

**City of Grant  
City Council Agenda  
March 2, 2021**

*The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, March 2, 2021, in a teleconference format 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. February 2, 2021 City Council Meeting Minutes**

**B. February 2021 Bill List, \$86,121.55**

**C. Updated Assessor Contract, per City Budget**

**5. STAFF AGENDA ITEMS**

**A. City Engineer, Brad Reifsteck**

**i. Consideration of City Speed Limit Policy**

**ii. Consideration of MS4 New Requirements**

**iii. Consideration of 2021 Dust Control Bids**

**B. City Planner, Jennifer Swanson (no action items)**

**C. City Attorney, Dave Snyder (no action items)**

**6. NEW BUSINESS**

**A. Consideration of Resolution No. 2021-04, Abatement of Certified Street Assessment**

**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 (no action taken)**

**9. COMMUNITY CALENDAR MARCH 3 THROUGH MARCH 31, 2021:**

**Mahtomedi Public Schools Board Meeting, Thursday, March 11<sup>th</sup> and March 25<sup>th</sup>, Mahtomedi District Education Center, 7:00 p.m.**

**Stillwater Public Schools Board Meeting, Thursday, March 11<sup>th</sup>, Stillwater City Hall, 7:00 p.m.**

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

**10. ADJOURNMENT**

CITY OF GRANT  
MINUTES

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

**DATE** : February 2, 2021  
**TIME STARTED** : 7:00 p.m.  
**TIME ENDED** : 7:36 p.m.  
**MEMBERS PRESENT** : Councilmember Carr, Rog, Giefer,  
Schafer and Mayor Huber  
**MEMBERS ABSENT** : None

Staff members present: City Attorney, Dave Snyder; City Engineer, Brad Reifsteck; 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**

No one was present for public input.

**PLEDGE OF ALLEGIANCE**

**SETTING THE AGENDA**

**Council Member Rog moved to approve the agenda, as presented. Council Member Schafer seconded the motion. Motion carried unanimously with a roll call vote.**

**CONSENT AGENDA**

January 5, 2021 City Council Meeting Minutes Approved

January 2021 Bill List, \$43,508.87 Approved

**Council Member Giefer moved to approve the consent agenda, as presented. Council Member Rog seconded the motion. Motion carried unanimously with a roll call vote.**

**STAFF AGENDA ITEMS**

**City Engineer, Brad Reifsteck**

**Consideration of City Speed Study** – City Engineer Reifsteck advised in August 2019 the State Legislature and Governor Walz signed into law the authority to allow cities to set speed limits for local roads.

1 The new 2019 speed limit-related statute expands the definition of a residential roadway and allows  
2 cities the authority to enact a speed limit of 25 mph on streets without a study with the following  
3 conditions:

- 4
- 5 a. The street must be under the jurisdiction of the city.
- 6 b. Located in an area zoned exclusively for housing,
- 7 c. The street is not classified as a collector or arterial,
- 8 d. The speed limits must be implemented in a consistent and understandable manner based
- 9 on the city’s safety, engineering, and traffic analysis,
- 10 e. Appropriate signs must be installed,
- 11 f. The changes must be effectively communicated to the public.

12  
13 Should the City Council determine that they would be in favor of reducing speed limits on local  
14 residential streets a formal policy would need to be adopted. WSB would assist the City in preparing  
15 documentation and policy. The cost estimate for the project is approximately \$4,000 plus signs and  
16 installation.

17  
18 It was the consensus of the Council to bring additional information relating to the process and  
19 potential policy to the next City Council meeting.

20  
21 **Consideration of Assessment Deferment** – City Engineer Reifsteck advised in November 2021 an  
22 Assessment hearing was held for the Joliet Ave and Woodland Acres project.

23  
24 The resident at 10250 Jody Ave is over the age of 65 and is requesting a delayed payment for the its  
25 property assessment in the amount of \$7,748.06.

26  
27 Under Minn. Stat. §§ 435.193 to 435.195 the Council may, in its discretion, defer the payment of this  
28 special assessment for any homestead property owned by a person 65 years of age or older or retired  
29 by virtue of a permanent and total disability for whom it would be a hardship to make the payments.  
30 When deferment of the special assessment has been granted and is terminated for any reason provided  
31 in that law and Ordinance (Resolution), all amounts accumulated plus applicable interest become due.  
32 Any assessed property owner meeting the requirements of this law may, within 30 days of the  
33 confirmation of the assessment, apply to the City Clerk for the prescribed form for such deferral of  
34 payment of this special assessment on his/her property.

35  
36 **Council Member Giefer moved to approve the Assessment Deferment, as presented. Council**  
37 **Member Schafer seconded the motion. Motion carried unanimously with a roll call vote.**

38  
39 **City Planner, Jennifer Swanson (no action items)**

40  
41 **City Attorney, Dave Snyder (no action items)**

42  
43 **NEW BUSINESS**

44  
45 **UNFINISHED BUSINESS**

46

1 There was no unfinished business.

2

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

4

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

6

7 **City Council Reports/Future Agenda Items**

8

9 No items were placed on a future agenda.

10

11 **COMMUNITY CALENDAR FEBRUARY 3 THROUGH FEBRUARY 28, 2021:**

12 **Mahtomedi Public Schools Board Meeting, Thursday, February 11<sup>th</sup> and February 25<sup>th</sup>,**  
13 **Mahtomedi District Education Center, 7:00 p.m.**

14 **Stillwater Public Schools Board Meeting, Thursday, February 11<sup>th</sup>, Stillwater City Hall, 7:00**  
15 **p.m.**

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

17

18 **ADJOURNMENT**

19

20 **Council Member Giefer moved to adjourn the meeting at 7:36 p.m. Council Member Schafer**  
21 **seconded the motion. Motion carried unanimously.**

22

23 These minutes were considered and approved at the regular Council Meeting March 2, 2021.

24

25

26

27

28 \_\_\_\_\_  
Kim Points, Administrator/Clerk

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

29

30

Fund Name: All Funds

Date Range: 02/01/2021 To 02/23/2021

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
02/22/2021	Payroll Period Ending 02/28/2021	15147	February2021	N	Clerk Salary	100-41101-100-	\$ 4,086.66
	<b>Total For Check</b>	<b>15147</b>					<b>\$ 4,086.66</b>
02/22/2021	SHC, LLC	15148	Planning Services	N	City Planner	100-41209-300-	\$ 1,265.00
		15148			Pre-App	100-41319-301-	\$ 300.00
		15148			Escrow	988-49320-301-	\$ 140.00
	<b>Total For Check</b>	<b>15148</b>					<b>\$ 1,705.00</b>
02/22/2021	Bremer Bank	15149	2020 Road Project Interest	N	2019/2020 Road Project	100-43136-610-	\$ 5,453.76
	<b>Total For Check</b>	<b>15149</b>					<b>\$ 5,453.76</b>
02/22/2021	Washington County Public Works	15150	Snow and Ice	N	Ice and Snow Removal	100-43125-330-	\$ 8,768.95
	<b>Total For Check</b>	<b>15150</b>					<b>\$ 8,768.95</b>
02/22/2021	Todd Smith	15151	Monthly Assessment Services - February	N	Property Assessor	100-41208-300-	\$ 2,173.00
	<b>Total For Check</b>	<b>15151</b>					<b>\$ 2,173.00</b>
02/22/2021	Maroney's	15152	Dump Fee	N	Special Road Projects	100-43128-384-	\$ 121.60
	<b>Total For Check</b>	<b>15152</b>					<b>\$ 121.60</b>
02/22/2021	CenturyLink	15153	City Phone	N	City Office Telephone	100-41309-321-	\$ 146.15
	<b>Total For Check</b>	<b>15153</b>					<b>\$ 146.15</b>
02/22/2021	League of Minnesota Cities	15154	Training	N	Workshops	100-41305-310-	\$ 175.00
	<b>Total For Check</b>	<b>15154</b>					<b>\$ 175.00</b>
02/22/2021	Waste Management	15155	Recycling -	N	Recycling	100-43011-384-	\$ 5,164.32
	<b>Total For Check</b>	<b>15155</b>					<b>\$ 5,164.32</b>
02/22/2021	Lisa Senopole	15156	Video Tech - January//Feb	N	Cable Costs	100-41212-100-	\$ 180.00
	<b>Total For Check</b>	<b>15156</b>					<b>\$ 180.00</b>
02/22/2021	AirFresh Industries	15157	PortaPot #43242	N	Town Hall Porta Pot	100-43007-210-	\$ 125.00
	<b>Total For Check</b>	<b>15157</b>					<b>\$ 125.00</b>
02/22/2021	Washington County Property Records	15158	Truth In Taxatoin Printing	N	Property Assessor	100-41208-210-	\$ 479.75

Fund Name: All Funds

Date Range: 02/01/2021 To 02/23/2021

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
02/22/2021	Sprint	15159	City Cell Phone	N	Road Expenses - Other	100-43116-321-	\$ 38.98
	<b>Total For Check</b>	<b>15159</b>					<b>\$ 38.98</b>
02/22/2021	WSB & Associates	15160	Engineering - January	N	Engineering Fees - General	100-41203-300-	\$ 636.50
		15160			Special Road Projects	100-43128-300-	\$ 1,903.50
		15160			Utility/ROW Permits	100-43132-300-	\$ 69.00
		15160			2021 Road Project	100-43137-300-	\$ 20,644.40
	<b>Total For Check</b>	<b>15160</b>					<b>\$ 23,253.40</b>
02/22/2021	Johnson Turner Legal	15161	January Billing	N	Legal Fees - General	100-41204-301-	\$ 1,261.00
		15161			Legal Fees - Complaints	100-41205-301-	\$ 2,365.00
		15161			Legal Fees - Prosecutions	100-41206-301-	\$ 1,900.00
	<b>Total For Check</b>	<b>15161</b>					<b>\$ 5,526.00</b>
02/22/2021	Wells Fargo	15162	Council Member Training/Lunch	N	Workshops	100-41305-310-	\$ 49.37
	<b>Total For Check</b>	<b>15162</b>					<b>\$ 49.37</b>
02/22/2021	Croix Valley Inspector	15163	Building Inspector	N	Building Inspection	100-42004-300-	\$ 17,378.47
	<b>Total For Check</b>	<b>15163</b>					<b>\$ 17,378.47</b>
02/22/2021	PERA	15164	PERA	N	Clerk PERA	100-41102-120-	\$ 411.70
		15164			Clerk PERA Withholding	100-41108-100-	\$ 356.81
	<b>Total For Check</b>	<b>15164</b>					<b>\$ 768.51</b>
02/22/2021	KEI Enterprises	15165	Feb21 Road Contractor	N	Animal Control	100-42006-300-	\$ 83.00
		15165			Town Hall Mowing	100-43006-300-	\$ 125.00
		15165			Ball Field Maintenance	100-43009-300-	\$ 125.00
		15165			Road Engineering Fees	100-43102-300-	\$ 166.14
		15165			Road Garbage Removal	100-43105-300-	\$ 167.00
		15165			Gravel Road Costs	100-43106-300-	\$ 20.84
		15165			Magnesium Chloride	100-43107-300-	\$ 41.67
		15165			Road Sign Replacement	100-43110-300-	\$ 83.84
		15165			Culvert Repair	100-43111-300-	\$ 20.84
		15165			Snow & Ice Removal	100-43113-300-	\$ 5,686.67
		15165			Road Brushing	100-43114-300-	\$ 2,250.00
		15165			Road Side Mowing	100-43115-300-	\$ 500.00
	<b>Total For Check</b>	<b>15165</b>					<b>\$ 9,270.00</b>
02/22/2021	IRS	EFT140	Payroll Taxes	N	Clerk FICA/Medicare	100-41103-100-	\$ 419.94
		EFT140			Clerk Medicare	100-41105-100-	\$ 79.60

Fund Name: All Funds

Date Range: 02/01/2021 To 02/23/2021

<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>
		EFT140			Federal Withholding	100-41107-100-	\$ 417.75
		EFT140			Social Security Expens	100-41109-100-	\$ 340.34
		<b>Total For Check</b>					<b>\$ 1,257.63</b>

**Total For Selected Checks** **\$ 86,121.55**



## **MUNICIPAL ASSESSMENT SERVICES AGREEMENT**

**THIS MUNICIPAL ASSESSMENT AGREEMENT** ("Agreement") is entered into this 1<sup>st</sup> day of June 2018, by and between the City of Grant, a Minnesota municipal corporation ("City") and Todd Walter Smith d/b/a Smith Appraisal Service ("Smith").

### **RECITALS**

- A. Smith is a Certified Residential Assessor licensed by the State of Minnesota Board of Assessors;
- B. Smith's license number is 1857;
- C. The City has 2,173 parcels of property subject to tax assessment;
- D. The City desires to engage Smith for the purpose of providing municipal assessment services;
- E. The City desires to appoint Smith to act as its City Assessor subject to the following terms and conditions.

**NOW THEREFORE**, the City and Smith hereby agree as follows:

### **AGREEMENT**

1. Smith is appointed to serve as the City Assessor for the City of Grant and shall perform all assessment services required by State law and the City of Grant.
2. Smith is deemed to be an independent contractor for the purposes of this appointment. Smith acknowledges and agrees that he is not an employee of the City. The City will not withhold any taxes, social security, FICA, or any other withholdings from its payments to Smith, Smith shall be solely responsible for calculating and paying all state and federal income taxes, social security, FICA, and any other taxes or withholdings. City shall not pay, and Smith shall not be entitled to any health insurance, life insurance, pensions, retirement accounts, or any other fringe benefits not enumerated herein.
3. Smith's appointment as City Assessor shall commence on June 1, 2020 and shall run for a term of two ( 2 ) year(s) until June, 2022.
4. Smith shall be compensated by the City at a rate of \$ 12.00 per parcel, for a total annual contract price of \$26,076.00. There shall be no increase in the contract rate unless expressly approved by the City. There shall be no charge for new construction permits or exempt properties.

5. Smith's services shall be billed monthly starting June 1, 2018. Smith agrees to submit an invoice requesting payment at least thirty (30) days prior to the payment date.
6. Smith shall maintain insurance in the amount of One Million Dollars (\$1,000,000.00), and shall maintain vehicle and property coverage as approved by the City. Smith shall name the City as an additional insured on these policies and shall provide to the City copies of all proofs of insurance. Smith shall direct the insurer to remit any changes in coverage to the City.
7. Smith shall provide the contracted services in accordance with industry accepted appraisal standards and shall maintain necessary licensures and certifications with the State of Minnesota. Failure to maintain necessary licensures and certifications shall be deemed a default of this Agreement subjecting the Agreement to termination by the City in its sole discretion.
8. Smith represents and certifies that he is experienced and knowledgeable about Washington County's mass appraisal systems, shall provide his services in a competent manner, and agrees that failure to comply with or complete the assessment in accordance with the requirements of Washington County shall be deemed a default of this Agreement subjecting the Agreement to termination by the City in its sole discretion.
9. Smith shall be responsible for physically inspecting and determining the valuation of every parcel of assessable property in the City. The inspections shall be conducted on a five-year rotation with twenty percent (20%) of the properties physically inspected each year. The five year rotation shall not obligate or otherwise compel or require the City to extend the term of this Agreement beyond the term as stated herein.
10. Smith shall not assign or delegate contracted work to another assessor, employee or subcontractor without the express prior approval of the City, with the exception of clerical work not requiring a Minnesota Certified Residential Assessor's license. All clerical work shall be performed by an employee of Smith.
11. Smith shall attend and conduct the annual Board of Appeals meeting; conduct property reviews recommended by the Board of Appeals; attend the annual County Board of Equalization meeting; testify on behalf of the City at Court appearances, hearing or judicial or quasi-judicial hearings; and any other such activity required to accurately assess all of the parcels located within the City. Such services shall be included in the annual fee and shall not be subject to additional cost to the City.
12. This Agreement may be terminated as provided for by this Agreement or by either party upon thirty (30) days written notice to the other.

13. The City shall be authorized to terminate this Agreement immediately in the event Smith fails to properly perform the required functions as stated in this Agreement, or engages in malpractice, theft, illegal activity, or other misconduct related to the performance of his duties. Smith may terminate this Agreement in the event the city fails to timely pay Smith for his services as set forth in this Agreement.
14. The City shall be entitled to recover all reasonable costs, including attorney's fees, incurred in the enforcement of this Agreement.
15. This Agreement constitutes the entire agreement between the parties and may only be modified in writing and upon execution by both parties. The Agreement shall be construed in accordance with the laws of the State of Minnesota.

CITY OF GRANT,  
a Minnesota municipal corporation.

TODD W. SMITH  
d/b/a Smith Appraisal Service

\_\_\_\_\_  
By: Jeff Huber  
Its: Mayor

\_\_\_\_\_  
By: Todd W. Smith

ATTEST:

\_\_\_\_\_  
By: Kim Points  
Its: City Clerk

## Memorandum

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

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

Date: January 25, 2021

Re: City of Grant Speed Limit Policy

---

### Actions to be considered:

- Authorize City Engineer to prepare City Speed Limit Policy

### Facts:

State Statute MN ST § 169.14, subd. 5 allows cities to establish speed limits on local roads but must follow at a minimum the following steps:

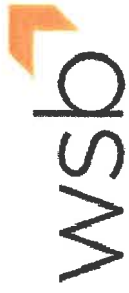
- ***Develop procedures to set speed limits based on the city's safety, engineering, and traffic analysis.***
- ***Implement speed limit changes in a consistent and understandable manner***
- ***Use methods to effectively communicate the change to the public.***

Should the City Council determine they would be in favor of reducing speed limits on local residential streets a formal policy would need to be adopted. WSB would assist the City in preparing documentation and policy.

A proposal in the amount of \$4154 is attached for Council consideration.

**Action:** Discussion. Authorize City Engineer to develop Speed Limit Policy

**Attachment:** WSB Proposal



# ESTIMATE OF HOURS AND COSTS SPEED LIMIT POLICY

## City of Grant

Task No.	Estimated Hours					Total Hours	Cost
	Sr Project Manager / Traffic Engineer Chuck Rickart	Design Engineer Mallori Fitzpatrick	Engineering Tech Mike Molitor	GIS			
1	2					2	\$ 370.00
2		2			2	4	\$ 468.00
3	2	10	2		2	16	\$ 1,988.00
4	4	2				6	\$ 958.00
5	2					2	\$ 370.00
<b>Total Hours</b>	<b>10</b>	<b>14</b>	<b>2</b>	<b>4</b>		<b>30</b>	
<b>Hourly Costs</b>	185.00	109.00	139.00	125.00			
<b>Labor Costs</b>	<b>\$1,850.00</b>	<b>\$1,526.00</b>	<b>\$278.00</b>	<b>\$500.00</b>			<b>\$ 4,154.00</b>



September 16, 2020

Ms, Kim Points – City Administrator  
City of Grant  
PO Box 577  
Willernie, MN 55090

Re: Engineering Proposal  
Preparation of Draft Speed Limit Policy and Documentation  
City of Grant

Dear Ms. Points:

We are pleased to present this proposal for professional engineering services to provide the City of Grant with background information on the current speed limit rules, preparation of a draft Speed Limit Policy and to provide information on what next steps the City would need to follow to implement new speed limits on local streets.

We appreciate the opportunity to provide the City with a proposal for the following Scope of Services:

### **SCOPE OF SERVICES**

#### **Task 1 – Project Management:**

This task includes planning and coordination of all work tasks, establishment and monitoring of budgets, and correspondence with the City of Grant. The project manager will provide technical direction on all aspects of the project review, all work products, and keep the City informed on the project progress. The project manager will serve a primary role in the analysis and preparation of the documentation.

#### **Task 2 – Data Collection:**

Available data will be collected from the City of Grant, Washington County, MnDOT and other impacted agencies. Data will include but not limited to:

- Existing and proposed roadway Jurisdiction and Functional Classification.
- Existing speed limits on roadways within the City.
- Past three years of crash data on area roadways.
- Existing Average Daily Traffic volumes on area roadways.
- GIS map data showing land use and zoning.

#### **Task 3 – Safety and Traffic Investigation:**

WSB will identify the local City Streets that would be eligible for speed reduction and conduct a safety and traffic investigation identifying what local streets have current crash, speeding or capacity issues or concerns. This task will include documenting the rationale for setting specific speeds (i.e. 25mph, 30mph, etc.).

#### **Task 4 – Speed Limit Policy / Communication Plan / Next Steps:**

A draft Speed Limit Policy will be prepared, based on current Minnesota State rules and documentation from the Safety and Traffic Investigation, outlining what speed limits should be implemented on local City streets. The policy will also identify the next steps for when and where speed limit signs should be posted.

In addition, a communication plan will be prepared to inform residents of the speed limit changes within the City.

**Task 5 – Meetings:**

WSB would be available to attend any meetings that are necessary to discuss or present the speed limit considerations. One (1) meeting with City staff is assumed as part of this proposal to review the draft speed limit policy and documentation. If additional meetings are required, WSB will charge the time at our standard hourly rates.

**PROPOSED FEE**

The estimated cost to prepare the Project Development is based on the above Scope of Work and is as follows:

<u>Task</u>	<u>Amount</u>
Task 1 – Project Management	\$ 370
Task 2 – Data Collection	\$ 468
Task 3 – Preliminary Design/Concept Plan	\$ 1,988
Task 4 – Report Preparation	\$ 958
Task 5 – Meetings	\$ 370
<b>Total Cost</b>	<b>\$ 4,154</b>

WSB would invoice the City of Grant for the actual hours worked at each employee classification with the current WSB hourly rates up to the maximum of \$4,154. No work in excess of the \$4,154 will be completed without prior written approval from the City of Grant.

This letter represents our understanding of the project scope. If you are in agreement, please sign on the space provided and return one original signed copy to us for our records. We will start immediately upon receipt of the signed agreement.

WSB appreciates the opportunity to provide the City of Grant with this proposal. As always, we are looking forward to working with you and your staff toward the completion of the project. If you have any questions concerning the work plan or fee as presented, please feel free to contact me at (612) 360-1283.

Sincerely,

WSB



Charles T. Rickart, PE, PTOE  
Project Manager/Principal

ACCEPTED BY: CITY OF GRANT, MN

Signature: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Date: \_\_\_\_\_

cc: Brad Reifsteck, City Engineer

## Memorandum

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

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

Date: February 21, 2021

Re: MS4 New requirements

---

### Actions to be considered:

- Authorize City Engineer to prepare and update City's MS4 Permitting.

### Facts:

Since the MS4 permit was updated and reissued in November 2020 the City has a two-part process to come into compliance with the new rules.

The first part is completing the reauthorization application. This application assesses the state of each MS4 program and identifies where there are gaps between the expired permit from 2013-2018 and the new rules. By completing a thorough, in-depth analysis first, we can identify what existing documentation is available to comply with the new permit requirements.

After this application is complete and approved by the MPCA, we'll take the gaps identified from the application and will shift to implementation to comply with the new rules. This will include ordinance revisions, supplementing their written procedures, developing maps, staff training, etc.

The City went through this exact process in 2014-2015 when the MS4 permit was updated in 2013.

WSB would assist the City in preparing documentation, application and implementation.

A proposal in the amount of \$6,348 is attached for Council's consideration.

**Action:** Discussion. Authorize City Engineer to update and prepare City's MS4 permit

**Attachment:** WSB Proposal, MCES MS4 Summary Revisions



# Summary of significant new requirements in the Draft MS4 General Permit

This document is intended to serve as a short, high-level summary of new requirements in the Draft Municipal Separate Storm Sewer System (MS4) General Permit (Permit No: MNR040000). Permit references are provided for those seeking the actual permit language.

For those seeking a more comprehensive look at new requirements, please view the highlighted version of the Draft MS4 General Permit, which is available at <https://www.pca.state.mn.us/water/municipal-stormwater-ms4>. The document uses yellow highlight to show all new requirements the Minnesota Pollution Control Agency (MPCA) believes are notable, including areas where more specificity was added since the previous permit (i.e., the 2013 MS4 General Permit).

## Overview of changes

1. New permit format due to changes in MPCA policies for permits.
2. Added specificity throughout the permit, such as written procedures and frequencies for educational activities, trainings, and inspections, to meet the intent of the MS4 General Permit Remand Rule (clear, specific, and measurable requirements).
3. Added various documentation requirements throughout the permit so that the MPCA and permittees can better evaluate permit compliance and stormwater pollution prevention program (SWPPP) effectiveness and meet the intent of the MS4 General Permit Remand Rule.
4. New application requirements for total maximum daily loads (TMDLs) to meet the intent of the MS4 General Permit Remand Rule and better substantiate applicable waste load allocations (WLAs) are being met.
5. New requirements to address chloride from deicing material. See Minimum Control Measures (MCMs) 1, 3, and 6 below for details.
6. New requirements to address bacteria from pet waste. See MCMs 1 and 3 below for details.
7. More protective post-construction stormwater management requirements for redevelopment projects. See Table 1 below for details.
8. Performance-based approach to address TMDLs for chloride, bacteria, and temperature. See Table 2 below for details.

## New application requirements for TMDLs

*Draft MS4 General Permit Reference: Items 12.8 and 12.10 (pages 5 & 6)*

1. If the applicant has an applicable WLA for total suspended solids (TSS) or total phosphorus (TP), provide a cumulative estimate of TSS and TP load reductions (in pounds) to be achieved during the permit term.
2. For each applicable WLA for TSS and TP where the applicant is claiming to meet an applicable WLA, the applicant must provide documentation that the applicable WLA is being met. At a minimum, the applicant must provide the following information:

- a. A list of all structural stormwater best management practices (BMPs) implemented to achieve the applicable WLA, including the BMP type (e.g., constructed basin, infiltrator, filter, swale or strip, etc.), location in geographic coordinates, owner, and year implemented; and
- b. Documentation using an Agency-approved method, which demonstrates the applicant's existing load meets the WLA; or
- c. Documentation using an Agency-approved method, which demonstrates the estimated reductions of TSS or TP from BMPs meet the estimated MS4 WLA reductions included in the TMDL report, if that information is available (i.e., target loading rate, percent reduction, or pounds reduced).

### **MCM 1: Public education and outreach**

*Draft MS4 General Permit Reference: Items 16.4 and 16.6 (page 7)*

For cities and townships, at least once each calendar year, distribute educational materials or equivalent outreach to residents, businesses, commercial facilities, and institutions, focused on the following:

1. Impacts of deicing salt use on receiving waters;
2. Methods to reduce deicing salt use; and
3. Proper storage of salt or other deicing materials.

For cities and townships, at least once each calendar year, distribute educational materials or equivalent outreach focused on pet waste. The educational materials or equivalent outreach must include information on the following:

1. Impacts of pet waste on receiving waters;
2. Proper management of pet waste; and
3. Any existing permittee regulatory mechanism(s) for pet waste.

### **MCM 3: Illicit discharge detection and elimination**

*Draft MS4 General Permit Reference: Items 18.5 and 18.6 (page 8)*

Develop and implement a regulatory mechanism (e.g., an ordinance) that:

1. For cities, townships, and counties, require owners or custodians of pets to remove and properly dispose of feces on permittee owned/operated land areas.
2. For cities and townships, require proper salt storage at commercial, institutional, and non-NPDES permitted industrial facilities.

## MCM 5: Post-construction stormwater management

Draft MS4 General Permit Reference: Items 20.6 and 20.7 (page 12)

Table 1: Comparison of post-construction stormwater management redevelopment requirements

2013 MS4 General Permit	Draft MS4 General Permit
<b>Redevelopment</b> – on site, achieve a <b>net reduction</b> from pre-project conditions in TSS, TP, and volume	<b>Redevelopment – 1" volume retention</b> on site for fully reconstructed <sup>1</sup> impervious surface <ul style="list-style-type: none"> <li>• Triggers when ≥1 acres of impervious surface will be fully reconstructed</li> </ul>
<b>Linear redevelopment projects</b> – no separate requirement (falls under Redevelopment)	<b>Linear redevelopment projects – 0.5" volume retention</b> on site for fully reconstructed impervious surface <ul style="list-style-type: none"> <li>• Triggers when ≥1 acres of impervious surface will be fully reconstructed</li> <li>• If unable to achieve 0.5", maximize treatment on site</li> </ul>

## MCM 6: Pollution prevention/good housekeeping for municipal operations

Draft MS4 General Permit Reference: Items 21.5, 21.6, and 21.7 (pages 15 & 16)

1. Implement the following BMPs at permittee owned/operated salt storage areas:
  - a. Cover or store the salt indoors;
  - b. Store salt on an impervious surface; and
  - c. Implement practices to reduce exposure when transferring material from salt storage areas (e.g., sweeping, diversions, and/or containment).
2. Implement a written snow and ice management policy for individuals that perform winter maintenance activities for the permittee. The policy must establish practices and procedures for snow and ice control operations (e.g., plowing or other snow removal practices, sand use, and application of deicing compounds).
3. Each calendar year, the permittee must ensure all individuals that perform winter maintenance activities for the permittee receive training that includes:
  - a. The importance of protecting water quality;
  - b. BMPs to minimize the use of deicers (e.g., proper calibration of equipment and benefits of pretreatment, pre-wetting, and anti-icing); and
  - c. Tools and resources to assist in winter maintenance (e.g., deicing application rate guidelines, calibration charts, Smart Salting Assessment Tool).

<sup>1</sup> "Fully reconstructed" means areas where impervious surfaces have been removed down to the underlying soils. Activities such as structure renovation, mill and overlay projects, and other pavement rehabilitation projects that do not expose the underlying soils beneath the structure, pavement, or activity are not considered fully reconstructed. Maintenance activities such as catch basin and pipe repair/replacement, lighting, and pedestrian ramp improvements are not considered fully reconstructed.

# Performance-based approaches to address TMDLs for chloride, bacteria, and temperature

Draft MS4 General Permit Reference: Items 22.3 – 22.7 (page 17)

**Table 2: Comparison of TMDL requirements**

2013 MS4 General Permit	Draft MS4 General Permit
<p>Submit a compliance schedule with the application that includes:</p> <ol style="list-style-type: none"> <li>1) Interim milestones, expressed as BMPs or progress toward implementation of BMPs to be achieved during the term of this permit</li> <li>2) Dates for implementation of interim milestones</li> <li>3) Strategies for continued BMP implementation beyond the term of this permit</li> <li>4) Target dates the applicable WLAs will be achieved</li> </ol>	<p>Meet the following requirements within 12 months of permit coverage:</p> <p>If the permittee has an applicable WLA<sup>2</sup> for <b>bacteria</b>...</p> <ol style="list-style-type: none"> <li>1) Maintain a written or mapped inventory of potential areas and sources of bacteria (e.g., dense populations of waterfowl or other bird, dog parks).</li> <li>2) Maintain a written plan to prioritize reduction activities to address the areas and sources identified in the inventory.</li> </ol> <p>If the permittee has an applicable WLA for <b>chloride</b>...</p> <ol style="list-style-type: none"> <li>1) Document the amount of deicer applied each winter maintenance season to all permittee owned/operated surfaces.</li> <li>2) Each calendar year the permittee must conduct an assessment of the permittee’s winter maintenance operations to reduce the amount of deicing salt applied to permittee owned/operated surfaces and determine current and future opportunities to improve BMPs. The permittee may use the Agency’s Smart Salting Assessment Tool or other available resources and methods to complete this assessment. The permittee must document the assessment.</li> </ol> <p>If the permittee has an applicable WLA for <b>temperature</b>...</p> <ol style="list-style-type: none"> <li>1) Maintain a written plan that identifies specific activities the permittee will implement to reduce thermal loading during the permit term.</li> </ol>

<sup>2</sup> “Applicable WLA” means a Waste Load Allocation assigned to the permittee and approved by the EPA prior to the issuance date of the General Permit.

## Memorandum

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

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

Date: February 21, 2021

Re: City Dust Control

---

### Actions to be considered:

- Authorize City Administrator to enter into an agreement with a Contractor for dust control

### Facts:

The City is soliciting contractors for proposal for two applications of calcium chloride to control dust along gravel roads for Grant residents.

A quote package was sent to a few contractor's the City has prior working experience. Proposals are due this Friday February 26, 2021 at 2pm. The results and summary will be distributed to Council prior to the council meeting.

City staff will recommend to Council a preferred contractor based upon cost, responsibility and prior experience working with the City.

**Action:** Discussion. Authorize Administrator to enter an agreement with Contractor.

**City of Grant, MN  
Resolution No. 2021-04  
A Resolution For The Abatement Of  
Street Assessment**

**'WHEREAS, The City of Grant did certify a street assessment to Washington County. On the list one Property I.D. did apply and was approved for Delayed Payment of Tax Special Assessments; and**

**WHEREAS, attached is the completed Application for Abatement which needs to be filed at Washington County to defer the certification of a street assessment bill from Property I.D. 10.030.21.34.0005, 10250 Jody Avenue North, Stillwater, MN 55082; and**

**WHEREAS, attached is the Application and Authorization for Delayed Payment of Tax Special Assessments for Seniors or Disabled; and**

**WHEREAS, the property owner has met the criteria for delayed payment; and**

**WHEREAS, the City Council of the City of Grant approved the delayed payment of special assessments request; and**

**NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Grant County of Washington, State of Minnesota, that this Abatement Form be approved and sent to Washington County with this Resolution to Abate Payment of Tax Special Assessments in the amount of \$7,748.00 for the year 2021 thru 2026 for 10250 Jody Avenue North, Stillwater, MN 55082, until such time as it is deemed the applicant no longer qualifies or the property loses eligibility.**

**Adopted this 2<sup>nd</sup> day of March, 2021 by the Grant City Council**

---

**Mayor Jeff Huber**

---

**City Clerk**