting is taxed as well.

What about the fact interest rates are rising? Inflation is rising, health insurance continues to rise. What if there is a trade war, a huge market correction?

With the above facts, and scenarios, I don't see any positives for the middle class and the economy whatsoever. Is "The Fat Lady" warming up for a deeper recession?

Mike Cherrier
White Bear Lake

Potholes versus trail

After reading the article about how beneficial the "Lake Links" will be, makes me wonder how things are prioritized by the House Capital Committee? Anyone who's driven on South Shore Boulevard or Buerkle Road going east off Highway 61 would wonder how this would be a priority over fixing our roads? With potholes large enough to damage your car and drainage issues causing you to drive into the opposite lane to avoid them, it seems upside down. Let's compare the number of people using the trail to the number of cars using the road and determine which improvement would serve the people of White Bear Lake the most? Every family has to prioritize its budget. Would you put a fountain in if you need a new roof? I'm sure there are other taxpayers who would like a vote.

Lynne Kaufenberg
White Bear Lake

Who is misleading whom?

In response to Robert Tufty's letter to the editor concerning hydro vac dumping (on 110th Street N. in Grant) that started in August 2017 ("Councilman inserting personal opinions," April 18,

2018), I have the following response and corrections:

- The activity of the grading permit was to be completed by Oct. 31, 2017, and it did not reveal it was to be used for the commercial discharge of hydro vac trucks; only for "digging a pond."

- A cease-and-desist order was issued by the attorney for the city of Grant on Sept. 26, 2017. There was no Minnesota Pollution Agency NPDES (National Pollutant Discharge Elimination System) permit as required by federal law or a Brown's Creek Watershed District permit.

- On Dec. 4, 2017, the city issued a restoration order to have the site restored in five days, restoration that was not completed on time.

- On Oct. 5, 2017, a police report was made to document the discharge of a hydro vac truck at 6:30 a.m. that violated the cease-and-desist order.

- On Jan. 12, 2018, the MPCA issued a \$3,450 administrative order for penalty by certified mail, which was signed by (environmental specialist) Nicholas Nistler; it also detailed a list of corrective actions that needed to be taken.

- The Office of Administrative Hearing (OAH) case OAH 80-0325-31917, Planning Commissioner Bob Tufty was adjudicated of making false statements in a political campaign, but a recent 8th Circuit Court of Appeals allows "false information in political campaign," Care Committee vs. Arneson, 2014 LW-4290372.

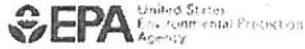
So who is misleading? Documents have been provided to the White Bear Press to verify the aforementioned claims.

Loren Sederstrom
Grant City Council

Instilled a love of learning

We moved to Mahtomedi for the great school district. As our son graduates this year, we have reflected on our experience and can truly say it was one of the best opportunities we have given our children. We want to thank the school leaders and staff, especially the teachers, who, from the elementary to the secondary schools, have been exemplary in their ability to connect, direct and instill a love of learning in students.

Michael Lisowski
Mahtomedi



Superfund Site Information

GRANT TOWNSHIP 3M DUMP SITE (EPA ID: MND981526429)

Site Information

[Site Info](#) | [Aliases](#) | [Operable Units](#) | [Contaminants](#) | [Contacts](#)
[Administrative Records](#) | [Reports and Documents](#)

Site Name: GRANT TOWNSHIP 3M DUMP SITE
Street: NE1/4 SE1/4 SEC28 T30N R21W
City / State / ZIP: STILLWATER, MN 55082
NPL Status: Not on the NPL
Non-NPL Status: NFRAP-Site does not qualify for the NPL based on existing information
EPA ID: MND981526429
EPA Region: 05
County: WASHINGTON
Latitude: +45.053333
Longitude: -092.816667
Federal Facility Flag: Not a Federal Facility

[Return to Search Results](#)

[Return to Search Superfund Sites](#)

Minnesota Superfund Sites -

Note: Many of these sites have been properly remediated. See the Superfund description in the [previous page](#). To get information about these sites, call the [EPA Regional Office](#) for the state, providing the EPA Site #

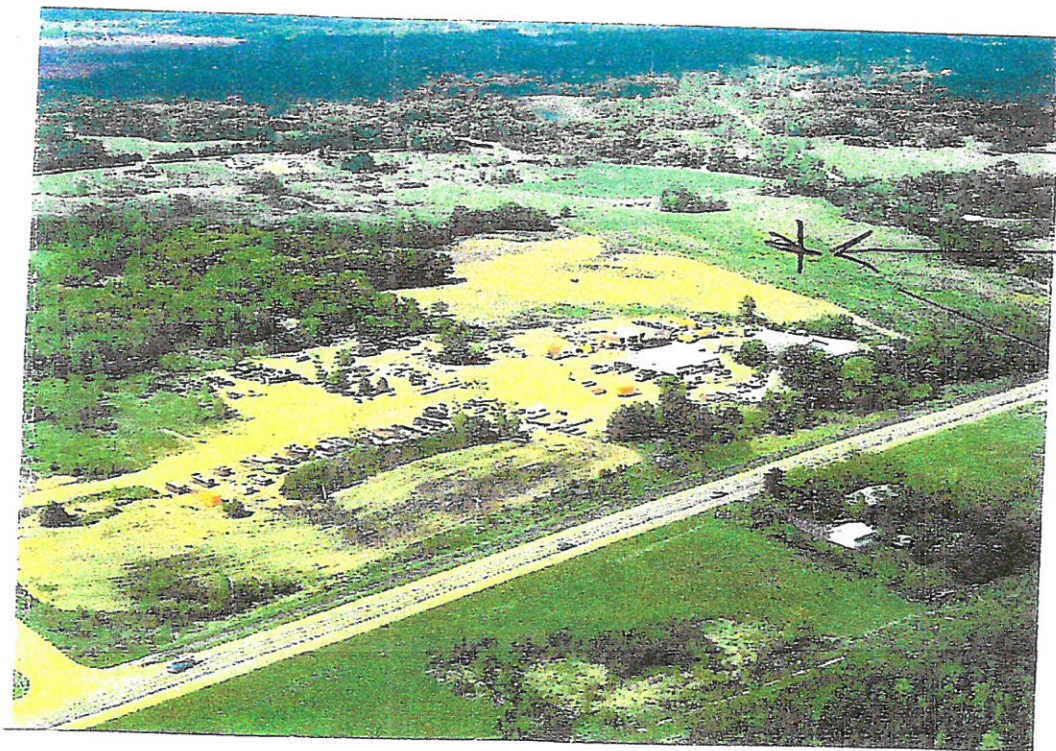
STILLWATER
8678 75TH STREET NORTH

BELLAIRE SANITATION
MND064792427

STILLWATER
NE1/4 SE1/4 SEC28 T30N R21W

GRANT TOWNSHIP 3M DUMP SITE
MND981526429

Photo of Bellaire Sanitation in Full Operation



New
Wildwood
Elementary
School

Note new location of Wildwood Elementary School

It's the Parents Right to Know

Your children are our future

For more information go to

Facebook Wildwood Elementary, Mahtomedi Mn Environmental