

**City of Grant
City Council Agenda
October 4, 2022**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, October 4, 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. September 4, 2022 City Council Meeting Minutes
- B. September 2022 Bill List, \$47,540.37
- C. Kline Bros., Road Work, \$38,007.50
- D. Northern Salt, 2nd Dust Control, \$44,895.00
- E. Allied Blacktop, 2022 Seal Coat, \$96,562.50
- F. InSite Contracting, Guardrail, \$38,600.00

5. STAFF AGENDA ITEMS

- A. City Engineer, Brad Reifsteck

i. Consideration of Speed Limits

ii. PUBLIC HEARING, Consideration of Ordinance No. 2022-69, Chloride Reduction Plan

iii. PUBLIC HEARING, Consideration of Ordinance No. 2022-70, Animal Waste Plan

B. City Planner, Jennifer Swanson

i. Consideration of Resolution No. 2022-21, Preliminary Plan, Stillwater Oaks

C. City Attorney, Nick Vivian

i. Consideration of Resolution No. 2022-17, Resolution Terminating the Local Emergency Related to COVID-19

6. NEW BUSINESS

A. Consideration of Ordinance No. 2022-68, Establishing a Salary and Per Diem for Mayor and City Council

B. Consideration of Resolution No. 2022-18, Summary Publication of Ordinance No. 2022-68

C. Consideration of Resolution No. 2022-19, Summary Publication of Ordinance No. 2022-69

D. Consideration of Resolution No. 2022-20, Summary Publication of Ordinance No. 2022-70

E. Schedule Canvass of Election Meeting, November 14th thru 18th, 2022

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 OCTOBER 5 THROUGH OCTOBER 31, 2022:

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

Stillwater Public Schools Board Meeting, Thursday, October 13th, Stillwater City Hall, 7:00 p.m.

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

10. ADJOURNMENT

CITY OF GRANT
MINUTES

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DATE : September 6, 2022
TIME STARTED : 7:00 p.m.
TIME ENDED : 8:47 p.m.
MEMBERS PRESENT : Councilmember Carr, Rog, Giefer,
Schafer and Mayor Huber
MEMBERS ABSENT : None

Staff members present: City Attorney, Nick Vivian; City Engineer, Brad Reifsteck; City Planner 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. Ellie Bruner, 8432 80th Street, came forward and indicated she is against the proposed road project.

Ms. Christina Benson, Eckberg Lammers, came forward and introduced herself stating she is looking forward to working with the City.

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

August 2, 2022 City Council Meeting Minutes	Approved
August 2022 Bill List, \$70,221.28	Approved
Back to Black, Potholing, \$18,375.00	Approved
City of Mahtomedi, 3 rd Quarter Fire Contract, \$38,624.00	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

Consideration of Gravel Maintenance Bids – City Engineer Reifsteck advised 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.

Quotes were received from two contractors for pricing by the hour based upon activity performed as follows:

Description				Kline Bros	Miller Excavation
No	Mat. No.	Item	Units	Unit Price	Unit Price
1	2123.6 10	MOTOR GRADER	HR	\$105.00	\$145.00
2	2123.6 10	SKID STEER	HR	\$115.00	\$125.00
3	2123.6 10	TRUCKING AGGREGATE BASE	HR	\$100.00	\$128.00

Staff is recommending Council approve and enter a new Gravel Road Maintenance Contract with Kline Bros Excavation.

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

Consideration of 2022 Special Roads Project, Guard Rail – City Engineer Reifsteck advised 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 along 118th Street and installing new guard rail along Ironwood Avenue.

Quotes forms were sent to known and reliable contractors that specialize in plate beam guardrail installation. The table below summarizes the total quote from each contractor.

Contractor	Total Cost
InSite Contracting	\$41,495.00
H & R Construction	\$62,681.07

1 The special roads budget is approximately \$70,000. The City staff is recommending award to InSite
2 Contracting from Forest Lake , Mn in the amount of \$41,495.00

3
4 **Council Member Giefer moved to approve the InSite Contracting Guard Rail Bid, as presented.**
5 **Council Member Rog seconded the motion. Motion carried unanimously with a roll call vote.**

6
7 **Consideration of Resolution No. 2022-12, Road Petition and Ordering of Project –** City Engineer
8 Reifsteck advised a petition was received by 37% of the affected property owners for major roadway
9 improvements along 80th Street and Ingberg Ct.

10
11 A neighborhood meeting was held with abutting property owners on Thursday August 25th. The
12 impetus for the meeting was to gather all property owners to discuss the city’s road policy and to
13 include the residents living on Ingberg Cir and Ingberg Ct that were not included with the original
14 petition. 14 property owners attended the meeting. The discussion at the meeting was very
15 constructive with most of the attendees sharing their opinions on pavement versus a gravel road.

16
17 The signed petition received accounts for 10 / 27 or 37% of the property owners within the project
18 limits, exceeding the 35% needed for the city to authorize the City Engineer to prepare a Feasibility
19 Study.

20
21 City policy expresses preference for more than 50% of the owners of buildable units along the
22 roadway being assessed sign the petition. The current petition is less than what is expressed in policy,
23 therefore, staff’s recommendation is to not adopt the resolution declaring the adequacy of the petition
24 and not to proceed with a feasibility report at this time.

25
26 **Council Member Schafer moved to deny Resolution No. 2022-12, as presented. Council**
27 **Member Giefer seconded the motion. Motion carried unanimously with a roll call vote.**

28
29 **City Planner, Jennifer Swanson**

30
31 **Consideration of Ordinance No. 2022-67, Text Amendment, Section 32-245 Table of Uses,**
32 **Firewood Processing -** City Planner Swanson stated the Applicant, Pete Mogren on behalf of
33 Mogren’s Firewood, is requesting an amendment to the City Code section 32-245 Table of Uses to
34 allow for firewood processing in the A-2 zoning district with an Interim Use Permit. As stated on the
35 Application the request is for “wood” processing, but as further described in the Narrative the request
36 is to permit firewood processing so that the Applicant may operate a small-scale business from the
37 subject property.

38
39 This Application is NOT for a specific project on a specific site and if enacted would apply to all land
40 zoned A2. The Owner information is a required condition of a Text Amendment Application as
41 stated in Section 32-116 which identifies that “an amendment to this chapter may be initiated by the
42 city council, the planning commission or by petition of affected property owners...”

43
44 A duly noticed public hearing was held on August 10 at 6:30 PM to consider the proposed text
45 amendment to the zoning ordinance. No public testimony was provided regarding the request. After
46 the public hearing was closed the Planning Commission discussed the Applicant’s proposed changes

1 and considered the recommendation of staff. The Planning Commission unanimously recommended
2 approval of the text amended with changes and modifications as included in the attached draft
3 ordinance. A summary of the Planning Commission recommendations is provided:
4

- 5 • Include language in the definition and the performance standards that no process with any
6 chemicals is permitted.
- 7 • Add additional language to the performance standards that prohibits processing with any
8 chemicals, no manufacturing of products that require assembly or fasteners is permitted; no
9 roof trusses or similar types of products may be produced onsite.
- 10 • Revise language to require compliance with any agency having jurisdiction over the
11 processing.

12
13 The following staff report is generally as-presented to the Planning Commission with updates to
14 reflect their discussion.
15

16 City Planner Swanson stated in March of 2022 the Applicant applied for a Conditional Use Permit to
17 operate Mogren’s Firewood, a small-scale firewood processing operation, from the property located
18 at 10151 75th Street N., Grant, MN. The application was processed and considered by both the
19 Planning Commission and City Council. On June 28, 2022 the City Council discussed the proposed
20 operation and determined that the operation was not consistent with the adopted Table of Uses and
21 that a text amendment should be considered to more appropriately match the proposed use with the
22 City’s permitted uses.
23

24 After the meeting the Applicant withdrew the previous application for a Conditional Use Permit, and
25 immediately submitted an Application for this Text Amendment as recommended by the City
26 Council. The Applicant has also submitted an application for an Interim Use Permit that would
27 comply with an amended ordinance. The review and staff report for the Interim Use Permit is the
28 subject of the next agenda item.

29 Division 4, Section 32-116 of the City’s Zoning Ordinance allows for amendments to the Zoning
30 Ordinance (chapter), if such request is initiated by the City Council, Planning Commission or by a
31 resident’s petition. When considering the proposed text amendment, the Planning Commission
32 should consider, at a minimum, the following:
33

- 34 1. Are the proposed changes consistent with the City’s adopted Comprehensive Plan?
- 35 2. Are the proposed changes compatible with existing regulations and standards within the
36 affected/applicable zoning district?
- 37 3. Will the proposed changes have a negative impact on the health, safety and welfare of the
38 community?
- 39 4. If the proposed changes are found to be consistent; are there additional considerations that
40 should be addressed as part of the ordinance amendments that were not contemplated in the
41 Application?

42 It is important to remember when reviewing the Applicant’s proposed language and amendment that
43 the changes will affect all properties in the City that are zoned and guided similarly (i.e. all properties
44 in the A2 zoning district).

1 The Planning Commission determined that additional considerations should be addressed beyond
2 those provided in the Applicant's submission. The attached draft ordinance includes the
3 recommendations of the Planning Commission and incorporates the Applicant's request but provides
4 additional standards.

5 City Planner Swanson advised the City's Comprehensive Plan focuses on retaining the rural lifestyle
6 and ensuring new uses are compatible with existing agricultural and rural residential uses in the A1
7 and A2 zoning district. The Applicant's proposed use is described as a small-scale firewood
8 processing operation that does not include retail operations. Provided the use is properly defined, is
9 limited in its intensity and is accessible to major roadways it should be consistent with the intent and
10 purpose of the Agricultural/Rural Residential land use designation.

11 Section 32-243 defines the intent and purpose of the A2 zoning districts as,

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

15 The existing A-2 zoning district is predominantly developed with rural residential uses, but there are
16 some non-residential uses that are permitted within the district provided certain conditions are met.
17 As described in the applicant's narrative and in the applicant's testimony during their previous
18 application process the proposed use would be non-retail, and would be conducted during limited
19 hours. The intent of the operations is to be low-impact, low-intensity and not a large-scale operation.
20 Provided the use is properly defined, is limited in the intensity, has adequate access and is non-retail
21 the proposed use should be consistent with the A-2 zoning district.

22
23 The Applicant's request is to add "Fire Wood Processing" to Table 32-245 Table of Uses as an
24 Interim Use in the A2 Zoning District.

25
26 While the Applicant's proposed operation is for a specific site if the City's ordinance is amended the
27 use will be permitted with an Interim Use Permit on any parcel zoned A2. Given that the change
28 would affect all properties with the A2, staff provides the following draft language and considerations
29 for discussion:

- 30 • **Use Description.** Modify the Applicant's proposed land use category to: "Forestry Products
31 and Processing (non-retail)." This use would encompass and include firewood processing and
32 storage but provides a broader use category that could capture similar uses that may be
33 compatible with the City's predominantly agricultural and rural residential uses.
- 34 • **Proposed Definition.** The following draft definition is included in the draft ordinance and
35 reflects the Planning Commission's recommendation to include description that no chemical
36 processing is permitted.
 - 37 ○ *Forestry Products and Processing means* the storage and processing of forestry
38 products on a site that does not include public access or public retail sales. Any
39 processing conducted as part of the use may not use any chemicals. Examples of such
40 use may include, but is not limited to, firewood processing, wood processing, wood
41 storage or logging. This use does not include the removal of existing trees or
42 vegetation on the site for processing, which may be subject to a different land use and
43 permitting process.

- 1 • **Proposed Performance Standards.** The following performance standards related to the use
2 are provided and have been updated to include the recommendations of the Planning
3 Commission. Please note that all other applicable ordinance standards shall remain in effect.
4 For example, the operation must comply with the MPCA noise standards and must comply
5 with the City’s light and sign ordinances. Additionally, similar to a Conditional Use,
6 reasonable condition specific to a site or project may be included in any approved Interim Use
7 Permit. The following performance standards are in addition to the City’s existing standards.
- 8 ○ The operation must be located on a site/lot with a minimum of 20-acres.
- 9 ○ The operation must have direct access to a paved collector roadway and must obtain
10 all necessary driveway permits from the applicable agency.
- 11 ○ The operation, including structures, parking, storage area, and any operation related
12 uses may not exceed 15,000 square feet in area.
- 13 ○ No chemicals may be used for the processing of the products on site.
- 14 ○ No manufacturing of products that require fasteners or assembly is permitted.
15 Examples of such products include roof trusses.
- 16 ○ The operation must be setback a minimum of 100-feet from any adjacent residential
17 uses.
- 18 ○ The operation must be fully screened from any public right-of-way or adjacent
19 residential use.
- 20 ○ No retail or public sales may be conducted from the site.
- 21 ○ All appropriate permits and/or permission from the applicable local, state or federal
22 agency must be obtained regarding the wood products brought to the site. All species
23 and wood products processed on site must comply with the applicable agency’s rules
24 and regulations.

25 The Planning Commission unanimously recommended approval of the proposed text amendment. A
26 draft Ordinance is attached reflecting their recommendation for your review and consideration.

27 City Planner Swanson noted no permits that were researched were limited to a primary structure.
28 There are several properties within the City that do not have a primary residence on them. The
29 Council also has the authority to put conditions on all permits that are applied for. She stated the
30 performance standards for this use could be increased to 40-acre parcels and setbacks of any property
31 line of 200 feet.

32 **Council Member Rog moved to approve Ordinance No. 2022-67, as amended. Council Member**
33 **Schafer seconded the motion.**

34 **Mayor Huber made a friendly amendment to include the site must be located on a County or**
35 **State paved road. Council Member Rog and Schafer agreed to the friendly amendment.**

36 **Motion carried with a roll call vote with Council Member Carr voting nay.**

37 **Consideration of Resolution No. 2022-16, Summary Publication of Ordinance No. 2022-67 –**
38 City Planner Swanson stated Resolution No. 2022-16 allows for a summary publication of Ordinance
39 No. 2022-67.

1 **Council Member Giefer to adopt Resolution No. 2022-16, as presented. Council Member Rog**
 2 **seconded the motion. Motion carried unanimously with a roll call vote.**

3
 4 **Consideration of Resolution of Resolution No. 2022-17, Interim Use Permit for Firewood**
 5 **Processing, 10151 75th Avenue N –** City Planner Swanson advised the Applicant, Pete Mogren,
 6 Mogren’s Firewood, is requesting an Interim Use Permit (IUP) on the subject property to allow for
 7 the processing and selling of firewood. The use includes cutting and processing firewood that is dried
 8 using a large kiln on site. The Site Plan shows the location of the existing building on the property,
 9 the stockpile locations for the processing operations and the location of the kiln.

10
 11 In June the Applicant’s proposed operation was reviewed as Conditional Use Permit application by
 12 the Planning Commission and the City Council, and it was determined through the process that the
 13 proposed use was not adequately addressed on the City’s Table of Uses. The City Council
 14 recommended that the applicant consider applying for an amendment to the City’s zoning ordinance
 15 that would more directly match the proposed business operation.

16
 17 The Applicant submitted an application for a text amendment that was reviewed by the Planning
 18 Commission at their regular meeting on August 10, 2022. A duly noticed public hearing was held,
 19 and after closing the Planning Commission unanimously recommended the approval of the text
 20 amendment which is the subject of the first planner agenda item on September 6, 2022. This
 21 application for an Interim Use Permit must be considered after the text amendment, because it may
 22 only be considered if the text amendment is approved by the City Council.

23
 24 The staff report that follows is consistent with the materials submitted during the June application
 25 review process. Some minor updates have been made, including review for consistency with the
 26 proposed text amendment that includes certain performance standards regarding the operation.

27
 28 An Interim Use Permit (IUP) is granted to a specific use or business and is NOT given to the land. As
 29 summarized in subsequent sections of this report, the IUP is generally granted for a certain period of
 30 time which may be actual (such as 5 -years) or based on the occurrence of certain event (e.g. the
 31 Comprehensive Plan changes the land use designation).

32 Staff recommends discussion of the appropriate time-period of the IUP for the subject use based on
 33 the information provided in the Application and in this report.

34
 35 A duly noticed public hearing has been set for the City Council meeting on September 6, 2022. Please
 36 note that any use requiring an Interim Use Permit on the Table of Uses is permitted to bypass the
 37 Planning Commission and have direct consideration by the City Council.

38
 39 **Application Summary**

40

Applicant: Pete Mogren, Mogren’s Firewood	Site Size: 101.5 Acres
Owner: Mike Regan	
Land Use: RR-AG	Request: Interim Use Permit (IUP)
Zoning: A2 – Agricultural Small Scale	

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)
---------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------

1
 2 The Applicant is requesting an IUP on the subject property for the firewood processing operation that
 3 is considered a Forestry Products and Processing (non-retail) use on the Table of Uses. A summary of
 4 the proposed use is as follows:

- 5
- 6 • Cutting and processing the firewood
- 7 • Loading and operation of a kiln dryer
- 8 • Delivery of firewood
- 9 • Occasional customer pick-up
- 10 • Year-round operation, with Spring/Summer being the slow season
- 11 • Operating hours as detailed below

12
 13 As described, the operations would occur on site between two and five days a week, with average
 14 time per day between six and seven hours. The applicant has indicated that the variation in hours will
 15 occur based on whether it is the busy or slow season. (E.g. there is higher demand for firewood
 16 during the cold season). In the applicant’s narrative, they have indicated that they have purchased an
 17 electric processor to replace the current processor to reduce the noise associated with the operations.
 18 The new electric processor will be quieter than the current processor and is scheduled to arrive in
 19 June 2022.

20
 21 During the process in June, the Applicant indicated that no work will be conducted on the weekends,
 22 and they are comfortable with only operating Monday through Friday with the stated hours of
 23 operation on weekdays only.

24
 25 City Planner Swanson advised Section 32-219 of the City Code provides the Application, Procedure
 26 and Public Hearing process for an Interim Use Permit. As stated, Interim Use Permits are processed
 27 similar to a CUP, except that the public hearing may be conducted by the City Council. The City
 28 Code states the following for consideration when reviewing a Conditional Use Permit (32-141):

29
 30 “(d) In determining whether or not a conditional use may be allowed, the City will consider the
 31 nature of the nearby lands or buildings, the effect upon traffic into and from the premises and on
 32 adjoining roads, and all other relevant factors as the City shall deem reasonable prerequisite of
 33 consideration in determining the effect of the use on the general welfare, public health and safety.”

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

36
 37 Section 32-245 Table of Uses establishes the list of permitted, conditionally permitted and permitted
 38 by interim use in the City. Provided the text amendment is approved, the proposed firewood
 39 processing operation is consistent with the Forestry Products and Processing (non-retail)uses and
 40 requires and Interim Use Permit and must comply with the stated performance standards.

41

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

5
 6 **10151 75th Avenue North, PID 26.030.21.33.0001**

7 The parcel is described as being in the Southwest Quarter of Section 26, Township 30 North, Range
 8 21 West. The parcel is approximately 101.5 acres, is fairly regular in shape, and is bordered by 75th
 9 Street North on the north. The majority of the site is wooded with a large agricultural field in the
 10 central portion of the property. The perimeter of the site is heavily vegetated and the proposed use
 11 will be located within the area cleared of large trees and vegetation.

12
 13 The site is guided RR/AG – Rural Residential/Agricultural in the City’s adopted Comprehensive
 14 Plan. Land within the RR/AG land use designation is generally described as supporting rural
 15 residential and agricultural uses with limited non-residential uses that require a CUP or IUP.
 16 Provided the operation complies with the standards established within the Text Amendment and an
 17 IUP is obtained the firewood processing operations will be consistent with the adopted
 18 comprehensive plan.

19
 20 The Applicant submitted a Site Plan for the proposed amendment (See attached Exhibit). The
 21 following dimensional review is provided for review and consideration.

22
 23 The following site and zoning requirements in the A-2 district related to the proposed application.
 24 Please note that the standards established in the draft Text Amendment are provided, but may be
 25 revised if the language is not adopted The following review is conducted focusing on the submitted
 26 site plan.

Dimension	Standard
Minimum Lot Area	20 Acres
Operational Area	15,000 SF
Frontage on an Improved Public Road	300’
Front Yard Setback along Arterials	150’
Side Yard Setback (from any adjacent residential use)	100’
Rear Yard Setback(from any adjacent residential use)	100’
Height of Structure	35’
Accessory Buildings (# and Total SF)	No limit
Impervious surface coverage	50%
Floor Area Ratio	30%

27
 28
Proposed Use

The proposed use is a “Forestry Products and Processing (non-retail)” use which is permitted within the A1 and A2 zoning district with an Interim Use Permit. The proposed use is subject to the conditions and criteria as adopted through the text amendment process.

Lot Area and Accessory Building Standards

The text amendment stipulates that Forestry Products and Processing uses may only be conducted on a lot or parcel that is 20-acres or larger. The existing parcel is 101.5 acres, which meets this standard.

The text amendment states that areas used for the operation may not exceed 15,000 SF. The intent of limiting the operational size is to limit the intensity and scale of the operation. As shown on the site plan, the operational area is approximately 14,200 SF and complies with this standard.

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 or IUP 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 (IUP).

Setbacks and Screening

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.*

The proposed language in the text amendment requires that all Forestry Product and Processing operations must be fully screened from the public right-of-way and any adjacent residential uses. As shown on the aerial, the operations are tucked away behind significant vegetative screening which fully screens the operation from CSAH 12 and the adjacent residential properties. This vegetation must be maintained as long as the IUP and operations are active.

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 previous application process, that they are comfortable limiting the operations to Monday through Friday, with no weekend operations.

Per the language in the draft text amendment, no retail operations are permitted from the site. *Staff recommends that a condition be included within the permit that no on-site customer sales or retail operations are permitted on the site.*

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 the text amendment and this IUP. 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 recommends has included a condition in the attached IUP 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.

Miscellaneous

The draft text amendment requires any use that proposes to bring forestry products including wood/timber/etc., to a site from another location to obtain any necessary permits or permissions regarding quantity, specie, etc., from the applicable Federal, State, or local agency. The Applicant has indicated that their raw product is brought to the site from both Minnesota and Wisconsin. As such, staff recommends including a condition that both the MnDNR and WisDNR must be contacted, and any necessary permits obtained to ensure compliance with the applicable state rules.

- 1
- 2 City Planner Swanson noted there are no new buildings or landscaping being proposed as part of this
- 3 application. The property is within the Brown’s Creek Watershed District, and the Applicant must
- 4 obtain any necessary permits from the Watershed.
- 5

1 Staff is recommending approval of the IUP for Mogren’s Firewood. A draft Interim Use Permit is
2 attached to this Staff Report for your review and consideration.

3
4 City Planner Swanson stated the permit is for a five-year term and then it expires. The applicant
5 would have to submit for an amended IUP application to renew. She also noted a condition of
6 approval is that all required permits from other agencies must be submitted to the City.

7
8 **Council Member Schafer moved to open the public hearing at 8:14 p.m. Council Member**
9 **Giefer seconded the motion. Motion carried unanimously with a roll call vote.**

10
11 Ms. Karen Millet, 7420 Keats Avenue, came forward and stated she was concerned about the use but
12 now feels better about it. She questioned a 200 foot setback asking if it should be more.

13
14 **Council Member Giefer moved to close the public hearing at 8:18 p.m. Council Member Rog**
15 **seconded the motion. Motion carried unanimously with a roll call vote.**

16
17 **Council Member Rog moved to adopt Resolution No. 2022-17, with the attachment of the site**
18 **plan. Council Member Giefer seconded the motion. Motion carried with a roll call vote with**
19 **Council Member Carr voting nay.**

20
21 **City Attorney, Nick Vivian**

22
23 **Consideration of Resolution No. 2022-13, Resolution Approving Joint Powers Agreement, State**
24 **of MN, City of Grant on behalf of City Attorney – City Attorney Vivian advised the three legal**
25 **items on the agenda relate to the criminal prosecution contract. Resolution No. 2022-13 approves the**
26 **Joint Powers Agreement.**

27
28 **Council Member Schafer moved to adopt Resolution No. 2022-13, as presented. Council**
29 **Member Rog seconded the motion. Motion carried unanimously with a roll call vote.**

30
31 **Consideration of Court Services Subscriber Amendment to CJDN Subscriber Agreement – City**
32 **Attorney Vivian stated the Subscriber Amendment Agreement allows Eckberg Lammers to access**
33 **information on behalf of the City of Grant.**

34
35 **Council Member Rog moved to approve Court Services Subscriber Amendment to CJDN**
36 **Subscriber Amendment, as presented. Council Member Giefer seconded the motion. Motion**
37 **carried unanimously with a roll call vote.**

38
39 **Consideration of State of Minnesota Joint Powers Agreement – City Attorney Vivian advised the**
40 **Subscriber Amendment allows the prosecutions team to work with the State on behalf of the City of**
41 **Grant.**

42
43 **Council Member Rog moved to approve State of Minnesota Joint Powers Agreement, as**
44 **presented. Council Member Giefer seconded the motion. Motion carried unanimously with a**
45 **roll call vote.**

NEW BUSINESS

Consideration of Resolution No. 2022-14, 2023 Preliminary Budget – City Treasurer Schwarze presented the preliminary 2023 budget as determined during the budget work sessions.

Council Member Giefer moved to adopt Resolution No. 2022-14, as presented. Council Member Rog seconded the motion. Motion carried unanimously with a roll call vote.

Consideration of Resolution No. 2022-15, Establishing Preliminary 2023 Levy – City Treasurer advised the preliminary 2023 Levy is based on the preliminary 2023 budget. The Levy can decrease in December when the final budget and levy are approved.

Council Member Schafer moved to adopt Resolution No. 2022-15 as presented. Council Member Rog seconded the motion. Motion carried unanimously with a roll call vote.

UNFINISHED BUSINESS

There was no unfinished business.

DISCUSSION ITEMS (no action taken)

Staff Updates (updates from Staff, no action taken)

City Council Reports/Future Agenda Items

COMMUNITY CALENDAR SEPTEMBER 7 THROUGH SEPTEMBER 30, 2022:

Mahtomedi Public Schools Board Meeting, Thursday, September 8th, and September 22nd, Mahtomedi District Education Center, 7:00 p.m.

Stillwater Public Schools Board Meeting, Thursday, September 8th, Stillwater City Hall, 7:00 p.m.

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

ADJOURNMENT

Council Member Rog moved to adjourn the meeting at 00 p.m. Council Member Giefer seconded the motion. Motion carried unanimously with a roll call vote.

These minutes were considered and approved at the regular Council Meeting October 4, 2022.

Kim Points, Administrator/Clerk

Jeff Huber, Mayor

Fund Name: All Funds

Date Range: 09/01/2022 To 09/30/2022

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>FA-O-P</u>	<u>T</u>
09/26/2022	SHC, LLC	15598	Planning Services	N	City Planner	100-41209-300-	925.
		15598			Escrow	100-49320-300-1001	\$ 441.
		15598				100-49320-300-1008	\$ 1,249.
		15598				100-49320-300-1010	\$ 514.
		15598				100-49320-300-1011	\$ 423.
		Total For Check					\$ 3,554.
09/26/2022	T-Mobile	TMEFT12	City Cell	N	Road Expenses - Other	100-43116-210-	20.
		Total For Check					\$ 20.
09/26/2022	Xcel Energy	XcelEFT15	Utilities	N	Town Hall Electricity	100-43004-381-	\$ 69.
		XcelEFT15			Well House Electricity	100-43010-381-	\$ 12.
		XcelEFT15			Street Lights	100-43117-381-	\$ 50.
		Total For Check					\$ 133.
09/27/2022	Payroll Period Ending 09/30/2022	15599	Sept22	N	Clerk Salary	100-41101-100-	\$ 4,213.
		Total For Check					\$ 4,213.
09/27/2022	Kline Bros Excavating	15600	Road Maintenance	N	Grader Contractor	100-43101-220-	\$ 5,942.
		15600			Gravel Road Costs	100-43106-220-	\$ 5,640.
		15600			Road Shouldering	100-43108-220-	\$ 1,282.
		15600			Culvert Repair	100-43111-220-	\$ 12,200.
		15600			Special Road Projects	100-43128-220-	\$ 1,295.
		15600			Ditch Repair	100-43133-220-	\$ 11,647.
		Total For Check					\$ 38,007.
09/27/2022	White Bear Lawn & Snow	15601	Town Hall Seed/Aerate	N	Town Hall Maintenance	100-43003-220-	\$ 489.
		Total For Check					\$ 489.
09/27/2022	League of MN Cities Insurance Trust	15602	Insurance Premium - Property/Casualty	N	Insurance	100-41302-360-	\$ 9,992.
		Total For Check					\$ 9,992.
09/27/2022	Allied Blacktop Co.	15603	2022 Sealcoating	N	Seal Coating/Crack Filling	100-43112-400-	\$ 96,562.
		Total For Check					\$ 96,562.
09/27/2022	Northern Salt	15604	2nd Dust Control Application	N	Magnesium Chloride	100-43107-300-	\$ 44,895.
		Total For Check					\$ 44,895.

Fund Name: All Funds

Date Range: 09/01/2022 To 09/30/2022

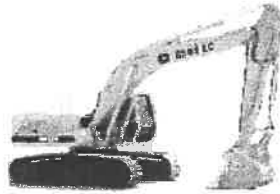
<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>FA-O-P</u>	<u>T</u>
09/27/2022	WSB & Associates	15605	Engineering - Aug22	N	Engineering Fees - General	100-41203-300-	\$ 1,417
		15605			Road Engineering Fees	100-43102-300-	\$ 776
		15605			Seal Coating/Crack Filling	100-43112-300-	\$ 461
		15605			MS4	100-43118-300-	\$ 633
		15605			Special Road Projects	100-43128-300-	\$ 1,001
		15605			Utility/ROW Permits	100-43132-300-	\$ 542
		15605			Escrow	922-49320-300-	\$ 2,100
		15605				955-49320-300-	\$ 204
		15605					\$ 7,135
09/27/2022	Croix Valley Inspector	15606	Building Inspector	N	Building Inspection	100-42004-300-	\$ 3,119
		15606					\$ 3,119
09/27/2022	Petty Cash	15607	Postage/Office	N	Office Supplies	100-41313-210-	\$ 100
		15607			Postage	100-41318-210-	\$ 100
		15607					\$ 200
09/27/2022	CenturyLink	15608	City Phone	N	City Office Telephone	100-41309-321-	\$ 175
		15608					\$ 175
09/27/2022	Todd Smith	15609	Monthly Assessment Services - September	N	Property Assessor	100-41208-300-	\$ 2,173
		15609					\$ 2,173
09/27/2022	AirFresh Industries	15610	PortaPot #54105/54106	N	Town Hall Porta Pot	100-43007-210-	\$ 250
		15610					\$ 250
09/27/2022	Eckberg Lammers	15611	Legal Services	N	Legal Fees - General	100-41204-301-	\$ 1,937
		15611					\$ 1,937
09/27/2022	Waste Management	15612	Recycling -	N	Recycling	100-43011-384-	\$ 5,601
		15612					\$ 5,601
09/27/2022	League of Minnesota Cities	15613	Dues	N	LMC Dues	100-41304-210-	\$ 4,720
		15613					\$ 4,720
09/27/2022	Christopher Stephens	15614	COC Escrow Refund	N	Escrow	100-49320-300-1007	\$ 422
		15614					\$ 422
09/27/2022	InSite Contracting	15615	Guard Rail	N	Special Road Projects	100-43128-224-	\$ 38,600
		15615					\$ 38,600
09/27/2022	PERA	15616	PERA	N	Clerk PERA	100-41102-120-	\$ 424

Fund Name: All Funds

Date Range: 09/01/2022 To 09/30/2022

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Description</u>	<u>Void</u>	<u>Account Name</u>	<u>FA-O-P</u>	
09/27/2022	Crown Castle	15616	COC Escrow Refund	N	Escrow	100-49320-300-1011	\$ 471
		Total For Check					\$ 471
09/27/2022	Kristin Privratsky	15618	Land Use Escrow Refund	N	Escrow	100-49320-300-1010	\$ 481
		Total For Check					\$ 481
09/27/2022	Mogren's Premium Firewood	15619	Escrow Refund - Text Amendmen/CUP/IUP	N	Escrow	999-49320-300-	\$ 351
		Total For Check					\$ 351
09/27/2022	IRS	EFT161	Payroll Taxes	N	Clerk FICA/Medicare	100-41103-100-	\$ 431
		EFT161			Clerk Medicare	100-41105-100-	\$ 81
		EFT161			Federal Withholding	100-41107-100-	\$ 421
		EFT161			Social Security Expens	100-41109-100-	\$ 351
		Total For Check					\$ 1,291
		Total For Selected Checks					\$ 265,601

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



Invoice

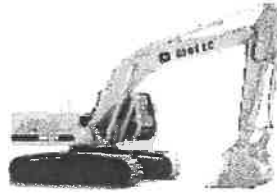
DATE	INVOICE #
9/25/22	2656

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

DUE DATE
10/5/22

DESCRIPTION	QTY	UNIT COST	AMOUNT
9-01-22 325G	1	115.00	115.00
9-06-22 770B	8	105.00	840.00
9-06-22 740A	9.25	105.00	971.25
9-07-22 770B	8.25	105.00	866.25
9-07-22 740A	9	105.00	945.00
9-08-22 770B	7	105.00	735.00
9-08-22 740A	4	105.00	420.00
9-09-22 770B	2	105.00	210.00
9-09-22 740A	4	105.00	420.00
9-21-22 770B	4	105.00	420.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
Total			5,942.50

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



Invoice

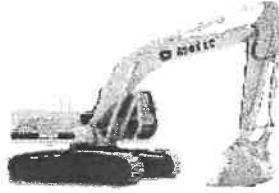
DATE	INVOICE #
9/25/22	2657

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

DUE DATE
10/5/22

DESCRIPTION	QTY	UNIT COST	AMOUNT
9-02-22 LOADS OF RC-5 HAULED TO 68TH CT N	7	195.00	1,365.00
9-02-22 325G SPREAD GRAVEL	3	115.00	345.00
9-13-22 LOADS OF MILLINGS HAULED TO IDEAL AVE SOUTH OF 12	3	450.00	1,350.00
9-13-22 325G SPREAD MILLINGS	7	115.00	805.00
9-15-22 LOADS OF MILLINGS HAULED TO IDEAL	3	400.00	1,200.00
9-15-22 325G SPREAD MILLINGS	5	115.00	575.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
Total			5,640.00

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



Invoice

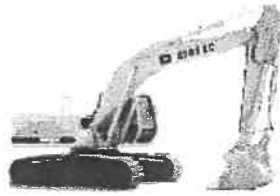
DATE	INVOICE #
9/25/22	2658

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	CULVERT WORK 100-43111

DUE DATE
10/5/22

DESCRIPTION	QTY	UNIT COST	AMOUNT
9-01-22 REPLACE 24" X 46 FT CULVERT AND CLEAN DITCH ON 99TH ST AT 99TH ST CT			6,200.00
9-14-22 REPLACE 24" X 40 FT CULVERT ON IDEAL AVE SOUTH OF 69TH ST			6,000.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONHTLY SERV CHARGE		Total	12,200.00

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



Invoice

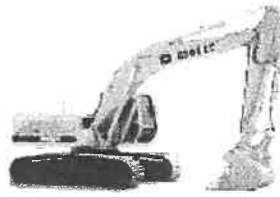
DATE	INVOICE #
9/25/22	2659

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

DUE DATE
10/5/22

DESCRIPTION	QTY	UNIT COST	AMOUNT
DITCHWORK ALONG 68TH ST CT			0.00
9-02-22 E85	5	130.00	650.00
9-02-22 325G	3	115.00	345.00
9-02-22 R-600	6	100.00	600.00
9-02-22 L9000	1.5	100.00	150.00
9-02-22 T600 & TRL	1.5	190.00	285.00
DITCHWORK ALONG EAST END OF 88TH ST (HAUL SHOULDERS DEBRIS AWAY AND DIG DITCHES AND BUILD UP ROAD WITH SUBSOIL)			0.00
9-19-22 E85	7	130.00	910.00
9-19-22 325G	7	115.00	805.00
9-19-22 L9000	7	100.00	700.00
9-19-22 I7600	7	100.00	700.00
9-19-22 T600 & TRL	1.5	190.00	285.00
9-20-22 E85	7	130.00	910.00
9-20-22 325G	7	115.00	805.00
9-20-22 L9000	7	100.00	700.00
9-20-22 I7600	7	100.00	700.00
9-21-22 E85	4	130.00	520.00
9-21-22 325G	4	115.00	460.00
9-21-22 L9000	4	100.00	400.00
9-21-22 I7600	4	100.00	400.00
9-22-22 SD54	3.5	125.00	437.50
9-22-22 T600 & TRL	1.5	190.00	285.00
9-15-22 SEED DITCH ALONG 68TH ST CT & CULVERTS			250.00
9-22-22 SEED DITCHES ALONG 88TH ST			350.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE	Total		11,647.50

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



Invoice

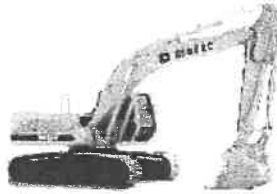
DATE	INVOICE #
9/25/22	2661

BILL TO	JOB ADDRESS
CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090	ASPHALT ROAD SHOULDERS 100-43108

DUE DATE
10/5/22

DESCRIPTION	QTY	UNIT COST	AMOUNT
CUT EXCESS DIRT OFF ROAD SHOULDERS WHERE 88TH ST MEETS MCKUSICK RD AND ALONG PART OF MCKUSICK			0.00
9-22-22 325G	4.5	115.00	517.50
9-22-22 I7600	4.5	100.00	450.00
9-22-22 SD54	1	125.00	125.00
9-22-22 T600 & TRL	1	190.00	190.00
AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE			
Total			1,282.50

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



Invoice

DATE	INVOICE #
9/25/22	2660

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

DUE DATE
10/5/22

DESCRIPTION	QTY	UNIT COST	AMOUNT
9-13-22 E85 & FM (GRIND BRUSH WHERE CULVERT NEEDS TO BE REPLACED ON IDEAL AND ALONG EAST SIDE OF IDEAL)	7	185.00	1,295.00

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

Total 1,295.00



Northern Salt
INCORPORATED

PO Box 1028
Forest Lake, MN 55025-5028

Phone: 651-209-3148
Fax: 651-407-0609
www.northernsalt.com

Invoice

Date	Invoice #
9/9/2022	25703

Bill To			Ship To		
City of Grant PO Box 577 Willernie MN 55090					
Due Date	P.O. No.	S.O. No.	Terms	Rep	
10/9/2022		92437	Net 30	HOUSE	
Description	Quantity	Rate	U/M	Amount	
Calcium Chloride 38% - Applied Fall Brian Klein 651-269-5889 Meet at corner of Inwood Ave and Highway 36 on north side of 36 0700. Job # 21586 They will grade in front of application and provide a map 18'@ .27	36,500	1.23	gal	44,895.00	
<p>Prompt payment would be appreciated. Late payments could result in a 1.5% monthly finance charge. Customer agrees to pay all costs of collection, including attorney's fees.</p>			Subtotal		\$44,895.00
			Sales Tax (0.0%)		\$0.00
			Total		\$44,895.00

We appreciate your business. For an additional convenience fee of 3% of the transaction total, NSI will accept Visa, Mastercard and American Express credit card payments.

InSite Contracting, Inc.
 Forest Lake, MN 55025
 24060 Greenway Rd

Invoice

Date	Invoice #
9/19/2022	3293

Bill To
Attn: Brad Reifsteck Care of WSB City of Grant

Terms

P.O. No.	Project
	PR22E- City of Grant

Line Item	Quantity	Rate	Description	Current Amount
Traffic Barrier Design Type 31	1,000	38.60	Work performed 9-19-22	38,600.00

Thank you for choosing InSite Contracting for your Guardrail needs! We look forward to working with you again soon!			Subtotal	\$38,600.00
---------------------------------------------------------------------------------------------------------------------	--	--	-----------------	-------------

Phone #	Fax #	Web Site	Sales Tax (0.0%)	\$0.00
---------	-------	----------	-------------------------	--------

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: September 27, 2022

Re: City of Grant Speed Limit Policy

Actions to be considered:

- Direct Staff to prepare Speed Limit Policy to reduce speed limits on local roadways

Facts:

Grant has several posted speed limits on local street in the city that were set based on MnDOT speed studies or on County or State roadways. At this time, if speed limits are not posted on a street the statutory speed is 30 mph in an urban district, 35 mph in a rural residential district and 55 mph on all other roadways.

- Most gravel roadways in the City of Grant are not located in a rural residential district and are not posted, therefore, the current speed limit is 55mph.
- High speeds on gravel roads are one of the main causes of rutting and washboarding. Lower speeds reduce this effect.
- Should the City Council determine that they would be in favor of reducing speed limits on local street the following alternatives could be considered based on the Minnesota State Statutes.
 - Alt 1 – 35 mph speed limit on all streets unless posted otherwise.
 - Alt 2 – 35 mph on gravel roads only

Should the Council determine that they would be in favor of reducing speed limits on local street the following steps are required:

1. WSB prepares map identifying which streets are eligible for these speed options.
2. WSB prepares an updated speed limit policy including when and where speed limit signs should be posted
3. Approve a speed limit policy and resolution adopting the reduced speed limits on local roadways.
4. Prepare a communication Plan informing the community on the speed limit changes.

Action: Discussion. Direct staff to prepare speed limit policy

From: Brad Reifsteck
Sent: Wednesday, September 28, 2022 9:26 AM
To: Brad Reifsteck
Subject: Quote for small paving in the city of Grant

Hi All,

The City of Grant would like a quote for materials and labor to install a 3-inch thick mat over an existing gravel road at 5 locations as shown on the attached map.

The new mat will be approximately 50 feet from the existing bituminous edge and the full width of the gravel with the exception of maintaining a 1 foot gravel shoulder on either side (approximately 150 SY per location). The shoulder backfilling, shaping and grading will be completed by city forces.

The contractor shall be responsible for shaping the existing gravel road as necessary in order to get a minimum 2% crown and any saw cutting or edge milling of the existing bit mat at the point where the existing gravel meets an existing bituminous mat.

The city is requesting a quote for a unit cost by the ton for SP 12.5 Wear Course Mix (2,B) (SPWEB240B). (Approximately 25 Ton)

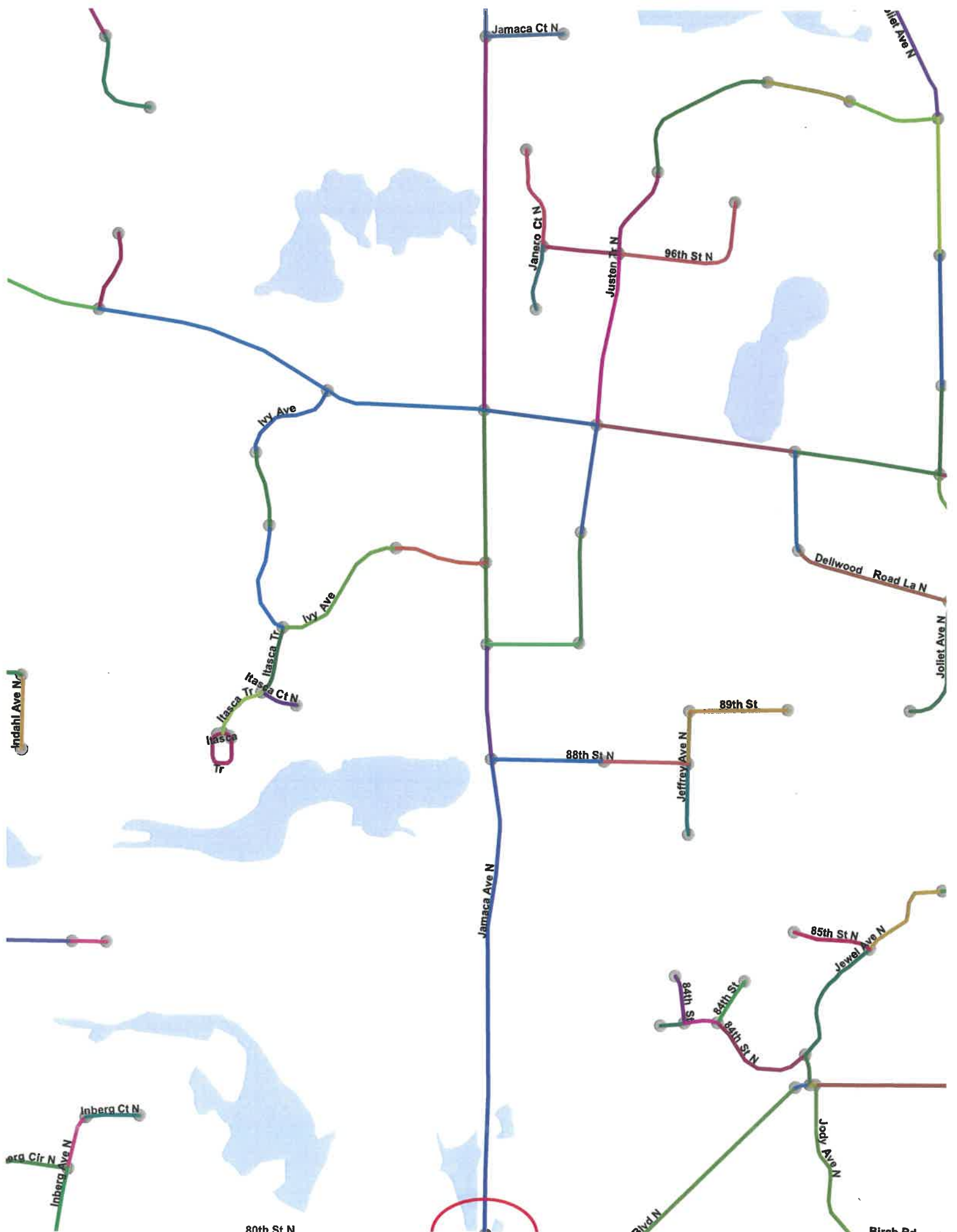
Quotes are due no later than 2:00pm Friday October 7th. The work must be completed no later than November 4, 2022.

Because each location is unique and separate the contractor may complete the work at their leisure, fully completing one street at a time or all at once.

Please email quotes directly to me. The notice to proceed will be given no later than October 14th.

If you have any question, please call or email me.

Thanks,
Brad



Indahl Ave N

Jamaca Ct N

Joliet Ave N

Janero Ct N

Justen Tr N

96th St N

Ivy Ave

Dellwood Road La N

Joliet Ave N

Itasca Tr
Itasca Tr
Itasca Ct N
Itasca Tr

89th St

88th St N

Jeffrey Ave N

85th St N

Jewel Ave N

84th St

84th St

84th St N

Inberg Ct N

Inberg Ave N

Inberg Cir N

80th St N

80th St N

80th St N

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: September 27, 2022

Re: City of Grant Chapter 12 Code – Environment Amended per MS4 Requirements

Actions to be considered:

- A motion to adopt the addition of Article VIII. Chloride Reduction Ordinance to Chapter 12 Environment of the city code.

Facts:

The Minnesota Pollution Control Agency reissues their National Pollutant Discharge Elimination System (NPDES) General Permit (GP) for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s). The MS4 GP requires the City of Grant to develop written procedures for the purpose of eliminating non-stormwater discharges through the development of an Illicit Discharge Detection and Elimination Program.

This manual not only assists the City of Grant in meeting the MS4 permit regulations but encourages them to use targeted best management practices (BMPs) to prevent the discharge of non-stormwater related discharges. This Standard Operating Procedures Manual will help promote behavior to improve the water quality of the City of Grant's lakes, ponds, and creeks. This manual as well assists the City of Grant in the creation of a regulator mechanism to prohibit illicit discharges.

The Addition of Article VIII. Chloride Reduction to Chapter 12 of the city code provide tools that require proper salt storage at commercial, institutional, and non-NPDES permitted industrial facilities. At a minimum, the regulatory mechanism(s) must require the following:

- designated salt storage areas must be covered or indoors;
- designated salt storage areas must be located on an impervious surface; and
- implementation of practices to reduce exposure when transferring material in designated salt storage areas (e.g., sweeping, diversions, and/or containment).

Action: Discussion.

Attachments: Article VIII Chloride Reduction Ordinance

CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 2022-69

**An Ordinance Amending the Grant Code of Ordinances Chapter 12 Environment
Adding Article VIII Chloride Reduction**

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

SECTION 1. AMENDMENT OF CHAPTER 12, ENVIRONMENT, OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 12, Environment Article VIII Chloride Reduction is hereby ADDED in its entirety to the Code of Ordinances:

Article VIII Chloride Reduction

Sec. 12-273. Definitions.

The following words, terms, phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Anti-icing means the application of a liquid deicer prior to the onset of a snow event.

Best Management Practice (BMP) means structural, vegetative, or managerial practices used to treat, prevent, or reduce water pollution.

Certified Salt Applicator means an individual who applies deicer and has completed Minnesota Pollution Control Agency Smart Salting training (Level 1 or 2).

Deicer means any substance used to melt snow and ice or used for its anti-icing effects.

Winter Maintenance Professional means an individual who applies deicer for hire (i.e. snow plow drivers, salt truck drivers).

Sec. 12-274. Intent and purpose.

(a) The removal of snow and ice from roadways is essential to both public safety and to the local economy and in order to protect the public safety, during and after winter storm events, the use of pavement deicing chemicals is a widely accepted means of keeping roadways passable; and

(b) Pavement deicing is typically accomplished through the use of deicers which can be corrosive to vehicles, roadway surfaces, and bridges and has been found to have adverse effects on the surface waters, groundwater and to environmentally sensitive areas; and

(c) The restoration of surface and ground water quality and ecosystems in such areas can be very difficult and costly, if not impossible to rehabilitate through reverse osmosis, once the events or contamination occur; and

(d) Proper utilization and management of deicing materials is critical to ensure that the environmental impacts of related practices are reduced to the maximum extent possible; and

(e) Negative environmental impacts may occur when salt and other deicers are not properly stored and transported; and

(f) One of the primary sources of chloride entering the ground water is salt spillage that is either plowed or washed from maintenance yards, unloading, and loading areas and it is necessary to regulate all persons engaged in the storage and use of bulk deicing materials on their property and elsewhere in order to reduce the costly impacts of such use to the surrounding vegetation, surface water and ground water; and

Sec. 12-275. Occupational Licensure for Winter Maintenance Professionals.

(a) *Applicability.* No person will engage in the operation of a winter maintenance business for the private operation of a snowplowing service or the use or storage of salt or other deicing materials, or to assist others in the same for the purpose of managing ice and snow from private roadways, parking areas, and sidewalks on commercial, industrial, institutional, office, multi-family and private single-family residential dwellings without being in compliance with the terms and provisions of this chapter.

(b) *Certification Required.*

(1) All persons engaged in the operation of a winter maintenance business for the private operation of a snowplowing service or the use or storage of salt or other deicing materials must employ an individual who possesses current Smart Salting Level 1 and Level 2 Certification from the Minnesota Pollution Control Agency. This individual must be responsible for the application of appropriate deicing material at the proper amount and rate; the employment of correct procedures for temperature and conditions; accurate record-keeping and data recordation; and calibration of equipment annually. In the event of a major storm emergency, the licensing official may exempt winter maintenance professionals from the requirements of this section for services completed under contract with the City of Grant.

(c) *Deicer Storage Requirements.*

(1) All persons must employ best management practices to minimize the discharge of polluted runoff from salt and deicer storage and application as follows:

- i. Designated salt and deicer storage areas must be covered or indoors;
- ii. Designated salt and deicer storage areas must be located on an impervious surface; and
- iii. Implementation of practices to reduce exposure when transferring material in designated salt and deicer storage areas (e.g., sweeping, diversions, and/or containment).

Sec. 12-276. Deicer Bulk Storage Facility Regulations.

(a) *Applicability.*

(1) The following sections apply to all indoor and outdoor bulk deicer storage facilities (temporary and permanent) including salt piles, salt bag storage, sand piles and other storage of deicing materials. Bulk storage, as regulated by this chapter, is defined as storage of any material used for deicing and/or traction during winter conditions that is more than five tons in solid form (or 1,000 gallons in liquid form).

(b) *General Requirements.*

(1) Indoor operations for the storage of deicing materials must be provided wherever possible in order to prevent such materials from being affected by rain, snow and melt water.

(2) All salt, sand and other deicing materials stored outdoors must be covered at all times.

- i. When not using a permanent roof, a waterproof impermeable, flexible cover must be placed over all storage piles (to protect against precipitation and surface water runoff). The cover must prevent runoff and leachate from being generated by the outdoor storage piles. The cover must be secured to prevent removal by wind or other storm events. Piles must be formed in a conical shape and covered as necessary to prevent leaching.

ii. Any roof leaks, tears or damage should be temporarily repaired during winter to reduce the entrance of precipitation. Permanent repairs must be completed prior to the next winter season.

(c) *Facility Siting.*

- (1) The facility must be in close proximity to the area in which the deicing materials are to be used, if practical.
- (2) Each facility must be located outside of floodplains and 300 feet from lakes, rivers, streams, ditches, storm drains, manholes, catch basins, wetlands and any other areas likely to absorb runoff. A facility must not be located in close proximity to surface water features, water supplies, wells or drywells.
- (3) A facility must be located on impermeable surfaces.
- (4) The property slope must be away from the facility's salt, deicer, and sand storage area.
- (5) Salt vulnerable/intolerant natural areas should be avoided as storage facilities to the extent possible. Where they cannot be avoided, specific measures should be instituted to protect vulnerable areas. Salt vulnerable/intolerant natural areas include, but are not limited to:
 - i. Areas with salt sensitive vegetation
 - ii. Areas serving as a source of drinking water (surface water and ground water)
 - iii. Areas with bodies of water with low dilution, low volume or salt sensitive species
 - iv. Areas associated with ground water recharge zones or shallow water table, with medium to high permeable soils

(d) *Snow Piles*

- (1) Snow piles must be located downslope from salt and deicer storage areas to prevent the snow melt from flowing through storage areas and carrying material to the nearest drainage system or waterway.

(e) *Deicer Truck Wash Water*

- (1) Deicer- and salt-containing truck wash water must be captured, treated, and recycled for use as saltbrine in pre-wetting and anti-icing activities.

(f) *Transfer of Materials*

- (1) Practices must be implemented in order to reduce exposure (e.g., sweeping, diversions, and/or containment) when transferring salt or other deicing material.

Sec. 12-277. Land Disturbance Permitting.

(a) *Chloride Management*

- (1) An applicant for a permit for land-disturbing activity on property other than individual single-family home sites must provide a plan for post-construction management of chloride use on the site that includes, at a minimum:
 - i. Designation of an individual authorized to implement the chloride-use plan; and
 - ii. Designation of a Minnesota Pollution Control Agency Smart Salting-certified salt applicator engaged in the implementation of the chloride-use plan for the site.

Sec. 12-278. Parking Lot, Sidewalk and Private Road Sweeping Requirements.

(a) *Sweeping of Parking Lot, Sidewalk, and Private Roads*

- (1) Every owner or occupant of any dwelling or other residential building, proprietor or lessee of any business, commercial or public premises, or [insert other entities as appropriate such as homeowner's associations] within the City of Grant, must conform to ice and snow removal specified under [code section]. If dry deicing material is spread, it must be properly swept and disposed of immediately after snow melt. If an

owner, occupant, proprietor or lessee neglects or refuses to sweep excess deicing material, the City of Grant may sweep such material or authorize some person to do the same on behalf of the City of Grant. The City of Grant, in its sole discretion, may issue notices of violation to an owner, lessee, proprietor, or occupant for violations of this section.

SECTION 2. SEVERABILITY.

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

SECTION 3. EFFECTIVE DATE.

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

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

Voting AYE:
Voting NAY:

Whereupon said Ordinance was declared passed adopted this ____ day of _____, 2022.

Jeff Huber, Mayor

Attest: Kim Points, City Clerk

Memorandum

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

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

Date: September 27, 2022

Re: City of Grant Chapter 6 Code – Animals Amended per MS4 Requirements

Actions to be considered:

- A motion to adopt the addition of Article IV. Animal Waste Ordinance to Chapter 6 Animals of the city code.

Facts:

The Minnesota Pollution Control Agency reissues their National Pollutant Discharge Elimination System (NPDES) General Permit (GP) for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s). The MS4 GP requires the City of Grant to develop written procedures for the purpose of eliminating non-stormwater discharges through the development of an Illicit Discharge Detection and Elimination Program.

This manual not only assists the City of Grant in meeting the MS4 permit regulations but encourages them to use targeted best management practices (BMPs) to prevent the discharge of non-stormwater related discharges. This Standard Operating Procedures Manual will help promote behavior to improve the water quality of the City of Grant's lakes, ponds, and creeks. This manual as well assists the City of Grant in the creation of a regulator mechanism to prohibit illicit discharges.

The Addition of Article IV. Animal Waste to Chapter 6 of the city code provides guidance in implementing a pet waste regulatory mechanism that require owners or custodians of pets to remove and properly dispose of feces on the city's owned land areas.

Action: Discussion.

Attachments: Article IV Animal Waste Ordinance

CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 2022-70

**An Ordinance Amending the Grant Code of Ordinances Chapter 6 Animals
Adding Article IV Animal Waste**

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

SECTION 1. AMENDMENT OF CHAPTER 6, ANIMALS, OF THE CITY'S CODE OF ORDINANCES.

That City Code Chapter 6, Animals Article IV Animal Waste is hereby ADDED in its entirety to the Code of Ordinances:

Article IV. Animal Waste.

Sec. 6-91. Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Animal means a dog, cat or other animal kept for amusement or companionship.

Owner/Custodian means any person who harbors, feeds, boards, possesses, keeps or has custody of an animal.

Immediately means at once, without delay.

Soil/defile means to make unclean from excrement

Waste means solid matter expelled from the bowels of the pet; excrement

Sec. 6-92. Purpose and Intent.

(a) No owner or custodian of any animal shall cause or allow such animal to soil, defile or defecate on any public property or upon any street, sidewalk, public way, play area, or upon private property other than that of the owner, unless such owner immediately removes and disposes of all feces deposited by such animal in a sanitary manner.

(b) It is unlawful for any person owning, keeping or harboring an animal to cause or permit said animal to be on any public or private property not owned or possessed by such person without having in

his/her immediate possession a device for the removal of feces and depository for the transmission of excrement to a proper receptacle located on the property owned or possessed by such person.

(c) It is unlawful for any person in control of, causing or permitting any animal to be on any public or private property not owned or possessed by such person, to fail to remove feces left by such animal and dispose of it properly as described in section (d).

(d) Proper disposal of animal waste shall be limited to burial where lawfully permitted, flushing in the toilet, bagging for disposal in the owner or keeper's waste receptacle, and bagging for disposal in a waste receptacle designated for animal waste in a public park or park area.

(e) Disposal of animal waste in storm drains is prohibited.

(f) Disposal of animal waste in public compost is prohibited.

(g) The provisions of this section shall not apply to the ownership or use of any properly identified service animals, animals when used for police activities, farm animals or tracking animals when used by or with the permission of the appropriate authorities.

(h) Any duly authorized agent should be responsible for issuing the citations.

(i) Any person violating any provision of this ordinance may be subject to a forfeiture of not less than \$200 nor more than \$500.

SECTION 2. SEVERABILITY.

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

SECTION 3. EFFECTIVE DATE.

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

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

Voting AYE:

Voting NAY:

Whereupon said Ordinance was declared passed adopted this ___ day of _____, 2022.

Jeff Huber, Mayor

Attest: Kim Points, City Clerk

DRAFT



STAFF REPORT

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

Date: September 27, 2022

CC: Brad Reifsteck, PE, City Engineer
Nick Vivian, City Attorney

RE: Application for Major Subdivision –
Stillwater Oaks Preliminary Plat

From: Jennifer Haskamp
Consulting City Planner

Summary of Request & Background

The Applicant, Jason Palmby, on behalf of Magellan Land Development is proposing to subdivide the former Stillwater Golf Course into 15 rural residential single-family lots. In 2021 the Applicant met with staff for a preapplication meeting to discuss the proposed subdivision, preliminary concept and the process to complete the subdivision. Since the preapplication meeting the Applicant prepared the subject submission that includes the proposed preliminary plat and drainage, grading and erosion control plans and subsequent revisions as recommended by the Planning Commission.

Public Hearing & Planning Commission Discussion

A duly noticed public hearing was held September 13 at 6:30 PM at the regular Planning Commission meeting. Several members of the public provided public testimony regarding the subject application. The issue most identified during testimony was regarding the roadways and the deteriorating condition of both McKusick and 88th St. N. A summary of the key points identified regarding the roadways is provided:

- Several residents expressed concerns over the condition of McKusick and 88th Street and asked if the roads would be improved since 15 new homes would be using the roadway.
- Given the existing condition of both McKusick and 88th Street the construction traffic and heavy vehicle trips was a concern regarding the further deterioration of the roads.

After the close of the public hearing the Planning Commission heard from the Applicant and their engineers and responded to several of the questions posed during the public hearing. Discussion regarding the proposed project generally focused on the two cul-de-sac access points with McKusick and 88th Street given the public testimony. Staff indicated that the City Engineer was reviewing the access locations and cul-de-sacs and that additional recommendations would be established and provided to the City Council for their review. After the conclusion of the discussion the Planning Commission unanimously recommended approval with the conditions and recommendations as presented in the Staff Report.

The following staff report is generally as presented to the Planning Commission. The Applicant updated their plans to comply with several of the recommendations presented in the staff report, and the staff report has been updated to reflect the changes since the Planning Commission meeting.

Project Summary



Applicant: Magellan Land Development	Site Size: 148.9 Acres (WCGIS records)
Owners: Fairway Estates of Grant	Request: Major Subdivision, Preliminary Plat of 15 Lots
Zoning & Land Use: A-2	PIDs:
Proposed Plat Name: Stillwater Oaks	2403021220004 and 2303021110002

The proposed project will convert the existing Stillwater Oaks Golf Course into 15 rural residential single-family lots. The proposed subdivision is located south of McKusick Rd. N., and north of 88th Street N., and Browns Creek State Trail borders the entire northly border of the proposed subdivision. The following summary is provided with respect to the proposed project:

- The Proposed Project will create 15 new lots ranging in size between 5.15 and 13.6 acres.
- The Applicant indicated during the Planning Commission meeting that they will establish a HOA or other private covenant as a means to manage the stormwater management system on site.
- The Applicant intends to develop and plat the full subdivision in one phase. This will require the installation of both cul-de-sacs and all grading and/or stormwater features required by the City and the Browns Creek Watershed District.
- All 15 lots will be served with individual wells and individual septic systems. The Preliminary Plat has been updated to reflect the location of the soil borings for each drainfield as requested by the Planning Commission. A correspondence from Washington County regarding this issue is attached to this staff report.
- Since the site was developed as a golf course it is assumed that there was likely a septic system and possibly a couple wells that may be present on the site associated with the previous operation. Sheets C5.1 and C5.2 identify that the existing well will be properly capped and abandoned but there is no septic system identified. Staff assumes based on the plans that the existing septic system will be abandoned, and that all structures will be removed. The Applicant should verify the plan for any removals of the existing septic on site on site and the location should be provided on Sheet C5.1.
- The existing property is irregular in shape and access to the proposed subdivision is from two new cul-de-sacs (identified as Street A and Street B on the attached preliminary plat) and from the existing 88th Street N. A summary of the access is provided:
 - Lots 1, 2, 3, 4, 5, 6, and 8 are proposed to be accessed from Street A, which is a cul-de-sac. Street A connects to McKusick Rd. N. and must cross the Browns Creek State Trail. The Browns Creek State Trail is owned and managed by the MnDNR and the access crossing the trail must be reviewed and approved by the MnDNR and proper access easements established.
 - Lots 7 and 10 are proposed to be accessed directly from existing 88th Street N.
 - Lots 9, 11, 12, 13, 14, and 15 are proposed to be accessed from Street B, which is a cul-de-sac that connects to 88th Street N.



- The rural residential lot sizes can accommodate a variety of housing styles and plans. As such the Applicant anticipates all homes in the subdivision will be custom built, and that lots will be custom graded once house plans are developed.
- The grading and stormwater management plans for the installation and construction of the two new cul-de-sacs is addressed as part of this application, but it should be noted that individual stormwater permits from the BCWD will likely be required in the future when each lot is constructed if the impervious surfaces exceed 10,000 SF.

Review Criteria

The proposed Project is classified as a Major Subdivision per the City of Grant's subdivision ordinance which is Chapter 30 of the City Code. The specific regulations related to the Preliminary Plat process are contained within Article II Platting Division 2 Preliminary Plat. Also relevant with respect to design standards is Article III Minimum Design Standards.

As referenced within the Preliminary Plat requirements all created and/or new lots must comply with the current regulations which apply to the zoning district in which the Property is located. The following sections are most applicable to this request and are considered, at a minimum, in the following sections:

32-1 Definitions

32-246 Minimum area, maximum height and other dimensional requirements.

Existing Site Conditions

The site is comprised of two PIDs and the parcels are irregular in shape. The subject parcels were most recently used for the Stillwater Oaks Golf Course and were developed with greens, fairways, and intermittent water features and vegetative tree stands between holes and fairways. The site generally lies south of McKusick Rd. N. and east of Kimbro Ave. N. and is bisected east-west by 88th Street N. The primary entrance into the golf course is from McKusick Rd. N., on the northwest corner of the site which is accessed by a private driveway that crosses the Browns Creek State Trail. The access driveway is permitted through an easement that was granted between the previous property owner and the MNDNR for the golf course use. The driveway connects to an existing parking lot that served the golf course, which encroaches into the MNDNR's trail corridor (see correspondence from MNDNR attached). The existing clubhouse is south of the parking lot, and there is one accessory building adjacent and north of 88th Street N.

Comprehensive Plan Review

The 2040 Comprehensive Plan land use designation of the subject properties designates the property as RR/AG Rural Residential Agricultural. Properties guided RR/AG are intended to be used for rural residential and small agricultural uses at densities no less than 1 Dwelling Unit per 10 Acres. The Stillwater Oaks development will include 15 rural residential sized lots on approximately 149 acres (~157 acres with ROW)



and the intended use of each property is for single-family residential uses. The proposed project is consistent with the intent and guided density as identified within the adopted Comprehensive Plan.

Zoning/Site Review

The subject properties are zoned A-2, and Section 32-243 defines the intent and primary use of such properties as, "...provide rural low-density housing in agricultural districts on lands not capable of supporting long-term, permanent commercial food production. A-2 district lot sizes will provide for marginal agriculture and hobby farming."

The proposed Project requests subdivision of approximately 149 acres into 15 lots and is subject to Chapter 30 Subdivisions and is specifically reviewed for compliance with Sections contained within Article II Platting and Article III Minimum Design Standards. Chapter 30 requires all subdivisions with newly created lots to comply with the underlying zoning district, and as such each lot was reviewed for compliance with Section 32-246 Dimensional Standards, and other applicable sections of Chapter 32.

Subdivision Standards (Items not addressed in Dimensional Review)

The subdivision ordinance requires all newly created lots to conform to the dimensional standards as identified within Chapter 32 of the zoning code. Subsequent sections of this report will provide a review of the dimensional standards and will make the appropriate cross reference to the subdivision code, where applicable. The following review relates specifically to the subdivision and/or preliminary plat requirements that are not addressed within the zoning review.

Easements

Section 30-105 Easements requires newly created lots and roadways to provide easements for utilities and drainageways, as necessary. The applicable ordinance requirements are as follows:

- (a) Required for Utilities. Easements of at least 20 feet wide, centered on rear and other lot lines as required, shall be provided for utilities where necessary..."
- (b) Required for drainage. Easements shall be provided along each side of the centerline of any watercourse or drainage channel, whether or not shown on the comprehensive plan, to a sufficient width to provide property maintenance and protection and to provide for stormwater runoff and installation and maintenance of storm sewers.
- (c) Dedication. Utility and drainage easements shall be dedicated for the required use.

As shown on sheets C1.1, C1.2 and C1.3 drainage and utility easements are dedicated on each lot line providing 20-feet on center to each lot line, which has been updated since the Planning Commission review. Drainage and utility easements are also provided on each stormwater feature and all wetland areas. The City Engineer must review these areas to determine if adequate easement area has been provided. In addition, the Browns Creek Watershed District (BCWD) must review the wetland and easement areas to determine if the plans meet their standards for permitting. The BCWD has provided an email correspondence to the City indicating that the Applicant has submitted a plan for their review, but as of the time of writing this staff report the application remains incomplete for BCWD review.



Staff recommends including a condition that the Applicant must obtain all proper permits from the BCWD and that all easement areas must be appropriately identified to meet the BCWD and City standards. The Applicant will be required to dedicate the easements to the benefit of the City and/or BCWD at time of final plat. Staff recommends including a condition that the maintenance, specifically of all drainage easements, stormwater management features and wetland areas will be provided for and the responsibility of the development by HOA or other formal private Covenant, which must be detailed in the Development Agreement.

Lot Design & Requirements

Various subsections of 30-107 apply to the proposed subdivision including the following:

- (a) *Side Lots. Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines or radial to lake or stream shores unless topographic conditions necessitate a different arrangement.*

Staff has reviewed the design and layout of all lots contained within the revised preliminary plat dated 09/22/2022 and the lot line between Lots 11 and 12 have been adjusted to comply with this requirement. However, in the process of the modification, a lot jog has been created between Lot 9, Lot 11 and Lot 12. Staff recommends adjustments to this lot line to comply with the standard be made as part of the Final Plat submission.

- (e) *Corner Lots. Corner lots shall be platted at least 20 feet wider than interior lots.*

During the Planning Commission review Lot 8 was identified and recommended to be adjusted to comply with a minimum lot width of 320-feet. This adjustment has been made on the revised preliminary plat dated 09/22/2022. All other corner lots comply with this standard.

- (k) *Lot remnants. All remnants of lots below minimum size left over after subdividing or a larger tract must be added to adjacent lots, or a plan acceptable to the city shown as to future use, rather than allowed to remain as unusable parcels.*

The 09/22/2022 preliminary plat has been adjusted to demonstrate that Tract N is combined within the plat and will not remain as a remnant in the subdivision.

- (l) *Access to major arterials. In the case where a proposed plat is adjacent to a major or minor arterial, there shall be no direct vehicular access from individual lots to such streets and roads...."*

The proposed subdivision includes the construction of a new local street/cul-de-sac that will connect to McKusick Rd. N. The new roadway will cross the Browns Creek Trail and the intersection with McKusick is approximately 800-feet from Hwy 96 (Dellwood Rd. N.) ***No new lots are proposed to directly access McKusick or Dellwood Rd. N., and as proposed meets this requirement. However, the City Engineer and the MNDNR must review and approve of the access crossing Browns Creek Trail and the intersection spacing guidelines should be reviewed prior to the approval of a final plat.***

Street Design

The Project includes the development and construction of two new cul-de-sacs, Street A will provide access to the northwest portion of the property and Street B will provide access to the southeast portion of the property. Lots 7 and 10 are proposed to be directly accessed from 88th Street N., which is a local city roadway.



The cul-de-sac design will serve all but two of the new homes in the neighborhood. The following standards regarding cul-de-sac streets and street design are as follows:

30-129 Cul-de-sac streets

- (a) *Cul-de-sac streets, temporarily or permanently designed as such, shall not exceed 1,320 feet in length.*

There are two proposed cul-de-sac streets within the subdivision, identified as Street A and Street B. Street A is the northwesterly cul-de-sac that provides access to proposed Lots 1 through 6 and 8. Street A is approximately 1,280-feet long from cul-de-sac terminus to the intersection with McKusick Rd. N. Street B is the southeasterly cul-de-sac that provides access to proposed Lots 9, and 11 through 15. Street B is approximately 1,300 feet long from cul-de-sac terminus to the intersection with 88th Street N.

- (b) *Lots with frontage at the end of the cul-de-sac shall have a minimum of 60 feet of road frontage and meet the lot width requirement at the building setback line for the zoning district in which the property is located.*

Section 32-246 identifies the lot dimensional standards for lots zoned A2. Lots on a cul-de-sac are required to have a minimum lot width of 160-feet at the building setback line. During the Planning Commission review two lots (Lot 3 and Lot 4) were identified because they did not meet this standard. Per the revised Preliminary Plat, as shown on Sheet C1.1, Lot 3 and Lot 4 have been adjusted and all lots comply with this standard.

- (c) *Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to a property line and a right-of-way of the same width as the street shall be carried to said property line in such a way as to permit future extension of the street into the adjoining tract. At such time as such a street is extended, the acreage covered by the turnaround outside the boundaries of the extended street shall revert in ownership to the owner fronting on the temporary turnaround. To ensure such streets can be constructed according to this code, the street shall be rough graded or typical sections shall be submitted and approved by the City engineer.*

Based on the lot configurations proposed future extension of the cul-de-sacs as through roads seems unlikely. The City Engineer will review this item and address it within his review memo.

30-130 Street design

- (a) *Minimum width*

Local Streets - ROW roadway width 66 feet, 28 feet including shoulders

Cul-de-sacs - ROW roadway width 66 feet, 48-foot turnaround radius

The street and cul-de-sac right-of-way and design meets the City's ordinance requirements.

The city roadway standard is a rural section 28 feet wide with 22 feet of bituminous pavement surface. The typical road section is identified on Sheet C7.1 and the street profiles were provided on Sheet C6.1 of the submission. All driveways serving the new homes will connect directly to the local roadway, and will cross the ditch section to connect to the paved surface. A pavement profile is shown on Sheet C7.1 and must be reviewed and approved by the City Engineer for compliance with the City's road specifications.

Dimensional Standards



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

Dimension	Standard
Lot Size	5 acres
Lot Depth (ROW to rear lot line)	300'
Lot Width (measured at front yard setback)	300'
Lot Width on a Cul-de-sac at the setback line	160'
Frontage – public road	300'
Front Yard Setback	65'
Side Yard Setback	20'
Rear Yard Setback	50'
Height of Structure	35'
Fence	May be on property line, but not within any ROW
Driveway Setback	5'
Parking Lot setback	10' from ROW
Wetland Setback Structure (Buffer)	75' (50')
Maximum Floor Area	30%

Density/ Lot Size /
Buildable Area

Density

The proposed subdivision is located on a parcel that is irregular in shape and includes right-of-way for purposes of the Browns Creek State Trail and 88th Street N. Per Section 32-246 Subsection(c)(4) “For the purpose of computing the total area of any lot or parcel of land, road and railroad rights-of-way which are held either in fee title or easement which pass through any lot or parcel of land, may be included in the total area calculation for density purposes.” As previously noted, the Browns Creek State Trail corridor is the historic railroad and accounts for an additional approximately 8.5 acres. Both calculations are provided for reference.

As proposed, excluding the Browns Creek Trail corridor, the density calculation is as follows:

$$148.9 \text{ Acres} / 15 \text{ Units} = 9.92 \text{ Acre average lot size}$$

Proposed density if Browns Creek Trail corridor is included, as permitted by the ordinance, the density calculation is as follows:

$$157.4 \text{ Acres} / 15 \text{ Units} = 10.49 \text{ Acre average lot size}$$

As proposed, the proposed density in the Stillwater Oaks project meets the City’s Comprehensive Plan and zoning ordinance regulations. However, it should be noted that all available density has been used, and no further subdivision is permitted. ***Staff recommends including a condition that the Development Agreement and the development covenants clearly state that no further subdivision is permitted of the subject properties, and that this restriction must be recorded against all properties.***



Lot Size

Section 30-107 Lot Requirements, subsection (c) Minimum area and width, states, “No lot shall have less area or width than is required by zoning regulations applying to the area in which it is located, except as here provided. Irregular-shaped lots designed for the sole purpose of attempting to meet a subdivision design or zoning regulation shall be prohibited.”

As identified on the previous table, Lots in the A-2 zoning district have a minimum lot size of 5.0 Acres (Lot Width will be discussed in subsequent sections of this report). While the zoning code does not specifically define ‘rural residential lots’ the term is explanatory of what the Applicant has proposed for most of the lots. The proposed lots range in size between 5.15 and 13.6 acres. ***All of the lots meet the 5.0 acre minimum lot size as defined within the zoning ordinance.***

Buildable Area

All lots within the A-2 zoning district must have a minimum of 1.0 acres of “Buildable Area” to ensure that there is adequate area on a lot to support the principal structure and septic system. This requirement can be found in Section 32-246 subsection (b)(4) Subdivision of Lots which states, “...All new lots created must have at least one (1) acre of accessible buildable land. Buildable land is defined as land with a slope of less than twenty-five (25) percent, and outside of any required setbacks, above any floodway, drainage way, or drainage easement. Property situated within shorelands or floodplains are also subject to the requirements set forth in those respective ordinances.” Also, while not explicitly stated, it should be noted that the wetlands are also removed from the Buildable Area calculation.

Since the Planning Commission meeting, the Applicant has submitted a Buildable Area exhibit that is provided as an attachment to this staff report. As demonstrated on the exhibit, all lots meet or exceed a minimum of 1.0 acres of buildable area.

Frontage

Section 30-107 subsection (b) requires each lot to front on a public street, and Chapter 30 further states that all created lots must meet the standards of the underlying zoning. The Dimensional Requirements and corresponding frontage requirements are shown on the table found in Section 32-246 which requires a minimum of 300-feet of Frontage on “an Improved Public Road” for properties zoned A-2, and a minimum of 60-feet of frontage for lots abutting a cul-de-sac. Per Section 32-1, Frontage is defined as, “that boundary of a lot which abuts a public street or private road.” ***All lots as shown on the Plan Set meet the minimum frontage.***

Lot Width & Lot Depth

All created lots must meet the standard for Lot Width and Lot Depth in the A-2 zoning district. The ordinance requires a minimum lot width of 300-feet for standard lots and 160-feet for lots abutting a cul-de-sac. The minimum Lot Depth of all A2 lots is 300-feet.



Section 32-1 defines Lot Width as, “the horizontal distance between the side lot lines of a lot measured at the setback line.” And Lot Depth as, “the mean horizontal distance between the front and rear lines of a lot.”

As previously noted the Applicant has adjusted Lot 3 and Lot 4 on the Preliminary Plat dated 09/22/2022 and as shown on the plan set all lots comply with the lot width standards.

All lots meet lot depth requirements.

Coverage (Floor Area) Coverage calculations were not provided in the submission materials, and therefore cannot be verified. Given the size of the lots, and the improvements shown on the Preliminary Plat figures C1.1 through C1.3, all lots will comply with the maximum coverage requirements of 30% and 50% respectively. ***Staff recommends including a condition that all future improvements on each lot must submit the coverage calculations as part of any building permit process.***

Roadways & Access Section 30-58 (c)(1) requires the layout of proposed streets, showing right-of-way widths and proposed names of streets. The name of any street shall conform to the provisions of chapter 24, article III. The proposed roadways contain 66-foot of dedicated right-of-way, and per sheet C7.1 contains a 24-foot traveled bituminous surface with 2-foot gravel surfaces. As shown on the plans, the cul-de-sac terminus contains a 50-foot diameter traveled surface and 132-foot right-of-way.

As noted throughout this staff report Street A, the northerly cul-de-sac that connects to McKusick Rd. N., must cross the Browns Creek State Trail to provide access to the proposed lots. There is an existing private driveway that connects the existing parking lot that served the Stillwater Oaks Golf Course that was secured by a private driveway easement from the MNDNR. The proposed configuration will require a public roadway to cross the trail and this access must be secured by an easement that is agreed to between the City, developer and MNDNR. Staff has communicated with the MNDNR and they have provided a preliminary letter regarding their interests. Per discussion with the MNDNR, the crossing of the trail must be secured by an appropriate easement, and may include additional improvements beyond paving such as stop signs, etc. ***Staff recommends that a condition be included that the access must be secured prior to any site work commencing regarding the project and that all required improvements and its costs associated with the crossing shall be the sole responsibility of the Applicant.***

Per the recommendation of the Planning Commission, the Applicant is proposing to name Street A as “Lake Elmo Circle” and Street B as “Leeward Circle.” The road names must comply with Sec. 24-56 of the City Code. It appears that both names comply with the standard, and verification with the City’s Building Official and Engineer will be completed prior to Final Plat.

Septic Section 30-58 (9) requires that “in areas where public sewer is not available, four soil borings shall be completed on each lot with results being submitted to the city



building inspector....” Sheets C1.1 through C1.3 have been updated to reflect the location of the borings that were completed on the site. The Applicant submitted a letter from Washington County dated July 6, 2022 that is attached to this Staff report. Based on the letter, Washington County has indicated that “the proposed lots appear to have suitable soil for individual sewage treatment systems...” The letter further states that the “soil observations conducted for these lots were preliminary and only for the purpose of determining suitability to support long-term sewage treatment...Before an installation permit can be issued by the Department for a specific subsurface sewage treatment system, at least four additional soil borings and at least one percolation test must be conducted by a designer licensed by the Minnesota Pollution Control Agency.”

Based on the information provided it appears that all lots have suitable area to site a septic system. *Staff recommends including a condition that all lots must obtain the appropriate permits from Washington County prior to a building permit being issued for a principal structure. Additionally, staff would recommend including a condition that all identified septic areas must be roped off and protected during the construction process.*

Driveways:

The proposed roadway will serve the new homes in the subdivision, and each home will be connected with a single driveway as shown on sheets C1.1 through C1.3 of the Plan set. As designed, one driveway will be constructed to provide access to the principal and any accessory structures on each lot. *As designed, a single access/driveway complies with the City’s driveway standards, however, it should be noted that each lot will be required to acquire a driveway permit prior to a building permit being issued for a new home (Section 32-184).*

Stormwater/Erosion Control

The City’s Zoning and Subdivision Ordinance both require that the Applicant submit a stormwater management plan and erosion control plan. The Applicant is proposing to manage stormwater on-site through a series of ponds and infiltration basins as shown on Sheets C2.1 through C2.3 Grading and Drainage, Sheets 3.1 through C3.3 Storm Sewer Plan and Sheets C4.1 through C4.4 SWPPP. The Applicant is required to meet the City’s standards but is also subject to the rules of the Browns Creek Watershed District (BCWD). A wetland delineation was completed by the Applicant and the Notice of Decision (NOD) was issued for the areas identified on the plan set. Staff has communicated with BCWD and understands that the application remains incomplete and that several outstanding issues remain. The Applicant is responsible for obtaining all necessary permits from BCWD. Their recommendations may change and/or alter some of the configuration of the basins and/or infiltration areas, and if so, revised plans should be submitted to the City Engineer for additional review. It should be noted that if any of the changes are significant which impact the design of any lots or roadways significantly, that a new preliminary plat review may be required. The Stormwater



Management Plan for the Project as currently designed was submitted and is under review by the City Engineer.

Engineering Standards

The City Engineer's memo is attached to this staff report for your review and consideration. It should be noted that the Engineer is recommending the improvement of both McKusick and 88th Street from the intersections to the new cul-de-sacs. This recommendation is due to the existing condition of the roadways and the additional traffic generated as a result of the proposed subdivision. The City Engineer will be present at the City Council meeting to further discuss this recommendation.

It is standard for a conceptual/preliminary grading plan to be prepared for projects of this type, particularly given that the lots will be constructed with custom houses. So, for purposes of stormwater calculations, erosion control, and other engineering items it is important to have a 'conceptual' plan of how the improvements can be accommodated on the lots while ensuring that those improvements would meet stormwater and erosion control standards. This is consistent with the processing of other major subdivisions in the City.

During the public hearing members of the public and members of the planning commission discussed the remediation efforts completed on the site. No information regarding site remediation was submitted for review by the City Engineer. ***Staff recommends that a condition be included to require the submission of the mitigation/remediation complete on site for review by the City Engineer.***

Staff recommends including a condition in the Preliminary Plat approval that the Applicant/Owner must meet all conditions as stated within the City Engineer's memo.

Other Agency Review

As noted, the proposed Project is located within the Browns Creek Watershed District and is subject to their rules and regulations. The Applicant has submitted an application to the BCWD and continues to work with them through their permitting/review process. ***Staff recommends including a condition that the Applicant must obtain all necessary permits from the BCWD, and if significant changes are needed based on their permitting a revised preliminary plat may be required.***

Street A is proposed to cross the Browns Creek Trail which is the jurisdiction of the MNDNR. The Applicant must continue to work with the City and the MNDNR regarding the crossing to ensure that access to the proposed northwesterly lots is provided. ***Staff recommends including a condition that the Applicant must obtain the access/crossing permit from the MNDNR and is responsible for all necessary improvements related to the crossing.***

Conditions

- An updated Preliminary Plat incorporating the City Engineer's recommendations and incorporating any changes of the BCWD, must be submitted for review and approval by City Staff within 12-months of Preliminary Plat approval.



- The Applicant must improve that portion of McKusick and 88th Street N., identified by the City Engineer to provide adequate access to the proposed subdivision.
- The Applicant shall submit their remediation/mitigation efforts completed on the site for the review of the City Engineer.
- The Applicant shall comply with all recommendations and standards of the City Engineer.
- The Applicant shall adjust the lot lines of 9, 10 and 11 to comply with the subdivision design standards.
- The Applicant must establish an HOA or similar to manage the stormwater management systems on site. Such entity shall be appropriately established and identified within the Development Agreement.
- The Applicant shall obtain all necessary stormwater permits from the BCWD and such permits shall be obtained prior to the City granting any Final Plat of the Project.
- The Applicant will be required to enter into a Development Agreement prior to the City Granting any Final Plat of the Project to ensure that the requirements and conditions as set forth herein are complied with to ensure the installation of all subdivision infrastructure.
- The Applicant, or assigns, shall obtain all necessary permits for the installation of individual wells serving each lot, and such permits shall be obtained prior to the City issuing any Building Permit for such lot.
- The full public right-of-way of both cul-de-sacs shall be dedicated on the Final Plat.
- Site improvements as described within Section 30-194 shall be agreed to and identified within the Development Agreement.
- The Applicant must work with the MNDNR to secure a crossing easement of the Browns Creek State Trail, and such easement must establish the use as a public right-of-way.
- The Applicant is responsible for all costs associated with the road crossing and any improvements required by the MNDNR for such access.
- The Applicant shall identify and rope off all septic drainfield areas on the site prior to the City issuing any grading permits on the subject property.
- The Applicant, or assigns, shall be required to obtain all septic permits, based on the actual design of a principal structure prior to the City issuing a Building Permit.
- The Applicant shall pay all fees and delinquent escrow balances.

Action requested:

The Planning Commission unanimously recommended approval of the Preliminary Plat with the conditions as noted. The recommended changes to the preliminary plat that were addressed in the 09/22/2022 plan set have been addressed throughout the staff report and remaining issues have been identified in the draft conditions. Staff requests direction to prepare a resolution of approval with the conditions, and any modifications, as noted.



Attachments

Exhibit A: Application, Applicant's Narrative, and Parcel Boundaries

Exhibit B: Plan Set (Revised 09/22/2022)

Exhibit C: City Engineer Memo

Exhibit D: MNDNR Correspondence

Exhibit E: Washington County Correspondence

Exhibit F: BCWD Incompleteness Review



September 27, 2022

Jennifer Haskamp
Consulting City Planner
City of Grant
111 Wildwood Road
Willernie, MN 55090

Re: Stillwater Oaks Preliminary Plat & Plans – Engineering Review
WSB Project No. 020915-000

Dear Jennifer:

We have reviewed the Stillwater Oaks residential development preliminary plat and plans dated September 22, 2022. The applicant (Fairway Estates of Grant, LLC) proposes to subdivide two properties totaling 142 acres into 15 rural residential lots located along 88th Street south of McKusick Road.

The documents were reviewed for general conformance to the City's Engineering Guidelines and general engineering standards. We offer the following comments regarding these matters.

Preliminary Plat & General (C1.1-1.3)

1. Final engineer signed plans must be submitted prior to acceptance and approval.
2. The Applicant shall submit an approved BCWD permit prior to construction.
3. The Applicant shall submit an approved NPDES permit to the City prior to construction.
4. The Applicant shall submit an approved Grading permit from the City of Grant prior to construction.
5. A City Council approved subdivision agreement is recommended for this development. The following items should be addressed within the subdivision agreement.
 - Pond and Storm Sewer Maintenance Responsibilities
 - Cash payment to seal coat the roadway
 - Financial guarantees and warranties
 - Responsibility of costs
 - Record drawings
6. In order to calculate a letter of credit and construction engineering escrow amounts for the final development agreement, an engineer's estimate (in Excel format) of the proposed street and stormwater improvements along with a schedule for completion of construction will be required. The estimate should also include the cost of landscaping items.
7. Comments are also provided directly on the plan sheets. Not all comments were summarized within this review letter.
8. Show existing Browns Creek Trail, McKusick Road, and 88th Street.

9. Coordinate all construction in the gas utility easement with the facility owner
10. Provide the City an easement agreement with MnDNR for Lake Elmo Circle right of way
11. Provide horizontal curves for all proposed roads
12. Provide proposed well locations
13. Emergency vehicle access shall be approved by the City Fire Official.

Grading & Drainage Plans (C2.1-2.3)

14. The elevations of several houses do not appear to match the surrounding topography (Lot 5, etc.).
 - Raise/Lower, shift or rotate houses to better match surrounding topography
15. The applicant should show the elevation and locations of all emergency overflow routes for all storm water facilities in the drainage plans, if applicable.
16. Graded swales should meet a minimum 2% slope.
17. Drainage swales from one lot to another should be contained in drainage and utility easement
18. Show proposed driveways on Grading & Drainage plans
 - Add proposed driveway grades to plan. City requires that driveway grades are between 2% and 10%.
19. Show existing Browns Creek Trail, McKusick Road, and 88th Street.
20. Provide all inlet elevations for storm sewer structures
 - Provide EOFs for all low points

Storm Sewer - Stormwater Management (C3.1-3.3)

21. The applicant will need to provide proof of submittal and approval by the Brown's Creek Watershed District (BCWD) and follow all Watershed requirements and permitting.
22. Provide agreements outlining ownership and maintenance responsibilities of stormwater facilities
23. Utilities shall be designed and installed in accordance with the applicable sections of the current version of the City Engineers Association of Minnesota (CEAM) Standard Specifications
24. Refer to storm sewer structures with R-1642 (solid) castings as STMHs
25. Number all FES structures for unique identification
26. Show existing Browns Creek Trail, McKusick Road, and 88th Street.

27. The existing drainage patterns shall be maintained on the property with no additional drainage directed to the public Right-of-Way or wetlands without regulatory agency approval.

Erosion/Sediment Control Plan & SWPPP (C4.1-4.4)

28. Include a SWPPP in compliance with the MN General Construction permit.
29. A NPDES permit will be required for this project. Provide proof of permit coverage to the City before final approval.

Existing Conditions & Removal Plans (C5.1-5.3)

30. Show removing all existing onsite septic systems and piping
31. Show sealing all existing onsite wells per Minnesota Department of Health requirements
32. Note and coordinate removing all small utility (gas, electric, communications) services
33. Remove all remaining existing internal bituminous trails
 - Coordinate with adjacent property owner to remove trails along or across development property lines
 - Identify to protect and existing trails proposed to remain

Street Profiles - Traffic & Access (C1.1-1.3, C6.1)

34. Streets shall conform to the most recent editions of “MnDOT Standard Specifications for Construction.”
35. The design and construction of trail ways shall be in accordance with current ADA Standards and the current edition of the “Mn/DOT Bikeway Facility Design Manual.”
36. The applicant is proposing two additional City streets with cul de sacs coming off 88th Street and McKusick Road.
 - Due to the existing conditions of the roadways and additional traffic generated by the development, it is recommended that both McKusick Road and 88th Street be improved as part of the development
37. Two lots are proposed to have driveways direct access off 88th Street
 - 88th Street is a gravel road and may require additional improvements
38. Improve how the proposed intersection with Leewind Circle, 88th Street, and McKusick Road is represented including the trail.
 - Note, there is minimal distance between Leewind Circle and McKusick Road along 88th Street
39. All street and driveway culverts shown in typical street section details or grading plans shall be a minimum of 18-inches in diameter with a minimum of 12-inches of cover.
40. Traffic Signs and devices shall be installed per Minnesota Manual on Uniform Traffic Control Devices for Streets and Highways.

Details (C7.1)

41. Provide the complete geotechnical report with recommendations that support the proposed typical road and bituminous trail sections
 - The road should be designed to a 7-ton design
 - The developer should include a minimum of 12-inches of select granular borrow and type V geotextile fabric beneath the Class 5 aggregate base shown in the typical section details
 - All pavement cross slopes shown in the typical section details should be 3%.
42. Provide details for all facilities on site (structures, rip rap, etc.)

Wetlands & Environmental

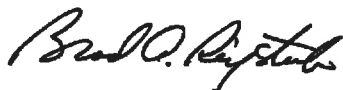
43. The city requires wetland buffers around existing wetlands based on the wetland's management classifications. The buffer strip width is defined in Chapter 12, Section 12-261 of the City of Grant Ordinance.

A more detailed review of the development plans will be conducted when the applicant submits more complete civil plans and a stormwater management report.

Please have the applicant provide a written response addressing the comments above. Feel free to contact me at 763-512-5243 if you have any questions or comments regarding the engineering review.

Sincerely,

WSB



Brad Reifsteck, P.E.
City Engineer



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

PRELIMINARY PLAT (MAJOR SUBDIVISION)

Application Date:	
Fee: \$1,000+\$25/lot	Escrow: \$7,000

A Preliminary Plat for a major subdivision is required to subdivide or plat a property when more than two additional parcels or lots are created in unplatted land OR two additional parcels or lots are created in platted lands. The Preliminary Plat is a map or drawing which graphically delineates the boundary or land parcels for the purpose of identification and record of title and is a part of the plan set required for major subdivision as described in this form.

PARCEL IDENTIFICATION NO (PIN): 24032122000 and 230021110002		LOT SIZE: 146 acre +/-
PROJECT ADDRESS: Stillwater Oaks	OWNER: Name: Fairway Estates of Grant Address: PO Box 302 City, State, Zip: Excelsior, MN 55331 Phone: 612-220-6641 Email: jason@palmby.com	APPLICANT <i>(If different from Owner)</i> : Name: Magellan Land Development Address: PO Box 302 City, State, Zip: Excelsior, MN 55331 Phone: 612-220-6641 Email: jason@palmby.com
BRIEF DESCRIPTION OF REQUEST: Subdivision of land		
APPLICABLE CITY CODE SECTION(S): <i>Please review the referenced code sections for a detailed description of required submittal documents, and subsequent process.</i> <ol style="list-style-type: none"> Chapter 30, Article II Platting, Secs 30-57 through 76 Chapter 32 Zoning 		

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: **Magelland Land Development**
(Please print)
 Address: **PO Box 302**
 City, State, Zip: **Excelsior, MN 55331**
 Phone: **612-220-6641**
 Cell Phone: **612-220-6641**
 Email: **jason@palmby**
 Signature: _____
 Date: _____

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

Name: **Fairway Estates of Grant**
(Please print)
 Address: **PO Box 302**
 City, State, Zip: **Excelsior, MN 5531**
 Phone: **612-220-6641**
 Cell Phone: **612-220-6641**
 Email: **jason@palmby.com**
 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 Statue 462.358 a Preliminary Plat Application has a Statutory review period of 120 days, with the City’s 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.

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 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.

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 and consultants. It may question the Applicant and may recommend approval, disapproval or table by motion the application. The Commission may impose necessary conditions and safeguards in conjunction with their recommendation.

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

Unless an extension of time is requested and granted by the City Council, the Applicant shall submit an application for Final Plat within 12 months of receiving Preliminary Plat approval, or the approval will expire.

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

Applicant

Fee Title Property Owner
(If different from Applicant)

Signature

Signature

Printed Name

Printed Name

Date

Date

** For Applicant's use and records

Preliminary Plat 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; One (1) hard copy Full Scale plan set; Two (2) hard copy 11x17 half scale scalable plan sets.

Existing Conditions Exhibit: A scalable existing conditions analysis, prepared by and certified by a registered land surveyor, including 100-feet of the abutting properties of record, should include the following:

- North arrow, date of survey
- Boundary (existing or parcel) lines and dimensions with total acreage
- Topographic Map, contour interval of 2' or less, slopes in excess of 12-percent delineated
- Location and extent of tree cover including identification of significant trees
- Location, including right-of-way width and names of existing platted streets, parks, or other public lands
- Location of permanent/existing buildings and structures
- Location and size of existing culverts, wells, septic systems or any other underground utility
- Existing easements, including pipelines and power lines within the plat
- Grades and location of catch basins, manholes, and street pavement width and type within the plat
- Boundary lines of adjoining unsubdivided or subdivided land
- Soil borings on each lot demonstrating appropriate area of individual sewage treatment system (minimum of 4 per lot)
- Water course, marshes, 100-year flood elevation, wooded areas, rock outcrops, power transmission poles and lines, and other significant features
- Location and extent of wetlands and streams, including Wetland Delineation
- Other relevant information as requested by the City

Preliminary Plat Exhibits: A scalable set of technical and construction level drawings of the proposed Major Subdivision. All drawings must be submitted to-scale, in scalable format. Depending on the complexity of the subdivision, the following information may be submitted on one drawing.

- Name and address of the owner, developer, site planner, engineer and surveyor
- Proposed Subdivision name
- Legal description, acreage of proposed subdivision, date of preparation and north arrow
- Proposed lot configuration, including Outlots
- Lot dimensions including setback lines (front, sides, rear)
- Identify wetlands (including source), waterways and lakes
- Identify proposed roadways including right-of-way
- Identify buildable area, including calculated area and percent impervious
- Proposed construction grading plan (maximum 2-foot contours) and erosion control plan
- Proposed surface water management plan
- Street details, including gradients of streets including plans and profiles showing location and typical cross-sections including ditches, curb (if applicable), drainage easements, catch basins, etc.
- Proposed building location, and lowest floor elevation for each lot
- Proposed driveway location
- Identify location of sewage treatment areas and soil boring locations
- Proposed landscape plan, if applicable
- Street lighting (if proposed)
- Subdivision Signage (if proposed)

** For Applicant's use and records

Preliminary Plat Checklist:

-
- Brief description of Subdivision

 - A copy of any proposed private restrictions

 - 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 approvals and necessary permits.

 - Drainage and Stormwater Computations

 - Wetland Delineation and Notice of Decision (NOD), if obtained

 - Paid Application Fee: \$1,000 + \$25/lot

 - Paid Escrow*: \$7,000 *Any remaining funds, after expenses, are returned to the applicant. Expenses incurred over \$7,000 will be billed to the Applicant.

Materials that may be required upon request:

-
- If severe soil limitations for the intended use are noted in the Soil Survey on file at Washington County Soil and Water Conservation District office, a plan or statement indicating the soil conservation practice or practices to be used to overcome said limitation shall be made part of the permit application.

 - Building elevations and architectural plans.

 - Homeowner's Association covenants or deed restrictions
-

STILLWATER OAKS IN GRANT

Magellan Land Development in partnership with Fairway Estates, LLC are proposing a Residential Development on the property previously known as Stillwater Oaks. It was run as a golf course until 2020. The property consists of 146 acres bisected by 88th Street

We are proposing large lots withing the development. The lots will conform to the City's development ordinances. Lots will range from 5 acre minimum to 25 acres.

The building pad sizes will consist of building pad initially, 100 feet by 200 feet. That footprint is oversized to compensate for unforeseen extra areas such as a pool or extra-large garage.

There will be no Homeowners Association. Each builder/homeowner will be responsible for their lawn and home maintenance.

The lot and home values will range from \$1,000,0000 and up. The road serving the developments will be public roads.

We will be building two roads within the development that will be public roads. Storm ponding for roads will be addresses during grading of the roads. We have been in touch with the county regarding soild observation for septic areas, the preliminary letter is attached. We have also been in touch with the watershed district.

Thanks for your consideration and we look forward to working with you.

Thank you for your time;

Jason Palmby
Magellan Land Development



Parks and Trails Division
1200 Warner Road
Saint Paul, MN 55106

September 00, 2022

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

Dear Mayor Huber and members of the City Council,

As it concerns the proposed Stillwater Oaks Residential Development project and impacts to state-owned property associated with the Brown's Creek State Trail, the State will require that the existing trespass east of Dellwood and McKusick Roads is resolved. The preliminary plat appears to achieve this by realigning the existing ingress/egress limited access and removing the parking area. While this crossing was allowed via an existing easement for the previous use, this agreement is no longer sufficient for a public road crossing and the State would require a new easement. Reconstruction of the portion of trail affected by the construction of the new public road should be built to State engineering standards and ADA accessibility. Construction plans for the trail must be reviewed and approved by the State.

MnDNR policy states that public road crossings will require trail users to stop at the crossing. Our facility does not currently stop at this location, once the easement has been completed and the new road has been built, the DNR will install trail traffic controls requiring trail users to stop at the crossing.

Finally, an easement is also required for the proposed culvert proposed within State land. Any other use or impacts to our property will require prior DNR approval. Therefore, the most important item is to stay in communication with the DNR. The applicant should contact myself, Nathan Moe, to initiate the process to acquire the necessary easements or through the MnDNR website. More information, including the application for an easement, can be found here: https://www.dnr.state.mn.us/permits/road_crossing/index.html

Sincerely,

Nathan Moe
Acquisition and Development Specialist

Equal Opportunity Employer

Project Name | BCWD Permit 22-18 Stillwater Oaks **Date** | 09/25/2022
To / Contact info | Jason Palmby / Fairway Estates of Grant, LLC
Cc / Contact info | Karen Kill, Administrator / BCWD
From / Contact info | Camilla Correll, PE; Ryan Fleming, PE; Stu Grubb, PG / EOR
Regarding | Permit Application No. 22-18 Completeness Determination

The submittal materials for the above-mentioned project, located within the legal jurisdiction of the **Brown's Creek Watershed District (BCWD)** were reviewed to determine whether sufficient information has been supplied by the permit applicant to review against the BCWD rules.

Applicant: Jason Palmby of Fairway Estates of Grant, LLC

Application Submittal Date: September 14, 2022

Completeness Determination Required By: October 4, 2022

Review based on BCWD Rules effective April 1, 2020

Completeness Determination: *Incomplete*

Review Summary

This memorandum summarizes the review of the Brown's Creek Watershed District permit application for the Stillwater Oaks development received on September 14, 2022 and specifies the submittals necessary to complete the application. Changes to the project plans will necessitate re-review by BCWD and under Section 8.3 of the BCWD rules, the costs of such analyses will be charged to the applicant. As additional required information, details, and/or changes are submitted, BCWD may identify additional necessary submittals.

The following documents were included in the September 14th submittal:

- Permit Application
- Preliminary Plan Set
 - Preliminary Plat
 - Grading & Drainage Plan
 - Storm Sewer Plan
 - SWPPP/Erosion Control Plan
 - Existing Conditions & Removal Plan
- Drainage Analysis
 - Stormwater Runoff Narrative
 - Existing and Proposed Drainage Maps
 - Existing and Proposed HydroCAD Reports
 - NURP Pond volumes
 - Geotechnical Analysis
 - Water Quality Calculations

Review of the documents found the application to be *incomplete*. Below is a summary of the missing information that needs to be provided before the permit can be deemed complete.

Required Information

Note that this memorandum identifies the specific rule language being referenced in this completeness determination. Underlying bullets clarify the specific components that are missing from the submittal.

Rule 2.0 Stormwater:

- Provide logs of soil borings, pits and grain size analysis within the proposed boundary of the BMP(s) designed to infiltrate stormwater, showing data in accordance with the table in Appendix 2.4 (BCWD 2.7.12)
 - *Provide additional soil boring information to corroborate the assumption that “redox present within the top 2 feet of the soil boring samples” is a function of a regional high-water table and not a function of the existing land use (an irrigated golf course).*
- Provide calculations demonstrating that the proposed land-altering activity will not increase stormwater flow volume from all points where discharge leaves the site, compared with the pre-settlement condition, for a 24-hour precipitation event with a return frequency of 2 years (BCWD 2.4.1(ii)).
 - *If it is demonstrated that a site is unsuitable for stormwater infiltration, the volume control requirement can be met through other means including stormwater reuse and evapotranspiration (e.g., grass swales, bioretention, tree trenches, conversion to native vegetation). Identify the volume requirement for the site and document how the various (distributed) BMPs address this requirement.*
 - *If the total volume of runoff cannot be addressed on site (e.g., the post-development runoff volume leaving the site is higher than the pre-settlement volumes leaving the site for the 2-year event) the Permit Applicant may seek a variance to this rule under Rule 10.0.*
- Provide calculations demonstrating that the proposed land-altering activity will not increase phosphorous loading as compared to the pre-developed condition at the downgradient property boundary or to an onsite receiving waterbody or wetland (BCWD 2.4.1(iii)).
 - *Provide water quality calculations demonstrating the phosphorous load to each wetland on site will not increase when compared with the predevelopment condition.*
- Provide calculations demonstrating that the proposed land-altering activity will not increase the bounce in water level or duration of inundation for a 24-hour precipitation event with a return frequency of two, 10 or 100 years in the subwatershed in which the site is located, for any downstream lake or wetland beyond the limit specified in Appendix 2.1 (BCWD 2.4.1(iv)).
 - *Provide documentation demonstrating that the bounce and inundation requirements specified in Appendix 2.1 have been met for wetlands receiving runoff from the development.*

Preliminary Review Comments

This is a preliminary review of the submitted documents. As the review progresses, additional required information, details, and/or changes to be made will be identified.

- Verify the total area of the site. The Washington County database indicates that the two parcels are 148.9 acres in size and the construction plans indicate the site is 148.0 acres in size.

- It is unclear from the submittal materials if the total impervious includes the existing impervious.
- It is also unclear if the total impervious coverage assumes full build out on all lots including sheds, outbuildings, etc.
- **Total impervious from HydroCAD (223,470 SF) doesn't match total impervious from plans (91,247 SF).**
- The sequence of temporary and permanent stormwater BMPs will need to ensure that discharge rate, volume, and water quality standards are met during construction as well as post construction.
- It appears that the existing trails/paths are being left as is under proposed conditions as they are not included on the removals sheet. How is stormwater runoff from these surfaces being accounted for under proposed conditions?
- There are two existing structures that are not included in the proposed plans but have not been included in the removal plans/sheet.
- The BCWD will need to know that the roadway easement across trail gets approved.
- Need perimeter control around the road construction.
- Need perimeter control around proposed rain gardens.
- Will need documentation of NPDES permit status.

Conclusion

This application remains incomplete. As a result, the 60-day review period has not been initiated. District staff is available if you wish to meet, review the comments provided in this completeness determination, and review the project timeline.



Department of Public Health and Environment

David Brummel
Director

Jill Timm
Deputy Director

July 6th, 2022

GEO Code: 2403021220004

FAIRWAY ESTATES OF GRANT LLC
PO BOX 302
EXCELSIOR MN 55331

LOT SPLIT APPROVAL

The Department has finished conducting site reviews of the proposed lots located at 11151 88th Street North, Grant. Based on these observations and the observations of your contractors from the most recent lot layout dated July 1st, 2022, the proposed lots appear to have suitable soil for individual sewage treatment systems and the Department is approving the proposed lot split as suitable to accommodate long-term sewage treatment.

It should be noted that the soil observations conducted for these lots were preliminary and only for the purpose of determining suitability to support long-term sewage treatment. Section 9.5 of the Washington County Development Code, Chapter Four, Individual Sewage Treatment System Regulations (Washington County Ordinance #206) states:

Complete soil testing on each individual lot must be conducted prior to permit issuance independent of any prior subdivision or lot approval testing. For permit issuance, a minimum of four (4) soil observations encompassing the proposed sewage treatment area are required. At least one soil observation must be performed in the portion of the soil treatment area anticipated to have the most limiting conditions.

Before an installation permit can be issued by the Department for a specific subsurface sewage treatment system, at least four additional soil borings and at least one percolation test must be conducted by a designer licensed by the Minnesota Pollution Control Agency.

Rope off and protect the areas from all traffic. Any excavation in the primary and secondary individual sewage treatment system areas would nullify this approval and may subsequently cause the lot to be declared unbuildable. The minor subdivision is approved only for the lot configuration submitted in the application. Any changes to the lot configurations will nullify this approval.

If you have any questions or comments, please contact me at 651-430-6679.

Sincerely,

Joe Sanders
Sr. Environmental Specialist
Washington County Department of
Public Health & Environment
Joe.sanders@co.washington.mn.us

ORDINANCE NO. 2022-68

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

**AN ORDINANCE ESTABLISHING A SALARY AND PER DIEM FOR MAYOR AND
CITY COUNCIL OF THE CITY OF GRANT**

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

Section 1. Mayor Compensation. The Mayor of the City Council of the City of Grant will receive a yearly salary of \$5,500.00 for serving as Mayor along with per-meeting compensation for special meetings as set forth in Section 3. The salary and special meeting compensation will be paid in December of each year.

Section 2. City Council Compensation. Each member of the City Council of the City of Grant will receive a yearly salary of \$3,500.00 for serving on the Council along with per-meeting compensation for special meetings as set forth in Section 3. The salary and special meeting compensation will be paid in December of each year.

Section 3. Per-Meeting. The Mayor and City Council shall receive the sum of \$50.00 for each special meeting attended for official business of the City of Grant.

Section 4. Repeal of Inconsistent Ordinances. All Ordinances inconsistent herewith are hereby repealed and replaced with the provisions of this Ordinance.

Section 5. Effective Date. The effective date of the salary and per diem amount paid will be January 1, 2023, after the next regular City election which is November 8, 2022.

Whereupon said Ordinance was declared passed and adopted this 4th day of October, 2022.

CITY OF GRANT

By _____
Jeff Huber
Its Mayor

ATTEST:

Kim Points, Administrator/Clerk

DRAFT

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2022-18

A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF ORDINANCE NO. 2022-68, AN ORDINANCE AMENDING THE GRANT CODE OF ORDINANCES

WHEREAS, On October 4, 2022, at the regular Grant City Council meeting, by majority vote, the City Council adopted Ordinance No. 2022-68, amending the City's Code of Ordinances establishing a salary and per diem for Mayor and Council; and

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

WHEREAS, the City Council for the City of Grant has determined that publication of the title and a summary of Ordinance No. 2022-68 would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, the City Council for the City of Grant has reviewed the summary of Ordinance No. 2022-68 attached and incorporated herein as **Exhibit A**; and

WHEREAS, the City Council for the City of Grant has determined that the text of the summary clearly informs the public of the intent and effect of Ordinance No. 2022-68.

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

1. Approves the text of the summary of Ordinance No. 2022-68 attached as **Exhibit A**.
2. Directs the City Clerk to post a printed copy of the entire text of Ordinance No. 2022-68 available for inspection by any person during regular office hours at the office of the city clerk and in all public locations designated by the City Council.
3. Directs the City Clerk to publish the summary in the City's legal newspaper within ten days.
4. Directs the City Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

Dated this 4th day of October, 2022.

Jeff Huber, Mayor

ATTEST:

Kim Points, City Clerk

Ordinance Summary

Ordinance No. 2022-68

**AN ORDINANCE AMENDING THE GRANT CODE OF ORDINANCES
ESTABLISHING A SALARY AND PER-MEETING COMPENSATION FOR
MAYOR AND COUNCIL
FOR THE CITY OF GRANT, MINNESOTA**

On October 4, 2022, the City of Grant adopted an ordinance amending the Grant Code of Ordinances to establish a revised salary and per-meeting compensation for the Mayor and City Council for the City of Grant, Minnesota.

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

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2022-19

**A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY,
MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF
ORDINANCE NO. 2022-69**

WHEREAS, On October 4, 2022 at the regular Grant City Council meeting, by majority vote, the City Council adopted Ordinance No. 2022-69 amending Chapter 12 Environment to add Article VIII Chloride Reduction to the City's Code; and

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

WHEREAS, the City Council for the City of Grant has determined that publication of the title and a summary of Ordinance No. 2022-69 would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, the City Council for the City of Grant has reviewed the summary of Ordinance No. 2022-69 attached and incorporated herein as **Exhibit A**; and

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

1. Approves the text of the summary of Ordinance No. 2022-69 attached as **Exhibit A**.
2. Directs the City Clerk to post a copy of the entire text of Ordinance No. 2022-69 in all public locations designated by the City Council.
3. Directs the City Clerk to publish the summary in the City's legal newspaper within ten days.
4. Directs the City Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

Dated this 4th day of October 2022.

Jeff Huber, Mayor

ATTEST:

Kim Points, City Clerk

EXHIBIT A

Ordinance Summary

Ordinance No. 2022-69

AN ORDINANCE AMENDING THE CITY CODE OF ORDINANCES CHAPTER 12, ENVIRONMENT ADDING ARTICLE VIII CHLORIDE REDUCTION FOR THE CITY OF GRANT, MINNESOTA

On October 4, 2022 the City of Grant adopted an ordinance to amend Chapter 12 Environment to add Article VIII Chloride Reduction to the City Code. The ordinance establishes applicable definitions, the purpose of the ordinance, applicable licensure and regulations regarding the usage of chloride in the City.

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

**CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2022-20

**A RESOLUTION OF THE CITY OF GRANT, WASHINGTON COUNTY,
MINNESOTA, PROVIDING FOR THE SUMMARY PUBLICATION OF
ORDINANCE NO. 2022-70**

WHEREAS, On October 4, 2022 at the regular Grant City Council meeting, by majority vote, the City Council adopted Ordinance No. 2022-70 amending Chapter 6 Animals to add Article IV Animal Waste to the City's Code; and

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

WHEREAS, the City Council for the City of Grant has determined that publication of the title and a summary of Ordinance No. 2022-70 would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, the City Council for the City of Grant has reviewed the summary of Ordinance No. 2022-70 attached and incorporated herein as **Exhibit A**; and

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

1. Approves the text of the summary of Ordinance No. 2022-70 attached as **Exhibit A**.
2. Directs the City Clerk to post a copy of the entire text of Ordinance No. 2022-70 in all public locations designated by the City Council.
3. Directs the City Clerk to publish the summary in the City's legal newspaper within ten days.
4. Directs the City Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

Dated this 4th day of October 2022.

Jeff Huber, Mayor

ATTEST:

Kim Points, City Clerk

EXHIBIT A

Ordinance Summary

Ordinance No. 2022-70

AN ORDINANCE AMENDING THE CITY CODE OF ORDINANCES CHAPTER 6, ANIMALS ADDING ARTICLE IV ANIMAL WASTE FOR THE CITY OF GRANT, MINNESOTA

On October 4, 2022 the City of Grant adopted an ordinance to amend Chapter 6 Animals to add Article IV Animal Waste to the City Code. The ordinance establishes applicable definitions, the purpose of the ordinance, regulations and penalties regarding the proper disposal of animal waste in the City.

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

City Council Report for September 2022

To: Honorable Mayor & City Council Members

From: Jack Kramer Building Official

City Code Enforcement Activity:

1. No New Violations to Report.

Building Permit Activity:

1. Thirty- Nine (39) Building Permits have been issued with a total valuation of \$ 2,780,608.25.

Conditional Use Permits Reviewed:

1. Dellwood Wedding Barns 7373-120th. St. N. In -compliance.
2. Waste Busters 7688 Jamaca Ave N. - In-compliance.
3. Buberl Black Dirt 6211 Lake Elmo Ave. - In -Compliance.
4. Aamodt's Apple Farm Inc. 6428 Manning Ave. N.- In -Compliance.
5. Suburban Lighting 6077 Lake Elmo Ave.-
The property is under the ownership of T A Schifsky & Sons, Inc.
Office Address 2370 Hwy 36 North St.Paul.MN.
The property is currently being used for storage of vehicles & equipment.
6. Tristar Communications LLC-New Cingular Wireless, PCS, LLC.
8380 Kimbro Ave.- In-Compliance.

Respectfully submitted,



Jack Kramer

Building & Code Enforcement Official

2022-251	Cell Tower Alterations	Crown Castle, USA	11400 Julianne Ave. N.	7/23/2022	\$ 10,000.00	\$ 181.25	\$ 135.93	\$ 117.81	\$ 5.00	
2022-252	Re-Roof	Neubauer	6485 Jasmine Ave.	7/23/2022	\$ 20,000.00	\$ 321.25	\$ 240.93	\$ -	\$ 10.00	
2022-253	Windows	Nagle	9730- 103rd. St. N.	7/23/2022	\$ 11,649.00	\$ 209.25	\$ 156.93	\$ -	\$ 5.82	
2022-254	Garage	Goodwin	11799 Irish Ave. N.	7/25/2022	\$ 28,800.00	\$ 432.15	\$ 324.11	\$ 280.89	\$ 14.40	
2022-255	Reside & Windows	Jacobson	10299-60th. St. N.	7/25/2022	\$ 75,000.00	\$ 818.75	\$ 614.06	\$ -	\$ 37.50	
2022-256	Re-Roof	Gusick	9080 Justen Trail N.	7/25/2022	\$ 30,000.00	\$ 442.25	\$ 331.68	\$ -	\$ 15.00	
2022-257	Fireplace	Anderson	3715 Briarwood Ave.	7/25/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-258	Re-Roof	Bulea	7390 Dellwood Rd. N.	7/25/2022	\$ 37,500.00	\$ 512.55	\$ 384.41	\$ -	\$ 18.75	
2022-259	Re-Roof & Re-Siding	Dahlberg	10325 Jody Ave. N.	7/25/2022	\$ 55,000.00	\$ 678.75	\$ 509.06	\$ -	\$ 27.50	
2022-260	Furnace & Air Cond	Alton	9480 Keswick Ave. N	7/25/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-261	Re-Roof	Shores	10124-67th. St. N.	7/26/2022	\$ 14,132.00	\$ 251.25	\$ 188.43	\$ 9.00	\$ 7.06	
2022-262	Re-Roof	Larkin	10169 Jody Ave. N.	7/26/2022	\$ 38,700.00	\$ 535.15	\$ 401.36	\$ 9.00	\$ 19.35	
2022-263	Air Conditioner	Harper	10781 Hadley Ave. N.	7/27/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-264	Water Heater	Marhas	6470 Jamaca Ave.	7/27/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-265	Re-Roof	Goebel	8100 Imperial Ct. N.	7/27/2022	\$ 13,936.00	\$ 237.25	\$ 177.93	\$ -	\$ 6.96	
2022-266	Gas Line	Carlson	10535083rd. St.	7/27/2022	N/A	\$ 80.00	\$ 60.00	\$ -	\$ 1.00	
2022-267	Cell Tower Alterations	T-Mobile	11900 Manning Trl.	7/27/2022	\$ 15,000.00	\$ 251.25	\$ 188.43	\$ 163.31	\$ 7.50	
2022-268	Re-Roof	Johnson	6183 Inwood Ct.	7/27/2022	\$ 28,000.00	\$ 422.05	\$ 316.53	\$ -	\$ 14.00	
2022-269	Re-Roof	Hosch	9300-84th. St. N.	7/28/2022	\$ 22,254.00	\$ 363.25	\$ 272.43	\$ -	\$ 11.12	
2022-270	Swimming Pool	Nepal	7120 Lone Oak Trail	7/28/2022	\$ 25,000.00	\$ 391.75	\$ 293.81	\$ 254.63	\$ 12.50	
2022-271	Garage Demo	Conlin	10710-88th. St.	7/29/2022	N/A	\$ 100.00	\$ 75.00	\$ -	\$ -	
2022-272	Re-Roof	Hostager	9330-84th. St. N	7/29/2022	\$ 24,209.62	\$ 391.75	\$ 293.81	\$ -	\$ 12.10	
2022-273	Re-Roof	Pendegraft	7110-101st. St. N.	7/29/2022	\$ 64,000.00	\$ 741.75	\$ 556.31	\$ -	\$ 32.00	
2022-274	Re-Roof	Meager	10815 Joliet Ave N.	7/29/2022	\$ 15,000.00	\$ 251.25	\$ 188.43	\$ -	\$ 7.50	
2022-275	Re-Roof	Jewett	7470-73rd. Ct. N.	7/29/2022	\$ 31,226.00	\$ 462.45	\$ 346.83	\$ -	\$ 15.61	
2022-276	Garage	Conlin	10710-88th. St. N.	7/29/2022	\$ 245,000.00	\$ 1,805.75	\$ 1,354.31	\$ 1,173.73	\$ 122.50	
2022-277	Re-Roof	Harrington	9780 Justen Trail N.	7/29/2022	\$ 20,000.00	\$ 321.25	\$ 240.93	\$ -	\$ 10.00	
2022-278	Re-Roof	White	7350 Keats Ave. N.	7/30/2022	\$ 6,000.00	\$ 125.25	\$ 93.93	\$ -	\$ 3.00	
2022-279	Sign	Polywater	11222-60th. St. N.	8/1/2022	N/A	\$ 50.00	\$ 37.50	\$ -	\$ -	
2022-280	Re-Roof	Carlson	9729 Hidden Glade Rd.	8/1/2022	\$ 28,500.00	\$ 432.15	\$ 324.11	\$ -	\$ 14.25	
2022-281	Re-Roof	Campbell	9945 Justen Trail N.	8/1/2022	\$ 20,900.00	\$ 335.50	\$ 251.62	\$ -	\$ 10.45	
2022-282	Re-Roof	LeMieux	8570 Jewell Ave. N.	8/1/2022	\$ 26,880.00	\$ 411.97	\$ 308.97	\$ -	\$ 13.44	
2022-283	Re-Roof	Collins	11696 Lockridge Ave.	8/2/2022	\$ 34,921.63	\$ 492.75	\$ 369.56	\$ -	\$ 17.46	
2022-284	Re-Roof	Hiniker	9940 Hidden Glade Rd.	8/2/2022	\$ 23,500.00	\$ 377.25	\$ 282.93	\$ -	\$ 11.75	
2022-285	Re-Roof	Bruher	8432 -80th. St. N.	8/2/2022	\$ 20,000.00	\$ 321.25	\$ 240.93	\$ -	\$ 10.00	
2022-286	Re-Roof	Storeygrad	9011 Justen Trail N.	8/3/2022	\$ 8,500.00	\$ 167.25	\$ 125.43	\$ -	\$ 4.25	
2022-287	Re-Roof	Osborne	7060 Manning Ave. N.	8/3/2022	\$ 45,000.00	\$ 593.75	\$ 445.31	\$ -	\$ 22.50	
2022-288	Plumb- Commercial	Two Silos Whery	7040-117th. St. N.	8/3/2022	\$ 42,000.00	\$ 563.45	\$ 422.58	\$ -	\$ 21.00	
2022-289	House & Garage	Read	10971-88th. St. N.,	8/5/2022	\$ 1,700,000.00	\$ 7,813.75	\$ 5,960.31	\$ 5,078.93	\$ 780.00	
Monthly total						\$ 2,780,608.25	\$ 22,206.67	\$ 16,754.83	\$ 7,087.30	\$ 1,325.27