

**City of Grant
City Council Agenda
June 28, 2022**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, June 23, 2022, 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. May 3, 2022 City Council Meeting Minutes
- B. June 2022 Bill List, \$55,235.17
- C. Kline Bros. Excavating, Road Work, \$29,456.25
- D. City of Stillwater, 2nd Half Fire Contract, \$80,180.00

5. STAFF AGENDA ITEMS

- A. City Engineer, Brad Reifsteck
 - i. Consideration of Gravel Road Maintenance Quotes
 - ii. Consideration of 2022 Pavement Management Quotes

iii. Consideration of 2022 Special Road Project, Guard Rail Repair and Installation

B. City Planner, Jennifer Swanson

i. Consideration of Resolution No. 2022-07, Consideration of Minor Subdivision, 9250 Dellwood Road N

ii. Consideration of Resolution No. 2022-08, Application for Amended Conditional Use Permit for Victoria Station Boarding Stable and Indoor Riding Arena, 9250 Dellwood Road N

iii. Consideration of Resolution No. 2022-09, Application for Conditional Use Permit to Process Firewood, 10151 75th Avenue N

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

6. NEW BUSINESS

A. Consideration of In-Person Meetings

B. Accept 2021 Audit

C. Consideration of Resolution No. 2022-10, Primary and General Election Judges

D. Consideration of Scanner/Filing Work, City Office

E. Set 2023 Budget Work Session

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 JULY 1 THROUGH JULY 31, 2022:

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

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

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

Candidate Filing Period, August 2nd through August 14th.

10. ADJOURNMENT

CITY OF GRANT
MINUTES

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DATE : May 3, 2022
TIME STARTED : 7:00 p.m.
TIME ENDED : 8:00 p.m.
MEMBERS PRESENT : Councilmember Carr, Rog, Giefer,
Schafer and Mayor Huber
MEMBERS ABSENT : None

Staff members present: City Attorney, Dave Snyder; City Planner, Jennifer Swanson; 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

Ms. Tia Schlundt, 11556 Ironwood Avenue, requested the Council review the agricultural building ordinance in terms of setbacks and consider amending the current setbacks.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

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

CONSENT AGENDA

April 5, 2022 City Council Meeting Minutes	Approved
April 2022 Bill List, \$55,575.42	Approved
Kline Bros. Excavating, Road Work	Approved
2022 Dust Control Quote, \$1.23 Per Gallon	Approved

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

STAFF AGENDA ITEMS

City Engineer, Brad Reifsteck (no action items)

1 **City Planner, Jennifer Swanson**

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3 **Consideration of Resolution No. 2022-06, Amended CUP Application for Woodbury Lutheran**
4 **Church, 9060 60th Street** – City Planner Swanson stated the Applicant, Woodbury Lutheran Church,
5 is requesting an amendment to the existing CUP on the subject property to allow for the development
6 of outdoor recreational improvements to include a playground, 20’ x 30’ paved sport court, and a 30’
7 x 40’ (1,200 Square Feet) pavilion.

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9 City Planner Swanson briefly reviewed the application that was presented last month. The Council
10 requested more information regarding events and amplification. She stated the City received
11 conflicting information from the Church and applicant. She recommended a condition of approval be
12 added regarding all events terminating at 9:00 p.m., outdoor worship services comply with the noise
13 ordinance and no large scale events be allowed.

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15 City Planner Swanson suggested a limit of amplified events to six times per year, from May to
16 October on Sundays only from 9:00 am to 11:00 am.

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18 **Council Member Giefer moved to adopt Resolution No. 2022-06 with all conditions in draft**
19 **permit and the additional condition stating six amplified events are allowed from May to**
20 **October on Sundays only from 9:00 am to 11:00 am. Council Member Rog seconded the**
21 **motion. Motion carried unanimously with a roll call vote.**

22
23 **City Attorney, Dave Snyder (no action items)**

24 **NEW BUSINESS**

25
26 **Consideration of Lawn Care Bids, Town Hall** – Staff advised Council can consider the bid from
27 White Bear Lawn and Snow for additional services at Town Hall.

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29 **Council Member Schafer moved to approve bid by White Bear Lawn and Snow for Fall Clean**
30 **Up and Seeding around the building. Council Member Rog seconded the motion. Motion**
31 **carried unanimously with a roll call vote.**

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33 **UNFINISHED BUSINESS**

34 There was no unfinished business.

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

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

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

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39 **COMMUNITY CALENDAR MAY 4 THROUGH MAY 31, 2022:**

40 **Mahtomedi Public Schools Board Meeting, Thursday, May 12th and May 26th, Mahtomedi**
41 **District Education Center, 7:00 p.m.**

42 **Stillwater Public Schools Board Meeting, Thursday, May 12th, Stillwater City Hall, 7:00 p.m.**

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

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3 **ADJOURNMENT**

4 **Council Member Rog moved to adjourn the meeting at 8:00 p.m. Council Member Schafer**
5 **seconded the motion. Motion carried unanimously with a roll call vote.**

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7 These minutes were considered and approved at the regular Council Meeting June 28, 2022.

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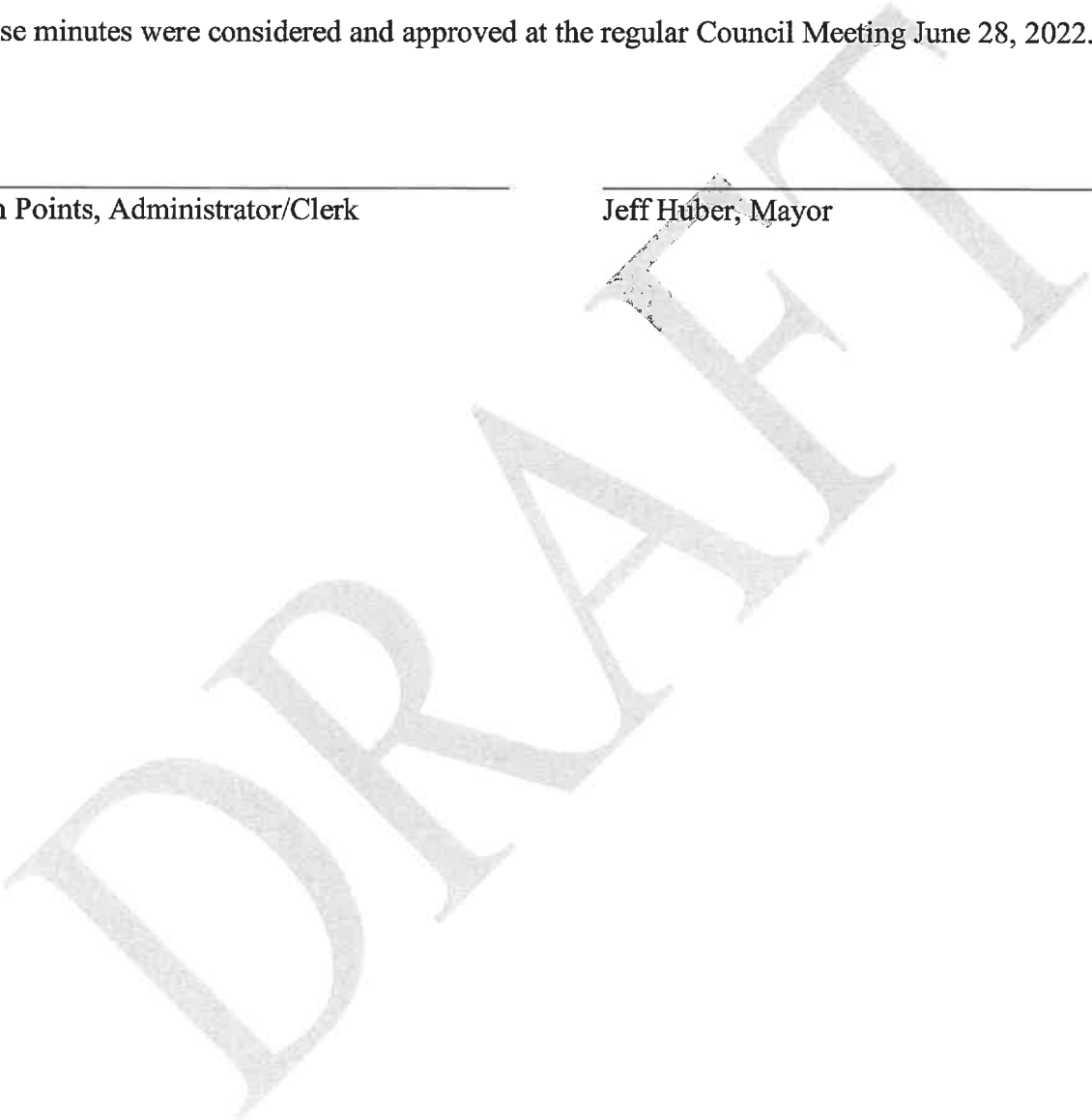
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12 _____
Kim Points, Administrator/Clerk

Jeff Huber, Mayor

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Fund Name: All Funds

Date Range: 06/01/2022 To 06/22/2022

Date	Vendor	Check #	Description	Void	Account Name	F-A-O-P	Total
06/20/2022	Payroll Period Ending 06/30/2022	15539	June22	N	Clerk Salary	100-41101-100-	\$ 4,213.43
	Total For Check	15539					\$ 4,213.43
06/20/2022	IRS	EFT158	Payroll Taxes	N	Clerk FICA/Medicare	100-41103-100-	\$ 432.53
		EFT158			Clerk Medicare	100-41105-100-	\$ 81.98
		EFT158			Federal Withholding	100-41107-100-	\$ 425.64
		EFT158			Social Security Expens	100-41109-100-	\$ 350.55
	Total For Check	EFT158					\$ 1,290.70
06/20/2022	T-Mobile	TMEFT9	City Cell Phone	N	Road Expenses - Other	100-43116-210-	\$ 20.00
	Total For Check	TMEFT9					\$ 20.00
06/20/2022	Xcel Energy	XcelEFT12	Utilities	N	Town Hall Electricity	100-43004-381-	\$ 52.38
		XcelEFT12			Well House Electricity	100-43010-381-	\$ 159.10
		XcelEFT12			Street Lights	100-43117-381-	\$ 42.20
	Total For Check	XcelEFT12					\$ 253.68
06/21/2022	City of Stillwater	15540	1st Half Fire Contract	N	Fire - Stillwater	100-42003-300-	\$ 80,180.00
	Total For Check	15540					\$ 80,180.00
06/21/2022	Todd Smith	15541	Monthly Assessment Services - June	N	Property Assessor	100-41208-300-	\$ 2,173.00
	Total For Check	15541					\$ 2,173.00
06/21/2022	AirFresh Industries	15542	PortaPot #51956	N	Town Hall Porta Pot	100-43007-210-	\$ 125.00
	Total For Check	15542					\$ 125.00
06/21/2022	Maroney's	15543	Clean Up Day	N	Road Garbage Removal	100-43105-384-	\$ 501.60
	Total For Check	15543					\$ 501.60
06/21/2022	CenturyLink	15544	City Phone	N	City Office Telephone	100-41309-321-	\$ 163.64
	Total For Check	15544					\$ 163.64
06/21/2022	Waste Management	15545	Recycling -	N	Recycling	100-43011-384-	\$ 5,601.48
	Total For Check	15545					\$ 5,601.48
06/21/2022	CliftonLarsonAllen	15546	2021 Audit Billing #2	N	Audit Fees	100-41201-300-	\$ 5,600.00
	Total For Check	15546					\$ 5,600.00

Fund Name: All Funds

Date Range: 06/01/2022 To 06/22/2022

<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>
06/21/2022	KEI Enterprises	15547	Road Contractor	N	Animal Control	100-42006-300-	\$ 83.00
		15547			Town Hall Mowing	100-43006-300-	\$ 125.00
		15547			Ball Field Maintenance	100-43009-300-	\$ 125.00
		15547			Road Engineering Fees	100-43102-300-	\$ 166.14
		15547			Road Garbage Removal	100-43105-300-	\$ 167.00
		15547			Gravel Road Costs	100-43106-300-	\$ 20.84
		15547			Magnesium Chloride	100-43107-300-	\$ 41.67
		15547			Road Sign Replacement	100-43110-300-	\$ 83.84
		15547			Culvert Repair	100-43111-300-	\$ 20.84
		15547			Snow & Ice Removal	100-43113-300-	\$ 5,686.67
		15547			Road Brushing	100-43114-300-	\$ 2,250.00
		15547			Road Side Mowing	100-43115-300-	\$ 500.00
		Total For Check					\$ 9,270.00
06/21/2022	Johnson Turner Legal	15548	May22 Billing	N	Legal Fees - General	100-41204-301-	\$ 666.25
		15548			Legal Fees - Complaints	100-41205-301-	\$ 447.90
		15548			Legal Fees - Prosecutions	100-41206-301-	\$ 2,000.00
		15548			Escrow	991-49320-301-	\$ 690.00
		Total For Check					\$ 3,804.15
06/21/2022	WSB & Associates	15549	Engineering - May22	N	Engineering Fees - General	100-41203-300-	\$ 537.50
		15549			Utility/ROW Permits	100-43132-300-	\$ 108.75
		15549			Grading Permit	100-43135-300-	\$ 253.75
		15549			Escrow	955-49320-300-	\$ 142.50
		Total For Check					\$ 1,042.50
06/21/2022	Back to Black Driveway Sealcoating	15550	Potholing	N	Pothole Repairs	100-43109-220-	\$ 3,875.00
		Total For Check					\$ 3,875.00
06/21/2022	Croix Valley Inspector	15551	Building Inspector	N	Building Inspection	100-42004-300-	\$ 9,534.31
		Total For Check					\$ 9,534.31
06/21/2022	PERA	15552	PERA	N	Clerk PERA	100-41102-120-	\$ 424.06
		15552			Clerk PERA Withholding	100-41108-100-	\$ 367.52
		Total For Check					\$ 791.58
06/21/2022	Kline Bros Excavating	15553	Road Maintenance	N	Grader Contractor	100-43101-301-	\$ 3,301.25
		15553			Gravel Road Costs	100-43106-301-	\$ 4,477.50
		15553			Special Road Projects	100-43128-301-	\$ 8,972.50
		15553			Ditch Repair	100-43133-301-	\$ 12,705.00
		Total For Check					\$ 29,456.25

Fund Name: All Funds

Date Range: 06/01/2022 To 06/22/2022

<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>
06/22/2022	SHC, LLC	15554	Planning Services	N	City Planner Escrow	100-41209-300-1003	\$ 688.25
		15554				100-49320-300-1005	\$ 1,580.25
		15554				100-49320-300-1005	\$ 661.50
		15554				100-49320-300-1006	\$ 514.50
		15554			City Planner	998-41209-300-	\$ 147.00
		15554			Escrow	999-49320-300-	\$ 1,438.50
		Total For Check					\$ 5,030.00
06/22/2022	Jeff Myhre	15555	Land Use Escrow Refund	N	Escrow	100-49320-300-1005	\$ 706.00
		Total For Check					\$ 706.00
06/22/2022	Darwish Harper	15556	Land Use Escrow Refund	N	Escrow	100-49320-300-1002	\$ 485.50
		Total For Check					\$ 485.50
06/22/2022	Crown Castle USA, Inc.	15557	COC Escrow Refund - 8930 60th St	N	Escrow	100-49320-301-1006	\$ 385.50
		Total For Check					\$ 385.50
06/22/2022	Woodbury Lutheran Church	15558	CUP Escrow Refund	N	Escrow	998-49320-301-	\$ 368.10
		Total For Check					\$ 368.10
		Total For Selected Checks					\$ 164,871.42

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



Invoice

DATE	INVOICE #
6/19/22	2643

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

DUE DATE
6/29/22

DESCRIPTION	QTY	UNIT COST	AMOUNT
6-08-22 770B	5.5	95.00	522.50
6-08-22 740A	6	95.00	570.00
6-13-22 770B	8	95.00	760.00
6-13-22 740A	7.25	95.00	688.75
6-15-22 740A	5.5	95.00	522.50
6-17-22 740A	2.5	95.00	237.50
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			Total
			3,301.25

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



Invoice

DATE	INVOICE #
6/19/22	2644

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	FORESTRY MULCHER BRUSHING SPECIAL ROAD PROJECTS 100-43128

DUE DATE
6/29/22

DESCRIPTION	QTY	UNIT COST	AMOUNT
E85 EXCAVATOR & FORESTRY MULCHER			0.00
5-31-22 LAKE ELMO AVE	2.25	185.00	416.25
6-02-22 LAKE ELMO AVE & 88TH ST	5.25	185.00	971.25
6-13-22 88TH ST	7	185.00	1,295.00
6-14-22 88TH ST	7.5	185.00	1,387.50
6-15-22 88TH ST	8.5	185.00	1,572.50
6-16-22 88TH ST	8.5	185.00	1,572.50
6-17-22 88TH ST & McCKUSICK	9.5	185.00	1,757.50
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	Total		8,972.50

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



Invoice

DATE	INVOICE #
6/19/22	2645

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

DUE DATE
6/29/22

DESCRIPTION	QTY	UNIT COST	AMOUNT
IDEAL AVE DITCHWORK			0.00
6-06-22 E85	7.5	130.00	975.00
6-06-22 325G	7.5	115.00	862.50
6-06-22 INT 7600 TRUCK	7.5	95.00	712.50
6-06-22 L9000	7.5	95.00	712.50
6-06-22 T600 & TT	1	190.00	190.00
6-07-22 E85	8.5	130.00	1,105.00
6-07-22 325G	8.5	115.00	977.50
6-07-22 INT 7600	8.5	95.00	807.50
6-07-22 L9000	7.5	95.00	712.50
6-07-22 T600 & TT	1	190.00	190.00
6-09-22 E85	7.25	130.00	942.50
6-09-22 325G	7.25	115.00	833.75
6-09-22 INT 7600	7.25	95.00	688.75
6-09-22 L9000	3	95.00	285.00
6-09-22 T600 & TT	1	190.00	190.00
JODY - JEWEL - 84TH ST DITCHWORK			0.00
6-20-22 325G	4	115.00	460.00
6-20-22 INT 7600	6	95.00	570.00
6-20-22 E85 & FM BRUSH DITCHES SO THEY COULD BE WORKED ON	6	185.00	1,110.00
6-20-22 T600 & TT	2	190.00	380.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	Total		12,705.00

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



Invoice

DATE	INVOICE #
6/19/22	2646

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

DUE DATE
6/29/22

DESCRIPTION	QTY	UNIT COST	AMOUNT
5-31-22 LOADS OF RC-5 HAULED TO JAMACA LN	9	190.00	1,710.00
6-01-22 LOADS OF RC-5 HAULED TO JAMACA LN	5	190.00	950.00
6-01-22 770B SPREAD GRAVEL	3.5	95.00	332.50
6-20-22 LOADS OF GRAVEL HAULED FOR JODY-JEWEL-84TH	6	190.00	1,140.00
6-20-22 325G SPREAD GRAVEL	3	115.00	345.00
Total			4,477.50

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



DATE	INVOICE NO
6/6/2022	0060121

BILL TO
City of Grant P O Box 577 111 Wildwood Rd Willernie, MN 55090

DUE DATE
7/6/2022

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						0.00
Fire Contract Jan - Dec 2022:						
1st Half Contract (\$160,360.00)	1.00	80,180.00	80,180.00	0.00	0.00	80,180.00
		INVOICE TOTAL:	80,180.00	0.00	0.00	80,180.00

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

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

DUE DATE	INVOICE NO
7/6/2022	0060121

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



Please remit payment by the due date to:

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

Invoice Total: 80,180.00
 Discounts: 0.00
 Credit Applied: 0.00
 Ending Balance: 80,180.00

INVOICE BALANCE: \$80,180.00
AMOUNT PAID: _____

Memorandum

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

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

Date: June 21, 2022

Re: Gravel Road Maintenance Quotes

Actions to be considered:

- Approve and authorize staff to receive quotes for the Maintenance of Gravel Roads.

Facts:

The current gravel road maintenance agreement with Kline Bros, Inc. expired. Kline Brothers has agreed to continue providing these services under the current agreement until the City awards a new contract.

The services provided include routine maintenance of the City's gravel roadways, including graveling, hauling, and grading. The contractor is responsible for furnishing all personnel and equipment.

The current agreement is attached for reference and includes pricing by the hour based upon activity performed. The agreement also includes a fuel escalation clause.

City staff is recommending slight changes to the fuel escalation clause by adding two dollars to each category as shown in Section II Cost and Payment of the current agreement, otherwise no other changes are recommended.

Action: Discussion.

Attachment: Existing Agreement

CITY OF GRANT
GRAVEL ROAD MAINTENANCE AGREEMENT

This amended agreement, made and entered into this 6th day of September, 2016, by and between the City of Grant, a Municipal Corporation, hereinafter referred to as "City", and Kline Bros. Excavating, hereinafter referred to as "Contractor".

WITNESSETH:

WHEREAS, the City is desirous of contracting with the Contractor for the performance of routine maintenance of gravel roadways under the jurisdiction of said City; and

WHEREAS, the Contractor is agreeable to and desirous of rendering such maintenance services on the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized and provided for under Minnesota Law; and

WHEREAS, the parties acknowledge that this Agreement includes and incorporates by reference herein, the Request for Quotes, Special Provision for 2017-2019 Gravel Roadway Maintenance which is attached and incorporated herein as Exhibit A, and the Contractor's Accepted Quote which is attached and incorporated herein as Exhibit B, and

NOW, THEREFORE, pursuant to the terms of the law and any amendments and revisions subsequent thereto and in consideration of the mutual promises contained herein, it is mutually agreed between the City and Contractor as follows:

SECTION I
SERVICES

The Contractor agrees to provide gravel roadway maintenance within the corporate limits of the City to the extent and in the manner hereinafter set forth.

1. The Contractor will perform routine maintenance of the City's gravel roadways, which shall include grading and spot graveling as directed by the City's Road Commissioner and in accordance with the Special Provision prepared by WSB & Associates, Inc., for the contract years of 2017 —2019 which are incorporated herein by reference.
2. The Contractor will perform additional maintenance, which shall include, but is not limited to, graveling, hauling as specifically requested by the Road Commissioner.
3. The Contractor will furnish personnel and operate equipment or hire same for said road maintenance operations as needed. Contractor shall be solely responsible for the means, methods, techniques, sequences, and procedures of the maintenance, but the Contractor shall not be responsible for the negligence of the City, its staff, or engineer in the Special Provision, method, technique, sequence or procedure which is shown or indicated in and expressly required by this Agreement and Policies which are incorporated herein by reference.
4. The standards of performance, discipline of employees, method of providing services, and other matters incident to the performance of road maintenance services under this Agreement, including personnel to be employed, shall be determined by the Contractor. Contractor shall

provide competent, suitably qualified personnel to perform the maintenance work as required by the contract, specifications, and policies. Contractor shall at all times maintain good discipline and order of its employees, contractors, and agents performing work under this contract, specifications, or policies.

5. The Contractor agrees to furnish all supplies, except as provided herein, hand tools and supervision necessary to perform the street and road maintenance services to be rendered under this Agreement.
6. The Contractor agrees to keep a record of the time of employees (start and finish times less breaks and lunch) for work done, equipment furnished, materials furnished, and shall prepare and make an itemized statement thereof showing the amount due hereunder and submit a weekly statement to the City.

SECTION II **COST AND PAYMENT**

The City agrees to pay the Contractor for the cost and expense for performing the road maintenance services provided for by this Agreement, with the amount of payment to be determined as set forth in the Request for Quotes.

1. The City agrees to compensate the Contractor as set forth in the bid submitted by the Contractor for each piece of equipment or type of work set forth therein. The bid proposal was accepted on a per unit basis contract.
2. The City shall pay the Contractor for fuel escalation costs as defined in the table below. To qualify for such reimbursement, the Contractor shall file a written claim presenting all required data and receipts for determining the amount of reimbursement. Minimum documentation shall include the purchase receipt, date of purchase and consumption, equipment operated, location of grading, and length of operating time. Payment shall be made on an hourly basis as an increase to the bid unit price in the proposal form. The City shall make the final determination if payment for fuel escalation has been proven and payment is warranted.

<u>Fuel Price</u>	<u>Additional Hourly Payment</u>
\$4.00 - \$4.49 per gallon	No additional compensation
\$4.50 - \$4.99 per gallon	Additional \$2.50 per hour
\$5.00 per gallon or greater	Additional \$5.00 per hour

3. Upon receipt of a monthly statement from Contractor to the Engineer for equipment and material costs, the City agrees to pay contractor on a monthly basis.
4. Except as otherwise specified herein, the City shall not be obligated to, or responsible for, or liable for compensation or indemnity to any employee of the Contractor performing maintenance services under this Agreement to the City for injury or sickness arising out of his/her employment, and the Contractor agrees to hold the City harmless against any such claim.
5. The City shall determine the extent, nature, and level of service to be provided on said streets and roads and so inform the Contractor.

SECTION III
TERMINATION OF CONTRACT

Unless sooner terminated as provided herein, this Agreement shall be effective upon the date specified in Section VII, Paragraph 5 of this Agreement and shall be valid a period not to exceed two years ending on December 31, 2016. This contract and its terms may be renewed at the discretion of City Council. The contract shall be reviewed on an annual basis and is subject to termination by the City if the quality or performance of the work by the Contractor is unacceptable, or if the City in its sole discretion, deems it appropriate to utilize other means for maintaining their roadways.

- a. The City may terminate this contract for cause if any one or more of the following events occurs:
1. Contractor's persistent failure to perform the work in accordance with the Agreement and policies (including but not limited to, failure to supply sufficient skilled workers or suitable materials or equipment.)
 2. Contractor's disregard of Laws or Regulations of any public body having jurisdiction.
 3. Contractor's disregard of the authority of the City, its Road Commissioner, or its Engineer.
 4. Contractor's violation in any substantial way of any provisions of this Contract, the specifications, and policies of the City.

If one or more of the events identified in Section III, paragraph a. occur the City may, after giving the Contractor (and the surety) seven (7) days written notice terminate the services of Contractor. In such case, Contractor shall not be entitled to receive any further payments and City shall utilize whatever means are necessary to contract for the services to perform the duties the Contractor was to perform under this contract, specifications, or policies. If the unpaid balance owed to the Contractor exceeds all claims, costs, losses and charges of engineers, attorneys, and other professionals and all court or arbitration or other dispute resolution costs sustained by the City arising out of or relating to completing the maintenance contract, such excess will be paid to the Contractor. If such claims, costs, losses, and damages exceed such unpaid balance, Contractor shall pay the difference to the City. When exercising any rights or remedies under this paragraph the City shall not be required to obtain the lowest price for the work to be performed.

Where the Contractor's services have been so terminated by the City, the termination will not affect any of the rights or remedies of City against Contractor then existing or which may thereafter accrue. Any retention or payment of moneys due Contractor by City will not release Contractor from liability.

- b. Notwithstanding the provisions of the above paragraph, or other provisions of this Agreement, the City or the Contractor may without cause and without prejudice terminate this Agreement upon seven (7) days written notice; after which said seven (7)

days this Agreement shall terminate. In such case, Contractor shall be paid (without duplication of any items).

1. For completed and acceptable work executed in accordance with the Agreement and Policies prior to the effective date of the termination.
2. For expenses sustained prior to the effective date of termination in performing services and furnishing labor and materials as required by the Agreement and Policies in connection with uncompleted work.
3. For reasonable expenses directly attributable to termination.

Contractor shall not be paid on account of loss of anticipated profits or revenue or other economic loss arising out of or resulting from such termination.

The City reserves the right to award work under this Contract based upon its budget, availability of manpower and equipment, response time, type and size of equipment available, referenced or previous work performed, and familiarity with the road system.

SECTION IV **EQUIPMENT UTILIZED UNDER THIS CONTRACT**

The Contractor shall utilize the equipment set forth in the Request for Quotes submitted by the Contractor.

SECTION V **DISPUTES OR GRIEVANCES**

1. In the event of a grievance or dispute between the City and the Contractor as to the extent, nature, and level of duties and services to be rendered under this Agreement, there shall be a hearing thereof by the Grant City Council.
 - a. The grievance or dispute may be presented at a regularly scheduled meeting of the City Council and the Contractor and City officer responsible for the roads along with the City Engineer may attend and present to the Council any information or data which will aid the Council in reaching a just, fair, and equitable determination of the grievance or dispute.
 - b. When a party wishes to present a dispute or grievance to the Council, Road Commissioner, the City Engineer's office, or Contractor shall contact the City Attorney and arrange for the time and date of the hearing on said dispute and the City Attorney shall notify in writing the parties at least five (5) days before said hearing, except in case of emergency.
 - c. In cases of extreme urgency or other emergency conditions, the City's Road Commissioner, the Council Engineer's office or the Contractor may request a special meeting of the Council by contacting the City Attorney to request the special meeting and to explain to the City Attorney the reasons for the necessity of such special meeting.

- d. In the event an agreement cannot be reached between the City and the Contractor, an arbitration panel shall be established and the findings of this panel shall be final and conclusive upon the City and the Contractor. The panel shall consist of three members with one member selected by the City, one selected by the Contractor, and the third selected by the two previously selected members.

SECTION VI
LIABILITY AND INDEMNIFICATION

1. The City, its officers, agents, and employees shall not assume or be liable for any intentional or negligent act of the Contractor or any officer, agent, or employee of the Contractor, and the Contractor agrees to hold the City, its officers, agents, and employees harmless from any intentional or negligent act of the Contractor or any officer, agent or employee of such Contractor, and the Contractor agrees to defend the City, its officers, agents, or employees from any claim for damages resulting from the alleged negligent or intentional act of the Contractor, or any officer, agent, or employee of the Contractor.
2. The Contractor, its officers, agents, and employees shall not assume or be liable for any intentional or negligent act of the City or any officer, agent, or employee of the City, and the City agrees to hold the Contractor, its officer's agents, and employees harmless from any intentional or negligent act of the City or any officer, agent, or employee of the City, and the City agrees to defend the Contractor, its officers, agents, or employees from any claim for damages resulting from the alleged negligent or intentional act of the City, or any officer, agent, or employee of the City.

Contractor shall not allow any subcontractor to commence work on a subcontract until such subcontractor has obtained satisfactory insurance coverage as to compensation, public liability, property damage and automobile insurance.

The Contractor shall maintain such insurance as will protect him from claims under worker's compensation acts, and from any other claims for damages for personal injury, including death, which may arise from operations under this Agreement, or Policies of the City which are part of this contract, whether such operations be by himself or by any subcontractor or anyone directly or indirectly employed by either of them.

The Contractor shall take out and maintain during the life of this contract Comprehensive Automobile Public Liability Insurance in the amount not less than \$300,000 for injuries, including accidental death of any one person, and subject to the same limits for each person, in an amount not less than \$1,500,000 and Property Damage in an amount of not less than \$100,000 for each and every motor vehicle engaged in operations within the terms of this contract per occurrence.

The Contractor shall take out and maintain during the life of this contract such Comprehensive Public Liability Insurance, Property Damage Insurance and Contractor's Contingent or Protective Insurance as shall protect him and any subcontractors performing work covered by this contract from claims for damages for personal injury, including death, as well as from claims for property damages which may arise from operations under this contract, whether such operations are by himself or by any subcontractor or by anyone directly or indirectly employed by either of them, and the amounts of such insurance shall be as follows:

Public Liability Insurance in an amount of not less than \$300,000 for injuries, including accidental death of any one person, and subject to the same limits for each person, in an amount of not less than \$1,200,000 on account of each occurrence, and Property Damage Insurance in an amount of not less than \$150,000 for each occurrence and \$300,000 aggregate amount.

In addition, the Contractor shall provide a \$1,000,000 umbrella clause.

The Contractor shall take out and maintain during the life of the Contract, in a company or companies approved by the City Engineer, City Protective Contingent Liability Insurance with the City as named insured and with the City Engineer as an additional named insured and in amounts as specified for Contractor's Liability Insurance for personal injury, including death, and for property damage which shall be provided and paid for by the Contractor. The policy shall be delivered to the City after its approval by the City Engineer.

Contractor shall furnish Performance and Payment Bonds, each in an amount of \$50,000 as security for the faithful performance and payment of all Contractors' obligations under the Contract, Specifications, and Policies of the City. These bonds shall remain in effect at least until one year after the date when final payment becomes due, except as provided otherwise by Laws or Regulations or by the Contract. Contractor shall also furnish such other Bonds as are required by the Contract, Specifications, or Policies of the City.

All Bonds shall be in the form prescribed by the City except as provided otherwise by Laws or Regulations, and shall be executed by such sureties as are named in the current list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" as published in Circular 570, as amended by the Financial Management Service, Surety Bond Branch, U.S. Department of Treasury. All Bonds signed by an agent must be accompanied by a certified copy of such agent's authority to act.

If the surety on any Bond furnished by Contractor is declared bankrupt or becomes insolvent or its right to do business in this state is terminated or it ceases to meet the requirements of this section, Contractor shall within 20 days thereafter substitute another Bond and surety, both of which shall comply with the requirements of this section.

All Bonds and insurance required by this Contract, Specifications, and Policies of the City to be purchased and maintained by the City or Contractor shall be obtained from a surety or insurance companies that are duly licensed or authorized to issue Bonds or insurance in the State of Minnesota for the limits and coverage so required. Such surety and insurance companies shall meet such additional requirements and qualifications as set forth herein.

[Remainder of Page Intentionally Blank]

SECTION VII **GENERAL PROVISIONS**

1. The City, its officers, agents, and employees will cooperate with and assist the Contractor in the performance of this Agreement.
2. It is understood that this Agreement contains the entire Agreement between the City and the Contractor and that no statement, promises or inducements made by any party hereto, or officer, agent or employee of either party hereto, which is not contained in this written Agreement shall

be valid and binding; and this Agreement may not be enlarged, modified, or altered except in writing signed by the parties and endorsed hereon. It is expressly understood between the parties hereto, and this understanding shall be considered in interpreting the provisions of this Agreement, that upon notice given by any party hereto, later negotiations may be undertaken for the purpose of revising; adding to or striking any provision or provisions of this Agreement which appear unworkable or insufficient to perfect, maintain, and insure the purpose of this Agreement, and any change of the original provisions of this Agreement, after agreement between the City and the Contractor, shall be written and attached to this Agreement as provided above and this later revision, addition or deletion shall only apply to the provision revised, added or deleted and the remainder of this Agreement shall remain in full force and effect.

3. Contractor shall pay all sales, consumer, use and other similar taxes, contributions for unemployment insurance, old age retirement benefits, life pensions and annuities required to be paid by him in accordance with the law of the State of Minnesota and the United States.
4. The Contractor shall notify the Washington County Sheriff's Department, the Mahtomedi Fire Department, and the Stillwater Fire Department prior to commencing any construction which will restrict traffic on a traveled roadway and shall again notify upon reopening the roadway to traffic. The Contractor must provide for emergency police and fire access to all properties at all times.
5. The effective date of this Agreement is the date on which the Agreement is fully executed, and its termination date is December 31, 2016, unless terminated prior to said date as outlined in Section III of this Agreement.

[Remainder of Page Intentionally Blank]

SPECIAL PROVISIONS

01010 – SUMMARY OF WORK	1
01014 – WORK SEQUENCE	1
01570 – MAINTENANCE OF TRAFFIC	2
02118 – AGGREGATE SURFACING	2

SPECIAL PROVISIONS

01010 – SUMMARY OF WORK

This project consists of the routine grading of the gravel roadways in the City of Grant. Also included is the hauling and placement of aggregate road surface as directed by the City. The City of Grant reserves the right to work with additional contractors to complete grading work within the City, if more cost effective or timely.

01014 – WORK SEQUENCE

The Contractor shall commence work once authorized by the City's Road Commissioner. Grading will end each year once conditions are such that grading is not necessary as determined by the City's Road Commissioner. An articulated motor grader and operator shall be used on all cul-de-sacs and corners unless otherwise directed by the City's Road Commissioner. A non-articulated motor grader may be used on straight roadways where grading can be completed with the same efficiency and quality as an articulated motor grader.

Schedule:

In general, it is expected that the Contractor will proceed with this work on a schedule that meets the City's needs for grading frequency.

In cases where there is not sufficient moisture to properly grade the roadways, the City's Road Commissioner may direct that grading be suspended. If the grader operator determines that the conditions are not adequate for proper grading, they should contact the Road Commissioner immediately to discuss the matter and take appropriate action.

During dry periods when grading has been suspended or reduced, the contractor is expected to immediately grade the roadways after a rainfall. The contractor is expected to work overtime and take advantage of favorable conditions.

Chemical Treated Roadways:

The City has a program for chemically treating gravel roadways. The program is managed by the City's Road Commissioner, and the locations where it is placed will be provided to the Contractor. The Contractor must suspend grading operations in all areas where the calcium chloride is applied, as directed by the City's Road Commissioner. Areas with calcium chloride may require grading as the calcium chloride loses its effectiveness. The City's Road Commissioner will inform the Contractor when this is the case.

Basis of Payment:

Non-Articulated Motor Grader and Operator:

Payment by the hour shall be compensation in full for each non-articulated motor grader and operator. Payment shall include all overhead costs such as fuel, routine equipment maintenance, equipment storage, and operator benefits. The Contractor must submit weekly invoices detailing the hours worked.

Non-Articulated Shift Power Motor Grader and Operator:

Payment by the hour shall be compensation in full for each non-articulated shift power motor grader and operator. Payment shall include all overhead costs such as fuel, routine equipment maintenance, equipment storage, and operator benefits. The Contractor must submit weekly invoices detailing the hours worked.

Articulated Motor Grader and Operator:

Payment by the hour shall be compensation in full for each articulated motor grader and operator. Payment shall include all overhead costs such as fuel, routine equipment maintenance, equipment storage, and operator benefits. The Contractor must submit weekly invoices detailing the hours worked.

SPECIAL PROVISIONS

01570 – MAINTENANCE OF TRAFFIC

Traffic control shall be the sole responsibility of the Contractor and shall conform to the Minnesota Manual on Uniform Traffic Control Devices and any amendments to. The Contractor's operation shall not create a traffic hazard for motorists, and shall allow for continuous traffic flow on the roadway. Traffic control is incidental.

02118 – AGGREGATE SURFACING

02118.1 Description

This work shall consist of the spot-surfacing of aggregate roadways within the City of Grant as approved by the Road Commissioner. The Contractor shall provide, haul, place, and grade the aggregate at the locations suggested. The exact location for placement of the aggregate is to be approved prior to commencement of construction.

02118.2 Materials

Aggregate: The gradation of the Class 5 material must be within the limits shown in Table 3138-1 for material containing more than 60% crushed quarry rock.

Specification 3138.2C should be modified to state.

"In the production of Class 5 aggregate, there shall be at all times not less than fifteen percent (15%) of material which shall be crushed, as determined by the weight of the material retained on No. 4 and larger sieves."

Table 3138-1 shall be modified for Class 5 as follows:

No. 200 – eight to twelve percent (8% - 12%) passing.

02118.3 Construction Requirements

A General: Aggregate shall be placed to a compacted thickness as required in accordance with Mn/DOT Specification 2118.3. Compaction shall be obtained by the specified density method to a minimum of one hundred (100) percent of the standard proctor density. The compacted thickness shall be within zero point five (0.05) feet of the thickness specified.

02218.4 Basis of Measurement and Payment

A Payment for Aggregate Base Class 5 Modified shall be paid on a "TON" basis at the contract unit price in the Bid Proposal. Payment shall include aggregate base, compaction, water added during compaction operations, water for dust control, and work as directed by the Road Commissioner.

The Contractor shall provide weight tickets to the Road Commissioner each day aggregate is placed.

IN WITNESS WHEREOF, the City has caused this Agreement to be signed by its Mayor and attested to by its Clerk, and the Contractor has caused this Agreement to be signed by its authorized representative.

CITY OF GRANT

CONTRACTOR



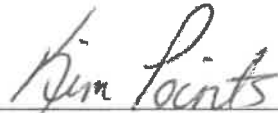
Tom Carr
Mayor

9/6/16
Date



Contractor

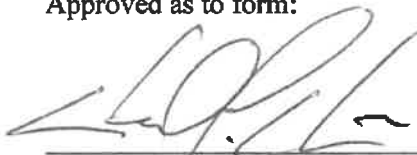
9-7-16
Date



Kim Points
City Clerk

9/7/16
Date

Approved as to form:



Nicholas J. Vivian
Grant City Attorney

9/6/16
Date

Exhibit B

Contractor's Accepted Quote

2017 - 2019 Pricing

\$80.00/Hour: Articulating Hydraulic Grader

\$80.00/Hour: Non-Articulating Hydraulic Grader

\$90.00/Hour: Snow Plowing (Either Grader)

\$75.00/Load: Gravel hauled including labor

Material will be billed by the gravel pit directly to the city

Memorandum

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

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

Date: June 21, 2022

Re: 2022 Pavement Management Project

Actions to be considered:

- Approve and authorize staff to receive quotes for the 2022 Pavement Management Project.

Facts:

The following streets have been identified in the City's Capital Improvement Plan for roadway maintenance work in 2022:

110th Street	117th Street
118th Street	Keystone Avenue
Kimbro Avenue	Lansing Avenue
Manning Avenue Ct	Irish Avenue
Ironwood Avenue	

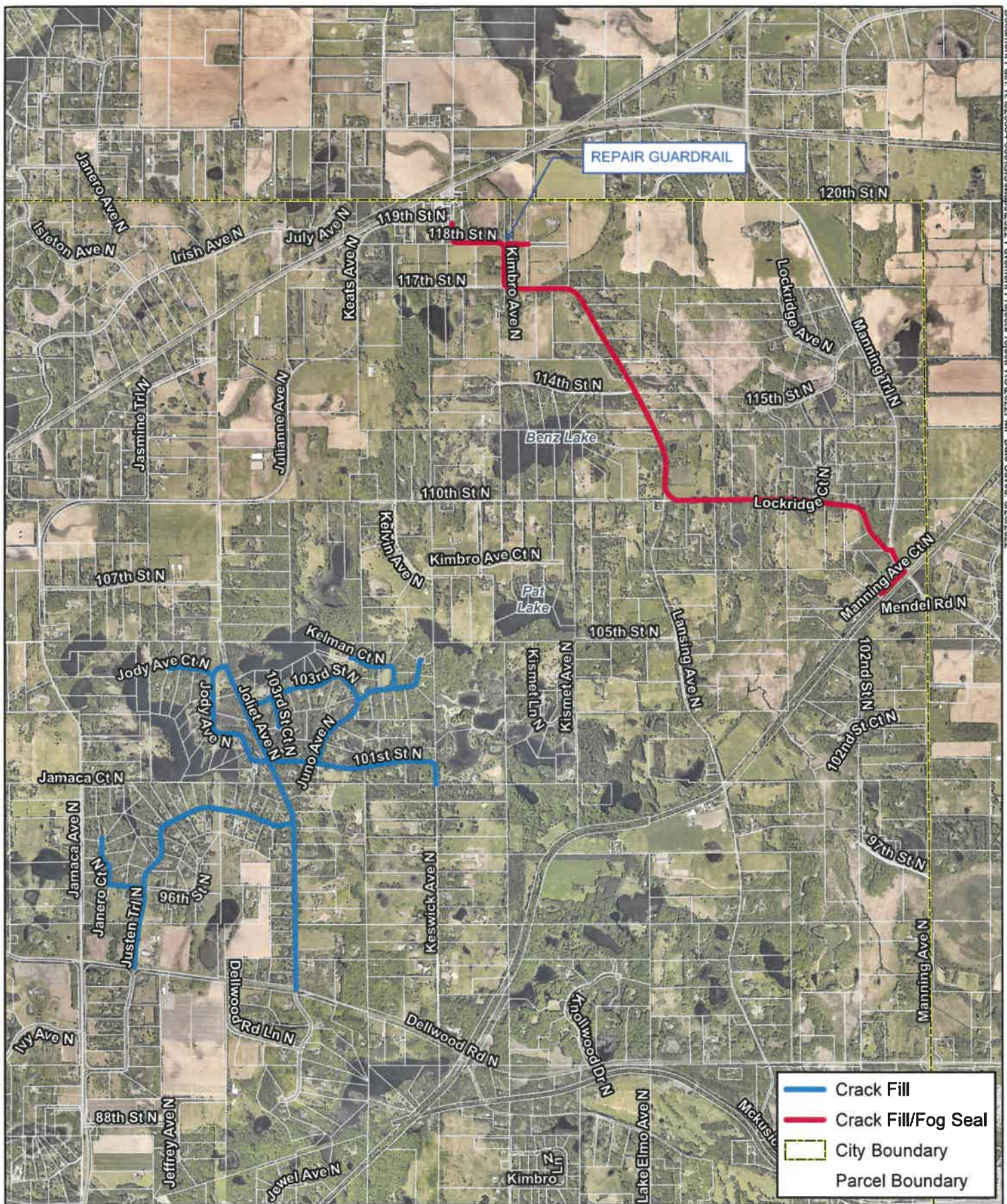
Staff is also recommending including the 2018 Street Improvement areas which include the Justen Trail neighborhood, and the Woodland Acres neighborhood as shown on the attached map. These roadways are just starting to show thermal cracking and its important to be timely with sealing them to prevent water damage.

As in year's past, invitations to the various neighborhoods will be sent out to residents to offer the opportunity to use maintenance dollars towards a major street reconstruction project.

This year's project will include a combination of crack repair and fog seal. Quotes will be received July 21, 2022 at 10:00 am. The total budget for the 2022 Pavement Management Project is \$70,040.

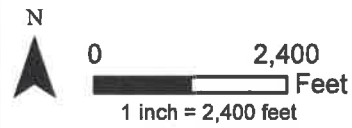
Action: Discussion.

Attachment: 2022 Pavement Management Project Map



Project Location Map

2022 Pavement Management Program (PMP)
Grant, MN



Memorandum

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

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

Date: June 21, 2022

Re: 2022 Special Roads Project

Actions to be considered:

The following projects have been identified by staff for the 2022 Special Roadway Project.

- Replace plate beam guardrail along 118th Street
- Furnish and install new plate beam guardrail along Ironwood Avenue

Facts:

Each year the city funds a special roads project. Projects in year's past have included roadway patching, mitigating roadway flooding, installing guardrails, roadway stripping & signing, etc.

This year's special project will include replacing an existing guardrail and installing new guard rail as recommended below:

- City staff has received several resident complaints about damaged guardrail along 118th Street near Kimbro Avenue. The damage was inspected by the City Engineer and includes a bent plate beam and misaligned posts. The estimated cost to replace the 50-foot section of guardrail is \$3,750.00.
- Over the last several years the city has placed guardrail along Ironwood Avenue between 114th Street and 120th Street but sections of this roadway remain in need of guardrail. City staff is recommending completing the guardrail along Ironwood Avenue as shown in the attached map. The length of the guardrail is approximately 1200 lineal feet and is estimated to cost \$60,000.00

The special roads budget is approximately \$70,000.

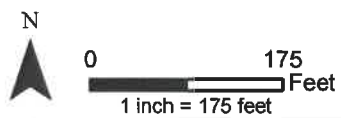
Action: Discussion.

Attachment: Project Location Maps



Project Location Map

Ironwood Avenue Guard Rail
Grant, MN





STAFF REPORT

To: Mayor and City Council
Kim Points, City Clerk/Administrator

Date: June 20, 2022

CC: Brad Reifsteck, PE, City Engineer
David Snyder, City Attorney

RE: Application for a Minor
Subdivision of 9250 Dellwood
Road N.

From: Jennifer Haskamp
Consulting City Planner

Background

The Applicant, Sam Scott, is requesting a minor subdivision and rearrangement of the two existing parcels located at 9250 Dellwood Road N., into three lots (two new). In late 2021 and early 2022 the Applicant met with staff to discuss the potential minor subdivision of the subject property. The applicant indicated their desire to subdivide the property to create two new rural residential lots consistent with the City's ordinance requirements.

City staff indicated that all created and resulting parcels must comply with the City's ordinances, including the necessity to amend the existing Conditional Use Permit (CUP) for the horse boarding and indoor riding arena operations. In conjunction with this request for Minor Subdivision, the applicant has requested an amendment to the CUP and the staff report is provided under separate cover.

The following summary of the request is provided for your review and consideration.

Planning Commission & Public Hearing

A duly noticed public hearing was held on June 8, 2022, and property owners within 1,320-feet were notified of the subject application. Several members of the public provided testimony regarding the proposed Minor Subdivision. A summary of the concerns and comments is provided (detailed comments are documented in the official minutes of the public hearing):

- Most public testimony indicated opposition to the proposed Minor Subdivision.
- Several members of the public indicated that they did not believe further subdivision of this parcel was possible and they were told no density was available to the site for further subdivision since it was part of the Victoria Station subdivisions/plats. The confusion was also due to the existing condition within the CUP for the property for use as a horse boarding operation and indoor riding arena that prohibits subdivision if the CUP remains in place without an approved amendment.
- Concerns regarding increased density and setting precedent for further subdivision were stated.
- Several members of the public indicated continued support of using the property for a horse boarding facility and indoor riding arena as opposed to permitting the further subdivision of the property for rural residential uses.



After the public hearing concluded the Planning Commission discussed the subject application. After hearing public testimony and staff's presentation the Planning Commission unanimously recommended denial of the application for minor subdivision.

The following staff report is generally as presented at the Planning Commission meeting but has been updated to reflect the Planning Commission's recommendation to deny the proposed minor subdivision.

Application Summary

Applicant & Owner: Sam Scott	Site Size: ~59.42 Acres (Gross)
Zoning: A-2, Agricultural Small Scale Land Use: Rural Residential/Agricultural	Request: Minor subdivision to rearrange and subdivide two existing parcels. The proposed minor subdivision creates two lots west of Justen Trail N, and one lot east of Justen Trail N.
Address: 9250 Dellwood Road Grant, MN	Location Description and PIDs: PIDs – 1503021310001 and 1503021130002

Existing Lot/Parcel Configuration

Lot/Parcel	Acres	Notes
9250 Dellwood Road N. (PID 1503021310001)	49.5 Acres	This Parcel was not platted as part of any of the Victoria Station subdivisions. The existing farmstead and all existing accessory structures, including the gatehouse, are located on this parcel. The parcel is included in the existing CUP for horse boarding operations and indoor riding facilities.
Outlot A Victoria Station No. 3	~9.8 Acres	This parcel was platted as part of the Victoria Station No. 3 subdivision. The parcel is included in the existing CUP for horse boarding operations and indoor riding facilities.

The proposed Minor Subdivision will result in the following:

Lot/Parcel	Acres	Notes
Parcel A	42.28 Acres	The created lot includes Outlot A of the Victoria Station No. 3 subdivision and that portion of the existing 9250 Dellwood Road parcel lying east of the west Justen Trail N., roadway easement. (The full Justen Trail Roadway is located on this parcel)
Parcel B	7.84 Acres	The created lot is located west of the Justen Trail N., roadway. The proposed lot frontage, home and driveway are from Justen Trail N.
Parcel C	9.30 Acres	The created lot is located west of the Justen Trail N., roadway. The proposed lot frontage, home and driveway are from Justen Trail N.

Review Criteria

Section 30-9 Minor Subdivisions



Section 30-130 Street Design

Existing Site Conditions

The subject property is bordered by Dellwood Road N. (Hwy 96) on the south, Jamaca Ave N (CSAH 9) to the west, and Justen Trail N., runs north-to-south through the property. The existing principal structure and all accessory buildings, including an indoor riding arena, are located east of Justen Trail N. There is a large existing pond and/or wetland area located along the eastern edge of the property that extends north onto the area described as Outlot A of the Victoria Station No. 3 Subdivision, and a small wetland area located on the northwest corner of the property adjacent to the CSAH 9 right-of way. The majority of the subject property was not platted as part of the Victoria Station subdivision, and only that portion associated with Outlot A was part of any previous subdivision.

Minor Subdivision and Site Review

The Minor Subdivision exhibit is provided as Attachment B to this Staff Report. As shown the proposed subdivision will rearrange two existing lots into three lots. The following ordinance sections are provided as reference.

Section 30-1 Definitions, states that “*Minor Subdivision* means any subdivision containing not more than two lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provisions or portion of the master plan, official map, chapter 32, or these regulations.

Section 30-9 (a)(3) states that, “The newly created parcels shall meet all requirements of chapter 32 pertaining to zoning....”

Section 30-9 (a)4) states that, “Prior to approval of a minor subdivision, the city council reserves the right to require the dedication of streets, utility easement.”

Section 30-130 (a) Minimum widths of street design require local streets to be dedicated with 66-feet of right of way. Section 30-130(b) Widening existing streets states that “Where a subdivision abuts or contains an existing street of inadequate width, sufficient additional width shall be provided to meet the standards of subsection (a)...”

The proposed Minor Subdivision creates two new rural residential lots that are proposed to be accessed from Justen Trail North (Parcel B and Parcel C). As shown on the Minor Subdivision exhibit Justen Trail N. is a roadway that runs north-south through the subject property and connects the Victoria Station subdivisions adjacent/adjoining the subject property with Dellwood Road North (Hwy 96). The roadway segment on the subject property has been the subject of litigation with the City and the Applicant has contested their responsibility to maintain/manage this segment of road. It is staff's understanding, that they have further indicated that they believe the segment of Justen Trail N. on their property is only a limited and restricted grant of easement (shown as Roadway Easement on the Minor Subdivision exhibit, and further described in



the City Attorney's memo) and that it does not represent a full dedicated public right-of-way. Further, per the definition of Minor Subdivision, the Minor Subdivision may "not adversely affect the remainder of the parcel or adjoining property, and not in conflict with any provisions or portions of the master plan, official map, chapter 32, or these regulations."

The segment of Justen Trail North that crosses the subject property is the main roadway connection to the adjacent Victoria Station subdivisions, and its maintenance and management responsibilities has a direct impact on adjacent lots and parcels that use the roadway. The City uses a road assessment policy to maintain and manage its roads as described in the City Engineer's memo. When a minor subdivision is granted, the City requires the full right-of-way to be dedicated to the City, if it has not been already. The intent of Section 30-9(a)(4) is to ensure that the road is publicly dedicated and that it is subject to the City's associated policies regarding proper upkeep and management so that all properties that rely on it for access can reasonably be assured that it will be maintained.

Since the road segment is the subject of continuing litigation and the Applicant recently filed an appeal, the debate regarding this segment of road and its rights and responsibilities remains at issue. Staff cannot confirm whether the minor subdivision will adversely impact adjoining or nearby properties, since the issue of responsibility remains undecided.

The issue is further impacted by the new lot configuration that proposes access from Justen Trail N., but does not dedicate nor acknowledge the road as public right-of-way and instead refers to it as the "Roadway Easement." Since the Applicant is contesting their responsibility to maintain and manage the roadway through objection of paying the City's assessment it is unclear how, and what, responsibilities the Applicant as the subdivider of the two new lots would have in the maintenance and management of the roadway. Further, Section 30-9(a)(3) expressly requires newly created lots to meet the requirements of Chapter 32, which requires all lots to provide minimum frontage on a street but it is unclear if this condition is met given the current litigation and appeal.

Finally, as shown on the Minor Subdivision exhibit the "Roadway Easement" depicted for Justen Trail North does not align with the roadway traveled surface and does not appear to be of adequate size to accommodate the City's required right-of-way width of 66-feet. The Minor Subdivision does not meet the City's requirements for road design as required in section 30-130(a) and 3-130(c) that suggests when roadways are of inadequate width abutting a subdivision that the plat (subdivision) shall dedicate additional width to meet the City's road design standards.

City Engineer and City Attorney

The City Engineer and City Attorney have provided memos that are attached to this staff report for your review and consideration.

Recommendation and Action



The Planning Commission unanimously recommended denial of the proposed Minor Subdivision with the findings as noted in the attached resolution.

Attachments

Attachment A: Application

Attachment B: Minor Subdivision exhibit dated 4/28/2022

Attachment C: Resolution 2022-07



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

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

MINOR SUBDIVISION

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

A minor subdivision is any subdivision containing not more than two lots fronting on an existing street, not involving any new street or road, the extension of municipal facilities, or the creation of any public improvements. Minor Subdivisions include lot combinations, lot rearrangements, and exchange of lands.

PARCEL IDENTIFICATION NO (PIN):		LOT SIZE:
PROJECT ADDRESS: 9250 Dellwood Road	OWNER: Name: Sam Scott Address: 9250 Dellwood Roas City, State, Zip: Grant, MN 55115 Phone: 651-263-1368 Email: dellwoodfarmmn@gmail.co	APPLICANT <i>(If different from Owner)</i> : Name: Address: City, State, Zip: Phone: Email:
BRIEF DESCRIPTION OF REQUEST: Split Two Parcels off of the West Side of the farm West of Justin Trail		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code sections for a detailed description of required submittal documents, and subsequent process. 1. Chapter 30; Section 30-9		

Required Signatures

*** Note: All parties with a fee interest in the real estate must sign this application before the City will review for completion! ***

Applicant

Name: **Sam Scott**
(Please print)
 Address: **9250 Dellwood Road**
 City, State, Zip: **Grant, MN 55115**
 Phone: **651-263-1368**
 Cell Phone: **651-263-1368**
 Email: **dellwoodfarmmn@gmail.com**
 Signature: 
 Date: **4-28-22**

Fee Title Property Owner *(If different from Applicant)*

Name: _____
(Please print)
 Address: _____
 City, State, Zip: _____
 Phone: _____
 Cell Phone: _____
 Email: _____
 Signature: _____
 Date: _____

Checklist

Please review the attached checklist. Completeness depends on whether or not the applicable checklist items are fulfilled and submitted with your application.

Review Deadline and Timeline

All applications must be received by the deadlines as posted on the City's website. Failure to submit by the date shown may result in a delay in the scheduling of the application for public hearing. Meeting the deadline does not guarantee that an application will be heard at the next meeting. To improve likelihood of appearing on an agenda, it is recommended that applications be submitted earlier than deadline.

According to Minnesota State Statute 462.358 a Minor Subdivision Application has a Statutory review period of 120 days. During the review period the City has the ability to request additional information to assist in its review, and such request shall not impact the review timeline once an application has been deemed complete.

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

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

Application for Planning Consideration Fee Statement

(Please read carefully and understand your responsibilities associated with this land use application)

The City of Grant has set forth a fee schedule by City Ordinance as posted on the City's website. The City of Grant often utilizes consulting firms to assist in the review of projects. The consultant and city rates are available upon request. By signing this form, the Applicant accepts sole responsibility for any and all fees associated with the land use application from the plan review stage; the construction monitoring stage; and all the way to the release of any financial guarantees for an approved project. In the event the Applicant fails to make payment of all fees associated with the project, the City of Grant will assess any unpaid or delinquent fees related to this application or project against the subject property. If a project is denied by the City Council or withdrawn by the Applicant, the fees associated for the project until such denial or withdrawal, remain the Applicant's responsibility.

I/WE UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

Applicant

Fee Title Property Owner

(if different from the Applicant)



Signature

Signature

SAM SCOTT

Printed Name

Printed Name

4-28-22

Date

Date

Minor Subdivision Permit Checklist:

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.

COPIES: One (1) Electronic copy of full submission; Two (2) 11x17 half scale scalable hard copy plan sets.

Site Plan: Technical drawing demonstrating existing conditions and proposed changes.

All plans must be to-scale, scalable, and include a north arrow.

- Name, address, phone number for owner, developer, surveyor, engineer
- Streets within and adjacent to the parcel(s) including driveway access points
- Proposed lot sizes (with dimensions) indicating setbacks for newly created lots
- Buildable area with acres and square footage identified
- Soil tests for the installation of an on-site septic system
- Septic system and well location
- Building locations and dimensions with setbacks
- Name of subdivision with lot and block numbers of property, if platted

Existing Conditions:

- Aerial
- Wetland delineation (if applicable)
- Buildable area
- Topographic contours at 2-foot intervals, and bluff line (if applicable)
- Waterbodies, Ordinary High Water Level, and 100 year flood elevation

Landscape Plan (if applicable): All plans must be to-scale, scalable, and include a north arrow.

- Landscape plan identifying species and size of trees and shrubs
- Screening plan

A certificate of survey, by a registered land surveyor for each parcel will be required. The survey must show newly created lots and the original lot, limits of any wetland, one acre of buildable area, and elevation of the building site above any lake, stream, wetland, etc.

Statement acknowledging that you have contacted the other governmental agencies such as Watershed Districts, County departments, State agencies, or other that may have authority over your property for approvals and necessary permits.

Minor Subdivision submittal form completed and signed by all necessary parties.

Paid Application Fee: \$400

Paid Escrow*: \$4,000 *Any remaining funds, after expenses, are returned to the Applicant. Expenses incurred over \$4,000 will be billed to the Applicant.

Materials that may be required upon request:

Full scale plans at a scale not smaller than 1"=100'

Stormwater plans. Stormwater plans may be requested depending on the proposal of the Minor Subdivision.

Wetland Delineation. If the proposed minor subdivision is near a potential wetland boundary or setback, delineation may be required to fully evaluate and approve, or deny, the subdivision.

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2022-07**

**RESOLUTION DENYING THE REQUEST FOR MINOR SUBDIVISION AT
9250 DELLWOOD ROAD NORTH**

WHEREAS, Sam Scott (“Applicant”) submitted an application for a Minor Subdivision of the property located at 9250 Dellwood Road North (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the proposed subdivision and rearrangement is to create three lots from two parcels as shown on the survey with the Minor Subdivision revision dated April 28, 2022; and

WHEREAS, proposed Parcel A is approximately 42.28 acres, Parcel B is approximately 7.84 acres and Parcel C is approximately 9.30 acres; and

WHEREAS, the identified Parcel B and Parcel C are proposed to be developed with new rural residential uses; and

WHEREAS, the new rural residential uses on Parcel B and Parcel C are proposed to be accessed from Justen Trail North; and

WHEREAS, a duly noticed Public Hearing was held on June 8, 2022; and

WHEREAS, the Planning Commission considered the proposed minor subdivision and unanimously recommended denial of the minor subdivision; and

WHEREAS, the City Council has considered the Applicant’s request at their regular meeting on June 28, 2022.

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

- The proposed minor subdivision conforms to the city’s comprehensive plan.
- The proposed minor subdivision creates two new rural residential lots to be accessed from Justen Trail N., and all new/created lots must be accessed from a public roadway.
- The Applicant is engaged in continuing litigation with the City regarding the status of the Justen Trail roadway easement, including the rights to use and access the road established by the easement and the maintenance and management of the roadway.
- Given the continuing litigation, it cannot be determined that the proposed minor subdivision will not adversely impact adjacent or adjoining properties given the status regarding the rights to use and access the road, and the undetermined maintenance responsibility associated with the roadway.
- The City requires the dedication of the land associated with a public right-of-way that abuts a proposed minor subdivision to ensure that public access is provided. The Minor Subdivision exhibit does not dedicate the existing roadway easement, nor does it dedicate the required 66-foot right-of-way required by the City’s subdivision ordinance.

Adopted by the Grant City Council this 28th day of June 2022.

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 _____, 2022 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 _____, 2022.

Kim Points

Clerk
City of Grant



STAFF REPORT

To: Mayor and City Council
Kim Points, City Clerk/Administrator

Date: June 22, 2022

CC: Brad Reifsteck, PE, City Engineer
David Snyder, City Attorney

RE: Application for an Amended
Conditional Use Permit for
Victoria Station Board Stable
and Indoor Riding Arena, 9250
Dellwood Rd. N.

From: Jennifer Haskamp
Consulting City Planner

Background

The Applicant, Sam Scott, is requesting an Amendment to the existing Conditional Use Permit (CUP) to allow for the subdivision of the subject property. The existing CUP was granted in 1993 to construct and operate a horse boarding stable and indoor riding arena. The CUP was recorded on approximately 55-acres of the Applicant's property that includes the primary parcel with the principal structure and accessory buildings, and Outlot A of the Victoria Station No. 3 subdivision. The existing CUP clearly states that no subdivision of the parcel is permitted for the CUP to remain valid because the operations, including number of permitted horses, was based on the full acreage.

In late 2021 the Applicant met with City Staff in a pre-application meeting to discuss the potential minor subdivision of the property and the impact that a subdivision would have on the existing CUP. During the meeting, staff indicated that the CUP would either 1) need to be successfully amended; or 2) would become invalid and must be vacated to allow for the subdivision. During the meeting the Applicant indicated that he currently lives on the property and would like to continue horse boarding activities on that portion of the property that he would retain after a minor subdivision. Given the Applicant's desire to continue operating the horse boarding facilities, the Applicant is seeking an amendment to the CUP to reduce the intensity of the operations and to amend the legal description to except out that area west of Justen Trail that would include new rural residential uses if the minor subdivision were to be approved.

Public Hearing and Planning Commission

A duly noticed public hearing was held on June 8, 2022, and several members of the public provided public testimony regarding the proposed amendment. A summary of the comments is provided (full record of the public hearing is provided in the minutes):

- Neighbors reiterated their support for the horse boarding and riding arena operations and restated their objection to the minor subdivision of the property.
- Concerns regarding the eventual loss of the operation were stated, and generally the public would like to see the horse operations remain viable and operational.



After the public hearing was closed, the Planning Commission discussed the proposed amendment. The planning commission restated their objection to the minor subdivision, but acknowledged that it is important to address the Applicant’s request to amend the CUP since it is a separate application. After significant debate and discussion, the planning commission unanimously recommended to approve the amended CUP with conditions, and emphasized that their approval is contingent on the minor subdivision being approved.

The following staff report is generally as presented to the planning commission.

Application Summary

Applicant & Owner: Sam Scott	Site Size: ~59.42 Acres (Gross)
Zoning: A-2, Agricultural Small Scale Land Use: Rural Residential	Request: Amended Conditional Use Permit (CUP)
Address: 9250 Dellwood Road Grant, MN	Location Description and PIDs: PIDs – 1503021310001 and 1503021130002

The Applicant is requesting an amendment to the Conditional Use Permit (CUP) to allow for the minor subdivision of the subject property. Based on the submitted Minor Subdivision Exhibit, the proposed amendment would except out approximately 17.14-acres of the subject property lying west of Justen Trail, leaving approximately 42.28 acres subject to the CUP. As shown on the Minor Subdivision exhibit, there is approximately 59.42 gross acres with approximately 5.04 acres of existing roadway easement area (Note, the existing 1993 CUP is associated with approximately 55-acres which is the area exclusive of the roadway easement area).

The Applicant’s proposed amendment to the 1993 CUP is to:

- Amend the legal description to remove the area west of Justen Trail North (shown and proposed Parcel B and Parcel C on the Attached Minor Subdivision exhibit).
- Amend Condition Number 2 to state that “The 42.28-acre parcel shall not be further subdivided.”
- Amend Condition Number 16 regarding the permitted number of horses proportionately to the ratio established. The existing CUP permitted approximately 1.1 horses per gross acre exclusive of roadway easement area, so the total number of horses permitted based on the amended area on site would be 39 horses (this is a reduction from the 60 horses permitted in the current permit).

All other conditions of the 1993 CUP would remain valid and are not proposed to be amended as part of this application.

Review Criteria

The City Code addresses amendments to existing CUPs in Section 32-152 that states, “An amended conditional use permit application may be administered in a manner similar to that required for a new conditional use permit...” As such, the Application to amend the CUP is processed accordingly, and the requested amendment is to consider only those portions of the operations and/or facility that are proposed



to change. The City Code 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.”

The purpose of this amendment is not to consider the use of the property as a horse boarding and indoor riding arena facility since the determination that the use is consistent with the City’s regulations was approved in 1993. This amendment relates specifically to allowing for an amendment to the legal description to reduce the total area associated with the CUP to approximately 42 acres, and to reduce the number of horses permitted on site proportionately to the reduction in acreage.

Existing Site Conditions

The subject property is bordered by Dellwood Road N. (Hwy 96) on the south, Jamaca Ave N (CSAH 9) to the west, and Justen Trail N., runs north-to-south through the property. The existing principal structure and all accessory buildings, including an indoor riding arena, are located east of Justen Trail N. There is a large existing pond and/or wetland area located along the eastern edge of the property that extends north onto the area described as Outlot A of the Victoria Station No. 3 Subdivision, and a small wetland area located on the northwest corner of the property adjacent to the CSAH 9 right-of way. The majority of the subject property was not platted as part of the Victoria Station subdivision, and only that portion associated with Outlot A was part of any previous subdivision.

Comprehensive Plan Review

The site is guided RR/AG – Rural Residential Agricultural in the City’s adopted Comprehensive Plan. Land within the RR/AG land use designation is generally described as supporting rural residential uses with limited commercial and institutional uses as identified and allowed within the City’s zoning ordinance. The proposed amendment does not change the use of the site for a Horse Boarding and Indoor Riding Arena facility, which is identified as a compatible use within the City’s Comprehensive Plan and supporting Zoning Ordinance.

Zoning/Site Review

The Applicant included the Minor Subdivision exhibit as part of the application to demonstrate the proposed area of the subject amendment. As shown on the exhibit, Parcel B and Parcel C would be excepted or removed from the CUP, and Parcel A would be the only remaining area subject to the CUP. Since the area associated with the permit is reduced, a full review of the dimensional standards based on the reduced area is necessary to ensure that the proposed amendment would not create any new non-conformities.



Dimensional Standards

The following site and zoning requirements in the A-2 district for Horse Boarding facilities is provided. The following review is conducted focusing on Parcel A, which is the area that would be subject to the Amended CUP.

Dimension	Standard	Proposed Lot Configuration
Minimum Lot Area (requires minimum of 5 acres for horses on property)	5 Acres	~42.28 Acres
Frontage on Improved Public Street	300'	~1,630'
Front Yard Setback (arterials)	150'	~106.6 (existing home)
Side Yard Setback (from street in case of corner lot)	65'	~92'
Side Yard Setback (from interior lot lines)	20'	~1,180'
Rear Yard Setback	50'	~215'
Height of Structure	35'	NA
Accessory Buildings (# and Total SF)	No limit based on acres	5 Existing Buildings + Principal Structure
Wetland Setback Structure (Buffer)	75' (50')	No Change
Impervious surface coverage	50%	5%
Grazable Acres* See discussion below	1 horse per 2 grazable acres, or CUP is required – existing CUP permits 60 horses which is 1 horse per 1.4 grazable	39 (1.4 horses per 1 grazable acre see analysis below)

Lot Area and Accessory Building Standards

The amended CUP is proposed to include an area approximately 42.28 acres, where the horse boarding and indoor riding operations are currently operating. ***As amended, the proposed lot area meets the City's ordinance requirements for minimum lot size.***

All of the improvements, including principal structure, gate house and accessory structures are located on the subject parcel. Section 32-313 establishes that lots containing more than 20 acres do not have a limit on the number of permitted accessory buildings or square footage. ***The proposed amended area for the CUP meets the City's requirements for accessory buildings.***

Setbacks

The request to amend the legal description changes the lot configuration and moves the western property boundary from the Jamaca Avenue right-of-way to the west side of the Justen Trail N., roadway easement area. This request corresponds to the requested minor subdivision (see staff report under separate cover for minor subdivision review). As shown on the Minor Subdivision exhibit, the proposed modification of the westerly property line creates a new side yard setbacks for the structures located on the subject parcel since the existing farmstead and its buildings are accessed from the primary frontage on Dellwood



Road North (Hwy 96). The side yard setback of a structure from a street when a corner lot is 65'. As referenced in the minor subdivision, the Applicant has proposed a new westerly lot line that is on the west side of roadway easement, which would encompass the full roadway on the subject property. Regardless of the proposed lot line, which is reviewed within the Minor Subdivision staff report, the side yard setback of structures on a corner is 65-feet from the street right-of-way or easement. The existing indoor riding arena is the closest structure to Justen Trail and is setback approximately 80-feet from Justen Trail.

There are two existing habitable structures on the property – one is the principal structure, and the second is a permitted gatehouse. It is assumed that the gatehouse is the southernmost structure on the subject property and is approximately 1,800 square feet. As shown on the Minor Subdivision exhibit the structure is located within the front yard setback and does not meet the City's code. The encroachment of this structure is an existing condition, and the proposed amendment does not impact or increase the encroachment. Further review regarding this structure is provided in the Minor Subdivision report, but for purposes of this CUP Amendment there is no impact to the existing encroachment.

No new structures or improvements are proposed as part of this request to amend the CUP. *All existing structures meet the required setbacks from the proposed westerly boundary, and no further encroachments into required yard setbacks is proposed.*

Grazable Acres

The City Code requires 2 acres of grazable land for each horse, and an increase in density is permitted with a CUP. The 1993 CUP permitted a maximum of 60-horse which corresponding to approximately 1.4 horses per 1 acres of grazable land. The proposed amended reduces the acreage of the site by approximately 17.14 acres. If the ratio of horse to grazable acres is maintained then the number of permitted horses must be amended to correspond to the reduced area.

To determine the grazable acres the total parcel area (Parcel A) is adjusted to except the roadway easement areas, the building footprints, and wetland areas. Based on this analysis the total grazable area remaining is approximately 27.67 acres. Using the approved horse ratio from the 1993 CUP, the number of permitted horses on site would be

$$(1.4 \text{ Horses per grazable acre}) \times (27.67 \text{ grazable acres}) = 39 \text{ Horses}$$

The Planning Commission discussed this analysis since only a general area calculation could be performed for the wetlands since a formal delineation was not completed. Generally, the Planning Commission was supportive of using the established ratio, but recommended that a condition be added to the amended permit that a wetland delineation must be completed so that the number of horses permitted is accurately determined based on the delineation.

Based on the revised area, staff recommends that Condition #16 would be



reduced from a maximum of 60 horses to 39 horses, consistent with the methodology performed in the 1993 CUP. This condition should also reference that a final number of horses will be determined after the completion of a wetland delineation.

Engineering Standards

The City Engineer did not have any comments regarding the proposed amendment since the request to amend is based on the intensity of use, and there are no site or physical improvements proposed.

Other Agency Review

The proposed amendment reduces the area associated with the CUP and no other alterations are proposed that represent an expansion of the use. Therefore, no other agencies are required to review the request. However, it should be noted that the conditions as established by the 1993 would remain valid, including, but not limited to, maintaining proper approval and licenses from MPCA, Washington County, etc., related to the operation of the boarding facility.

Recommendation and Action

The planning commission unanimously recommended approval of the request to amend the Conditional Use Permit with the conditions as noted. A draft Amendment to the CUP and Resolution is provided for your review and consideration.

- The legal description must be updated to reflect that the CUP is only recorded against the approved Parcel A configuration. (Note that the subdivision review is provided under separate cover.)
- The Minor Subdivision must be approved, and the accurate legal description provided, for this Amendment to be valid.
- Condition #2 is modified to reflect the approved acreage of Parcel A, depicted as 42.28 acres on the Minor Subdivision exhibit as 42.28, which may be modified based on the recommendation of the Minor Subdivision.
- Condition #16 is modified to permit a maximum of 39 horse.
- Add a condition that any modification or intensification of the proposed use shall require an amendment to the CUP.
- All other conditions noted in the 1993 CUP remain valid and in full force.

Attachments

Attachment A: Application

Attachment B: Minor Subdivision exhibit dated 4/28/2022

Attachment C: 1993 Conditional Use Permit



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

Short \$500

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

CONDITIONAL USE PERMIT

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

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): 1503021310001		LOT SIZE: 49.46
PROJECT ADDRESS: 9250 Dellwood Road	OWNER: Name: Sam Scott Address: 9250 Dellwood RD City, State, Zip: Grant, MN 55115 Phone: 651-263-1368 Email: Dellwoodfarmmn@gmail.com	APPLICANT (If different from Owner): Name: Address: City, State, Zip: Phone: Email:
BRIEF DESCRIPTION OF REQUEST: Amend Current CUP to work with lot split		
APPLICABLE ZONING CODE SECTION(S): Please review the referenced code sections for a detailed description of required submittal documents, and subsequent process. - Division 5. Conditional Use Permits 32-141 through 157, others		

Required Signatures

*** Note: All parties with a fee interest in the real estate must sign this application before the City will review for completion! ***

Applicant
 Name: SAM SCOTT
(Please print)
 Address: 9250 Dellwood RD
 City, State, Zip: Grant MN 55115
 Phone: 651-263-1368
 Cell Phone: SAME
 Email: Dellwoodfarmmn@gmail.com
 Signature: *[Signature]*
 Date: 5-1-22

Fee Title Property Owner
(If different from Applicant)
 Name: _____
(Please print)
 Address: _____
 City, State, Zip: _____
 Phone: _____
 Cell Phone: _____
 Email: _____
 Signature: _____
 Date: _____

Checklist:

Please review the attached checklist. Minnesota State Statute 15.99 provides the City of Grant 15 business days to determine the application's completeness. Completeness depends on whether or not the applicable checklist items are fulfilled and submitted with your application.

Review Deadline and Timeline:

All applications must be received by the deadlines as posted on the City's website. Failure to submit by the date shown may result in a delay in the scheduling of the application for public hearing. Meeting the deadline does not guarantee that an application will be heard at the next meeting. To improve likelihood of appearing on an agenda, it is recommended that applications be submitted earlier than the deadline.

According to Minnesota State Statute 15.99 a Conditional Use Permit has a Statutory review period of 60 days, with the City's ability (which includes city staff and consultants) to extend the review for an additional 60 days if necessary due to insufficient information, directive to provide additional information, the tabling or postponement of an application, lack of quorum, or schedules.

Application for Planning Consideration Fee Statement:

(Please read carefully and understand your responsibilities associated with this land use application)

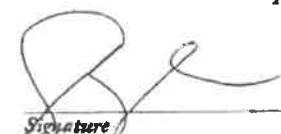
The City of Grant has set forth a fee schedule by City Ordinance as posted on the City's website. The City of Grant often utilizes consulting firms to assist in the review of projects. The consultant and city rates are available upon request. By signing this form, the Applicant accepts sole responsibility for any and all fees associated with the land use application from the plan review stage; the construction monitoring stage; and all the way to the release of any financial guarantees for an approved project. In the event the Applicant fails to make payment of all fees associated with the project, the City of Grant will assess any unpaid or delinquent fees related to this application or project against the subject property. If a project is denied by the City Council or withdrawn by the Applicant, the fees associated for the project until such denial or withdrawal, remain the Applicant's responsibility.

I/WE UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

Applicant

Fee Title Property Owner

(If different from Applicant)



Signature

SAM SCOTT

Printed Name

5-1-22

Date

Signature

Printed Name

Date

** For Applicant's use and records

Conditional Use Permit Checklist:

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.

COPIES: One (1) Electronic copy of full submission; Two (2) 11x17 half-scale scalable hard copy plan sets.

Site Plan: All plans must be to-scale, scalable, and include a north arrow.

- Property dimensions
- Area in acres and square feet
- Identified setbacks (Front, Side, Rear)
- Identify Buildable area (if applicable)
- Location of existing and proposed buildings (including square footage, foot print, and dimensions to lot lines)
- Location of existing utilities, drainfield locations
- 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 (if applicable)
- Sanitary sewer and water utility plans (if expansion is needed)

Existing Conditions:

- Aerial of site and adjacent properties
- Location of all wetlands (NWI, or similar)
- Topographic contours at 2-foot intervals
- Water bodies, Ordinary High Water Level, 100-year flood elevation

Grading Plan (if applicable): All plans must be to-scale, scalable, and include a north arrow.

- Grading Plan
- Finished grading and drainage plan sufficient to drain and dispose of all surface water accumulated
- Stormwater Plan and Calculations (if applicable)

Landscape Plan (if applicable): All plans must be to-scale, scalable, and include a north arrow.

- Landscape plan identifying species and size of trees and shrubs
- Screening plan

Architectural/Building Plan (if applicable): All plans must be to scale, scalable, and include a north arrow.

- Location of existing and proposed buildings and their size including dimensions and total square footage
- Proposed floor plans (if applicable)
- Proposed elevations (if applicable)
- Description of building use for proposed CUP

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:

- 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 operations, including days and times (if applicable)
- Describe how you believe the requested conditional use fits the City's Comprehensive Plan

Conditional Use Permit Checklist:

Statement acknowledging that you have contacted the other governmental agencies such as watershed districts, Washington County departments, state agencies, or others that may have authority over your property for approvals and necessary permits.

Paid Application Fee: \$400

Paid Escrow*: \$3,000

*Any remaining funds, after expenses, are returned to the Applicant. Expenses incurred over \$3,000 will be billed to the Applicant.

Materials that may be required upon request:

Survey of the Property: An official survey, by a licensed surveyor, may be requested with the application. The survey shall be scalable and either Full Scale, or Half Scale (11"x17") as requested by the Zoning Administrator.

Full scale plans at a scale not smaller than 1"=100'

Sanitary and stormwater plans. Sanitary and/or stormwater plans may be requested depending on the proposal of the Conditional Use Permit.

Wetland Delineation. If the proposed project is near a potential wetland boundary or setback, delineation may be required to fully evaluate and approve, or deny, the Conditional Use Permit.

To Whom it may concern,

I am requesting a change to the current CUP at 9250 Dellwood Road to reflect the proposed lot split. The current CUP allows up to 60 horses which is approximately 1 horse per acre. If the subdivision is granted there will be a little more than 42 acres left. I propose changing the number of horses allowed to 42 and revising the current legal description to match the legal description of parcel "A" on the supplied survey and leaving the rest of the CUP the same.

Thank You,

Sam Scott

9250 Dellwood Road

651-263-1368

**CONDITIONAL USE PERMIT
FOR
EDWARD B. McCAULEY AND JEANETTE A. McCAULEY
VICTORIA STATION BOARD STABLE AND INDOOR RIDING ARENA**

File No. _____

Date: April 22, 1993

Legal Description:

That part of the Southwest quarter (SW 1/4) of Section 15, Township 30, Range 21 lying North of the centerline of Trunk Highway No. 96, except that part included in the Plat of Victoria Station No. 3.

82327 And also all the parts of Outlot A, Victoria Station No. 3, not included in the Deed to Alvin H. Brabender and Lucille F. Brabender recorded as Document No. 424416 in the office of the County Recorder for said County, said document more fully described in attached Exhibit A.

Owner: Edward B. and Jeanette A. McCauley
515 Stage Line Road
Hudson, Wisconsin 54016

**Address of
Subject Property:** 9250 Dellwood Road North
Mahtomedi, Minnesota 55115

Present Zoning District: A-2 Permitted uses set forth in Ordinance 50 Section 505

I. CONDITIONAL USE PERMIT FOR: HORSE BOARDING STABLE PLUS INDOOR RIDING ARENA.

All uses shall be subject to the following conditions and/or restrictions imposed by the Board of Supervisors on the Town of Grant.

General Descriptions:

1. This permit allows for the operation of an equestrian facility as outlined in the submitted application package. Construction of a new 60' x 150' indoor riding arena is allowed, providing all required setbacks are met.

2. The 55 acre parcel shall not be further subdivided.

3. No business of any type not related specifically to the operation of a horse farm as addressed in the conditional use permit shall be permitted on the property.

4. All land legally described in the application is included in this permit.

5. Violation of any conditions of this permit may result in revocation of said permit.

6. Any change in plans or construction of any other facilities or living quarters not specifically permitted in this permit shall require an amended conditional use permit.

7. This permit shall be recorded against the property in the Office of the Washington County Recorder.

8. A permit must be obtained from the Minnesota Pollution Control Agency prior to any animals being boarded on this property. This permit is not valid until evidence is shown that this permit has been obtained.

9. This permit shall be reviewed on an annual basis by the Grant Town Board. It shall also be reviewed each time the property is sold. The Town Board, or its designated agents, and the staff of the Washington County Department of Public Health shall have right of access to all facilities on this property during daytime hours.

10. The applicant attains and complies with all conditions of the Minnesota Pollution Control Agency feedlot permit.

11. The applicant shall provide adequate shelter in accordance with acceptable standards, both inside and outside, for the number of horses to be boarded on the subject property.

12. A building permit shall be obtained prior to the start of construction for the new facilities.

13. A certificate of compliance must be obtained from the Washington County Department of Public Health.

14. A maximum of three (3) horse shows per year are allowed. Adequate on-site parking must be provided.

15. The owner of the subject property shall keep in full force and effect general liability insurance covering personal injury and property damage arising out of the operation of the horse boarding and riding facility on the subject property. The owner shall provide the Township and County with proof of insurance annually. The Township shall be given ten (10) days advance notice of cancellation of the insurance policy.

16. No more horses than allowed by the PCA permit, to a maximum of sixty (60) horses, may be boarded on the property at any time, and no one shall live in any of the buildings other than the main house and the gate house. If the number of horses creates a nuisance, as defined by State statute and Town ordinances, the Town may order a reduction in the number of horses.

17. All construction and use of the property shall be consistent with the site plan.

18. Applicant must take possession of the property within six (6) months or this permit is void.

19. Additional conditions may be added to this permit at a later date if deemed necessary by the Grant Town Board.

20. Applicants shall maintain the right to spread manure on the Costa property pursuant to the existing covenant on that property.

II. REVIEW:

Pursuant to §505.08 of the Zoning Ordinance of the Town of Grant, periodic review of this Conditional Use Permit is imposed as a condition of its grant. This Conditional Use Permit shall be reviewed annually at the direction of the Planning Commission which shall notify the permit holder of the date of the annual review at least ten (10) days prior to the review hearing.

In witness whereof, the parties have set forth their hands and seals.

TOWN OF GRANT:

Date: 12-7-93, 1993

By: Gary Erickson
Chairman

Date: 12-7-93, 1993

By: Sheila J. Davis
Clerk

Date: 8/4, 1993

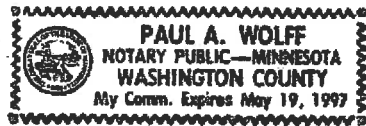
Edward B. McCauley
Edward B. McCauley
Applicant/Permit Holder

Date: 8/4, 1993

Jeanette A. McCauley
Jeanette A. McCauley
Applicant/Permit Holder

STATE OF MINNESOTA)
) ss:
COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this 7
day of September, 1993, by Cam Erickson and
Shirley S. Haus, Chairman and Clerk for the Town of Grant,
to me personally known to be the persons described in and who
executed the foregoing instrument and acknowledged that they
executed the same as their free act and deed of the parties.



Paul A. Wolff
Notary Public

STATE OF MINNESOTA)
) ss:
COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this 7
day of September, 1993, by Edward B. McCauley and Jeanette
A. McCauley, husband and wife, Applicants/Permit Holders, to me
personally known to be the persons described in and who executed
the foregoing instrument and acknowledged that they executed the
same as their free act and deed.



Diane M. Vredevel
Notary Public

THIS INSTRUMENT DRAFTED BY:

Paul A. Wolff
ECKBERG, LAMMERS, BRIGGS,
WOLFF & VIERLING
1835 Northwestern Avenue
Stillwater, MN 55082
(612) 439-2878

EXHIBIT A

83831

Except that part lying within the following described lines:
Beginning at the Southeast corner of said Outlot A, said point also being the Southwest corner of Lot 5, Block 3, said Victoria Station No. 3; thence North 00 degrees 59'45" West 636.58 feet along the West line of Lots 3, 4, and 5, said Block 3, to a point on the South line of NE 1/4, Sec. 15-T30N-R21W; thence North 00 degrees 56'40" West 638.42 feet along the West line of Lots 1, 2, and 3, said Block 3, to the Northwest corner of said Lot 1, said point being on the South line of Outlot B, Victoria Station No. 3; thence West 153.5 feet along the southerly line of said Outlot B; thence South 00 degrees 51'34" East 288.91 feet along the Easterly line of said Outlot B; thence West 50 feet along the Southerly line of said Outlot B; thence South 00 degrees 51'34" East 350.00 feet to a point on the South line of NE 1/4 of Sec. 15-T30N-R21W; thence South 89 degrees 51'21" West 650.10 feet along said South line to a point on the West line of SE 1/4 of Sec. 15, said point being the center of said Sec. 15; thence South 00 degrees 51'34" East 634.41 feet along said West line to the Northwest corner of Lot 10 said Block 3; thence East 856.08 feet along the Southerly line of said Outlot A and the Northerly line of Lots 8, 9, and 10, said Block 3, to point of beginning.

**VICTORIA STATION BOARD STABLE AND INDOOR RIDING ARENA
AMENDED CONDITIONAL USE PERMIT
CITY OF GRANT**

APPLICANT: Sam Scott

OWNER: Same

LEGAL DESCRIPTION: Attachment A

PID: 1503021310001 and 1503021130002

ZONING: A-2

ADDRESS: 9250 Dellwood Road N
Grant, MN

DATE: Amended June 28, 2022

This is an Amended Conditional Use Permit to amend certain conditions and the Legal Description as established in the original permit dated December 7, 1993. This Permit shall only be valid for the land area established with the legal description, and the original 1993 CUP and its rights shall be deemed vacated on those areas not included within this recording. All conditions and uses established by the 1993 shall remain valid and in full effect for that area included within this permit, except as explicitly amended herein.

The following conditions are established and are 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 Amended Permit is only valid if the Minor Subdivision of the subject Property is granted.
2. This Amended Permit may only be recorded after the approval of a Minor Subdivision that establishes the clear and accurate legal description of which this permit is recorded.
3. Condition number 2 of the 1993 CUP is amended to state that, "The 42.28 acre parcel shown as Parcel A, shall not be further subdivided."
4. Condition number 16 of the 1993 CUP is amended to state that the permitted ratio of horses is approximately 1.4 horses per 1 grazable acre. This is approximately 39 horse based on the general information available to calculate the grazable acres.
5. A wetland delineation must be completed, reviewed and approved by the City Staff to establish the number of grazable acres on Parcel A, and thus calculate the total number of horses permitted based on the ratio established in Condition number 3 of this Amended Permit.

6. The gatehouse, as permitted by the 1993 CUP, may not be separated or subdivided separately from the principal structure on the property. The gatehouse must be used exclusively to support the accessory use of the property for the horse boarding operations.
7. This Amended Permit shall be reviewed in compliance with the City's CUP review process, which may be on an annual basis.
8. Any violation of the conditions of this Amended Permit, or the 1993 CUP, may result in the revocation of said Permits.

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 _____, 2022, before me, a Notary Public, personally appeared Jeff Huber 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:
Sam Scott

Date: _____

By: _____
Its: _____

Date: _____

Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this _____ day of _____, 2022, 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

The west 407 feet of the East 880 feet of the south 427.46 feet of the Southwest Quarter of the Southwest Quarter of Section 34, Township 30, Range 21, the East line of said parcel being the West line of Oak View Acres as recorded in the office of the Register of Deeds in and for Washington County, Minnesota, excepting and reserving an easement for road right-of-way over the West 33 feet thereof. (CONFIRM DESCRIPTION)

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2022-08**

**RESOLUTION APPROVING AN AMENDED CONDITIONAL USE PERMIT FOR
VICTORIA STATION BOARD STABLE AND INDOOR RIDING ARENA AT
9250 DELLWOOD RD. N.**

WHEREAS, Sam Scott has applied for an Amendment to the Conditional Use Permit on the property located at 9250 Dellwood Road North (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the subject property was granted a Conditional Use Permit (CUP) for the Victoria Station Board Stable and Indoor Riding Arena in 1993; and

WHEREAS, the original 1993 CUP was granted and recorded against approximately 55-acres, and the permit must be amended if any changes to the land area or uses are proposed; and

WHEREAS, the Applicant proposes to subdivide the 55-acre parcel and vacate approximately 17-acres of land from the 1993 CUP; and

WHEREAS, the Applicant proposes to Amend the 1993 CUP to accurately reflect the land area and to amend the necessary conditions to allow for the continuation of the Horse Boarding and Indoor Riding Arena operation; and

WHEREAS, a duly noticed Public Hearing took place on June 8, 2022; and

WHEREAS, on June 8, 2022 the Planning Commission recommended approval of the application to Amend the CUP subject to certain conditions; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission and the Applicant’s request at regular City Council meetings which took place on June 28, 2022.

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 the Sam Scott for an Amended 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:

- Provided the Minor Subdivision of the property is approved, that the proposed Amended will be clearly recorded and established with the appropriate legal description.
- The proposed amendment will not change or alter the character of the property or the surrounding area.
- The proposed amendment will not increase the intensity of the horse boarding and indoor riding arena use.
- The proposed amendment will not impact the existing configuration of structures, uses or access on the site.

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 Amended Conditional Use Permit dated June 29, 2022 (the "Permit").
2. The Minor Subdivision of the subject Property must be granted, and the Amended Permit recorded against the accurate legal description generally identified as Parcel A on the Minor Subdivision exhibit.
3. The Permit shall be reviewed in compliance with the City's CUP review process, which may be on an annual basis.
4. Any violation of the conditions of this Amended Permit, or the 1993 CUP, may result in the revocation of said Permit.
5. All escrow amounts shall be brought up to date and kept current.
6. The Owner shall obtain any necessary permits from Washington County, Minnesota Department of Health, State of Minnesota, Valley Branch 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 28th day of June 2022.

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 _____, 2022 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 _____, 2022.

Kim Points
Clerk
City of Grant



STAFF REPORT

To: Mayor and City Council
Kim Points, City Clerk/Administrator

Date: June 20, 2022

CC: Brad Reifsteck, PE, City Engineer
David Snyder, City Attorney

RE: Application for a Conditional Use Permit to process firewood at 10151 75th Avenue N

From: Jennifer Haskamp
Consulting City Planner

Background

The Applicant, Pete Mogren, Mogren's Firewood, is requesting a Conditional Use Permit (CUP) on the subject property to allow for the processing and selling of firewood. The use includes cutting and processing firewood that is dried using a large kiln on site. The Site Plan shows the location of the existing building on the property, the stockpile locations for the processing operations and the location of the kiln.

Planning Commission Recommendation & Public Hearing

A duly noticed public hearing was held on June 8, 2022, and property owners within 1,320-feet were notified of the subject application. No members of the public were in attendance to provide testimony regarding the proposed CUP. The Planning Commission closed the public hearing and discussed the application. The planning commission's discussion mostly focused on two issues, 1) is the proposed use/operation similar to other uses in the City and on the Table of Uses; and 2) what are the hours of operation and potential adverse impacts of the use to adjacent neighbors. After discussion, the Planning Commission determined that the use is similar to other businesses in the City that include landscape supply/hardscape/nursery/agricultural types of operations and that such existing businesses in the City operate with a Conditional Use Permit; and that provided the conditions are met, there should be minimal or no adverse impacts to the surrounding neighborhood and residential properties. The Planning Commission recommended approval (5-2) of the proposed Conditional Use Permit with the conditions as noted in the draft permit.

The following staff report has been updated to reflect the discussion and presentation at the Planning Commission but is generally as presented by staff at the meeting.

Application Summary



Applicant: Pete Mogren, Mogren’s Firewood Owner: Mike Regan	Site Size: 101.5 Acres
Land Use: RR-AG Zoning: A2 – Agricultural Small Scale	Request: Conditional Use Permit (CUP)
Address: 10151 75 th Street North Grant, MN 55082	Location Description and PIDs: PID 26.030.21.33.0001, subject property generally located southeast of Keats Ave. N. and 75 th St. N. (CSAH 12)

The Applicant is requesting a CUP on the subject property for the Firewood processing operation. A summary of the proposed use is as follows:

- Cutting and processing the firewood
- Loading and operation of a kiln dryer
- Delivery of firewood
- Occasional customer pick-up
- Year-round operation, with Spring/Summer being the slow season
- Operating hours as detailed below

In the applicant’s narrative they describe the operations as being similar to a landscape supply and agricultural use. As described, the operations would occur on site between two and five days a week, with average time per day between six and seven hours. The applicant has indicated that the variation in hours will occur based on whether it is the busy or slow season. (E.g. there is higher demand for firewood during the cold season). In the applicant’s narrative, they have indicated that they have purchased an electric processor to replace the current processor to reduce the noise associated with the operations. The new electric processor will be quieter than the current processor and is schedule to arrive in June 2022.

During the presentation at the Planning Commission the Applicant indicated that no work will be conducted on the weekends, and they are comfortable with only operating Monday through Friday with the stated hours of operation on weekdays only. Further, they indicated that they are comfortable with no retail operations on the site, which is a recommended condition for inclusion within the draft Permit.

Review Criteria

The City Code 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.”



Section 32-245 Table of Uses establishes the list of permitted and conditionally permitted uses in the City. Subsection (b) states, “Uses shall be allowed according to the use table in subsection (c) of this section. When a specific use is not listed, the closest similar listed use shall determine the restrictions and conditions which apply.”

Existing Site Conditions

The parcel is generally located southeast of Keats Ave. N. and 75th St. N. (CSAH 12) and is bordered by rural residential parcels on the westerly border of the site, and large lot/agricultural uses border the south and easterly property lines. The area is generally developed with a mix of agriculture, rural residential and golf course uses.

10151 75th Avenue North, PID 26.030.21.33.0001

The parcel is described as being in the Southwest Quarter of Section 26, Township 30 North, Range 21 West. The parcel is approximately 101.5 acres, is fairly regular in shape, and is bordered by 75th Street North on the north. The majority of the site is wooded with a large agricultural field in the central portion of the property. The perimeter of the site is heavily vegetated and the proposed use will be located within the area cleared of large trees and vegetation.

Comprehensive Plan Review

The site is guided RR/AG – Rural Residential/Agricultural in the City’s adopted Comprehensive Plan. Land within the RR/AG land use designation is generally described as supporting rural residential and agricultural uses with limited non-residential uses that require a CUP. The proposed firewood processing operation is similar to other agricultural and nursery/landscape supply businesses in the City that operate with a CUP. Depending on the conditions established for the firewood processing operations and provided a CUP is obtained, the proposed firewood processing operation could be consistent with the adopted comprehensive plan.

Zoning/Site Review

The Applicant submitted a Site Plan for the proposed amendment (See attached Exhibit). The following dimensional review is provided for review and consideration.

Dimensional Standards

The following site and zoning requirements in the A-2 district related to the proposed application. The following review is conducted focusing on the submitted site plan.

Dimension	Standard
-----------	----------



Minimum Lot Area per non-residential structure (Sec. 32-313(b))	5 Acres, or as per permit
Frontage on an Improved Public Road	300'
Front Yard Setback along Arterials	150'
Side Yard Setback (from street in case of corner lot)	65'
Side Yard Setback (from interior lot lines)	20'
Rear Yard Setback	50'
Height of Structure	35'
Accessory Buildings (# and Total SF)	No limit
Impervious surface coverage	50%
Floor Area Ratio	30%

Proposed Use

The Applicant’s narrative describes the proposed use as a firewood processing operation. Section 32-245 Table of uses does not specifically identify firewood processing operations as a use. As indicated previously, subsection (b) of the Table of Uses states that if a use is not expressly identified on the table, then the most similar use should be considered. The Applicant’s narrative suggests that the most similar type of use is an agricultural and landscape supply type of business. The proposed use has similarities with both; however, a landscape supply use is also not on the City’s table of uses. The proposed use is most similar to the nursery/landscape/hardscape businesses that are currently in operation in the City. All businesses of this type (e.g. Hegberg, Buberl, etc.) operate with a Conditional Use Permit in the A-1 or A-2 zoning districts. As such, staff believes that a CUP is the appropriate permit. The Planning Commission determined (5-2) that the proposed use is similar to the other businesses noted, and thus a CUP is required. The City Council may either agree, or disagree, with the Planning commission and must determine that the use is similar to other uses permitted in the City and on the Table of Uses.

Lot Area and Accessory Building Standards

The subject property is approximately 101.5 acres and is used for a non-residential structure. Section 32-313(b) states that the maximum building size is established for a CUP based on the lot size. As identified, there is no limit on maximum total square footage on lots larger than 20 acres.

There is no limit on number of accessory buildings allowed. For non-accessory, non-dwelling structures, the limit is determined as per the Permit (CUP).

Setbacks

As shown on the Site Plan, the operation is located in the northwest portion of the property. The kiln is located approximately 300’ from the westerly property line and 450’ from the northerly property line and 75th Street North frontage. The identified processing area is approximately 345’ from the eastern property line and 495’ from the northerly property line and road frontage.

The existing building on the site is setback approximately 370’ from the eastern property line and 540’ from the northerly property line.

The identified operations area (with the kiln, stockpiles, loading and processing



area and the existing building) is setback approximately 300' from the easterly property line, 360' from the northerly property line and more than 1,500' from both the westerly and southerly property line. The setback area north and west of the proposed operation are heavily vegetated and mitigate any current view of the operations. ***As proposed, the area designated for operations meets the City's ordinance.***

Operations

The hours of operation given in the narrative are as follows:

- Running the wood processor: 8:30 am – 3:00 pm, 1 – 2 days a week
- Loading truck for delivery: Between 8:30 am – 3 pm, 1 – 3 days a week. This includes delivery of firewood so the delivery truck would be loaded 3 – 4 days onsite between these hours.
- The kiln runs consecutively for 36 hours when no one is present onsite.

The Applicant indicated during the Planning Commission meeting that they are comfortable limiting the operations to Monday through Friday, with no weekend operations. The modified hours are identified in the attached CUP for your review and consideration.

The Planning Commission agreed with the City Staff that no client pick-up or retail sales are permitted on site. The intent is that this business has a low impact on the site, the roads and the surrounding neighborhood. A condition is included within the attached CUP that no on-site client pick-up is permitted, and no retail sales are permitted under this CUP. Any proposed changes may require an amendment to the Permit, due to the increase in traffic, signage, etc., which were not evaluated as part of this process.

Noise

The subject operations were brought to the attention of the City due to a concerned neighbor regarding the noise generated on the Site. The staff investigated the complaint and determined that the operations required a Permit to operate, and thus the Applicant applied for this CUP. The City's noise standards are established consistent with the MPCA's noise regulations, and all operations must demonstrate compliance with the standards. The applicant has indicated that the new electric processor will be significant quieter than the current processor, however, it is unknown what the noise and/or decibel levels area associated with the operation and if they comply with the noise standards.

Staff has included a condition in the attached CUP that all operations on site must comply with the MPCA's noise standards that set regulations for duration, decibel levels and time of day. It is the Applicant's responsibility, to ensure that all equipment used and purchased to support the operation will comply with the established standards.

Engineering Standards

There are no new buildings or landscaping being proposed as part of this application.



Other Agency Review

The property is within the Brown's Creek Watershed District, and the Applicant must obtain any necessary permits from the Watershed.

Action requested

The planning commission recommended 5-2 to approve the Conditional Use Permit with the conditions as noted. A draft of the CUP and the resolution are attached for your review and consideration.

Attachments

Attachment A: Application

Attachment B: Site Plan

Attachment C: Conditional Use Permit (CUP)

Attachment D: Resolution #2022-09



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

pd 2/7/22

1020 Check # 5095 \$400
 #5092 @3000 Clerk@cityofgrant.us
 US

Phone: 651.426.3383

Fax: 651.429.1998

Email: clerk@cityofgrant.com

CONDITIONAL USE PERMIT

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

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):	26 030 21.33.0001	LOT SIZE:	101 Acres
PROJECT ADDRESS:	10151 75 th Ave North Stillwater, MN. 55082	OWNER: Name: Mike Regan Address: 6667 Keats Ave No City, State, Zip: Grant, MN. Phone: 651-770-2301 Email: Mike@IH601f.com	APPLICANT (If different from Owner): Name: Pete Mosgren Address: 861 East Ridge Lane City, State, Zip: Stillwater, MN. 55082 Phone: 651-270-8728 Email: PeterMosgren@gmail.com
BRIEF DESCRIPTION OF REQUEST:	Looking to process firewood and sell it Firewood will be kiln dried very little air dried		
APPLICABLE ZONING CODE SECTION(S):	Please review the referenced code sections for a detailed description of required submittal documents, and subsequent process. - Division 5. Conditional Use Permits 32-141 through 157, others		

Required Signatures

*** Note: All parties with a fee interest in the real estate must sign this application before the City will review for completion! ***

Applicant

Name: Pete Mosgren Mosgren's Firewood
(Please print)
 Address: 10151 75th Avenue North
 City, State, Zip: Stillwater, MN 55082
 Phone: _____
 Cell Phone: 651-270-8728
 Email: petemosgren@gmail.com
 Signature: [Signature]
 Date: 1/19/2022

Fee Title Property Owner

(If different from Applicant)

Name: Indian Hills B.C. DBA Mosgren Inc.
(Please print)
 Address: 6667 Keats Ave No.
 City, State, Zip: Grant, MN.
 Phone: 651-770-2301
 Cell Phone: 612-749-4901
 Email: Mike@IH601f.com
 Signature: [Signature]
 Date: 1/19/2022

Checklist:

Please review the attached checklist. Minnesota State Statute 15.99 provides the City of Grant 15 business days to determine the application's completeness. Completeness depends on whether or not the applicable checklist items are fulfilled and submitted with your application.

Review Deadline and Timeline:

All applications must be received by the deadlines as posted on the City's website. Failure to submit by the date shown may result in a delay in the scheduling of the application for public hearing. Meeting the deadline does not guarantee that an application will be heard at the next meeting. To improve likelihood of appearing on an agenda, it is recommended that applications be submitted earlier than the deadline.

According to Minnesota State Statute 15.99 a Conditional Use Permit has a Statutory review period of 60 days, with the City's ability (which includes city staff and consultants) to extend the review for an additional 60 days if necessary due to insufficient information, directive to provide additional information, the tabling or postponement of an application, lack of quorum, or schedules.

Application for Planning Consideration Fee Statement:

(Please read carefully and understand your responsibilities associated with this land use application)

The City of Grant has set forth a fee schedule by City Ordinance as posted on the City's website. The City of Grant often utilizes consulting firms to assist in the review of projects. The consultant and city rates are available upon request. By signing this form, the Applicant accepts sole responsibility for any and all fees associated with the land use application from the plan review stage; the construction monitoring stage; and all the way to the release of any financial guarantees for an approved project. In the event the Applicant fails to make payment of all fees associated with the project, the City of Grant will assess any unpaid or delinquent fees related to this application or project against the subject property. If a project is denied by the City Council or withdrawn by the Applicant, the fees associated for the project until such denial or withdrawal, remain the Applicant's responsibility.

I/WE UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

Applicant

Fee Title Property Owner

(If different from Applicant)

Pete Mogren

Signature

Michael O. Regan

Signature

Pete Mogren

Printed Name

Michael O. Regan

Printed Name

1/19/2022

Date

1/19/2022

Date

** For Applicant's use and records

Conditional Use Permit Checklist:

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.

COPIES: One (1) Electronic copy of full submission; Two (2) 11x17 half-scale scalable hard copy plan sets.

Site Plan: All plans must be to-scale, scalable, and include a north arrow.

- Property dimensions
- Area in acres and square feet
- Identified setbacks (Front, Side, Rear)
- Identify Buildable area (if applicable)
- Location of existing and proposed buildings (including square footage, foot print, and dimensions to lot lines)
- Location of existing utilities, drainfield locations
- 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 (if applicable)
- Sanitary sewer and water utility plans (if expansion is needed)

Existing Conditions:

- Aerial of site and adjacent properties
- Location of all wetlands (NWI, or similar)
- Topographic contours at 2-foot intervals
- Water bodies, Ordinary High Water Level, 100-year flood elevation

NA

Grading Plan (if applicable): All plans must be to-scale, scalable, and include a north arrow.

- Grading Plan
- Finished grading and drainage plan sufficient to drain and dispose of all surface water accumulated
- Stormwater Plan and Calculations (if applicable)

NA

Landscape Plan (if applicable): All plans must be to-scale, scalable, and include a north arrow.

- Landscape plan identifying species and size of trees and shrubs
- Screening plan

NA

Architectural/Building Plan (if applicable): All plans must be to scale, scalable, and include a north arrow.

- Location of existing and proposed buildings and their size including dimensions and total square footage
- Proposed floor plans (if applicable)
- Proposed elevations (if applicable)
- Description of building use for proposed CUP

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:

- Description of operation or use *Process firewood and sell it - Firewood will be kiln dried*
- Number of employees (if applicable, if not state why) *2 - Father - Son operation*
- 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 operations, including days and times (if applicable) *8:00 AM - 4:00*
- Describe how you believe the requested conditional use fits the City's Comprehensive Plan

Conditional Use Permit Checklist:

Statement acknowledging that you have contacted the other governmental agencies such as watershed districts, Washington County departments, state agencies, or others that may have authority over your property for approvals and necessary permits.

Paid Application Fee: \$400

Paid Escrow*: \$3,000

*Any remaining funds, after expenses, are returned to the Applicant. Expenses incurred over \$3,000 will be billed to the Applicant.

Materials that may be required upon request:

Survey of the Property: An official survey, by a licensed surveyor, may be requested with the application. The survey shall be scalable and either Full Scale, or Half Scale (11"x17") as requested by the Zoning Administrator.

Full scale plans at a scale not smaller than 1"=100'

Sanitary and stormwater plans. Sanitary and/or stormwater plans may be requested depending on the proposal of the Conditional Use Permit.

Wetland Delineation. If the proposed project is near a potential wetland boundary or setback, delineation may be required to fully evaluate and approve, or deny, the Conditional Use Permit.

Narrative:

In conjunction to the City of Grant's Table of Uses, I am proposing that my operation would fall under Landscape Supply and Agricultural providing firewood for recreational and restaurant use. In addition, the firewood saw dust and scraps can be provided as horse bedding for locals.

During working hours, there will be loading of the product into the kiln dryer and delivery truck by owner, Corey Mogren. In addition, delivery of firewood to customer will be the main source of distributing with the occasional pick-up allowed by appointment only (happening about 1% of the time). Operation will be year-round with Spring/Summer being a slightly slower time, and my hours of operation include the following:

- Running the wood processor from roughly 8:30 am – 3 pm, 1-2 days a week
- Kiln drying process will run consecutively for 36 hours (I am not present on site)
- Loading into my truck for delivery roughly 8:30 am – 3 pm, 1-3 days a week – this time includes delivering meaning I will only be onsite 3-4 time during these hours

Overall, I will be operating out of the space roughly 2-5 days a week for 6-7 hours at a time, these times are subject to change during slower months. In addition, I have purchased an electric processor to replace my current one that will be arriving in June.

This will be significantly quieter during the time I am cutting and processing wood.

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2022-09**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
10151 75TH STREET NORTH TO OPERATE A FIREWOOD PROCESSING BUSINESS
(MOGREN'S FIREWOOD)**

WHEREAS, Pete Mogren on behalf of Mogren's Firewood applied for a Conditional Use Permit to operate a firewood processing business on the property located at 10151 75th Street North ("Subject Property") in the City of Grant, Minnesota; and

WHEREAS, the proposed business operation will be operated from an existing accessory building and will utilize supplemental equipment such as a processor and kiln that are moveable and not permanent improvement; and

WHEREAS, a duly noticed Public Hearing to consider the proposed request took place on June 8, 2022; and

WHEREAS, on June 8, 2022 the Planning Commission discussed the proposed use and 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 28, 2022.

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 Pete Mogren 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:

- The proposed scale of the firewood processing business was determined to be similar to other existing landscape supply and nursery businesses that are permitted with CUP in the City of Grant.
- Provided the conditions established within the CUP are met there is little to no impact on adjacent neighborhoods or the surrounding area.
- That the limited hours of operation and limited number of trips generated into and out of the site will not adversely impact the roadways or other infrastructure beyond those typically generated from agricultural and rural residential uses.

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 28, 2022 (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, State of Minnesota, 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.
6. The Owner shall be responsible for recording the Permit with the Washington County Recorder’s office within 30-days of the execution of this permit.

Adopted by the Grant City Council this 28th day of June 2022.

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 _____, 2022 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 _____, 2022.

Kim Points
Clerk
City of Grant

**MOGREN'S FIREWOOD
CONDITIONAL USE PERMIT
CITY OF GRANT**

APPLICANT: Pete Mogren

OWNER: Mike Regan

LEGAL DESCRIPTION: Attachment A

PID: 2603021330001

ZONING: A2

ADDRESS: 10151 75th St. N
Grant, MN

DATE: June 28, 2022

This is a Conditional Use Permit (Permit) to allow for the operation of a small-scale firewood processing business that is considered by the City Council to be similar to the types of businesses in the City classified as a nursery use. The narrative submitted by the Applicant describes a low-impact small-scale firewood processing operation with activity occurring on-site two to three days per week. Any significant increase in intensity of the business operation shall require an amendment to this Permit.

All uses related to the business 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 activities associated with the firewood processing operation shall be limited to the areas identified on the Site Plan which is attached to the Permit. The existing vegetation on-site shall remain, or replanted, to ensure an adequate screening is provided between the operation and adjacent rural residential uses.
3. No additional accessory buildings or structures are permitted as part of this Permit. Any request for additional improvements may require an amendment to this Permit.
4. The hours of operation shall be limited to the following:
 - a. No operations shall be permitted on the weekends (Saturday or Sunda).
 - b. Running the wood processor: 8:30 am – 3:00 pm, no more than two (2) times per week, limited to Monday through Friday.

- c. Loading truck for delivery: 8:30 am – 3 pm, no more than three days a week and is limited to Monday through Friday. (loading and unloading will occur during the designated time period).
 - d. The kiln may run at any time, and the hours of operation are not limited provided all other activities occur during the designated hours.
5. All activities on site must comply with the MPCA’s noise standards and regulations.
 6. No exterior lighting of the operations is approved as part of this CUP. Any proposed light may require an amendment to the permit.
 7. No signage is approved as part of this CUP. Any proposed signage may require an amendment to this permit.
 8. No retail operations on site are permitted, and no client pick-up is permitted. All firewood must be delivered from the site. If any changes are proposed to the delivery operations an amendment to this permit may be required.
 9. No site grading is approved as part of this CUP. Any request to significantly change or alter the site shall require review, approval, and if applicable, a grading permit from the City Engineer.
 10. The Applicant shall comply with all restrictions and permit requirements of the Valley Branch Watershed District. The Applicant shall submit the approved permit to the City prior to the City issuance of a Grading Permit or Building Permit.
 11. All operations on site shall meet the MPCA’s noise standards and regulations.
 12. This permit shall be reviewed in compliance with the City’s CUP review process, which may be on an annual basis.
 13. 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 _____, 2022, before me, a Notary Public, personally appeared Jeff Huber 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:
Pete Mogren
Mogren's Firewood

Date: _____

By: _____
Its: _____

OWNER:
Mike Regan

Date: _____

By: _____
Its: _____

Date: _____

Kim Points, City Clerk

State of Minnesota)
)ss.
County of Washington)

On this _____ day of _____, 2022, 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

AGENDA ITEM 6A

STAFF ORIGINATOR	Administrator/Clerk
MEETING DATE	June 28, 2022
TOPIC	In-Person Meetings

BACKGROUND

The City of Grant City Council has been conducting City meeting via zoom since April, 2020 due to a pandemic. Many cities have in fact resumed in person meetings for quite some time as they have the space to be outfitted for safety equipment such as partitions, social distancing, etc. The City of Grant has limited space at Town Hall to provide the same. A small percentage of cities are continuing meetings via zoom indefinitely.

With the installation of Wi-Fi at Town Hall, the City will be able to accommodate a hybrid approach for those that are not comfortable to attend but would still like to participate. Consultants will continue to attend meetings virtually unless staff determines an agenda item would require in person attendance. The Planning Commission will continue to monitor the situation but continue with zoom meetings until further notice.

I will note that no residents have complained about conducting meetings via zoom. A couple of Council Members and Planning Commissioners have encouraged getting back to in-person meetings as soon as possible.

ACTION

1. Make a determine regarding in-person City Council meetings.

CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA

Resolution No. 2022-10

A RESOLUTION APPOINTING ELECTION JUDGES FOR THE
2022 PRIMARY ELECTION AND THE NOVEMBER 8th GENERAL ELECTION

WHEREAS, State Primary will be held on August 9th, 2022 and the General Election will be held on November 8th, 2022.

WHEREAS, Minnesota Statute 20413.2 1, subd. 2, requires election judges for precincts in a municipality be appointed by the governing body of the municipality; and

WHEREAS, the City of Grant has two precincts; and

WHEREAS, the following State of Minnesota residents have applied to serve as election judges and meet the qualifications established by the State of Minnesota

NOW THEREFORE BE IT RESOLVED, that the City of Grant City Council, in accordance with State Law, hereby appoints the following persons to serve as election judges for the Primary Nomination on Primary Election on August 9th, 2022 and the General Election on November 8th 2022.

Diane Allen	Emily Erchul	James Essen	Laura Frucci
David Goodfellow	Lisa Helmer	Debbie Magee	Kimberly Mickelson
Cheryl Schmura	Rebecca Siekmeier	Joyce Simonson	Paul Huffman (Head)
James Arnold	Steven Chatterton	Rebecca Delmore	Judith Froehling
Carol Haak	Janice Kiefner	Lori Soukup	

BE IT FURTHER RESOLVED, that in case an appointed judge is unable to serve, the county is authorized to find a substitute judge of the same political party for the judge who cannot serve.

BE IT FURTHER RESOLVED, additional judges may be appointed upon completion of necessary election judge training.

Adopted by the City Council of the City of Grant, on June 28th, 2022.

By:

Jeff Huber, Mayor

ATTEST:

City Clerk

AGENDA ITEM 6D

STAFF ORIGINATOR Administrator/Clerk
MEETING DATE June 28, 2022
TOPIC Building Permit Scanning/Data Input

BACKGROUND

Due to the pandemic, building boom and most time-consuming audit EVER, the City office has been very busy. Attached are the building permits that have been final inspected and returned to the City in the last couple months. These permits need to be put into the Laserfiche system as soon as possible.

Typically, there isn't the urgency for the permits but due to the recent hail storm they need to get into the system as soon as possible.

I am requesting the City Council authorize the recently retired Dellwood City Clerk provide scanning and permit input at a rate of \$20.00 per hour not to exceed 30 hours over the next couple of months. An invoice with dates and times will be submitted and paid per that months bill list.

ACTION

1. Authorize office scanning/data input at a rate of \$20.00 per hour not to exceed 30 hours.



7/10/19

7-10-2019
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City Council Report for June 2022

To: Honorable Mayor & City Council Members

From: Jack Kramer Building Official

City Code Enforcement Activity:

1. Mr. Paw Bwieital 8650-60th. St. N. Violation of City Code Section 32-185 (9) Grading Permit Required.

a. The City received a formal complaint that many truck loads of fill material were being deposited on the property and near a wetland area. I visited the property on May 29,2022 and noticed that two retaining walls were constructed and that fill soil in excess of 50 cubic yards were brought to the property without an approved permit provided by the City Engineer.

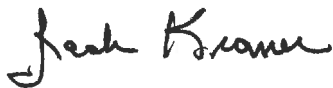
The watershed District was notified and will be inspecting for any possible violations.

I sent a letter dated May 29,2022 and follow-up with the other agencies involved.

Building Permit Activity:

1. 32 (Thirty-Two) Building permits have been issued with a total valuation of \$ 3,305,631.05.

Respectfully submitted,



Jack Kramer

Building Official

2022-134	Re-Roof	Wynveen	9051-68th. St. N.	5/18/2022	\$ 24,000.00	\$ 377.25	\$ 282.93	\$ -	\$ 12.00	
2022-135	Air Conditionar	Lieder	9650 Janero Ct. N.	5/19/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-136	Air Conditionar	Eul	9750 Janero Ct. N.	5/19/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-137	Re-Roof	Bierbaum	11945 Great Oak Trl.	5/20/2022	\$ 60,923.58	\$ 720.75	\$ 540.56	\$ -	\$ 30.46	
2022-138	Plumbing Remodel	Cremona	11589-110th. St. N.	5/21/2021	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-139	Mini-Split System	Swanson	11780 Hreat Oaks Trl	5/23/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-140	Exterior Door Replace	Landshut	10430-61st. St. N.	5/23/2022	\$ 2,650.47	\$ 83.25	\$ 62.43	\$ -	\$ 1.32	
2022-141	2nd Story Addition	Jahnke	10140-07th. St. N.	5/25/2022	\$ 70,000.00	\$ 783.75	\$ 587.81	\$ 569.43	\$ 35.00	
2022-142	Re-Roof	Chang	7777 Lake Elmo Ave.	5/27/2022	5,600.00	\$ 125.25	\$ 93.93	\$ -	\$ 2.80	
2022-143	Water Heater	Kocian	8582 Kimbro Ave. N.	5/27/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-143	Furnace	Hinz	10870 Inwood Ave.	5/29/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-144	Mini-Split System	Swanson	11780 Great Oak Trl	5/31/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-145	Gas Fireplace	Beltz	10075-67th. St N.	5/31/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-146	Shed	Brown	7080-117th. St.N.	5/31/2022	\$ 17,000.00	\$ 279.25	\$ 209.43	\$ 181.51	\$ 8.50	
2022-147	Solar System	Dyrud	110450115th. St. N.	6/2/2022	\$ 13,250.00	\$ 237.25	\$ 177.93	\$ 154.21	\$ 6.62	
2022-148	Main Floor Remodel	Pederson	8120 Ingberg Court N.	6/3/2022	\$ 160,000.00	\$ 1,329.75	\$ 997.31	\$ 864.33	\$ 80.00	
2022-150	House & Garage	Wiechmann	7125 Lone Oak Trail	6/5/2022	\$ 2,700,000.00	\$ 10,963.75	\$ 8,222.81	\$ 7,126.43	\$ 1,110.00	
2022-151	Retaining Wall	Paw	8650-60th. St. N.	6/6/2022	\$ 2,000.00	\$ 69.25	\$ 51.93	\$ -	\$ 1.00	
2022-152	Air Conditionar	England	11589 Lansing Ave.	6/6/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-152	New Home HVAC	Sundberg	6969 Jocelyn Rd. N.	6/6/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-153	Air Conditionar	Vredveld	6900 Jocelyn Rd. N.	6/6/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-154	Air Conditionar	Sommer	7895 Leewarf Ave. N.	6/6/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-155	Re-Roof	Houle	966- Joliet Ave. N.	6/6/2022	\$ 17,332.00	\$ 293.25	\$ 219.93	\$ -	\$ 8.06	
2022-156	Addition	Ferris	8686 Ja,aca Ave. N.	6/7/2022	\$ 148,575.00	\$ 1,268.15	\$ 951.11	\$ 824.29	\$ 74.28	
2022-157	Re-Siding	Oehke	9133 Justin Trail N.	6/8/2022	\$ 6,000.00	\$ 125.50	\$ 94.12	\$ -	\$ 2.50	
2022-158	Re-Roof	Felipe	8570 Kimbro Ave. N.	6/9/2022	\$ 19,000.00	\$ 307.25	\$ 230.43	\$ -	\$ 9.50	
2022-159	Re-Roof	Saunders	10256 Kismet Ave. N.	6/9/2022	\$ 14,900.00	\$ 251.26	\$ 188.44	\$ -	\$ 7.45	
2022-160	Solar System	Kreeger	7390-73rd. St. N.	6/9/2022	\$ 17,000.00	\$ 293.25	\$ 219.93	\$ -	\$ 8.70	
2022-161	Air Conditioner	Osbourm	9321-107th. St. N.	6/11/2022	M/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-162	Re-Roof	Newlin	8680 80th. St.N	6/13/2022	\$ 24,000.00	\$ 377.25	\$ 282.93	\$ -	\$ 12.00	
2022-163	Re-Roof	Reinke	10310 Jody Ave. N.	6/13/2022	\$ 9,000.00	\$ 139.25	\$ 104.43	\$ -	\$ 4.50	
2022-164	Gas Fireplace	Juneau	7310 Inwood Way N.	6/14/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
Monthly total						\$ 3,305,631.05	\$ 19,144.66	\$ 14,358.39	\$ 9,720.20	\$ 1,428.69