

**City of Grant
City Council Agenda
December 6, 2022**

The regular monthly meeting of the Grant City Council will be called to order at 7:00 o'clock p.m. on Tuesday, December 6, 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. November 1, 2022 City Council Meeting Minutes**
- B. November 2022 Bill List, \$92,570.93**
- C. City of Stillwater Fire Department Contract Extension, 2023-2025**
- D. Kline Bros., Road Work, \$19,812.50**
- E. City of Mahtomedi, 4th Quarter Fire Contract, \$38,624.00**
- F. City of Stillwater, 2nd Half Fire Contract, \$80,180.00**
- G. Back to Black, Aprons/Potholing, \$54,060.00**

5. STAFF AGENDA ITEMS

A. City Engineer, Brad Reifsteck (no action items)

B. City Planner, Jennifer Swanson

i. Consideration of Resolution No. 2022-29, Application for Conditional Use Permit, Exterior Storage and Staging for Asphalt Business, 7559 Jamaca Ave

C. City Attorney, Nick Vivian (no action items)

6. NEW BUSINESS

A. Consideration of Resolution No. 2022-30, Final 2023 Budget

B. Consideration of Resolution No. 2022-31, Final 2023 Levy

C. Consideration of Resolution No. 2022-23, 2023 Liquor License, MoGrow Inc.

D. Consideration of Resolution No. 2022-24, 2023 Liquor License, Cozzies, Tavern Inc.

E. Consideration of Resolution No. 2022-25, 2023 Liquor License, Dellwood Barn Weddings, LLC

F. Consideration of Resolution No. 2022-26, 2023 Liquor License, Schone's Inc.

G. Consideration of Resolution No. 2022-27, 2023 Liquor License, Loggers Trail Golf Club

H. Consideration of Resolution No. 2022-28, 2023 Liquor License, Applewood Hills LLC

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 DECEMBER 7 THROUGH DECEMBER 31, 2022:

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

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

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

10. ADJOURNMENT

CITY OF GRANT
MINUTES

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

DATE : November 1, 2022
TIME STARTED : 7:00 p.m.
TIME ENDED : p.m.
MEMBERS PRESENT : Councilmember Carr, Rog, Giefer, Schafer and Mayor Huber
MEMBERS ABSENT : None

Staff members present: City Attorney, Christina Benson; City Engineer, Brad Reifsteck; City Treasurer Sharon Schwarze and Administrator/Clerk, Kim Points

CALL TO ORDER

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

PUBLIC INPUT

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

| | |
|--|----------|
| October 4, 2022 City Council Meeting Minutes | Approved |
| October 2022 Bill List, \$76,336.79 | Approved |
| Exempt Gambling Permit, Lions Club Bingo, Mahtomedi High School, November 12, 2022 | 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 Resolution No. 2022-22, Road Petition – City Engineer Reifsteck advised a letter, a petition and map were submitted describing the limits of the roadway improvements and is attached for Council review. The petition was signed by more than 50% of the affected property owners for

1 major roadway improvements along Honeye Avenue N, 115th Street N and Hillcrest Ct N. The signed
2 petitions account for 16 / 27 or 59% of the property owners within the project limits. The breakdown
3 by street is as follows:

- 4
- 5 **Hillcrest Ct N:** 4 of 7 residents signed the petition,
- 6 **115th St N:** 8 of 9 residents signed the petition,
- 7 **Honeye Ave N:** 4 of 11 residents signed the petition,
- 8

9 The signed petitions account for 16 / 27 or 59% of the property owners within the project limits.
10 exceeding the 35% needed for the city to authorize the City Engineer to prepare a Feasibility Study,
11 the first step in the procedures per the City’s current assessment policy. If council decides to move
12 forward a motion to adopt the resolution is required by a simple majority vote.

13
14 Staff is recommending moving forward with preparing a report including a neighborhood meeting for
15 the entire project as a whole.

16
17 The City Council suggested residents on Imperial be included in the neighborhood meeting.

18
19 **Council Member Rog moved to adopt Resolution No. 2022-22 as presented. Council Member**
20 **Giefer seconded the motion. Motion carried unanimously with a roll call vote.**

21
22 **Consideration of Jamaca/80th Street Apron**– City Engineer Reifsteck advised to continue the apron
23 up the hill is approximately an additional 250 feet at an estimated cost of \$30,000.

24
25 **Mayor Huber moved to approve special roads projects, as presented dependent upon weather**
26 **Council Member Giefer seconded the motion. Motion carried unanimously with a roll call vote.**

27
28 **City Planner, Jennifer Swanson (no action items)**

29
30 **City Attorney, Christina Benson (no action items)**

31
32 **NEW BUSINESS**

33
34 **UNFINISHED BUSINESS**

35 There was no unfinished business.

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

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

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

39
40 **COMMUNITY CALENDAR NOVEMBER 2 THROUGH NOVEMBER 30, 2022:**

41 **Mahtomedi Public Schools Board Meeting, Thursday, October 6th, and October 20th,**
42 **Mahtomedi District Education Center, 7:00 p.m.**

43 **Stillwater Public Schools Board Meeting, Thursday, October 6th, Stillwater City Hall, 7:00 p.m.**

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

2

3 **ADJOURNMENT**

4 **Council Member Giefer moved to adjourn the meeting at 7:22 p.m. Council Member Rog**
5 **seconded the motion. Motion carried unanimously with a roll call vote.**

6

7 These minutes were considered and approved at the regular Council Meeting December 6, 2022.

8

9

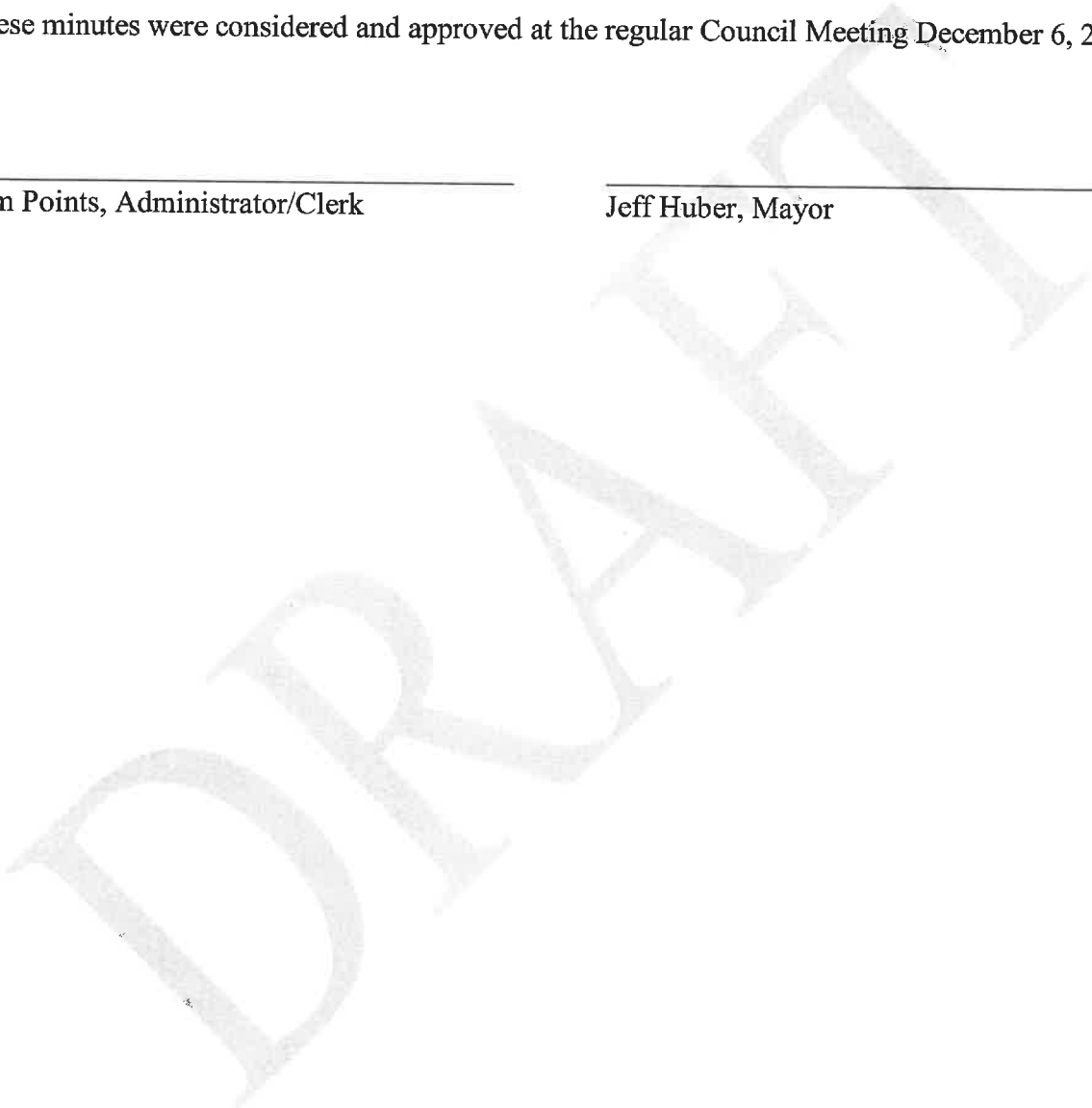
10

11

12 _____
Kim Points, Administrator/Clerk

13 _____
Jeff Huber, Mayor

14



Fund Name: All Funds

Date Range: 11/01/2022 To 11/28/2022

| Date | Vendor | Check # | Description | Void | Account Name | F-A-O-P | Total |
|------------|----------------------------------|-----------|--------------------------------------|------|--------------------------|----------------|-------------|
| 11/02/2022 | Corncast | CCEFT1 | Town Hall Wifi | N | Town Hall Supplies | 100-43001-200- | \$ 480.06 |
| | | CCEFT1 | | | | | \$ 480.06 |
| | Total For Check | | | | | | |
| 11/11/2022 | Payroll Period Ending 12/31/2022 | 15641 | 2022 Annual Council Pay | N | Mayor Salary | 100-41002-100- | \$ 2,678.15 |
| | | 15641 | | | | | \$ 2,678.15 |
| | Total For Check | | | | | | |
| 11/11/2022 | Payroll Period Ending 12/31/2022 | 15642 | 2022 Council Member Pay | N | Council Salaries | 100-41005-100- | \$ 2,109.50 |
| | | 15642 | | | | | \$ 2,109.50 |
| | Total For Check | | | | | | |
| 11/11/2022 | Payroll Period Ending 12/31/2022 | 15643 | 2022 Council Member Pay | N | Council Salaries | 100-41005-100- | \$ 2,230.25 |
| | | 15643 | | | | | \$ 2,230.25 |
| | Total For Check | | | | | | |
| 11/11/2022 | Payroll Period Ending 12/31/2022 | 15644 | 2022 Council Member Pay | N | Council Salaries | 100-41005-100- | \$ 2,230.25 |
| | | 15644 | | | | | \$ 2,230.25 |
| | Total For Check | | | | | | |
| 11/11/2022 | Payroll Period Ending 12/31/2022 | 15645 | 2022 Council Member Pay | N | Council Salaries | 100-41005-100- | \$ 2,230.25 |
| | | 15645 | | | | | \$ 2,230.25 |
| | Total For Check | | | | | | |
| 11/11/2022 | Options Exteriors | 15646 | Half Down Pole Barr Roof Replacement | N | Other Services & Charges | 100-41299-220- | \$ 6,511.00 |
| | | 15646 | | | | | \$ 6,511.00 |
| | Total For Check | | | | | | |
| 11/11/2022 | Jeff Huber | 15647 | 2022 Extra Meeting Per Diem | N | Council Meeting Per Diem | 100-41006-100- | \$ 150.00 |
| | | 15647 | | | | | \$ 150.00 |
| | Total For Check | | | | | | |
| 11/11/2022 | Jeff Glefer | 15648 | 2022 Extra Meeting Per Diem | N | Council Meeting Per Diem | 100-41006-100- | \$ 125.00 |
| | | 15648 | | | | | \$ 125.00 |
| | Total For Check | | | | | | |
| 11/23/2022 | T-Mobile | TMEFT14 | City Cell Phone | N | Road Expenses - Other | 100-43116-210- | \$ 20.00 |
| | | TMEFT14 | | | | | \$ 20.00 |
| | Total For Check | | | | | | |
| 11/23/2022 | Xcel Energy | XcelEFT17 | Utilities - Town Hall | N | Town Hall Electricity | 100-43004-381- | \$ 139.53 |
| | | XcelEFT17 | | | Well House Electricity | 100-43010-381- | \$ 16.00 |
| | | XcelEFT17 | | | Street Lights | 100-43117-381- | \$ 54.14 |
| | | XcelEFT17 | | | | | \$ 209.67 |
| | Total For Check | | | | | | |
| 11/28/2022 | Payroll Period Ending 11/30/2022 | 15649 | Nov22 | N | Clerk Salary | 100-41101-100- | \$ 4,213.43 |
| | | 15649 | | | | | \$ 4,213.43 |
| | Total For Check | | | | | | |

Fund Name: All Funds

Date Range: 11/01/2022 To 11/28/2022

| Date | Vendor | Check # | Description | Void | Account Name | F-A-O-P | Total |
|------------|------------------------------------|------------------------|-------------------------------|------|--------------------------|----------------|---------------------|
| 11/28/2022 | John Rog | 15650 | 2022 Extra Meeting | N | Council Meeting Per Diem | 100-41006-100- | \$ 125.00 |
| | | Total For Check | | | | | \$ 125.00 |
| 11/28/2022 | Tom Carr | 15651 | 2022 Extra Meetings | N | Council Meeting Per Diem | 100-41006-100- | \$ 100.00 |
| | | Total For Check | | | | | \$ 100.00 |
| 11/28/2022 | Jeff Schafer | 15652 | 2022 Extra Meetings | N | Council Meeting Per Diem | 100-41006-100- | \$ 100.00 |
| | | Total For Check | | | | | \$ 100.00 |
| 11/28/2022 | Xcel Energy | 15653 | Utilities - Pole Barn | N | Town Hall Electricity | 100-43004-381- | \$ 12.94 |
| | | Total For Check | | | | | \$ 12.94 |
| 11/28/2022 | AirFresh Industries | 15654 | PortaPot #55819 | N | Town Hall Porta Pot | 100-43007-210- | \$ 125.00 |
| | | Total For Check | | | | | \$ 125.00 |
| 11/28/2022 | Croix Valley Inspector | 15655 | Building Inspector | N | Building Inspection | 100-42004-300- | \$ 3,638.78 |
| | | Total For Check | | | | | \$ 3,638.78 |
| 11/28/2022 | Element Exteriors | 15656 | Building Permit Refund | N | Miscellaneous Expenses | 100-41306-300- | \$ 345.95 |
| | | Total For Check | | | | | \$ 345.95 |
| 11/28/2022 | WSB & Associates | 15657 | Engineering - Oct122 | N | Road Engineering Fees | 100-43102-300- | \$ 3,886.25 |
| | | 15657 | | | Special Road Projects | 100-43128-300- | \$ 3,366.00 |
| | | 15657 | | | Utility/ROW Permits | 100-43132-300- | \$ 271.25 |
| | | 15657 | | | Escrow | 922-49320-300- | \$ 2,027.00 |
| | | 15657 | | | | 955-49320-300- | \$ 364.00 |
| | | Total For Check | | | | | \$ 9,914.50 |
| 11/28/2022 | Back to Black Driveway Sealcoating | 15658 | Potholing/Aprons | N | Pothole Repairs | 100-43109-220- | \$ 7,625.00 |
| | | 15658 | | | Special Road Projects | 100-43128-220- | \$ 46,435.00 |
| | | Total For Check | | | | | \$ 54,060.00 |
| 11/28/2022 | OPG-3, Inc. | 15659 | Laser Fische Upgrades | N | Office Supplies | 100-41313-200- | \$ 555.00 |
| | | Total For Check | | | | | \$ 555.00 |
| 11/28/2022 | Centurylink | 15660 | City Phone | N | City Office Telephone | 100-41309-321- | \$ 171.04 |
| | | Total For Check | | | | | \$ 171.04 |
| 11/28/2022 | Options Exteriors | 15661 | 2nd half pay - pole barn roof | N | Miscellaneous Expenses | 100-41306-220- | \$ 6,511.00 |
| | | Total For Check | | | | | \$ 6,511.00 |
| 11/28/2022 | Joanne Frane | 15662 | Scanning Services | N | Office Equipment | 100-41314-200- | \$ 590.00 |

Fund Name: All Funds

Date Range: 11/01/2022 To 11/28/2022

| Date | Vendor | Check # | Description | Void | Account Name | F-A-O-P | Total |
|------------|---------------------------|------------------------|---|------|---------------------------|--------------------|---------------------|
| 11/28/2022 | Eckberg Lammers | 15663 | Legal Services | N | Legal Fees - General | 100-41204-304- | \$ 1,155.00 |
| | | 15663 | | | Legal Fees - Complaints | 100-41205-304- | \$ 8,407.50 |
| | | 15663 | | | Legal Fees - Prosecutions | 100-41206-304- | \$ 2,500.00 |
| | | 15663 | | | Escrow | 100-49320-304-1001 | \$ 725.00 |
| | | Total For Check | | | | | \$ 12,787.50 |
| 11/28/2022 | Waste Management | 15664 | Recycling | N | Recycling | 100-43011-384- | \$ 5,601.48 |
| | | Total For Check | | | | | \$ 5,601.48 |
| 11/28/2022 | Wells Fargo Business Card | 15665 | Video Equipment - Town Hall | N | Cable Costs | 100-41212-210- | \$ 3,649.68 |
| | | Total For Check | | | | | \$ 3,649.68 |
| 11/28/2022 | City of Stillwater | 15666 | 2nd Half Fire Contract | N | Fire - Stillwater | 100-42003-300- | \$ 80,180.00 |
| | | Total For Check | | | | | \$ 80,180.00 |
| 11/28/2022 | Todd Smith | 15667 | Monthly Assessment Services - November | N | Property Assessor | 100-41208-300- | \$ 2,173.00 |
| | | Total For Check | | | | | \$ 2,173.00 |
| 11/28/2022 | Graphic Resources | 15668 | Fall Newsletter | N | City Newsletter | 100-41307-320- | \$ 1,627.46 |
| | | Total For Check | | | | | \$ 1,627.46 |
| 11/28/2022 | Press Publications | 15669 | Public hearing/election/ordinance notices | N | Publishing Costs | 100-41308-351- | \$ 240.54 |
| | | 15669 | | | Escrow | 100-49320-351-1012 | \$ 31.65 |
| | | Total For Check | | | | | \$ 272.19 |
| 11/28/2022 | City of Mahtomedi | 15670 | 4th Quarter Fire Contract | N | Fire - Mahtomedi | 100-42002-300- | \$ 38,624.00 |
| | | Total For Check | | | | | \$ 38,624.00 |
| 11/28/2022 | Sharon Schwarze | 15671 | Treasurer Services 2022 | N | Treasurer | 100-41104-100- | \$ 7,380.00 |
| | | Total For Check | | | | | \$ 7,380.00 |
| 11/28/2022 | KEI Enterprises | 15672 | Road Contractor | N | Animal Control | 100-42006-300- | \$ 83.00 |
| | | 15672 | | | Town Hall Mowing | 100-43006-300- | \$ 125.00 |
| | | 15672 | | | Ball Field Maintenance | 100-43009-300- | \$ 125.00 |
| | | 15672 | | | Road Engineering Fees | 100-43102-300- | \$ 166.14 |
| | | 15672 | | | Road Garbage Removal | 100-43105-300- | \$ 167.00 |
| | | 15672 | | | Gravel Road Costs | 100-43106-300- | \$ 20.84 |

Fund Name: All Funds

Date Range: 11/01/2022 To 11/28/2022

| Date | Vendor | Check # | Description | Void | Account Name | F-A-O-P | Total |
|------------|-----------------------|----------------------------------|------------------|------|------------------------|----------------|----------------------|
| 11/28/2022 | Kline Bros Excavating | 15672 | Road Maintenance | N | Grader Contractor | 100-43101-220- | \$ 7,822.50 |
| | | 15673 | | | Road Shouldering | 100-43108-220- | \$ 3,280.00 |
| | | 15673 | | | Culvert Repair | 100-43111-220- | \$ 1,295.00 |
| | | 15673 | | | Gravel Reclaiming | 100-43127-220- | \$ 2,697.50 |
| | | 15673 | | | Ditch Repair | 100-43133-220- | \$ 4,717.50 |
| | | 15673 | | | | | \$ 19,812.50 |
| 11/28/2022 | PERA | 15674 | PERA | N | Clerk PERA | 100-41102-120- | \$ 424.06 |
| | | 15674 | | | Clerk PERA Withholding | 100-41108-100- | \$ 367.52 |
| | | 15674 | | | | | \$ 791.58 |
| 11/28/2022 | PERA | 15675 | PERA | N | Council Salaries | 100-41005-100- | \$ 120.75 |
| | | 15675 | | | Council PERA | 100-41007-120- | \$ 120.75 |
| | | 15675 | | | | | \$ 241.50 |
| 11/28/2022 | Comcast Business | CCEFT2 | Town Hall Wifi | N | Town Hall Supplies | 100-43001-210- | \$ 187.37 |
| | | CCEFT2 | | | | | \$ 187.37 |
| 11/28/2022 | IRS | EFT163 | Payroll Taxes | N | Clerk FICA/Medicare | 100-41103-100- | \$ 432.53 |
| | | EFT163 | | | Clerk Medicare | 100-41105-100- | \$ 81.98 |
| | | EFT163 | | | Federal Withholding | 100-41107-100- | \$ 425.64 |
| | | EFT163 | | | Social Security Expens | 100-41109-100- | \$ 350.55 |
| | | EFT163 | | | | | \$ 1,290.70 |
| 11/28/2022 | IRS | EFT164 | Payroll Taxes | N | Mayor Salary | 100-41002-100- | \$ 221.85 |
| | | EFT164 | | | Mayor FICA/Medicare | 100-41004-100- | \$ 221.85 |
| | | EFT164 | | | Council Salaries | 100-41005-100- | \$ 739.00 |
| | | EFT164 | | | Council FICA/Medicare | 100-41008-100- | \$ 739.00 |
| | | EFT164 | | | | | \$ 1,921.70 |
| | | Total For Selected Checks | | | | | \$ 285,247.43 |

**FIRE SERVICE CONTRACT BETWEEN THE CITY OF STILLWATER
AND CITY OF GRANT**

THIS AGREEMENT, ("Agreement") is made and entered into this ___ day of _____ 2022, ("Effective Date") by and between the City of Stillwater, Washington County, Minnesota, 216 North Fourth Street, Stillwater, Minnesota 55082, a public corporation ("City"), and City of Grant, Washington County, Minnesota, PO Box 577, Willernie, Minnesota, 55090, a public corporation ("Grant").

**ARTICLE 1
THE AGREEMENT**

- A. **Purposes.** The purpose of this Agreement is to define the rights and obligations of the City and Grant with respect to the fire services provided by the City for the term of this Agreement.
- B. **Cooperation.** The City and Grant shall cooperate and use their best efforts to ensure the most expeditious implementation of the various provisions of this Agreement. The parties agree in good faith to undertake resolution of disputes, if any, in an equitable and timely manner.
- C. **Term.** The term of this Agreement shall commence on January 1, 2023 and shall terminate on December 31, 2025, unless otherwise terminated by either party after the applicable notice period pursuant to Article 6 of this Agreement.
- D. **Service Contract.** This is a service contract. The parties do not intend to undertake or create, and nothing herein shall be construed as creating a joint powers agreement, joint venture, or joint enterprise between the parties.
- E. **Service Territory.** City shall provide fire services as indicated in this Agreement to the area in Grant, which is specifically identified on the map attached hereto as Exhibit A and made part of this Agreement. The identified area shall constitute the Grant's service territory for the purposes of this Agreement.

**ARTICLE 2
FIRE SERVICE**

- A. **Fire Service.** Grant agrees to purchase from City, and City agrees to provide Grant, fire-related services including deployment of firefighting personnel and/or equipment to extinguish a fire or perform any preventative measure in an effort to protect equipment, life, or property in an area threatened by fire. It also includes the deployment of firefighting personnel and/or equipment to provide fire suppression, rescue, extrication, and any other services related to fire and rescue as may occasionally occur.
- B. **Allocation of Resources.** The parties understand the City's fire department officer in charge of the particular scene shall exercise judgement to determine, in consideration of all the established policies, guidelines, procedures, and practices, how best to allocate the available resources of the City's fire department under the circumstances of a given situation. Failure to provide fire services because of poor weather conditions or other conditions beyond the control of the City shall not be deemed a breach of this Agreement.

- C. **No Guarantee.** The parties understand and agree City will endeavor to reasonably provide the services indicated above given the circumstances, but City makes no guarantees that the services it actually provides in a given situation will meet any particular criteria or standard. The City and its officers, employees and volunteers shall not be liable to the Grant or any other person for failure to furnish assistance under this Agreement or for recalling assistance.

ARTICLE 3 **PAYMENT**

- A. **Payment.** Grant agrees to make payment to City during the term of the Agreement in an amount specified in the City's Fire Services Contract Cost Allocation, attached as Exhibit B to this Agreement ("Payment"). One half of the Payment shall be made on or before July 1 of each year and the balance shall be made on or before December 31 of each year.
- B. **Emergency Service Charge.** Grant, in its sole discretion, may exercise its authority to impose and collect an emergency service charge on those receiving emergency services, including fire services, within Grant. City shall have no right to, or interest in, any service fees collected by Grant. If Grant imposes an emergency service charge it shall provide City a list of the specific types of information it determines it needs collected in order to successfully impose and collect the charge. City shall make a good faith effort to collect the requested information for each service call to the service territory and promptly provide Grant with the information it collected.
- C. **Ownership.** City owns the buildings and equipment associated with the City fire department and the amounts paid by Grant do not give rise to any ownership interest in, or responsibility toward, those items.

ARTICLE 4 **CITY OF STILLWATER'S RESPONSIBILITIES**

In addition to any other obligations described herein, City shall:

- A. Authorize and direct the City fire department to provide the fire services described herein to Grant's service territory;
- B. Develop a detailed annual operational budget for the City fire department for each year during the term of this contract by the Effective Date and present it to Grant along with sufficient information to explain the items included in the budget figures;
- C. Upon Grant's request, provide Grant access to financial and cost data related to the City fire department for five (5) years prior to the current service year;

- D. Disclose to Grant any proposed action City or the City fire department intends to take that can reasonably be expected to effect the Insurance Services Office Fire Protection Grade in the service territory or City's ability to provide the fire services indicated above; and
- E. Promptly disclose to Grant any information City can reasonably anticipate will directly affect its ability to perform its obligation under this Agreement.

ARTICLE 5 **CITY OF GRANT'S RESPONSIBILITIES**

In addition to any other obligations described herein, Grant shall:

- A. Promptly pay City the Payments as indicated above for the year of service, or a prorated share of the Payments for the length of service actually provided if the contract is terminated early;
- B. Present a budget and levy proposal to the Grant electors at each annual Grant meeting during the term of this Agreement seeking authority to levy funds as needed to pay the Annual Payment.
- C. Promptly disclose to City any information Grant can reasonably anticipate will directly affect its ability to perform its obligation under this Agreement.

It is understood and agreed that Grant shall have no responsibility whatsoever toward the City firefighters or other emergency personnel including any employment related issues such as training, supervision, performance reviews, discipline, compensation, benefits, insurance coverages, compliance with any employment related federal, state, and local laws and rules such as OSHA, ERISA, RLSA, FMLA, or any other employment related issues. It is further agreed that Grant has no responsibility, beyond paying the agreed upon Annual Payment, for acquiring, operating, maintaining, housing, or replacing equipment as needed to provide the fire services described herein.

ARTICLE 6 **TERMINATION**

This Agreement may be terminated at any time during its term by mutual agreement of the parties. Either party may terminate this Agreement by personally serving a 120-day written notice of termination on the other party. This Agreement shall terminate 120 days from the date of personal service of the written termination notice unless the party serving the notice withdraws the notice in writing before it is effective. If Grant fails to pay for the service according to the schedule established herein, City may terminate this Agreement 60 days from the date of personal service of written termination notice. Any notice required to be served under this Article shall be served on the authorized representative according to the provisions of Article 9(a) of this Agreement.

ARTICLE 7
INSURANCE

City shall maintain general liability insurance for its services and shall include Grant as an additional insured for the term of this Agreement and any extensions thereof. The City shall maintain insurance equal to or great than the maximum liability applicable to municipalities as set forth in Minnesota Statutes, Section 466.04, subdivision 1, as amended. City shall also maintain inland marine, automobile, and property insurance coverages. City shall provide Grant proof of such insurance coverages and the additional insured endorsement naming the Grant annually by the Effective Date of this Agreement. City shall also maintain workers' compensation coverage as required by law.

ARTICLE 8
INDEMNIFICATION

City shall defend, indemnify and hold harmless Grant and its officials, employees and agents from any claim, demand, action or suit filed against Grant or any of its officials, employees or agents relating to any bodily injury, including death, loss or property damage caused by, arising out of, related to or associated with the City's performance under this Agreement.

Nothing in this Agreement may be construed as a waiver of any statutory or common law defenses, immunities, or limits on liability. Under no circumstances, however, shall City be required to pay on behalf of itself and Grant, any amounts in excess of the limits on liability established in Minnesota Statutes, Chapter 466 applicable to any one party. The limits of liability for Grant and City may not be added together to determine the maximum amount of liability for City.

ARTICLE 9
GENERAL PROVISIONS

- A. **Notices.** All notices or communications required or permitted pursuant to this Agreement shall be either hand delivered or mailed to the City and Grant, certified mail, return- receipt requested, to the authorized representative at the following address:

City of Stillwater: Joseph Kohlmann, City Administrator
216 North Fourth Street
Stillwater, Minnesota 55082

City of Grant: Kim Points, Administrator/Clerk
PO Box 577
Willernie, Minnesota, 55090

Either party may change its address or authorized representative by written notice delivered to the other party pursuant to this section.

- B. **Waiver.** Nothing herein shall be construed to waive or limit any immunity from, or limitation on, liability available to either party, whether set forth in Minnesota Statutes, Chapter 466 or otherwise. The waiver of any of the rights and/or remedies arising under the terms of this Agreement on any one occasion by any party hereto shall not constitute a waiver or any rights and/or remedies in respect to any subsequent breach or default of the terms of this Agreement. The rights and remedies provided or referred to under the terms of this Agreement are cumulative and not mutually exclusive.
- C. **Modification.** This writing contains the entire agreement between the parties and no alterations, variations, modifications, or waivers of the provisions of this Agreement are valid unless reduced to writing, signed by the authorized representative of both City and Grant, and attached hereto.
- D. **Subcontracting & Assignment.** City shall not subcontract or assign any portion of this Agreement without prior written approval from Grant. Services provided to Grant pursuant to a mutual aid agreement City has, or may enter into, with another entity does not constitute a subcontract or assignment requiring prior approval of Grant so long as City remains primarily responsible for providing fire services to Grant's service territory.
- E. **Governing Law.** This Agreement shall be governed by and construed in accordance with the internal laws of the State of Minnesota. All proceedings related to this Agreement shall be venued in the State of Minnesota.
- F. **Severability.** The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause or phrase of this Agreement is for any reason held to be contrary to law, or contrary to any rule or regulation having the force and effect of law, such decision shall not affect the validity and enforceability of the remaining portions of this Agreement.
- G. **Entire Agreement.** This Agreement shall constitute the entire agreement between the parties and shall supersede all prior oral or written negotiations.
- H. **Parties in Interest.** This Agreement shall be binding upon and insure solely to the benefit of the parties hereto and their permitted assigns, and nothing in this Agreement, express or implied, is intended to confer upon any other person any rights or remedies of any nature under or by reason of this Agreement.
- I. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed to be an original document and together shall

constitute one instrument.

- J. **Captions and Headings.** Captions and headings used in the Agreement are inserted only as a matter of convenience and for reference and in no way define, limit or describe the scope of the intent of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives as of the day and year first above written.

CITY OF STILLWATER

By: _____
Ted Kozlowski
Its: Mayor

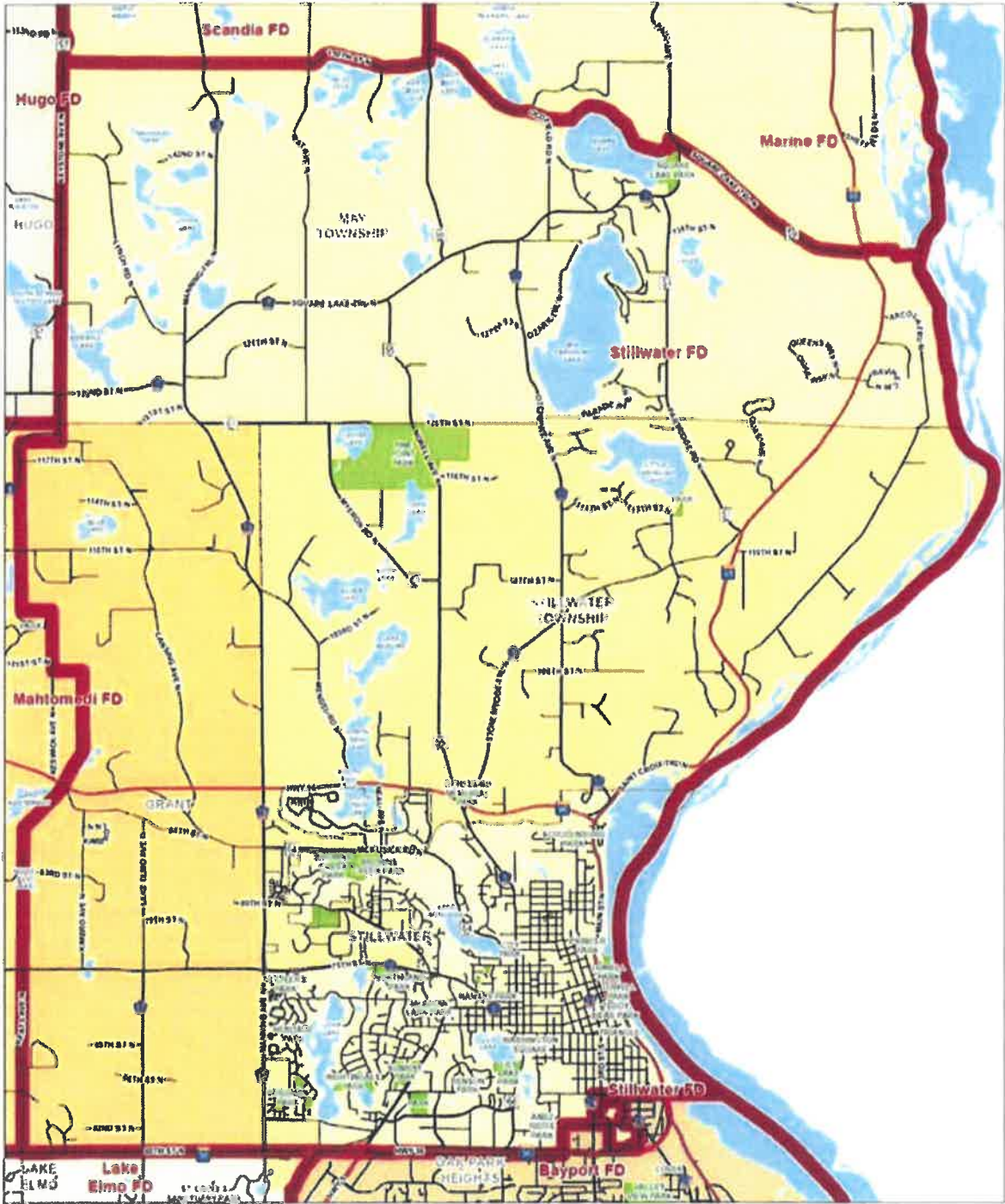
By: _____
Beth Wolf
Its: City Clerk

CITY OF GRANT

By: _____
Jeff Huber
Its: Mayor

By: _____
Kim Points
Its: Administrator/Clerk

EXHIBIT A



FIRE CONTRACT CALCULATION-2023

EXHIBIT B - COST ALLOCATION

| COMBINED AVERAGES | FIRE RUNS | ASSESSED VALUATION | ESTIMATED POPULATION | ESTIMATED HOUSEHOLDS | TOTAL | AVERAGE |
|---------------------|----------------|--------------------|----------------------------|----------------------|----------------|----------------|
| | | | ***** From Exhibit B ***** | | | |
| Stillwater City | 85.08% | 69.24% | 78.81% | 79.47% | 312.60% | 78.16% |
| Grant City | 4.52% | 9.79% | 6.97% | 6.52% | 27.80% | 6.95% |
| May Township | 4.16% | 10.65% | 6.58% | 6.58% | 27.97% | 6.99% |
| Stillwater Township | 6.24% | 10.32% | 7.64% | 7.44% | 31.64% | 7.90% |
| Total | 100.00% | 100.00% | 100.00% | 100.01% | 400.01% | 100.00% |

| COST OF FIRE PROTECTION | Actual Costs 2021 | NOTES |
|-------------------------------------|--------------------|-------|
| Operating Costs | \$2,127,328 | |
| Depreciation | \$469,510 | |
| Administration (.05% of Operations) | \$10,637 | |
| Total | \$2,607,475 | |

| COST ALLOCATION (1) | 2023 Proposed Contract Amount | 2022 Actual Contract Amount | \$ Increase (Decrease) (2) | Proposed 2024 Contract 3% | Proposed 2025 Contract 3% | Total 3 Year Contract |
|---------------------|-------------------------------|-----------------------------|----------------------------|---------------------------|---------------------------|-----------------------|
| Stillwater City | \$2,038,002 | | | | | |
| Grant City | \$181,220 | \$160,360 | \$20,860 | \$186,657 | \$192,257 | \$560,134 |
| May Township | \$182,263 | \$161,497 | \$20,766 | \$187,731 | \$193,363 | \$563,357 |
| Stillwater Township | \$205,991 | \$189,019 | \$16,972 | \$212,171 | \$218,536 | \$636,698 |
| Total | \$2,607,476 | \$510,876 | \$58,598 | | | |

(1) The cost allocation is derived by multiplying the total fire protection cost by each service area's combined five-year average.

(2) 2023 Proposed Contract Amounts as compared to 2022 Actual Contract Amounts

FIVE YEAR AVERAGE

| EXHIBIT B - FIVE YEAR AVERAGES | % of Total | 5 YEAR AVERAGE | 2021 | 2020 | 2019 | 2018 | 2017 |
|---------------------------------------|-------------------|-----------------------|-------------|-------------|-------------|-------------|-------------|
|---------------------------------------|-------------------|-----------------------|-------------|-------------|-------------|-------------|-------------|

SCHEDULE A. FIRE RUNS

| | | | | | | | |
|---------------------|----------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Stillwater City | 85.09% | 1,677 | 1919 | 1578 | 1728 | 1538 | 1621 |
| Grant City (1) | 4.52% | 89 | 96 | 88 | 93 | 82 | 86 |
| May Township (2) | 4.16% | 82 | 98 | 87 | 69 | 76 | 78 |
| Stillwater Township | 6.24% | 123 | 130 | 148 | 122 | 104 | 109 |
| Total | 100.01% | 1,971 | 2,243 | 1,901 | 2,012 | 1,800 | 1,894 |

SCHEDULE B. TOTAL TAX CAPACITY (Amounts expressed in thousands)

| | | | | | | | |
|---------------------|----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Stillwater City | 69.24% | \$27,149 | \$30,711 | \$29,396 | \$26,959 | \$25,301 | \$23,379 |
| Grant City (1) | 9.79% | \$3,840 | \$4,127 | \$4,153 | \$3,771 | \$3,627 | \$3,523 |
| May Township (2) | 10.65% | \$4,175 | \$4,609 | \$4,443 | \$4,096 | \$3,989 | \$3,738 |
| Stillwater Township | 10.32% | \$4,048 | \$4,527 | \$4,491 | \$3,888 | \$3,822 | \$3,513 |
| Total | 100.00% | \$39,212 | \$43,974 | \$42,483 | \$38,714 | \$36,739 | \$34,153 |

SCHEDULE C. ESTIMATED POPULATION

| | | | | | | | |
|---------------------|----------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Stillwater City | 78.81% | 19,658 | 19,464 | 19,394 | 19,767 | 19,915 | 19,748 |
| Grant City (1) | 6.97% | 1,738 | 1,720 | 1,707 | 1,748 | 1,765 | 1,752 |
| May Township (2) | 6.58% | 1,642 | 1,616 | 1,502 | 1,633 | 1,700 | 1,658 |
| Stillwater Township | 7.64% | 1,905 | 1,856 | 1,866 | 1,910 | 1,954 | 1,937 |
| Total | 100.00% | 24,943 | 24,656 | 24,569 | 25,058 | 25,335 | 25,085 |

SCHEDULE D. ESTIMATED HOUSEHOLDS

| | | | | | | | |
|---------------------|----------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Stillwater City | 79.47% | 7,705 | 7,768 | 7,750 | 7,703 | 7,674 | 7,630 |
| Grant City (1) | 6.52% | 632 | 626 | 625 | 638 | 635 | 638 |
| May Township (2) | 6.58% | 638 | 641 | 635 | 635 | 643 | 636 |
| Stillwater Township | 7.44% | 721 | 716 | 718 | 714 | 726 | 730 |
| Total | 100.01% | 9,696 | 9,751 | 9,728 | 9,691 | 9,677 | 9,634 |

(1) 43% OF ACTUAL

(2) 60% OF ACTUAL

COST OF FIRE PROTECTION

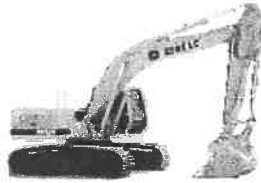
| | 2021 Actual |
|-------------------------|------------------|
| Operating Costs: | |
| Expenditures for 2021 | 2,127,328 |
| Other | 0 |
| Total Expenditures | 2,127,328 |
| Less: | |
| Capital Outlay* | |
| Severance pay | 0 |
| Fire Relief Association | 0 |
| Sesquicentennial | 0 |
| Total deductions | 0 |
| | 2,127,328 |

| | |
|----------------------|---------|
| Depreciation: | |
| Fire | 464,019 |
| Fire Donated | 5,491 |
| Total Depreciation | 469,510 |

Administration (.05% of Operations) 10,637

TOTAL COST OF FIRE PROTECTION 2,607,475

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



Invoice

| | |
|----------|-----------|
| DATE | INVOICE # |
| 11/27/22 | 2664 |

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

| |
|-----------------|
| DUE DATE |
| 12/7/22 |

| DESCRIPTION | QTY | UNIT COST | AMOUNT |
|--|------|--------------|-----------------|
| 10-24-22 770B | 7 | 105.00 | 735.00 |
| 10-24-22 740A | 3.75 | 105.00 | 393.75 |
| 10-25-22 770B | 7.5 | 105.00 | 787.50 |
| 10-25-22 740A | 5.5 | 105.00 | 577.50 |
| 10-28-22 770B | 2 | 105.00 | 210.00 |
| 11-06-22 770B | 6 | 105.00 | 630.00 |
| 11-11-22 770B | 6.5 | 105.00 | 682.50 |
| 11-11-22 740A | 6.5 | 105.00 | 682.50 |
| 11-12-22 770B | 6.5 | 105.00 | 682.50 |
| 11-13-22 770B | 6.5 | 105.00 | 682.50 |
| 11-26-22 770B | 5.5 | 105.00 | 577.50 |
| 11-27-22 770B | 4.75 | 105.00 | 498.75 |
| 11-27-22 740A | 6.5 | 105.00 | 682.50 |
| AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE | | Total | 7,822.50 |

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



Invoice

| | |
|----------|-----------|
| DATE | INVOICE # |
| 11/27/22 | 2666 |

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

| |
|-----------------|
| DUE DATE |
| 12/7/22 |

| DESCRIPTION | QTY | UNIT COST | AMOUNT |
|---------------------|-----|-----------|-----------------|
| 101st ST RECLAIMING | | | 0.00 |
| 11-03-22 E85 | 5 | 130.00 | 650.00 |
| 11-03-22 325G | 6.5 | 115.00 | 747.50 |
| 11-03-22 I7600 | 6.5 | 100.00 | 650.00 |
| 11-03-22 RD600 | 6.5 | 100.00 | 650.00 |
| Total | | | 2,697.50 |

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

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



Invoice

| | |
|----------|-----------|
| DATE | INVOICE # |
| 11/27/22 | 2667 |

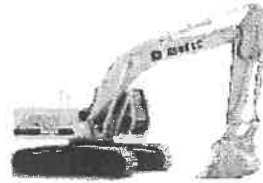
| | |
|---|-------------|
| BILL TO | JOB ADDRESS |
| CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090 | 100-43111 |

| |
|----------|
| DUE DATE |
| 12/7/22 |

| DESCRIPTION | QTY | UNIT COST | AMOUNT |
|--|-----|-----------|-----------------|
| BRUSH ALONG WEST SIDE OF 101st ST SO ROAD COULD BE WORKED ON | | | 0.00 |
| 11-02-22 E85 & FM | 6 | 185.00 | 1,110.00 |
| 11-03-22 E85 & FM | 1 | 185.00 | 185.00 |
| Total | | | 1,295.00 |

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

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



Invoice

| | |
|----------|-----------|
| DATE | INVOICE # |
| 11/27/22 | 2668 |

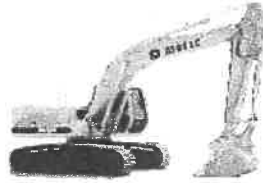
| | |
|---|-------------------------------------|
| BILL TO | JOB ADDRESS |
| CITY OF GRANT 111 WILDWOOD RD WILLERNIE, MN 55090 | ASPHALT ROAD SHOULDERS 100-43108 |

| |
|-----------------|
| DUE DATE |
| 12/7/22 |

| DESCRIPTION | QTY | UNIT COST | AMOUNT |
|--|------|-----------|--------|
| SHOULDER 3 APRONS ON KIMBRO | | | 0.00 |
| 11-07-22 325G | 4 | 115.00 | 460.00 |
| 11-07-22 I7600 | 4 | 100.00 | 400.00 |
| 11-07-22 T600 & TRL | 3 | 190.00 | 570.00 |
| 11-07-22 LOADS OF LIMEROCK | 2 | 300.00 | 600.00 |
| SHOULDER WEST APRON ON 83RD ST AND FIX EROSION ON 83RD | | | 0.00 |
| 11-08-22 325G | 3 | 115.00 | 345.00 |
| 11-08-22 I7600 | 3 | 100.00 | 300.00 |
| 11-08-22 T600 & TRL | 2 | 190.00 | 380.00 |
| 11-08-22 LOADS OF LIMEROCK | 0.75 | 300.00 | 225.00 |

| | | |
|---|--------------|----------|
| AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE | Total | 3,280.00 |
|---|--------------|----------|

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



Invoice

| | |
|----------|-----------|
| DATE | INVOICE # |
| 11/27/22 | 2665 |

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

| |
|-----------------|
| DUE DATE |
| 12/7/22 |

| DESCRIPTION | QTY | UNIT COST | AMOUNT |
|---|------|-----------|-----------------|
| CLEAN UP LOOSE LIMEROCK SOMEONE DUMPED ON KESWICK AND WEST SIDE DITCHWORK | | | 0.00 |
| 11-01-22 E85 | 6.25 | 130.00 | 812.50 |
| 11-01-22 325G | 6.25 | 115.00 | 718.75 |
| 11-01-22 I7600 | 7.25 | 100.00 | 725.00 |
| 11-01-22 T600 & TRL | 1 | 190.00 | 190.00 |
| 101st ST DITCHWORK | | | 0.00 |
| 11-02-22 T600 & TRL | 1 | 190.00 | 190.00 |
| 11-04-22 E85 | 4.25 | 130.00 | 552.50 |
| 11-04-22 325G | 4.25 | 115.00 | 488.75 |
| 11-04-22 I7600 | 4.25 | 100.00 | 425.00 |
| 11-04-22 RD600 | 4.25 | 100.00 | 425.00 |
| 11-07-22 T600 & TRL | 1 | 190.00 | 190.00 |
| AMTS PAST 30 DAYS WILL BE SUBJECT TO A 1 1/2% MONTHLY SERV CHARGE | | | |
| Total | | | 4,717.50 |



| DATE | INVOICE NO |
|-----------|------------|
| 11/4/2022 | 0060511 |

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

| |
|-----------------|
| DUE DATE |
| 12/4/2022 |
| BALANCE |

| DESCRIPTION | QUANTITY | EFFECTIVE RATE | AMOUNT | DISCOUNT | CREDIT | BALANCE |
|----------------------------------|----------|----------------|------------------|-------------|-------------|------------------|
| PREVIOUS OUTSTANDING BALANCE | | | | | | 0.00 |
| Fire Contract Jan - Dec 2022: | | | | | | |
| 2nd Half Contract (\$160,360.00) | 1.00 | 80,180.00 | 80,180.00 | 0.00 | 0.00 | 80,180.00 |
| INVOICE TOTAL: | | | 80,180.00 | 0.00 | 0.00 | 80,180.00 |

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

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

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

| DUE DATE | INVOICE NO |
|-----------|------------|
| 12/4/2022 | 0060511 |



Please remit payment by the due date to:

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

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

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



Back to Black Driveway Sealcoating
 PO Box 125
 Roberts, WI 54023
 (651) 653-1187
 BackToBlack3@gmail.com
 http://www.BackToBlackDriveways.com

Invoice 22-2443

| | | |
|---------------------------|---------------------------------|-------------------------------|
| DATE 11/11/2022 | PLEASE PAY \$7,625.00 | DUE DATE 11/11/2022 |
|---------------------------|---------------------------------|-------------------------------|

BILL TO
 Kim Nelson
 City of Grant MN
 111 Wildwood Rd
 Willernie, MN 55090

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

SALES REP
 Brian

JOB #
 Sep-Oct patch

| ACTIVITY | DESCRIPTION | SQFT/LNFT | AMOUNT |
|----------------|---|-----------|----------|
| Grant Patching | Grant road patching/cleaning maintenance 9-21-22 4 ton 2 guys Indigo/Mckusick | 5.50 | 1,375.00 |
| Grant Patching | Grant road patching/cleaning maintenance 9-23-22 3 ton 2 guys Juliet/110th | 4.50 | 1,125.00 |
| Grant Patching | Grant road patching/cleaning maintenance 9-27-22 4 Ton 2 guys Jocelyn Ln N Field Ridge N Kimbrow | 5.50 | 1,375.00 |
| Grant Patching | Grant road patching/cleaning maintenance 10-3-22 3 ton 2 guys 110th | 4.50 | 1,125.00 |
| Grant Patching | Grant road patching/cleaning maintenance 10-11-22 4 ton 2 guys 66th St N both sides Lake Elmo Ave Kimbrow | 6 | 1,500.00 |
| Grant Patching | Grant road patching/cleaning maintenance 10-25-22 3 ton 2 guys 115th 67th | 4.50 | 1,125.00 |

All sealcoating and patch work comes with a LIMITED 1 YEAR WARRANTY and according to our supplier's specifications. Shaded areas/ commercial properties are not covered under our warranty. ALL JOBS done after September 15th will NEED physical approval and WILL NOT be covered under normal warranty. For more information about this, please contact us directly.

Any alteration or deviation from the above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate.

TOTAL DUE

\$7,625.00

THANK YOU.

We offer asphalt patching, repairs, and lifts. Ask for details.

All accepted estimates will require a credit card on file.

Visit our website for our online payment option!
www.backtoblackdriveways.com

Any delays caused by weather or accidents are beyond our control. Any delays on customers part will be billed to customer at a rate of \$200 per hour. This applies to sprinklers left on or cars still in driveway/parking lots upon our arrival.

We offer asphalt patching, repairs, and lifts. Ask for details.

All accepted estimates will require a credit card on file.

Visit our website for our online payment option!
www.backtoblackdriveways.com



Back to Black Driveway Sealcoating
 PO Box 125
 Roberts, WI 54023
 (651) 653-1187
 BackToBlack3@gmail.com
 http://www.BackToBlackDriveways.com

Invoice 22-2445

| | | |
|---------------------------|----------------------------------|-------------------------------|
| DATE 11/11/2022 | PLEASE PAY \$46,435.00 | DUE DATE 11/11/2022 |
|---------------------------|----------------------------------|-------------------------------|

BILL TO
 Brad Reifsteck
 City of Grant MN
 111 Wildwood Rd
 Willernie, MN 55090

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

SALES REP
 Brian

JOB #
 Aprons in Grant 5 locations

| ACTIVITY | DESCRIPTION | SQFT/LNFT | AMOUNT |
|----------|---|-----------|-----------|
| Paving | Project Details: Grade/Prep 5 separate areas 80th St N/Jamaca Ave N 83rd St N/Kimbros Ave N both sides Kimbro Lane N/Kimbros Ave N both entrances 3" mat using (spweb240b mix design). Transitions will be either sawcut or milled. 2% crown in middle. Price based on \$251 per 185 ton installed | 1 | 46,435.00 |

All sealcoating and patch work comes with a LIMITED 1 YEAR WARRANTY and according to our supplier's specifications. Shaded areas/ commercial properties are not covered under our warranty. ALL JOBS done after September 15th will NEED physical approval and WILL NOT be covered under normal warranty. For more information about this, please contact us directly.

Any alteration or deviation from the above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. Any delays caused by weather or accidents are beyond our control. Any delays on customers part will be billed to customer at a rate of \$200 per hour. This applies to sprinklers left on or cars still in driveway/parking lots upon our arrival.

TOTAL DUE \$46,435.00

THANK YOU.

We offer asphalt patching, repairs, and lifts. Ask for details.

All accepted estimates will require a credit card on file.

Visit our website for our online payment option!
www.backtoblackdriveways.com



STAFF REPORT

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

Date: November 29, 2022

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

RE: Application for a Conditional Use Permit for exterior storage and staging to support an asphalt paving business at 7559 Jamaca Ave. N.

From: Jennifer Haskamp
Consulting City Planner

Background

The Applicant, Ryan Conlin on behalf of A.R.C Paving Inc, is requesting a Conditional Use Permit (CUP) on the subject property to allow for equipment storage and staging to support the small asphalt paving business (seasonal) from the site. As described by the Applicant, the principal use of the property is storage of equipment and staging of equipment that is used for the off-site asphalt paving operations. Activities on the site will primarily be seasonal occurring between April and November of each year. The proposed use includes parking of large vehicles and equipment on the site, employee parking of personal vehicles during the day when off-site work is conducted, and routine maintenance of the equipment needed for the business. The Applicant has indicated that future administrative/office uses at the site may occur, but such activities would be accessory to the principal equipment storage uses on the site.

Planning Commission & Public Hearing

A duly noticed public hearing was held on November 9, 2022, and one member of the public provided public testimony. A summary of the testimony is provided:

- Concern regarding devaluation of property due to the proposed operations.
- The existing condition of the fence onsite is in disrepair and does not adequately screen the subject site and looks bad particularly along the northerly property line (shared property line with the proposed operation).
- Concern regarding hours of operation, particularly the morning hours when idling of vehicles to take off-site for day.
- The potential adverse impact to wetlands due to the washing of vehicles/equipment on site.
- Other comments included questions regarding the total number of vehicles/pieces of equipment on site, and the number of trips and vehicles (activity) on the site on a daily basis.

After the Public Hearing was closed, the Planning Commission discussed the application. After discussion, the Planning Commission recommended approval of the CUP with the conditions as amended. The draft conditions are provided in the draft CUP that is attached to this staff report.

The following staff report is generally as presented to the Planning Commission.



Application Summary

| | |
|--|--|
| Applicant: Ryan Conlin, A.R.C. Paving Inc. Owner: FJB Properties | Site Size: 1.27 Acres (55,321 SF) |
| Zoning: A2 - Agricultural Small Scale Future Land Use: Rural Residential/Ag | Request: Conditional Use Permit (CUP) |
| Address: 7559 Jamaca Ave. N. Grant, MN 55082 | Location Description and PIDs: PID 27.030.21.23.0004, subject property generally located northeast of the 75 th Street N and Jamaca Ave. N. |

The Applicant is requesting a new CUP to permit equipment storage and staging operations associated with a small asphalt paving business. A summary of the proposed use of the site is as follows:

- Storage of equipment that supports a small asphalt paving business. The asphalt paving business activities are conducted off-site and various locations and projects.
- Activity on the site will include staging of equipment for the day's business activities and picking up of equipment. The site will primarily be active between April and late November.
- No storage of asphalt is proposed on site. A stockpile of Class 5 on the property during the active months is requested.
- Employees will come to the site in the morning to pick up their equipment for the day and will leave their personal vehicles on the site. At the end of a work day the equipment will be returned to the site and stored and personal vehicles picked up.
- Potential use of the existing buildings with future improvements may allow for accessory administrative/office uses to support the operation.
- Off-season storing and maintenance of equipment, with occasional running of equipment.

The business currently operates with a fleet of four (4) dump trucks, a semi/trailer combination, a tool truck/trailer combination, two (2) small tool trucks, a mid-size excavator, a road grader, three (3) skid steers, and six (6) rollers. During the operational season, a typical day of operations generally starts at 6 am and ends around 5 pm. The Applicant indicated that the time frame could vary depending on weather and workload. The typical day starts with approximately 30 - 45 minutes of warming up trucks, fueling and swapping equipment on trailers based on the day's work schedule. The Applicant has indicated that aside from the pick-up and drop-off activities, the site will generally be vacant. A rough concept of how the site would be used and function during the active season is provided as Attachment C Proposed Site Operations Layout.

As stated in the Applicant's narrative, the current business has 5 employees (combination of both part time and full time) and they hope to grow to 8 - 10 employees in the future. To support the employees and use of the site, the Applicant indicated they would like to install a well and septic system on the property if the CUP is approved. Staff discussed this with the Applicant and learned that the existing buildings on the site are not functional for the type of business proposed and there is not useable drive-in maintenance space which is desirable for the business. The Applicant indicated that in the future they are interested in modifications to the building that may include full demolition of the structures depending on the access location, etc. If new structures are constructed, depending on their function, a well and septic may be required, and it is possible that no suitable location for a septic drainfield exists. If that were to occur, they would consider installing a system with a holding tank. Further analysis regarding the buildings, future plans, and utilities are provided in



subsequent sections of this report. Finally, the Applicant indicated that during the winter months the equipment will be parked and stored on site and that routine maintenance may occur during the winter months, but generally the site will be relatively quiet between December and March.

Review Criteria

The City Code states the following for consideration when reviewing a Conditional Use Permit (32-141):

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

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

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

The Table of Uses identifies “Storage – As a Principal Use” as permitted with a Conditional Use Permit and references Section 32-316 for additional criteria and standards.

Existing Site Conditions

The subject site is located at 7559 Jamaca Avenue N., and is described as being in the Northwest Quarter of Section 27, Township 30, Range 21 (27.030.21.23.0004). The parcel is approximately 1.27 acres, is fairly regular in shape, and is bordered by Jamaca Avenue N., on the west. The majority of the site is either paved with bituminous or improved with gravel surface and includes an existing principal structure and two accessory buildings that are clustered on the eastern portion of the property. The majority of the property perimeter is fenced with varying types of materials and conditions. The fence along the Jamaca frontage which appears to be a standing seam steel, green, fence product that is 100% opaque that screens all activities internal to the site.

The site is generally located in the southwestern quadrant of the City, on the northeast corner of the 75th Street N and Jamaca Avenue N intersection. The Mahtomedi School Campus including the Wildwood Elementary School is located just west of the subject site. Other uses surrounding the site include a mix of agricultural and rural residential uses. The most recent use of the site was Floyd’s Auto Sales which was a business use that operated with a Conditional Use Permit to sell used cars.

Comprehensive Plan Review

The site is guided RR/AG – Rural Residential/Agricultural in the City’s adopted Comprehensive Plan. Land within the RR/AG land use designation is generally described as supporting rural residential and agricultural



uses with limited non-residential uses that require a CUP. The proposed exterior storage and staging uses to support the asphalt paving business is similar to other contracting businesses in the City such as HVAC equipment storage, roofing material storage, etc., where the business operations and activities primarily occur off-site and the property is used for materials and vehicle storage as well as support administrative services. Depending on the conditions established for the proposed business operations and provided a CUP is obtained, the proposed operation could be consistent with the adopted Comprehensive Plan.

Zoning/Site Review

The Applicant submitted a Certificate of Survey and a Proposed Site Operations Layout to demonstrate the proposed site storage configuration and operations (See attachments). The following dimensional review is provided for review and consideration.

Dimensional Standards

The following site and zoning requirements in the A2 district relate to the proposed application. The following review is conducted focusing on the submitted site plan. Staff comment is in italics.

| Dimension | Standard |
|---|---|
| Minimum Lot Area | 5 Acres |
| Frontage on an Improved Public Road | 300' |
| Front Yard | 65' |
| Side Yard Setback (from street in case of corner lot) | 65' |
| Side Yard Setback (from interior lot lines) | 20' |
| Rear Yard Setback | 50' |
| Height of Structure | 35' |
| Non-accessory, non-dwelling structures | Per Permit (requires CUP and Building Permit) |
| Impervious surface coverage | 50% |
| Floor Area Ratio | 30% |

Proposed Use

The Applicant's narrative describes his business as an off-site seasonal asphalt paving business and the proposed use of the site is for year-round equipment storage and staging to support the business. While the Applicant's business is an asphalt operation, no asphalt will be stored or processed on site. Instead, the principal use of the site is for equipment storage and staging to support the off-site asphalt operations. Therefore, the principal use of the site is most similar to exterior storage and staging uses that support the business operations and exterior storage is permitted as a principal use if a conditional use permit is obtained in the A2 zoning district.

Section 32-246 and 32-83 establishes that the existing Floyd's Auto sales CUP is a non-conforming use that if terminated can only be replaced by a business operation that is established as either permitted or permitted with a Conditional



Use Permit. The proposed operation, if determined to be a Principal Storage Use, is conditionally permitted and therefore 1) establishes the use as conforming; and 2) will eliminate the previous non-conforming auto sales use.

Given the proposed operations and existing improvements on the site, transitioning the site to a use that is permitted or conditionally permitted is desirable as it eliminates/reduces the amount of non-conformity on the site.

**Lot Area, Lot
Frontage and Access**

Lot Area

The subject property is approximately 1.27 acres and does not meet the minimum lot size requirement. However, the lot and use of the parcel for non-residential uses was established as part of the previous CUP issued for Floyd's Auto Sales that remains in effect until a new conforming use is established. Given that there is an existing CUP that establishes the use of the site for a business that has similar characteristics to the subject request, staff would generally consider the Lot Area as legally non-conforming.

Lot Frontage

Per the submitted Certificate of Survey the westerly border of the subject site abuts the Jamaca Avenue N. roadway and there is approximately 201-feet of frontage. The subject parcel does not meet the required minimum lot frontage; however, the lot is a legal lot of record and is considered legally non-conforming.

Access

The subject project is accessed from Jamaca Avenue N., via a large driveway that is located approximately 250-feet from the Jamaca (CSAH 9) and 75th St. N. (CSAH 12) intersection. No changes to the access are proposed as part of this application; however, the Applicant has indicated that they may explore moving the driveway location to improve the site circulation. Since Jamaca Avenue N., is a County Road any request to modify or change the driveway would be subject to the Washington County permitting process and approval. ***Staff recommends including a condition that any modifications to the access must obtain an access permit from Washington County.***

Setbacks

As shown on the Certificate of Survey submitted by the Applicant, there is an existing principal structure, carport and accessory structure located on the site. A storage container with approximately 301 square feet is also identified adjacent to the accessory structure, and it is assumed to be movable/temporary. The existing principal building is located approximately 52-feet from the roadway edge per Washington County GIS records and 21.6-feet from the existing fence line (front).

The existing shed is located approximately 45-feet from the roadway edge and approximately 25-feet from the existing fence line (front). The shed is setback approximately 32.4-feet from the northerly (side) property line. The carport is setback similar distance from the roadway and fence line and is positioned



adjacent to the principal structure.

As shown on the Certificate of Survey the location of the existing buildings do not meet the front yard setback. Since the buildings are existing, they are considered legally non-conforming structures. As legally non-conforming commercial structures no enlargement of the structures is permitted. ***Staff recommends including a condition that since the existing structures are legally non-conforming no enlargement (footprint or height) of the structures is permitted and any contemplated improvements must meet the standards for maintenance of structures that are non-conforming as established in Section 32-80.***

Additionally, as noted on the Applicant's general Proposed Site Operations Layout the Applicant is considering the removal of the existing buildings and constructing a new building(s) in the future. ***Since plans for any future buildings are unknown staff recommends including a condition that any new or proposed structures on the site will be required to meet all setback requirements in place at the time of the application; and that depending on the size and use of such structure contemplated, that an amendment to this CUP may be required.***

**Principal Structure,
Accessory Buildings
and
Parking/Coverage
Standards**

Principal & Accessory Structures

The existing CUP issued for the Auto Sales business (Floyd's) permitted the existing principal building to be used for commercial use which is approximately 2,122 SF. There are two accessory buildings on the subject site – a shed that is 376 SF and carport that is 247 SF for a total of 623 SF of accessory buildings on site. There is also a storage container denoted on the Certificate of Survey which is assumed to be a temporary/moveable structure which does not meet the accessory building standard definitions. In total there is approximately 2,745 SF of permanent structural buildings on with an additional 247 SF of temporary building area. ***Since the lot is non-conforming, staff recommends including a condition that the amount of building square footage may not exceed 2,992 SF unless the CUP is amended. If demolition of the existing buildings is proposed depending on the layout and size of the proposed buildings an amendment to the CUP may be required.***

Coverage Requirements

Section 32-246 establishes that the maximum percent of coverage of a site, where coverage includes parking areas or structures of any type, is 50%. As shown on the Certificate of Survey approximately 90% of the site is improved with either structures, gravel or bituminous surface and only a small area between the road right-of-way and the existing fence is impervious, as well some green space within the required setback area. Section 32-246 also stipulates that the maximum floor ratio is 30%. Given the total building area is 2,992 SF and the lot size is approximately 1.27 acres the Floor Ratio is approximately 5%, which meets the City's requirements. As developed, the current site does not meet the



City's coverage requirements due to the extensive gravel/bituminous area. Similar to the structure locations, the impervious/coverage is established as legally non-conforming; however, certain standards regarding grading, stormwater, etc., may still be required depending on the level of improvements at the site. ***Staff recommends that a condition be included to address any stormwater, grading, or site alteration requirement established in the City Engineer's memo that will be submitted under separate cover.***

Parking & Parking Lot Requirements

As shown on the Applicants Proposed Site Operations Layout, to support the proposed equipment storage operations nearly the full site must be improved. As stated in the narrative the asphalt paving equipment is large and requires significant area to make the turning movements on the site. While the Applicant did not identify any additional improvements to this area as part of the application, given the change in use, discussion regarding the appropriate materials for the storage/parking area should be addressed. Per section 32-373 Surfacing and drainage, "...all other uses shall utilize asphalt, concrete or a reasonable substitute surface as approved by the city engineer..." ***Staff requests discussion by the Planning Commission regarding improvements to parking/equipment storage area to determine if additional improvements are recommended. In addition, staff requests discussion regarding the amount and quantity of gravel and/or bituminous area since the existing improvements do not meet the City's ordinances.***

At a minimum, if the Planning Commission determines that the existing condition is acceptable, it is likely that the Applicant will continue to make improvements to the equipment storage/parking area in the future. Therefore, it is possible that future permitting and analysis from the City Engineer may be required particularly if any grading is proposed. ***Staff recommends including a condition that any future conversion of the gravel area or bituminous area to a different material may require a grading permit from the City Engineer, and depending on the plans may require an amendment to the CUP.***

Parking of Equipment

As shown on the Proposed Site Operations Layout submitted by the Applicant, the proposed Truck/Equipment Parking is on the southeast corner of the site. The configuration allows for the site circulation to occur in the south half of the site, and for equipment storage and drop-off to be located in one area with the fueling tank station to occur on the way out of the site. The location of the equipment storage/parking is reasonable, but it is not possible to verify that the area is adequate to support the equipment identified by the Applicant's narrative without more details. ***Staff recommends including a condition that an updated Proposed Site Operations Layout must be submitted to demonstrate the parking area and to confirm that the circulation route is***



functional.

Lighting

The proposed lighting is not included on the site plan and is not described in the Applicant's narrative. However, staff spoke to the Applicant and he stated that he would like to install some lighting for security purposes near the principal structure, the employee parking and the truck parking/loading areas. Section 32-321 Lighting, lighting fixtures and glare states that lighting shall not exceed 25 feet or the maximum height of the principal building. The standards further stipulate that lighting may not spill onto adjacent residentially zoned/used land or onto the public right-of-way. ***Staff recommends including a condition that a lighting plan, including location and fixture specifications must be submitted for review and approval by staff prior to any installation. If necessary, a photometric plan may be requested to demonstrate compliance with the City's lighting standards and regulations.***

Signage

A specific sign plan was not submitted as part of this application. However the Applicant indicated to staff that they would like to install a sign on the exterior fence of the property similar to the Floyd's sign that is currently present. ***Staff recommends including a condition that any proposed signage must comply with the size, quantity and location standards as established for the A2 zoning district. Any deviation of the standards will require either a separate CUP or an amendment to this CUP.***

Landscaping/Fencing

The majority of the site perimeter is fenced with various materials, including a green 100% opaque material along the Jamaica Avenue N., front property line. The Applicant did not propose any alterations or changes or changes to the fencing as part of this Application.

However, during the public hearing the adjacent residential neighbor indicated that the condition of the fencing along the northerly property line of the subject site is intermittent and in poor condition. They indicated that screening between the properties is not adequate and that the fencing, or lack thereof, is an eyesore. The Planning Commission discussed the public testimony and determined that a screening plan, especially on the northerly property line, must be developed and should include a combination of vegetation and fencing to achieve 100% opacity at the ground level. ***A recommendation has been added to the draft CUP to require the Applicant to submit a plan for screening along the west and north property line, which must be reviewed and approved by City Staff. In addition, a condition is included to require the landscape screening improvements to be installed within six (6) months of the CUP being granted.***

Utilities (Including Fueling)

Well & Septic System

The existing property is not served by a well or septic system. The Applicant has indicated that they will periodically wash equipment on the site so a well must be installed. ***Staff recommends including a condition that all proper permitting must be obtained from the MDH and/or MnDNR to install a well on the***



site.

During the public testimony concern was expressed regarding the washing of equipment and the wastewater runoff generated from this activity. There are several wetlands in proximity to the site and runoff, particularly if contaminated, could adversely impact receiving water bodies. The Planning Commission also indicated that this was a concern and that plan for wastewater runoff related to washing equipment should be developed and any required permits obtained. ***Staff recommends including a condition that the Applicant must work with the City Engineer to develop a plan for equipment washing on the site, and that any permits from the MPCA or other adjacent having jurisdiction, must be obtained prior to the commencement of operations on the site.***

As noted in the narrative, the Applicant is also interested in installing a septic system on the site. Since the site is nearly fully improved, there likely is not adequate space to install a drainfield. ***Staff recommends including a condition that a permit must be obtained from Washington County for installation of any septic system, including tank or other system type.***

Fueling Station

The Applicant has indicated that they need to have a fuel tank on site so that the equipment can be properly maintained and fueled. The proposed location is depicted on the Proposed Site Operations Layout. Staff did not identify any specific standards in the Zoning Ordinance regarding onsite fuel tanks, but supports the location as identified on the Proposed Site Operations Layout diagram which locates it further away from the structures on site and away from adjacent residential uses. ***Staff recommends including a condition that any required MPCA permits for onsite fuel tanks must be obtained and evidence of such permits must be provided to the City.***

Operations

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

- Running the trucks, setting up for the workday: Approximately 6:00 am – 6:45 am.
- The site would generally be vacant during the day.
- Returning trucks and equipment, preparing up for the next workday: Approximately 5 pm.

Based on discussion with the Applicant and the submitted narrative no clients will visit the site, and no subcontractors will use the property. The onsite activity will generally be comprised only of the owner's activity and their employees. ***Staff recommends including a condition that no public or retail sales are permitted on the site, and that operations shall generally be restricted to the activities noted in the Applicant's narrative.***

The Applicant has stated that they will store the identified equipment on the site



and that the employees will pick up the equipment for the off-site activities planned for the day. In addition to the equipment, the Applicant notes on the Proposed Site Operations Layout the desire to keep a back-up stockpile of class 5 on the site. While not a structure, the height should generally be controlled in a similar way so as not to be visible from adjacent residential parcels or the public right-of-way. ***Therefore, staff recommends including a condition that addresses the height of the class 5 stockpile.***

The Proposed Site Operations Layout provides a general concept of the operations. The diagram is helpful to understand the intended operations on the site, however, it is not scalable and it cannot be verified that the areas are adequate to support the proposed activities. ***Staff recommends including a condition that the Proposed site Operations Layout be updated to reflect the appropriate scale and dimensions of the designated areas so that it can be confirmed that the areas can support the intended activities*** (e.g. the equipment storage area should include dimension of the dump trucks/rollers/etc., to ensure that the area is large enough and that the circulation plan works.)

In addition to the circulation pattern, as described by the Applicant, the morning activities include warming up of the equipment for 30-45 minutes. While a short period of time, if this activity occurs at 6 am it could be loud and/or disturb adjacent residential uses and therefore should be located as far from the northerly property line as possible. ***As such, staff recommends including a condition that the area designated for morning equipment warm-up must be located on the south side of the site as shown on the Proposed Site Operations Layout.***

Noise

Based on the Applicant's narrative the most activity on the site will occur at the beginning of the day when the equipment is picked up and at the end of the work day when the equipment is dropped off. As discussed previously, the Applicant has indicated that the equipment will need to be "warmed up" in the mornings before leaving the site. This activity has the potential to disturb adjacent residential uses and therefore the activity should occur as far away from the northern property line as possible. As previously noted, staff recommends a condition to address this issue. In addition, all noise on the site is subject to the standards established by the MPCA. ***Staff recommends including a condition that all operations must comply with the MPCA's noise standards that set regulations for duration, decibel levels and time of day.***

Engineering Standards

There are no improvements to the site identified as part of the application, although the Applicant has indicated a desire to change the access location and potentially make modifications to the building location and configuration. The City Engineer is reviewing the Application based on the existing conditions and the



potential future improvements. An engineering memo will be emailed to the Planning Commission prior to the meeting.

Other Agency Review

The property is within the Valley Branch Watershed District (VBWD) and it is the Applicant's responsibility to obtain any necessary permits. While the Applicant does not have immediate plans to grade or alter the property, there may be required stormwater improvements to the site based on the proposed use. As previously mentioned, the site is located off of Jamaca (CSAH 9) which is a County Road. The Applicant must work with the County to determine if an access permit is required or if moving the access driveway is allowed. Additionally, Washington County Environmental Services is responsible for all septic permitting and the Applicant must work with them to determine if there is a solution on the site.

Action and Planning Commission Recommendation

The Planning Commission (5-1) recommends approval of the Conditional Use Permit with the conditions as noted. The draft CUP and Resolution are attached for the City Council's review and consideration.

Attachments:

Applicant's Application
Certificate of Survey
Proposed Site Operations Layout
Draft Conditional Use Permit
Resolution 2022-29



November 8, 2022

Jennifer Haskamp
Consulting City Planner
City of Grant
111 Wildwood Road, PO Box 577
Willernie, MN 55090

Re: Engineering Review
Asphalt Paving Business and Storage at 7559 Jamaca Avenue North
WSB Project No. 019589-000

Dear Jennifer,

We have reviewed the Certificate of Survey dated September 9, 2022. The applicant (ARC Paving, Inc.) intends the property's use to include storing asphalt paving equipment and some class 5 aggregate base materials at 7559 Jamaca Avenue North.

It is my understanding that the property's existing site conditions will not be altered immediately, but the applicant may consider changes to buildings, parking, and storage areas in the future. The existing conditions and use of the site do not require an engineer's review, but if future changes to the site layout or buildings are requested by the applicant, they must adhere to the following guidelines:

1. A city grading permit is required if any site improvements include earthwork moving exceeding 50 cubic yards. The applicant must follow the grading permit compliance requirements generally described as follows:
 - Submit a proposed site plan showing proposed and existing contours.
 - Erosion control measures shall be in place prior to work beginning.
 - An MPCA NPDES permit must be obtained if at least one acre of land is disturbed.
 - No work shall be permitted until a Grading Permit is issued and authorized by the city.
2. Any future wells or septic systems must be permitted through the proper authorities, including the MDH, MnDNR, Washington County, and MPCA, as applicable. No work shall be permitted until a proper permit is issued by the governing authority.
3. Any changes to the current site access from Jamaca Avenue (County Road 9) must be approved by Washington County.
4. Any land alterations or disturbances greater than 6,000 square feet or working in the flood plain are under the jurisdiction of the Valley Branch Watershed District (VBWD) and will require permitting. The applicant must follow all procedures and work directly with the VBWD for approval.

Feel free to contact me at 763.512.5243 if you have any questions or comments regarding the engineering review.

Sincerely,

WSB

Brad Reifsteck, PE
City Engineer

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2022-29**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
7559 JAMACA AVENUE NORTH FOR EQUIPMENT STORAGE AND STAGING TO
SUPPORT AN OFF-SITE ASPHALT PAVING BUSINESS (ARC PAVING INC.)**

WHEREAS, Ryan Conlin on behalf of ARC Paving (Applicant) and FJB Properties (Owner) applied for a Conditional Use Permit for equipment storage and staging to support an off-site asphalt paving business on property located at 7559 Jamaca Avenue North (“Subject Property”) in the City of Grant, Minnesota; and

WHEREAS, the proposed business operation will principally include the storage and staging of equipment used by the Applicant for off-site asphalt paving business operations; and

WHEREAS, a duly noticed Public Hearing to consider the proposed request took place on November 9, 2022; and

WHEREAS, the Planning Commission considered the public testimony and discussed the proposed operations at their regular meeting on November 9, 2022; and

WHEREAS, the Planning Commission recommends approval of the Conditional Use Permit subject to certain conditions; and

WHEREAS, the City Council has considered the public testimony and recommendation of the Planning Commission at a regular City Council meeting which took place on December 6, 2022.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of Ryan Conlin of ARC Paving Inc. and FJB Properties for a Conditional Use Permit, based upon the following findings pursuant to Section 32-147 of the City’s Zoning Ordinance which provides that a Conditional Use Permit may be granted “if the applicant has proven to a reasonable degree of certainty” that specific standards are met. The City Council’s Findings relating to the standards are as follows:

- The proposed equipment storage and staging is classified as Storage – As a Principal Use on the Table of Uses.
- The proposed equipment storage and staging operation is required to obtain a Conditional Use Permit.
- That the previous use of the site for an Auto Sales business has existed in the neighborhood for several decades and the proposed use will be of similar impact to adjacent residences, neighborhoods and streets.
- Provided that the conditions established within the CUP for the operations are met the impact to adjacent residences and neighborhoods will be mitigated to the extent possible.

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

1. The Applicant shall meet and comply with all of the conditions stated within the Conditional Use Permit dated December 6, 2022 (the “Permit”).
2. The Permit shall be reviewed in compliance with the City’s CUP review process, which may be on an annual basis.
3. Any violation of the conditions of the Permit may result in the revocation of said Permit.
4. All escrow amounts shall be brought up to date and kept current.
5. The Owner shall obtain any necessary permits from Washington County, Minnesota Department of Health, State of Minnesota, Watershed District, Washington Conservation District, the MPCA or any other regulatory agency having jurisdiction over the proposed use, which are necessary in carrying out its operations on the premises.
6. The Owner shall be responsible for recording the Permit with the Washington County Recorder’s office within 30-days of the execution of this permit.

Adopted by the Grant City Council this 6th day of December 2022.

Jeff Huber, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2022 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this _____ day of _____, 2022.

Kim Points
Clerk
City of Grant

**A.R.C. PAVING INC.
CONDITIONAL USE PERMIT
CITY OF GRANT**

APPLICANT: Ryan Conlin on behalf of A.R.C. Paving Inc.

OWNER: FJB Properties

LEGAL DESCRIPTION: Attachment A

PID: 2703021230004

ZONING: A2

ADDRESS: 7559 Jamaca Ave. N.
Grant, MN

DATE: December 6, 2022

This Conditional Use Permit (Permit) allows exterior equipment storage and staging to support a small seasonal asphalt business from the property at 7559 Jamaca Avenue North (Site). The principal use of the subject site is for storage of equipment and staging of equipment that is used for off-site paving operations by the Applicant. The use includes parking of large vehicles and equipment on the site, employee personal vehicle parking during the day, routine maintenance of the equipment stored on site, and administrative uses.

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

1. This Permit supersedes any previously approved Conditional Use Permits and uses and shall be recorded against the subject property.
2. The Applicant understands that the existing structures are legally non-conforming and no enlargement (footprint or height) of the structures is permitted. Any improvements must meet the standards for maintenance of structures that are non-conforming as established in Section 32-80.
3. Any new or proposed structures on the site are required to meet all setback requirements in place at the time of the application.
4. The maximum total square footage of buildings permitted on site is 2,992 SF. Any proposal that increases the total building square footage, whether new or existing or some combination, may require an amendment to this Permit.

5. If demolition of the existing buildings is proposed, depending on the layout, size, use and height of the proposed buildings, an amendment to this Permit may be required.
6. The hours of active seasonal operations shall be limited to April 1st through November 30th of each year. The hours associated with the seasonal operations shall be as follows:
 - a. Monday through Friday 6 AM to 6 PM.
 - b. Saturday 7 AM to 5 PM.
 - c. No active operations shall be permitted on Sundays.
7. There shall be no restriction on the hours of operation for administrative support, or routine equipment maintenance provided such activities do not adversely impact adjacent residential (specifically excessive noise, fumes or other noxious activities).
8. Any stormwater, grading, or site alteration must be reviewed and approved by the City Engineer and any other agency having jurisdiction or permitting authority over such activities.
9. All comments provided in the City Engineer's memo must be addressed and all required permits obtained.
10. Any future improvements of the gravel area or bituminous area, including the conversion to a different material may require a grading and/or stormwater permit from the City Engineer, and depending on the plans may require an amendment to this Permit.
11. The Applicant shall submit an updated Proposed Site Operations Layout to confirm that the equipment parking area is of sufficient size to store all of the Applicant's equipment in the southeastern most corner of the lot.
12. A lighting plan, including location and fixture specifications must be submitted for review and approval by staff prior to any installation and must comply with Section 32-321 of the City Code.
13. If requested by the City Staff, a photometric plan may be requested to demonstrate compliance with the City's lighting standards and regulations.
14. Any proposed signage must comply with the size, quantity and location standards as established for the A2 zoning district. Any deviation of the standards will require either a separate CUP or an amendment to this Permit.
15. All permits must be obtained from the MDH and/or MnDNR to install a well on the site.
16. A septic permit must be obtained from Washington County for installation of any septic system, including tank or other system type. Such permit must be secured prior to any approval of a Building Permit for any new structure on the site or modifications to the existing structure that includes wastewater generation (bathroom, washroom, equipment wash area, etc.)
17. Any changes or modifications to the driveway access shall be required to obtain all necessary permits from Washington County, and any improvements required by the County due to a change in the access location are the sole responsibility of the Applicant.
18. Any required MPCA permits for onsite fuel tanks must be obtained and evidence of such permits must be provided to the City.
19. The Applicant must obtain any required MPCA permit or permits from any other agency with jurisdiction of the site, for the equipment washing activities to ensure proper collection and drainage. No adverse impacts to adjacent wetlands or groundwater is permitted.
20. No public or retail sales are permitted on the site, and operations on site shall be primarily for equipment storage and staging as described in this Permit. Any significant changes to the

On this _____ day of _____, 2022, before me, a Notary Public, personally appeared _
_____ the Owner who acknowledged that said instrument was authorized and
executed on behalf of said Applicant.

Notary Public

EXHIBIT A



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

pd 9/26/22
\$3,400.00 Check #126

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

CONDITIONAL USE PERMIT

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

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

| | | |
|--|--|--|
| PARCEL IDENTIFICATION NO (PIN): 270 3021230004 | | LOT SIZE: 1.27 acres |
| PROJECT ADDRESS: 7559 Jamaca Ave Grant, MN 55082 | OWNER: Name: FJB Aspestres Address: 7559 Jamaca Ave City, State, Zip: Grant MN 55082 Phone: 612-849-0469 Email: FloydsAuto@aol.com | APPLICANT (If different from Owner): Name: Ryan Conlin Address: 10710 88th St. N. City, State, Zip: Grant, MN 55082 Phone: 651-307-5777 Email: arc paving@gmail.com |
| BRIEF DESCRIPTION OF REQUEST: We are requesting to use property for small Asphalt Paving Business. Paving of trucks and equipment. | | |
| APPLICABLE ZONING CODE SECTION(S): Please review the referenced code sections for a detailed description of required submittal documents, and subsequent process. - Division 5. Conditional Use Permits 32-141 through 157, others | | |

Required Signatures

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

| Applicant | Fee Title Property Owner (If different from Applicant) |
|---|---|
| Name: <u>Ryan Conlin</u> <small>(Please print)</small> | Name: <u>FJB Properties, LLC</u> <small>(Please print)</small> |
| Address: <u>10710 88th St. N.</u> | Address: <u>7559 Jamaca Ave N</u> |
| City, State, Zip: <u>Grant, MN 55082</u> | City, State, Zip: <u>Grant MN 55082</u> |
| Phone: <u>651-307-5777</u> | Phone: <u>651-395-2200 651-395-2200</u> |
| Cell Phone: <u>" "</u> | Cell Phone: <u>612-849-0469</u> |
| Email: <u>arcpaving@gmail.com</u> | Email: <u>FloydsAuto@aol.com</u> |
| Signature: <u>[Signature]</u> | Signature: <u>Sharon Jensen</u> <small>Sharon Jensen</small> |
| Date: <u>9-17-22</u> | Date: <u>9/17/2022</u> |

Checklist:

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

Review Deadline and Timeline:

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

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

Application for Planning Consideration Fee Statement:

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


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

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

Applicant

Fee Title Property Owner

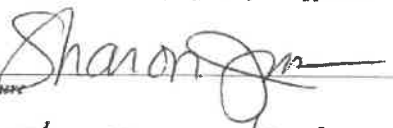
(If different from Applicant)



Signature
Ryan Cowlis

Printed Name
9-17-22

Date



Signature
Sharon Jensen

Printed Name
9-17-2022

Date

Conditional Use Permit Checklist:

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

- Paid Application Fee: \$400

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

Materials that may be required upon request:

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

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

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

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

A.R.C. Paving Inc.

P.O. 401 Hugo Mn 55038

Ryan Conlin 651-307-5777

A.R.C. Paving Inc. is a small residential/commercial asphalt paving business operating since 2005. It is owned by myself and my wife, Holly. We have 5 full time/part time employees and hope to grow to 8-10 employees in the future.

We operate currently with a fleet of 4 dump trucks, a semi/trailer combo, a tool truck/trailer combo, 2 smaller tool trucks, a mid-size excavator, a road grader, 3 skid steers, and 6 rollers. The property would be used to park and maintain our equipment along with general maintenance consisting of oil and tire changes, washing of trucks and other routine maintenance.

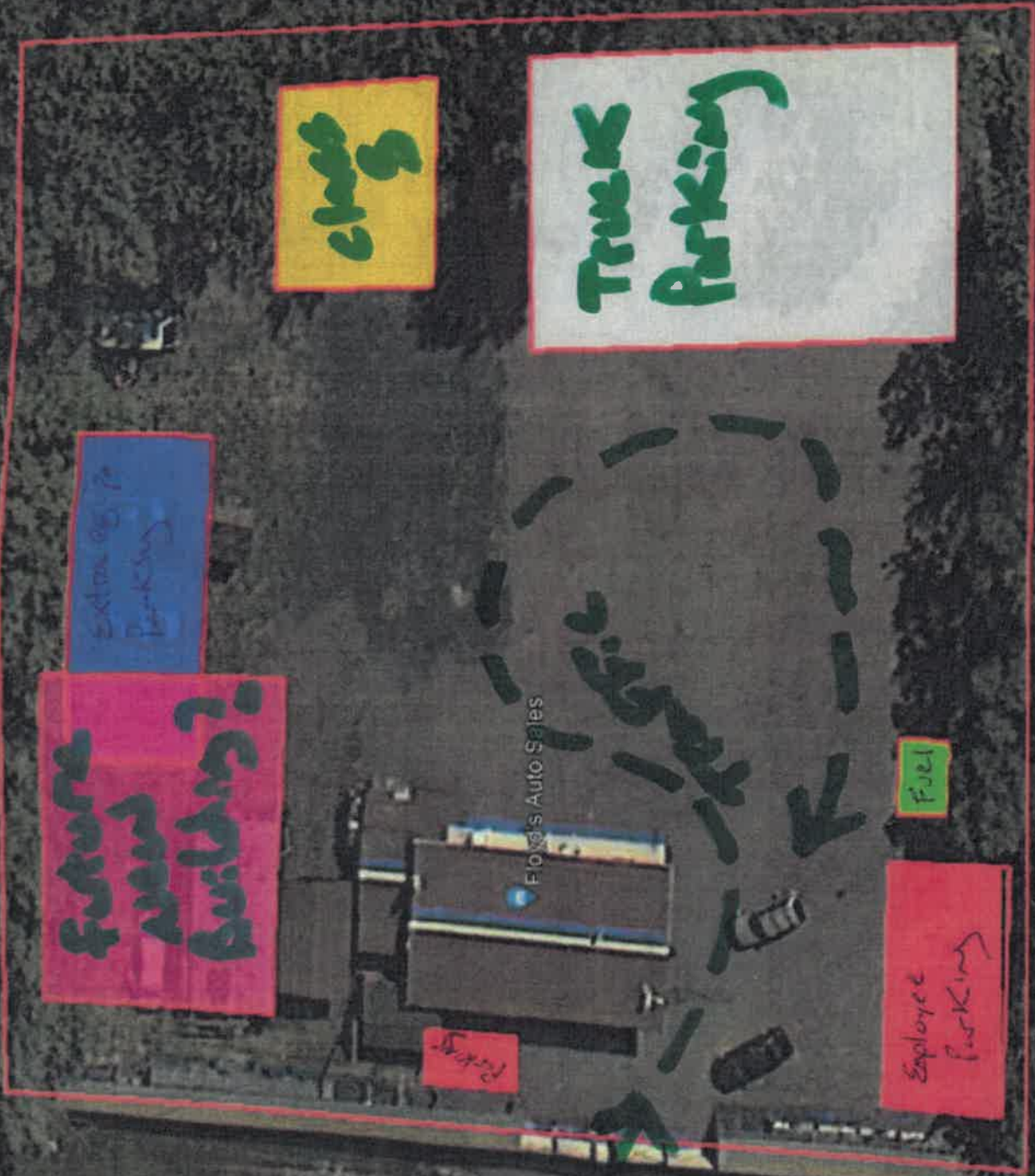
A.R.C. Paving Inc. is a seasonal business beginning in April and ending in November. We start getting our equipment and vehicle fleet ready in March to ensure it is operationally and legally sound for the upcoming season. During our operating season, a typical day starts at 6 A.M. ending approximately at 5 P.M. Depending on weather and workload that time frame could vary. The start of day consists of 30-45 minutes of warming up trucks, fueling, and swapping equipment around on trailers to fit the needs of the day's projects. At the end of the day, the trucks are parked and sometimes equipment is swapped around in preparation for the following day. Overall, we are a quiet tenant being we are absent from the property most of the day. Also, being a seasonal company, winters are used for storing, maintaining and running equipment on occasion.

The property currently does not have sewer or water. We would like to install a well and some form of septic in the very near future upon acceptance of this permit application and acquisition of the property.

I believe this request for A.R.C. Paving Inc. to operate out of the property, fits the City of Grant's Comprehensive Plan. The property is near a high-volume traffic intersection and is completely fenced and shielded from view. Also, on the Generalized Land Use Map, the parcel we are requesting a permit for (7559 Jamaca Ave) is described as Retail and Other Commercial. My wife and I have been raising our family in Grant for the last 8 years and would love the opportunity to operate our small business close to home and help serve our community.

cription for your map.

Floyd
Poly
Poly
Poly
Poly
Poly
Poly



Jameca Ave N

arth

100 ft

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2022-30**

RESOLUTION ADOPTING FINAL CITY GENERAL FUND BUDGET FOR 2023

WHEREAS, the City of Grant established a preliminary certification of the City of Grant's general levy at its September 6, 2022 meeting; and

WHEREAS, the City of Grant is not required to and will not hold public hearings for the 2023 final budget; and

WHEREAS, the City Council for the City of Grant wishes to establish its final 2023 budget which must be certified to the Washington County Auditor/Treasurer by December 30, 2022;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, as follows:

BE IT RESOLVED, that the City Council of the City of Grant, Washington County, Minnesota hereby adopts a final City general fund budget for 2023 in the amount of \$1,827,507.

The motion for adopting the foregoing resolution was acted upon by motion and seconded, and upon a vote being taken thereon, the following voted via voice:

Mayor Jeff Huber -
Council Member Carr -
Council Member Schafer -
Council Member Giefer -
Council Member Rog -

Whereupon, said resolution was declared duly passed and adopted and signed by the Mayor and attested by the City Clerk, passed by the City Council, City of Grant, Washington County, Minnesota, on this 6th day of December, 2022.

Jeff Huber, Mayor

Kim Points, Administrator/Clerk

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2022-31**

**RESOLUTION ESTABLISHING THE FINAL LEVY CERTIFICATION FOR THE
CITY'S GENERAL FUND AT \$1,402,151**

WHEREAS, the State of Minnesota requires the City to adopt a proposed, preliminary levy certification for its General Fund; and

WHEREAS, the City Council is required to adopt its 2023 Final Levy Certification on or before December 30, 2022; and

WHEREAS, the City Council of the City of Grant wishes to comply with State law in this area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, as follows:

Establish the 2023 General Fund Final Levy's certification at \$1,402,151.

The motion for adopting the foregoing resolution was acted upon by motion and seconded, and upon a vote being taken thereon, the following voted via voice:

Mayor Jeff Huber -
Council Member Carr -
Council Member Schafer -
Council Member Giefer -
Council Member Rog -

Whereupon, said resolution was declared duly passed and adopted and signed by the Mayor and attested by the City Clerk, passed by the City Council, City of Grant, Washington County, Minnesota, on this 6th day of December, 2022.

Jeff Huber, Mayor

Attest:

Kim Points, Administrator/Clerk

Resolution No. 2022-23

Resolution to Approve On-Sale/Sunday Liquor License for MoGrow Inc.

(DBA: Indian Hills)

WHEREAS, MoGrow Inc. submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2023 through December 31, 2023:

MoGrow Inc.
6667 Keats Avenue N
Stillwater, MN 55082
Licensee: Michael Regan

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk.

PASSED: December 6, 2022 by the City Council of the City of Grant.

Jeff Huber, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2022-24

Resolution to Approve On-Sale/Sunday Liquor License for Cozzie's Tavern Inc.

(DBA: Cozzie's Tavern)

WHEREAS, Cozzie's Tavern Inc. submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2023 through December 31, 2023:

Cozzie's Tavern Inc.
11154 60th Street N
Stillwater, MN 55082
Licensee: Chris Cosgrove

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk.

PASSED: December 6, 2022 by the City Council of the City of Grant.

Jeff Huber, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2022-25

Resolution to Approve On-Sale Liquor License for Dellwood Barn Weddings, LLC

(DBA: Dellwood Barn Weddings)

WHEREAS, Dellwood Barn Weddings, LLC submitted an application for the issuance of an On-Sale Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale Intoxicating Liquor License to the applicant listed below for the period of January 1, 2023 through December 31, 2023:

Dellwood Barn Weddings, LLC
7373 120th Street North
White Bear Lake, MN 55082
Licensee: Scott Jordan

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk.

PASSED: December 6, 2022 by the City Council of the City of Grant.

Jeff Huber, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2022-26

Resolution to Approve On-Sale/Sunday Liquor License for Schone's Inc.

(DBA: Gasthaus Bavarian Hunter)

WHEREAS, Shone's Inc. submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2023 through December 31, 2023:

Schone's Inc.
8390 Lofton Avenue N
Stillwater, MN 55082
Licensee: Kimberly Quade

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk.

PASSED: December 6, 2022 by the City Council of the City of Grant

Jeff Huber, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2022-27

Resolution to Approve On-Sale/Sunday Liquor License for Loggers Trail Golf Club (DBA: Loggers Trail Golf Club)

WHEREAS, Loggers Trail Golf Club submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2023 through December 31, 2023:

Loggers Trail Golf Club
11950 80th Street N
Stillwater, MN 55082
Licensee: Daniel Pohl

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk.

PASSED: December 6, 2022 by the City Council of the City of Grant

Jeff Huber, Mayor

Kim Points, Administrator/Clerk

Resolution No. 2022-28

Resolution to Approve On-Sale/Sunday Liquor License for Applewood Hills LLC (DBA: Applewood Hills)

WHEREAS, Applewood Hills LLC submitted an application for the issuance of an On-Sale/Sunday Intoxicating Liquor License; and

WHEREAS, the Washington County Sheriff's Department completed the required Background check and found nothing to prevent issuance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Grant that the City Council does hereby approve issuance of an On-Sale/Sunday Intoxicating Liquor License to the applicant listed below for the period of January 1, 2023 through December 31, 2023:

Applewood Hills, LLC
11840 60th Street N
Stillwater, MN 55082
Licensee: Mathew Grees

BE IT FURTHER RESOLVED that licensing is contingent upon said applicant making payment of their taxes and submission of appropriate license fees, necessary liability insurance, to the Administrator/Clerk.

PASSED: December 6, 2022 by the City Council of the City of Grant.

Jeff Huber, Mayor

Kim Points, Administrator/Clerk

City Council Report for November 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 were issued with a total valuation of \$ 1,080,343.26.

Respectfully submitted,

A handwritten signature in black ink that reads "Jack Kramer." The signature is written in a cursive style with a period at the end.

Jack Kramer

Building Official

| | | | | | | | | | |
|---------------|--------------------------|--------------|----------------------|-----------|-----------------|--------------|--------------|-----------|-----------|
| 2022-338 | Re-Roof | Oswald | 9166 Justen Trail N. | 8/20/2022 | \$ 18,000.00 | \$ 293.28 | \$ 219.96 | \$ 9.00 | \$ 9.00 |
| 2022-339 | Re-Roof | Vollhaber | 9693 Dellwood Rd. N. | 8/22/2022 | \$ 90,000.00 | \$ 923.75 | \$ 692.81 | \$ - | \$ 45.00 |
| 2022-340 | Re-Roof | Gray | 10555 Joliet Ave. N. | 8/22/2022 | \$ 38,358.10 | \$ 533.15 | \$ 399.86 | \$ - | \$ 19.17 |
| 2022-341 | Re-Roof | Lampland | 6680 Jasmine Ave. N. | 8/22/2022 | \$ 25,744.95 | \$ 406.85 | \$ 305.13 | \$ - | \$ 12.87 |
| 2022-342 | Re-Roof | Drost | 8682 Jamaica Ave. N. | 8/22/2022 | \$ 21,000.00 | \$ 335.25 | \$ 251.43 | \$ - | \$ 10.50 |
| 2022-343 | Re-Roof | Stowell | 9320-71st. St. N. | 8/23/2022 | \$ 12,000.00 | \$ 209.25 | \$ 156.93 | \$ - | \$ 6.00 |
| 2022-344 | Basement Plumbing | Armstrong | 6264 Keats Ave | 8/24/2022 | N/A | \$ 80.00 | \$ 60.00 | \$ - | \$ 1.00 |
| 2022-345 | Basement Remodeling | Armstrong | 6264 Keats Ave.N. | 8/24/2022 | \$ 40,000.00 | \$ 543.23 | \$ 407.42 | \$ 353.11 | \$ 20.00 |
| 2022-346 | Void | Void | Void | Void | Void | Void | Void | Void | \$ - |
| 2022-347 | Re-Roof | Ernslander | 9300 Keswick Ave. | 8/24/2022 | \$ 22,000.00 | \$ 349.25 | \$ 261.93 | \$ - | \$ 11.00 |
| 2022-347 | Re-Roof | Knoll | 10081-103rd. St. | 8/24/2022 | \$ 10,000.00 | \$ 181.25 | \$ 135.93 | \$ - | \$ 5.00 |
| 2022-348 | Re-Roof | Boileau | 7355 Keats Ave. N. | 8/24/2022 | \$ 8,400.00 | \$ 167.25 | \$ 125.43 | \$ - | \$ 4.20 |
| 2022-349 | Cell Tower Modifications | Crown Castle | 8380 Kimbro Ave. N. | 8/25/2022 | \$ 20,000.00 | \$ 321.25 | \$ 240.93 | \$ - | \$ 10.00 |
| 2022-350 | Re-Roof | Reiling | 6320 Jamaica Ave.N. | 8/26/2022 | \$ 50,647.92 | \$ 650.75 | \$ 488.06 | \$ - | \$ 25.32 |
| 2022-351 | Re-Roof | Mueller | 10705 Kimbro Ave. N. | 8/26/2022 | \$ 46,396.35 | \$ 613.95 | \$ 460.46 | \$ - | \$ 23.19 |
| 2022-352 | Re-Roof | Schweitz | 9750 Joliet Ave. N. | 8/26/2022 | \$ 14,565.00 | \$ 251.25 | \$ 188.43 | \$ - | \$ 7.28 |
| 2022-353 | Kit & Bath Remodel | Lemke | 10629-93rd. Ct. N. | 8/26/2022 | \$ 150,113.00 | \$ 1,273.75 | \$ 955.31 | \$ - | \$ 75.05 |
| 2022-354 | Re-Siding | Anderson | 8320 Dellwood Ave.N. | 8/27/2022 | \$ 34,284.94 | \$ 493.03 | \$ 369.77 | \$ - | \$ 17.14 |
| 2022-355 | Void | Void | Void | Void | Void | Void | Void | Void | \$ - |
| 2022-356 | Gas Line | Mulaney | 7109 Jamaica Ave..N. | 8/27/2022 | N/A | \$ 80.00 | \$ 60.00 | \$ - | \$ 1.00 |
| 2022-357 | Patio Door | Helander | 6261 Jasmine Ave. N | 8/29/2022 | \$ 8,000.00 | \$ 153.25 | \$ 114.93 | \$ - | \$ 4.00 |
| 2022-358 | Re-Roof | Sulersten | 8590 Jewel Ave.N. | 8/29/2022 | \$ 13,732.00 | \$ 237.25 | \$ 177.93 | \$ - | \$ 6.86 |
| 2022-359 | Re-Roof | Fritze | 10909 Joliet Ave. N. | 8/30/2022 | \$ 33,000.00 | \$ 472.55 | \$ 354.41 | \$ - | \$ 16.50 |
| 2022-360 | Re-Roof | Sabbann | 10120 Jody Ave.N. | 8/31/2022 | \$ 25,000.00 | \$ 391.75 | \$ 293.81 | \$ - | \$ 12.50 |
| 2022-361 | Void | Void | Void | Void | Void | Void | Void | Void | \$ - |
| 2022-362 | Re-Roof | Zurn | 10410 Hadley Ave. N. | 8/31/2022 | \$ 28,000.00 | \$ 422.05 | \$ 316.53 | \$ - | \$ 14.00 |
| 2022-363 | Gas Fireplaces | Jackson | 10300 Jamaica Ave.N | 8/31/2022 | N/A | \$ 80.00 | \$ 60.00 | \$ - | \$ 1.00 |
| 2022-364 | Gas Fireplaces | Jackson | 10300 Jamaica Ave.N | 8/31/2022 | N/A | \$ 160.00 | \$ 80.00 | \$ - | \$ 2.00 |
| 2022-365 | Void | Void | Void | Void | Void | Void | Void | Void | \$ - |
| 2022-366 | Re-Roof | Kittel | 6780 Lake Elmo Ave. | 9/2/2022 | \$ 112,751.00 | \$ 1,069.55 | \$ 802.16 | \$ - | \$ 56.37 |
| 2022-367 | Re-Roof | Woodward | 10336 Jody Ave.. N. | 9/2/2022 | \$ 60,000.00 | \$ 713.75 | \$ 535.31 | \$ - | \$ 30.00 |
| 2022-368 | Re-Roof | Schwartz | 8540 Jewell Ave. N. | 9/2/2022 | \$ 21,000.00 | \$ 404.25 | \$ 303.18 | \$ - | \$ 10.50 |
| 2022-369 | Re-Roof | Widerstrom | 3745 Briarwood Ave. | 9/2/2022 | \$ 16,000.00 | \$ 265.25 | \$ 198.93 | \$ - | \$ 8.00 |
| 2022-370 | Furnace & Air Cond | Ricci | 9125-68th. St. N. | 9/2/2022 | N/A | \$ 80.00 | \$ 60.00 | \$ - | \$ 1.00 |
| 2022-371 | Windows | Selton | 10610-100th. St. N. | 9/2/2022 | \$ 14,350.00 | \$ 251.25 | \$ 188.43 | \$ - | \$ 7.17 |
| 2022-372 | Re-Roof | Ostlund | 7133 Jocelyn Rd. N. | 9/3/2022 | \$ 38,000.00 | \$ 523.05 | \$ 392.28 | \$ - | \$ 19.00 |
| 2022-373 | Windows | Stanton | 7955 Kimbro Ave. N. | 9/3/2022 | \$ 31,000.00 | \$ 452.35 | \$ 339.26 | \$ - | \$ 15.50 |
| 2022-374 | Re-Roof | McGrath | 9370-71St. St. N. | 9/3/2022 | \$ 28,000.00 | \$ 422.05 | \$ 316.53 | \$ - | \$ 14.00 |
| 2022-375 | Re-Roof | Bartrness | 8015-80th. St.N. | 9/6/2022 | \$ 50,000.00 | \$ 643.75 | \$ 482.81 | \$ - | \$ 25.00 |
| Monthly total | | | | | \$ 1,080,343.26 | \$ 14,448.59 | \$ 10,796.29 | \$ 362.11 | \$ 546.12 |