

AGENDA ITEM 4D

STAFF ORIGINATOR	Kim Points
MEETING DATE	October 4, 2011
TOPIC	Amendment of Resolution No. 2011-12

BACKGROUND

At the September 14, 2011, Special Council meeting, the preliminary 2012 budget and levy were approved.

Resolution No. 2011-12 relating to the budget, was approved with the incorrect total budget figure of \$1,243,136.00.

The correct figure for the preliminary 2012 budget is in the amount of \$1,267,737.

Approval of this amendment will correct that final sum. The amendment does not affect the levy certification in any way.

RECOMMENDATION

Council approval

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2011-12**

RESOLUTION ADOPTING PRELIMINARY CITY BUDGET FOR 2012

WHEREAS, the City of Grant established a preliminary certification of the City of Grant's levy at its September 14, 2011 meeting; and

WHEREAS, the City of Grant is not required to and will not hold public hearings for the 2012 preliminary budget; and

WHEREAS, the City Council for the City of Grant wishes to establish its preliminary 2012 budget which must be certified to the Washington County Auditor/Treasurer by September 15, 2011;

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 preliminary City budget for 2012 in the amount of \$1,267,737. 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:

Tom Carr
Steve Bohnen
Scott Fogelson
Dan Potter

Council Member Huber voting nay.

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 14th day of September, 2011.

Thomas Carr, Mayor

Kim Points, City Clerk

CITY OF GRANT
MINUTES

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DATE : September 6, 2011
TIME STARTED : 7:18 p.m.
TIME ENDED : 11:02 p.m.
MEMBERS PRESENT : Councilmember Bohnen, Fogelson, Huber, Potter
and Mayor Carr
MEMBERS ABSENT : None

Staff members present: City Attorney, Nick Vivian (8:25 p.m.); City Engineer, Phil Olson; City Planner, Jennifer Haskamp; and City Clerk, Kim Points

CALL TO ORDER

Mayor Carr called the meeting to order at 7:18 p.m.

PLEDGE OF ALLEGIANCE

SETTING THE AGENDA

Item 10F, CUP Review for Schifsky Property, was added to the regular agenda.

Item 9C, Legal Services Proposals, was added to the regular agenda.

Item 10G, Road Restoration/Referendum Discussion was added to the regular agenda.

Council Member Huber moved to approve the agenda as amended. Council Member Potter seconded the motion. Motion carried unanimously.

CONSENT AGENDA

August 2, 2011 City Council Meeting Minutes	Approved
Bill List, \$74,051.00	Approved
Washington County Sheriff's Department, \$53,012.72	Approved

Council Member Huber moved to approve the Consent Agenda, as presented. Council Member Potter seconded the motion. Motion carried unanimously.

PUBLIC COMMENT

1 Mr. Loren Sederstrom came forward and stated the parade is on Saturday. An extension cord is
2 needed for electricity from Town Hall. Channel 19 will be present to video the best float portion of
3 the parade. He noted the cable show All Around Grant.

4
5 Mr. Bob Englehart, 9280 Joliet, came forward and stated the calendar on the website is still screwed
6 up and the announcement regarding the tractor parade states tractor drive.

7
8 Mr. Bill David, 9131 Keswick, came forward and stated the parade was put together by the GRP,
9 which are all volunteers. The GRP approached local businesses and had an overwhelming response
10 and a sense of bringing the City together and have fun. He requested the City co-sponsor the event.

11
12 **CONCEPT PLAN REVIEW, 9250 DELLWOOD ROAD, VICTORIA STATION, DAWN**
13 **WILLIAMS**

14
15 Mr. Stu Grubb, 11395 Lansing, came forward and provided the background for this item noting he
16 would like to purchase the property at 9250 Dellwood Road. He outlined the issues including rental
17 houses and subdivision and requested clarification from the Council. He advised he would like to
18 keep it as a horse boarding operation and continue to utilize the structures and build a new house.

19
20 Mayor Carr provided additional history for the property in question and stated the two rentals that are
21 currently on site should not be there. The CUP clearly states the property cannot be subdivided. The
22 burden of proof to technically determine if the property could be subdivided further is that of the
23 applicant. He noted rentals are allowed in Grant but not apartments.

24
25 **AXDAHL PROPERTY/HAUNTED TRAIL DISCUSSION, LESLIE AXDAHL**

26
27 Ms. Leslie Axdahl, 7452 Manning Ave., came forward and stated she would like to amend her current
28 CUP to extend hours of operation in October to provide for a haunted trail. She requested the
29 Council expedite the process.

30
31 Mayor Carr stated the City does not currently have an interim use permit. It has been discussed in the
32 past. The issue with expediting the process is the advertising for the month of October. He stated he
33 can't say what the Planning Commission will recommend but the Council can provide opinions this
34 evening.

35
36 Council Member Bohnen stated he has no issue with allowing extending hours for October if the
37 neighbors are okay with it.

38
39 Council Member Fogelson stated he is fine with the concept but the timeline could be a problem.

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41 Council Member Huber stated he believes it is a great idea provided any issues with health, safety and
42 welfare are addressed.

43 Council Member Potter agreed with the rest of the Council.

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45 **STAFF REPORTS**

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City Engineer, Phil Olson

Snow Plowing Contract – City Engineer Olson advised the City sent a request for quotes to six contractors. He reviewed the quotes that were submitted by two of the contractors and recommended the low bidder KEJ be awarded the project work.

Mayor Carr asked if the contractor has the right equipment and back up to do the job. He also asked if Mr. Johnson is aware of the City's budget within the frame of also keeping the roads safe.

Mr. Ken Johnson came forward and stated he has worked in the City of Dellwood for over ten years and prides himself in his work. He noted he stores his equipment in Willernie as well as White Bear. Referring to the budget, he stated he would work the project the way the City directs him. Plowing would not occur until the Road Commissioner says. He stated he takes care of mailboxes in Dellwood and there are 13 ½ miles of roads in that City. There are a lot more miles of roads in Grant but he has one employee designated to Dellwood.

Council Member Bohnen stated the mobilization fee is guaranteeing KEJ \$6,000 for the season to provide for the labor and equipment. There is a threshold for billable hours in the contract for the mobilization fee. He explained the mailbox clause within the contract that includes a mechanism for gross negligence. The Kline Bros. are providing back up with the grader as needed and a loader is available also through another resident. That bond will be modified to accommodate the snowplowing and they would bill the City directly.

Council Member Fogelson moved to accept the bid from KEJ for snow plowing services, as presented. Council Member Potter seconded the motion. Motion carried unanimously.

Sign Inventory Update – City Engineer Olson reviewed the proposed changes to the previous federal mandated plan, which are under a sixty day review. After that review, the City can look at the determined changes and move forward with the sign replacement plan. He recommended the dollars designated to the replacement are kept within the 2012 budget until further clarification.

Pothole Repair Improvements – City Engineer Olson advised during the road tour, several areas were identified where patching and drainage issues existed and this year's budget was not sufficient to correct them. These repairs are necessary to keep the roadways passable. It was discussed with the Road Commissioner how to fund the roadway repairs which would likely occur in the spring. He requested the Council consider this when working on the 2012 budget.

Mr. Ken Johnson came forward and explained the pothole repair process noting it was a bad winter and there are a lot more potholes. How much potholing needing to be done next year will depend on the winter.

Mayor Carr stated the potholing budget was increased next year noting the City will never have enough dollars.

1 **Pump House Repair Authorization** – Mayor Carr provided the background on this issue noting
2 there used to be a gauge there and it is needed to keep the water level correct. He referred to the cost
3 estimate to take care of this issue.

4
5 The Council authorized WSB to install the depth gauge per the cost estimate that was provided.
6

7 **Staff Report** – A report was provided for August 2011 City engineering activities, to be placed on
8 file for review. He noted a Wetland Restoration Order has been issued by the DNR Conservation
9 Officer for the Nicholson site. The new deadline will be September 30, 2011. This extension
10 provides the applicant with additional time to comply with the restoration order. It is not anticipated
11 that this decision will require a significant amount of staff time for the City as the LGU.
12

13 The Council indicated they would like to proceed with mitigation if no variance would be required
14 and the building is non-conforming.

15
16 City Treasurer Schwarze stated the new Zephyr Trail that is going through Grant may not be open to
17 horses.
18

19 Mayor Carr advised he would contact the DNR and look into that issue.
20

21 **City Planner, Jennifer Haskamp**
22

23 **City of Mahtomedi Comprehensive Plan Amendment** – City Planner Haskamp provided the
24 background on this issue and reviewed the draft letter that was prepared to send to the City of
25 Mahtomedi.
26

27 It was the consensus of the Council to send the letter as presented regarding the City of Mahtomedi
28 Comprehensive Plan Amendment.
29

30 **Staff Report** - A report was provided for August 2011 City planning activities, to be placed on file
31 for review.
32

33 **City Attorney, Nick Vivian**
34

35 **Axdahl Final Plat** – City Attorney Vivian advised the closing on the Axdahl Final Plat is scheduled
36 for later this month.
37

38 **Oakleigh Dock Association Update** – City Attorney Vivian advised the registration process is
39 complete. A check in the amount of \$60,000 has been delivered to the City. The Dock Association
40 has indicated that it paid the \$5,000 required by the Settlement Agreement when it was originally
41 executed. The City does not have a record of the payment and work is being done to resolve that
42 discrepancy.
43

44 **Staff Report** – A report for August 2011 was provided to be placed on file for review. He noted that
45 in an effort to assist the City in completing its legal services evaluation, the civil legal services

1 proposal has been revised. He referred to draft agreements for the Council's review and
2 consideration.

3
4 **Building Inspector, Jack Kramer** – A report was from Building Inspector Kramer was provided for
5 August 2011 to be placed on file for review.

6
7 **OLD BUSINESS**

8
9 **Website Items, Mayor Carr** – Mayor Carr advised there have been some scheduling issues with the
10 Webmaster and City Clerk regarding training but the training is scheduled for tomorrow.

11
12 Council Member Fogelson stated the revised information regarding the tractor parade was not posted
13 on the website.

14
15 Mayor Carr advised the City has never put links to other websites on the City's website.

16
17 Mr. Bill David, Keswick Ave., came forward and stated the revised information was sent to the Clerk
18 and asked the Council to consider a new page within the website to accommodate these types of
19 announcements.

20
21 The Council determined the revised information should be posted, not include the link. The Council
22 also suggested the ballfield schedule, road info and City newsletters be posted on the website.

23
24 **Town Hall Improvements Authorization, Mayor Carr** – Mayor Carr outlined the staff report
25 requesting authorization to move forward with the Town Hall improvements, based on the findings
26 from the City Attorney relating to the Oakleigh file.

27
28 **Council Member Fogelson moved to approve the Town Hall improvements and authorize the**
29 **project to begin, as presented. Council Member Huber seconded the motion. Motion carried**
30 **with Council Member Bohnen and Potter voting nay.**

31
32 Council Member Potter indicated the project should have been handled with a better process.

33
34 Council Member Bohnen advised he does not know who the contractors are.

35
36 **Legal Services RFP's, Council Member Potter** – Council Member Potter provided the background
37 on this issue and advised they met with City Attorney Vivian and a revised proposal has been
38 presented.

39
40 **Council Member Potter moved to appoint Eckberg Lammers as the City's legal firm and**
41 **approve the contract through 2012. Council Member Fogelson seconded the motion. Motion**
42 **carried unanimously.**

43
44 **NEW BUSINESS**

1 **August Council Meeting, Public Comment Inquiries, Mayor Carr** – Mayor Carr responded to
2 questions asked during the August Council meeting within the public comment portion of the meeting
3 regarding the school districts grading permit and draft minutes from the July Council meeting.
4

5 Mayor Carr stated he put the public comment back on the meeting agendas back in 2001. Because the
6 Council does meet just once a month, public comment is useful to bring issues forward to the
7 Council. He stated he does not want to see public comment abused as it has been in the past.
8

9 Council Member Bohnen indicated he believes Council Members should be able to comment back to
10 residents that speak during public comment.
11

12 Mayor Carr stated public comment is for the public.
13

14 Council Member Huber suggested Mayor Carr make it clear to residents that Council Members do not
15 comment back to their statements.
16

17 The Council agreed if questions need to be answered they can be during new business or Council
18 discussion at the same Council meeting.
19

20 **Resolution No. 2011-11, 2012 Levy Certification, Sharon Schwarze** – This item was tabled to the
21 next City Council meeting. This item was tabled to the next Council meeting, scheduled for
22 Wednesday, September 14, 2011, 7:00 p.m.
23

24 **Resolution No. 2011-12, Preliminary Budget** – This item was tabled to the next Council meeting,
25 scheduled for Wednesday, September 14, 2011, 7:00 p.m.
26

27 **Audit Services RFP, Mayor Carr** – This item was tabled to the October City Council meeting.
28

29 **Council Authorization to Co-Sponsor Tractor Parade, Mayor Carr** – Mayor Carr outlined the
30 staff report that requested Council direction regarding being a co-sponsor for the Tractor Parade.
31

32 **Council Member Fogelson moved to authorize the City as a co-sponsor for the Tractor Parade.**
33 **Council Member Potter seconded the motion. Motion carried unanimously.**
34

35 Mr. Larry Lanoux came forward and stated he was an electrical contractor and offered to install an
36 electrical outlet outside at Town Hall to provide electricity for the parade.
37

38 **CUP Review for Schifsky Property, Council Member Bohnen** – Council Member Bohnen stated
39 Mr. Schifsky, Lake Elmo Avenue and Hwy. 36, has offered his location to store sand/salt for the new
40 plowing contractor in cases where the County location is closed. He indicated Mr. Schifsky would
41 probably have to apply for an amended CUP.
42

43 City Attorney Vivian advised the City could determine to waive the fees for that application.
44
45

1 **Road Restoration/Referendum Discussion, Council Member Potter** – Council Member Potter
2 stated a road referendum was suggested at the last meeting. He stated he did some research and a
3 road referendum could potentially be put to the voters.
4

5 Mr. Larry Lanoux came forward and stated a petition has been circulated. He advised he spoke with
6 Mr. Kevin Corbid at the County, who explained the way to get this on the ballot this fall. Mr. Lanoux
7 read the petition.
8

9 **Council Member Fogelson moved to approve the referendum as a ballot question this fall, as**
10 **presented. Council Member Potter seconded the motion.**
11

12 City Attorney Vivian advised the Council could move forward with the referendum but the question
13 has not yet been looked at legally and timing is an issue. A referendum question needs to be very
14 specific and there are laws outlining what can be on a referendum.
15

16 Council Member Fogelson stated if the City can get a legal review completed by September 12, 2011,
17 he would like to move forward.
18

19 Council Member Potter stated he would like additional information and is willing to have a special
20 meeting to accommodate the schedule and determine a plan.
21

22 Council Member Potter withdrew the second to the motion.
23

24 Council Member Bohnen agreed the City needs to have a detailed plan relating to where the dollars
25 would be spent.
26

27 **DISCUSSION ITEMS**
28

29 **City Council Reports:**
30

31 Mayor Carr advised the City had previously discussed an interim use permit to utilize within the City
32 and suggested that be sent back to the Planning Commission for consideration noting that process
33 would not replace the CUP process.
34

35 Council Member Fogelson requested articles be submitted for the fall newsletter.
36

37 Council Member Potter advised the City's assessor would be present at the next Council meeting to
38 provide an update.
39

40 **COMMUNITY CALENDAR SEPTEMBER 7THROUGH SEPTEMBER 30, 2011:**
41

42 **Tractor Parade, Saturday, September 10, 2011, 10:30 a.m.**
43

44 **Special City Council Meeting, Wednesday, September 14, 2011, Town Hall, 7:00 p.m.**
45

46 **Planning Commission Meeting, Monday, September 19, 2011, Town Hall, 7:00 p.m.**

1 ADJOURN

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There being no further business, Council Member Fogelson moved to adjourn at 11:02 p.m. Council Member Potter seconded the motion. Motion carried unanimously.

These minutes were considered and approved at the regular Council Meeting October 4, 2011.

Kim Points, City Clerk

Tom Carr, Mayor

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**CITY OF GRANT
MINUTES**

DATE : September 14, 2011
TIME STARTED : 7: 03 p.m.
TIME ENDED : 10:06 p.m.
MEMBERS PRESENT : Councilmember Bohnen, Fogelson, Huber,
Potter and Mayor Carr
MEMBERS ABSENT : None

Staff members present: City Treasurer, Sharon Schwarze and City Clerk, Kim Points

CALL TO ORDER

Mayor Carr called the meeting to order at 7:03 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

The agenda was approved as presented.

2012 BUDGET DISCUSSION

Mayor Carr reviewed some minor housekeeping issues in the budget including line items, clarification of those line items, etc.

Mayor Carr commented on the proposed budget that was briefly reviewed at the last two budget meetings. He asked why an 18% levy increase column was included in the budget documents. He indicated he is not in favor of an 18% levy increase and confirmed that proposed increase is not a discussion item and polled the Council regarding that issue.

The Council indicated those budget documents would not be discussed.

The City Council discussed the preliminary 2012 budget per line item. Each line item was reviewed and a consensus was reached.

The Council requested the overall budget number and the levy percentage per the sum of all line items.

1 City Treasurer Schwarze advised based on the revised numbers within the budget, the
2 levy increase would be a 6.7% increase over 2011.

3
4 Council Member Fogelson proposed an additional \$100,000 increase in the budget for the
5 purpose of a road reconstruction fund.

6
7 The Council discussed the proposed additional dollars and the majority of the Council
8 agreed to an additional \$70,000 within the 2012 budget for a road reconstruction fund
9 would be a good start to plan for future road projects.

10

11 **Resolution No. 2011-11, 2012 Levy Certification -**

12

13 City Treasurer Schwarze advised that based on the proposed budget, to also include
14 \$70,000 for a road reconstruction fund, and no use of reserves, the levy certification
15 would be in the amount of \$1,043,200.00, which would be a 14.4% increase over 2011.

16

17 **Council Member Fogelson moved to adopt Resolution No. 2011-11, certifying the**
18 **2012 Levy at \$1,043,200. Council Member Bohnen seconded the motion. Motion**
19 **carried with Mayor Carr and Council Member Huber voting nay.**

20

21 **Resolution No. 2011-12, 2012 Preliminary Budget -**

22

23 City Treasurer Schwarze advised that based on the discussion and approved levy
24 certification, the City's 2012 budget would be in the amount of \$1,267,737.

25

26 **Council Member Bohnen moved to adopt Resolution No. 2011-12, approval of the**
27 **2012 preliminary budget in the amount of \$1,243,136. Council Member Potter**
28 **seconded the motion. Motion carried with Council Member Huber voting nay.**

29

30 **ADJOURNMENT**

31

32 **Council Member Huber moved to adjourn the meeting at 10:06 p.m. Council**
33 **Member Potter seconded the motion. Motion carried unanimously.**

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36 These minutes were considered, corrected and approved at the regular Council meeting held on
37 October 4, 2011.

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Kim Points, City Clerk

Tom Carr, Mayor

Date range: 09/12/2011 to 09/27/2011

Vendor Payroll Period Ending	Date	Check #	Total	Description	Void	Account #	Detail
Waste Management	09/26/2011	11510	\$4,347.38	Recycling	No	100-41101-100	\$2,572.30
Dennis Heuer	09/26/2011	11511	\$273.17	Bailfield Maintenance/Mowing/Tax	No	100-43011-384	\$4,347.38
Richard Thompson	09/26/2011	11512	\$400.00	PC Training	No	100-43006-300	\$160.69
On Site Sanitation	09/26/2011	11513	\$149.63	Aug/Sept	No	100-43009-300	\$112.48
Xcel Energy	09/26/2011	11514	\$201.66	Utilities	No	100-43007-210	\$149.63
Croix Valley Inspector	09/26/2011	11515	\$5,355.76	Building Inspector	No	100-43004-381	\$55.17
Ken Roman	09/26/2011	11516	\$199.50	CableCast	No	100-43010-381	\$71.13
CenturyLink	09/26/2011	11517	\$158.94	City Phone	No	100-43117-381	\$75.36
Marmorey's	09/26/2011	11518	\$76.35	Roadside Garbage/Clean Up Day	No	100-41309-321	\$158.94
Animal Control Services	09/26/2011	11519	\$124.00	Grant Callout Fee	No	100-43105-384	\$76.35
League of Minnesota Cities	09/26/2011	11520	\$3,723.00	Dues	No	100-42006-300	\$124.00
Press Publications	09/26/2011	11521	\$22.25	Publication	No	100-41304-300	\$3,723.00
MCFOA	09/26/2011	11522	\$35.00	Membership Dues	No	833-49310-300	\$22.25
Brochman Blacktopping Co.	09/26/2011	11523	\$9,020.00	Roads/Pothole Repair	No	100-41306-310	\$35.00
Kline Bros Excavating	09/26/2011	11524	\$10,453.75	7971.25	No	100-43109-300	\$9,020.00
Miller Excavating	09/26/2011	11525	\$8,168.34	Streets	No	100-43101-300	\$7,971.25
American Engineering Testing, Inc.	09/26/2011	11526	\$305.50	Class 5 Testing	No	100-43111-220	\$2,482.50
Eckberg Lammers	09/26/2011	11527	\$4,347.90	Legal Services	No	100-43106-224	\$8,168.34
T. A. Schifsky & Sons, Inc.	09/26/2011	11528	\$103.94	Pothole Materials/Sales Tax	No	100-41204-300	\$2,415.10
						100-41205-300	\$298.48
						100-41206-300	\$1,564.32
						828-49310-430	\$70.00

City of Grant

Disbursements List

09/27/2011

Vendor	Date	Check #	Total	Description	Void	Account #	Detail
WSB & Associates	09/26/2011	11529	\$15,224.75	Engineering	No	100-43109-220	\$103.94
					No	100-41203-300	\$1,452.00
					No	100-43102-300	\$4,565.50
					No	100-43125-300	\$375.00
					No	809-49310-430	\$1,472.50
Petty Cash	09/26/2011	11530	\$200.00	Office Supplies/Postage	No	810-49310-430	\$722.00
					No	829-49310-300	\$6,637.75
Hardives, Inc.	09/26/2011	11531	\$46,822.91	Engineering	No	100-41310-210	\$100.00
					No	100-41313-200	\$100.00
Swanson Haskamp Consulting	09/26/2011	11532	\$4,126.80	Planning	No	829-49310-430	\$46,822.91
					No	100-41209-300	\$2,140.25
					No	809-49310-430	\$146.25
					No	832-49310-430	\$178.75
					No	833-49310-430	\$1,304.05
City of Mahomedi	09/26/2011	11533	\$27,902.50	3rd Quarter Fire Contract	No	834-49310-430	\$357.50
					No	100-42002-300	\$27,902.50
PERA	09/26/2011	11534	\$465.74	PERA	No	100-41102-120	\$250.12
					No	100-41113-100	\$215.62
					No	100-41103-100	\$263.91
IRS	09/26/2011	EFT 13	\$786.88	Payroll Taxes - September	No	100-41107-100	\$327.26
					No	100-41110-100	\$144.89
					No	100-41112-100	\$50.82
					No	100-43116-321	\$31.02
Sprint	09/27/2011	11535	\$31.02	City Cell Phone	No	100-43116-321	\$31.02
Total For Selected Checks			\$145,598.97				\$145,598.97



Owner: City of Grant
 111 Wildwood Road
 Grant, MN 55090-0487
 For Period: 7/1/2011 to 9/20/2011
 Contractor: Hardrives, Inc. (Rogers)
 14475 Quiram Drive
 Rogers, MN 55374

Date: 9/21/2011

Request No.: 1

Pay Voucher
 GRNT - 110th Street Paving
 Client Contract No.:
 Project No.: 01936-12
 Client Project No.:

Project Summary		
1	Original Contract Amount	\$56,164.15
2	Contract Changes - Addition	\$0.00
3	Contract Changes - Deduction	\$0.00
4	Revised Contract Amount	\$56,164.15
5	Value Completed to Date	\$49,287.27
6	Material on Hand	\$0.00
7	Amount Earned	\$49,287.27
8	Less Retainage 5%	\$2,464.36
9	Subtotal	\$46,822.91
10	Less Amount Paid Previously	\$0.00
11	Liquidated Damages	\$0.00
12	AMOUNT DUE THIS PAY VOUCHER NO. 1	\$46,822.91

THIS IS TO CERTIFY THAT THE ITEMS OF WORK SHOWN IN THIS CERTIFICATE OF PARTIAL PAYMENT HAVE BEEN ACTUALLY FINISHED FOR THE WORK COMPRISING THE ABOVE MENTIONED PROJECTS IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS HERETOFORE APPROVED.

Recommended for Approval by:
 WSB & Associates, Inc.

Construction Observer:

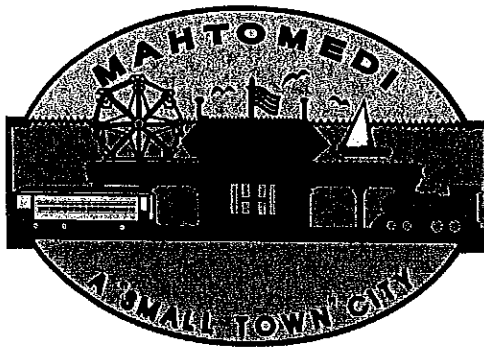
Approved by Contractor:
 Hardrives, Inc. (Rogers)

Approved by Owner:
 City of Grant

Specified Contract Completion Date:
 12/31/2011

Date:

Comment:



January 5, 2011

City of Grant
c/o Kim Points
P.O. Box 577
Willernie, MN 55090

Dear Kim,

Please remit a check in the amount of \$27,902.50 for the
3rd quarter fire contract. Please pay October 1, 2011.

If you have any questions, please feel free to give me a call
at 651-426-3344.

Thank you,

A handwritten signature in cursive script that reads "Jerene Rogers".

Jerene Rogers
Account Clerk

RESOLUTION 2011-13

CITY OF GRANT
WASHINGTON COUNTY, MINNESOTA

RESOLUTION RE-ESTABLISHING UNCHANGED PRECINCTS
AND POLLING PLACES IN THE CITY OF GRANT,
WASHINGTON COUNTY

WHEREAS, the boundaries of the City of Grant precinct, which consists of the territory of the City of Grant remain unchanged following state legislative redistricting; and

WHEREAS, the City Council of the City of Grant want to re-establish the City of Grant precinct with the same boundaries as permitted and required by Minnesota Statutes 204B.14, Subdivision 3(c); and

WHEREAS, the City of Grant wants to re-establish the polling place for the City of Grant precinct and have it remain at the

**Lutheran Church of the Risen Christ
9050 60th Street North
Stillwater, MN 55082**

NOW, THEREFORE, BE IT RESOLVED that the City Council re-establishes that the boundaries of the City of Grant precinct are unchanged and re-establishes said district with the same boundaries pursuant to Minnesota Statutes 204B.14, subdivision 3 (c).

BE IT FURTHER RESOLVED that the designated polling place for the City of Grant precinct is re-established and remains located at the Lutheran Church of the Risen Christ, 9050 60th Street North, Stillwater, MN 55082 in accordance with Minnesota Statutes 204B.16.

WHEREUPON, a vote being taken upon a motion by _____ and seconded by _____, the following members voted in favor:

Adopted by the Grant City Council this 4th day of October, 2011

Tom Carr, Mayor

Kim Points, City Clerk



Memorandum

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

From: *Phil Olson, PE, City Engineer
WSB & Associates, Inc.*

Date: *September 26, 2011*

Re: *October Staff Report - Engineering*

A. **Agenda Items**

i. **None**

ii. **Staff Report/Council Update**

- a. **110th Street Paving Improvements:** All contract work is complete. The first pay voucher (attached) has been submitted to the City for payment. Quantities are being finalized with the contractor and the final pay voucher for the remaining balance plus retainage will be submitted next month. The unused balance of the cash escrow will be returned to Mr. Rog.
- b. **Pump House Repair:** The pump house survey is complete. A new gauge has been installed in the wetland as required by the DNR and the pump house has been marked to allow the gauge to be replaced in the future.
- c. **Mahtomedi School CUP:** The City has received an updated set of plans and an updated stormwater management report for review. This plan has also been submitted simultaneously to Rice Creek Watershed District and Valley Branch Watershed District for their review.
- d. **Ideal Avenue Drainage Review:** A meeting was held with the homeowner, a representative from the Valley Branch Watershed District, and the City. During the meeting, several options were identified to fix the drainage issue within Ideal Avenue. After review of the options by the City's attorney, we will work with the property owner to complete the improvements and correct the drainage issue.
- e. **11675 Keats Avenue, Nicholson Site Review:** The Wetland Restoration Order deadline is September 30, 2011. A Technical Evaluation Panel (TEP) meeting has been scheduled for September 27, 2011 to discuss the proposed restoration plan. We also are currently talking with Brown's Creek Watershed

District (BCWD) to see if there is an opportunity for BCWD to become the Local Government Unit (LGU).

- f. Sign Inventory Update:** This regulation is currently being reviewed by the federal government after receiving comments back from state and local agencies. Following this review, we will discuss the management plan again.
- g. Crack Filling Project:** All crack filling work has been completed.

If you have any questions, please contact me at 763-512-5245.

agricultural activities. The Applicants have explained that there is a trail that leads to the corn maze from the barn, which is part of the experience of the customer.

The request of the Axdahls is to allow for the extension of business hours Wednesday through Sunday between September and October until 11:00 PM allowing for a 'haunted' version of the trail and corn maze. Some of the elements that would provide for a 'haunted' experience are the use of actors and volunteers along the trail and maze, fog on the trail between the barn and maze, and the potential use of sound machines at the trail and maze entrances.

It is the intent of the Applicants to continue to use their property for agricultural uses and continue the existing lines of business as permitted through the existing Conditional Use Permit. Therefore, their request is focused primarily on the hours of operation and the 'haunted' aspect of the trail and corn maze.

Review Criteria

The City's zoning ordinance permits commercial recreation and agricultural business activities with a Conditional Use Permit. The existing conditions of the CUP shall remain in place with this amendment, and additional conditions added related specifically to the additional antennas. The following sections of the Code are provided for your reference when considering the application.

Secs. 32-141 through 32-156
32-330; 32-332; 32-321

Existing Site Conditions

The existing site is approximately 10 acres and currently has a greenhouse, primary residence and other agricultural uses. A trail leads from the barn on site to the corn maze which is developed each year as an attraction and addition to the current agricultural business activities on site. (see Exhibit B) The pattern and route of the corn maze change each year, but the general parameters and use are consistent each year. Currently the site is accessed from Manning Avenue with a secondary access onto 75th St. N. Currently, all customers park onsite with exterior lighting in the parking lot facing Manning Avenue. The traffic and circulation plan, as well as lighting plan, were approved as part of the 2005 CUP Amendment.

The Applicants are working through a plat process with adjacent landowners and one of the conditions of the Final Plat is that all access to the site is from a main entrance on Manning, which serves the subject property and adjacent sites (*Settlers Court*). Once the final plat is filed, all access to the proposed site must meet the conditions of the final plat.

Comprehensive Plan Review

The existing agricultural uses and, including corn maze, are consistent with the City's Comprehensive Plan for the A-1 land use designation. The proposed extension of the business hours and the addition of a haunted trail meet the intent and character of the comprehensive plan and land use designation.

Zoning/Site Review

Dimensional Standards

The following site and zoning requirements in the A-1 district regulate structures and uses on individual lots:

Dimension	Standard
Lot Size	5 acres
Front Yard Setback	65'
Side Yard Setback (Corner)	65'
Side Yard Setback (Interior)	20'
Rear Yard Setback	50'
Surface Coverage	50%

Although a corn maze and haunted trail are not necessarily regulated by the setback requirements, it is reasonable to require that the maze and trails are outside of any setback area to ensure neighbors and adjacent users are protected from the activities. Based on the attached aerial it appears that all activities would be well outside of any setback area. All proposed activities related to the haunted trail shall be set outside of any setback area, including, but not limited to, any sound/electronic machines, lighting or fog.

Sound

The Applicant has stated that they will have actors participating on the haunted trail and also are likely to have some sound machines to add to the experience. It is the responsibility of the Applicant to ensure that all ordinance requirements as stated in section 32-330 *Environmental Nuisances* and Section 32-332 *Noise Control* of the city's ordinance are met with respect to sound. Staff would recommend that all sound machines be directed interior to the site and setback from all adjacent property lines to mitigate any potential issues with neighbors. All sound related to the trail may not exceed those standards as determined by the city's ordinance. Actors, sound machines, and all activities related to the haunted trail and corn maze shall be subject to these requirements.

Lighting

There is no proposed additional lighting as a part of this proposal. After speaking with the Applicant they believe that the current parking lot lighting will be sufficient for the activities, however, may need to make modifications to lighting once operations begin. The current lighting at the site meets the city's ordinance and the lighting plan was approved through the existing conditional use permit. The city's ordinance states, "Any lighting used to illuminate an off-street parking area shall be so arranged so it is not directly visible from the adjoining property and in a downward vertical direction." Any additional lighting shall be subject to this requirement, and to section 32-321. All lighting along the haunted trail or corn maze shall be required to meet the standards of the lighting ordinance and shall be directed interior to the site and shall not extend onto public roadways or adjacent properties.

The Applicants will be required to submit an updated lighting plan if additional lighting is proposed, or determined to be needed once operations start.

Parking/Traffic

Currently customers of Axdahl's Farm and Greenhouse park on site in front of the barn adjacent to Manning Avenue. They access the site primarily from Manning with a secondary access from 75th Street N. Recently the Applicants have been working through a plat process with the adjacent properties and owners, with final plat expected in 2011. Once final plat is completed, all conditions of the plat shall be met with respect to access to Axdahl's Garden Farm and Greenhouse.

The Applicant's expectation for users and traffic can be accommodated with the existing parking areas on site. As stated in the existing conditional use permit, all parking should be accommodated entirely on-site and should be located within the existing parking areas. During the 2005 CUP Amendment process a traffic and circulation plan was approved for safe traffic flow and parking on site. That plan for parking shall be utilized to accommodate the haunted trail and corn maze traffic. However, if parking and access should become an issue this conditional use permit may be required to be reviewed and additional conditions established to ensure the site can be accessed safely, and that parking and access can be completed in a safe and efficient manner.

Signage

Additional signage is not proposed as a part of this application. The applicant has stated that they may advertise the 'haunted trail and corn maze' using existing signs on the property but no additional signs are proposed at this time.

Action Needed



The draft conditional use permit is attached to this staff report for your review and consideration. The conditions of the existing CUP are included in the draft.

**BRIAN AND LESLIE AXDAHL
AMENDED CONDITIONAL USE PERMIT
CITY OF GRANT**

PROPERTY OWNER/APPLICANT: Axdahl's Garden Farm and Greenhouse
Brian and Leslie Axdahl

GENERAL LEGAL DESCRIPTION: See Exhibit A

ADDRESS: 7452 Manning Avenue North
Grant, Minnesota 55082

PRESENT ZONING DISTRICT: A-1

This is a Conditional Use Permit amendment to allow for extended hours of operation seasonally on certain days, and to allow for operations of a haunted trail and corn maze. Any additional product lines or expansions of the business shall require another amendment to the Conditional Use Permit.

All uses shall be subject to the following conditions and/or restrictions imposed by the City Council, City of Grant, Washington County, Minnesota. The existing conditions regarding the agricultural business on site shall remain in effect in addition to all applicable ordinances, statutes or other laws in force within the City:

1. Hours of operation for the agricultural business shall remain 9:00 am to 8:00 pm from April 1st to December 31st.
2. The haunted trail and night corn maze activities shall be allowed to operate until 11:00 pm Wednesday through Sunday from September through October.
3. Ticket sales for the haunted trail and corn maze shall end at 10:00 pm to ensure the hours of operation are met.
4. All activities related to the haunted trail and corn maze shall be subject to the City's noise ordinance Section 32-332. Sound machines shall be setback from roadways and adjacent residential structures and shall be directed interior to the subject site.
5. All fog machines shall meet all setbacks on the property and shall be directed interior to the site.
6. No additional lighting is approved as a part of this permit, any additional lighting shall be subject to review and approval by the city planner.

7. No new access points or driveways are approved as a part of this permit. Traffic will use existing accesses to enter and exit the site. Once Manning Circle N is completed, all traffic shall be routed to this access.
8. The applicant shall continue to follow the traffic and circulation plan prepared for the amended CUP dated 7/15/2005. The plan makes sure that all customer vehicles are parked out of the traffic lane and do not constitute a traffic hazard. On-street parking shall be prohibited.
9. No additional signage is proposed as a part of this application. Any additional signage shall be reviewed and approved by the city planner.
10. Product sales shall be limited to the agricultural hours of operation and shall not be extended.
11. Any violation of the conditions of this permit shall result in revocation of said permit.
12. This permit shall be subject to annual review.
13. All escrow amounts shall be brought up to date.
14. The applicant shall sign an amended CUP within forty-five (45) days of the resolution being passed and record the same with the Office of the Washington County Recorder.
15. All ongoing conditions and requirements listed in the original Conditional Use Permit, in the Office of the Washington County Recorder shall also apply to this applicant.

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

CITY OF GRANT:

Date: _____

Tom Carr, Mayor

Date: _____

Kim Points, City Clerk

Jennifer Haskamp

From: BRIAN LESLIE AXDAHL <bnlaxdahl@msn.com>
Sent: Thursday, September 08, 2011 1:57 PM
To: clerk@cityofgrant.com; Jennifer Haskamp
Subject: CUP amendment

Dear Planning Commission,

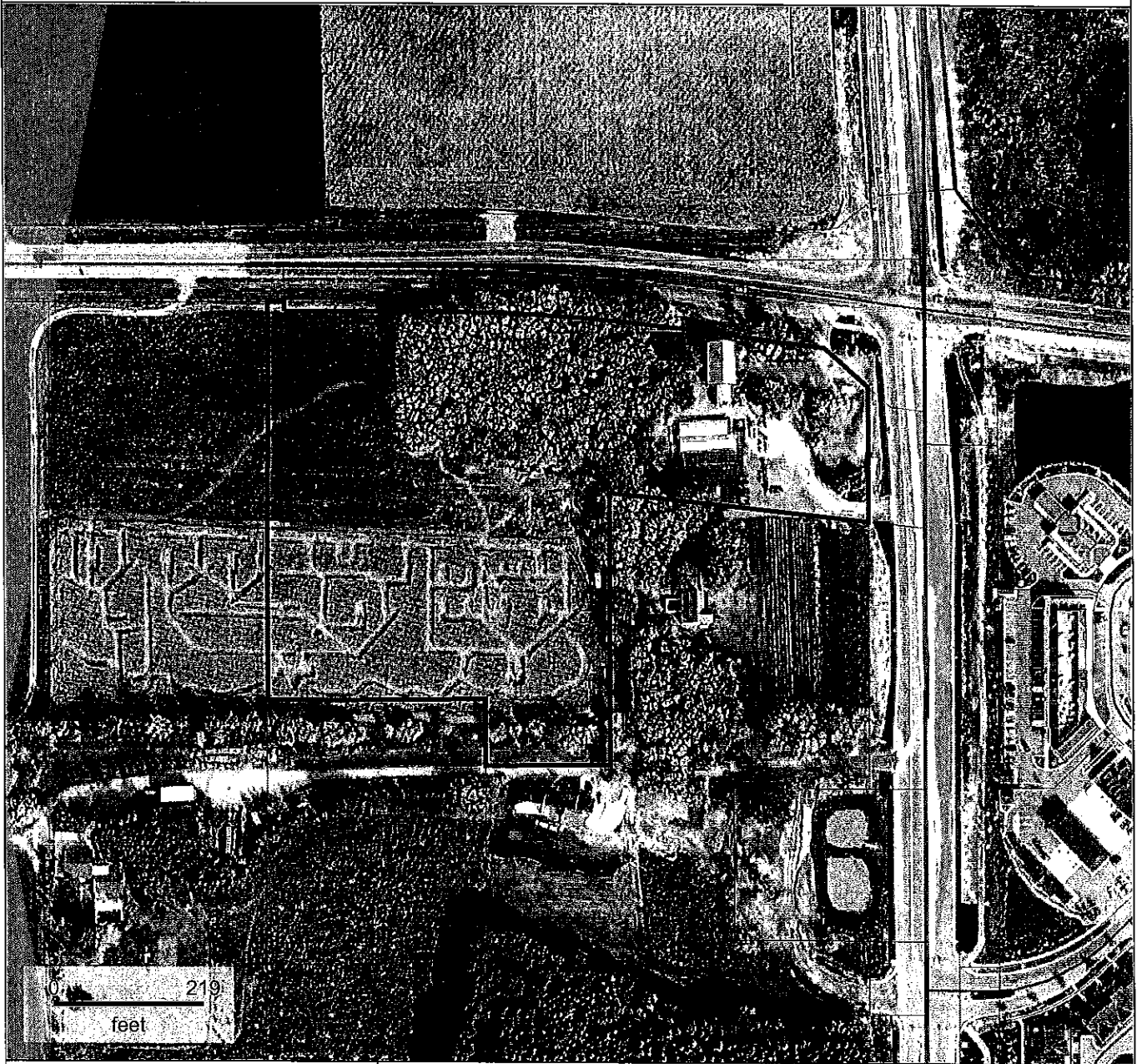
We are requesting a modification to our Conditional Use Permit to extend our hours to 11pm. We are asking this so that we can do a haunted version of what we are currently doing during the day. We have for several years now had a trail out to our corn maze and pumpkin patch. This has been very kid friendly. Again this year we have the trail out to our corn maze, which is already cut, and our pumpkin patch. We would like to make these existing features "haunted" after dusk. A portion of the proceeds will be going to the Washington County 4-H Club who will be participating as actors for the haunt. We will comply with all noise, safety and lighting ordinances that Grant has in place. Evening ticket sales will end at 10pm to ensure that customers are off of the property by 11pm. We will utilize our existing parking/ property to accommodate traffic on site. The trail, maze and pumpkin patch will be kid friendly again during the day.

Thank you for your consideration and assistance!

Leslie Axdahl
Axdahl's Garden Farm & Greenhouse
We're Growing For You!!
(651)439-3134
<http://www.axdahlfarms.com>
<http://info@axdahlfarms.com>

Washington County, MN

Exhibit B: Site

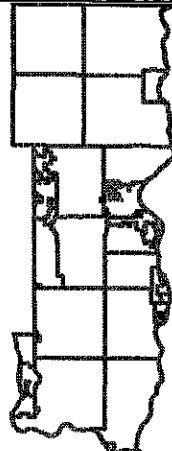


Property Information
Property ID 2503021410012
Location 7452 MANNING AVE



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

This drawing is a result of the compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.



**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2011-14**

**RESOLUTION APPROVING AN AMENDED CONDITIONAL USE PERMIT FOR
7452 MANNING AVENUE NORTH, GRANT, MN
(AXDAHL'S GARDEN FARM & GREENHOUSE)**

WHEREAS, Brian and Leslie Axdahl ("Applicants") have submitted an application for an Amended Conditional Use Permit for extended hours to allow for the operation of a haunted trail and corn maze located at 7452 Manning Avenue North in the City of Grant, Minnesota; and

WHEREAS, the property at 7452 Manning Avenue North has an existing Conditional Use Permit issued to Axdahl's Garden Farm and Greenhouse allowing for seasonal agricultural business activities on the property; and

WHEREAS, the Conditional Use Permit was further amended on July 15, 2005 to allow for the construction of a greenhouse and other related activities; and

WHEREAS, the Planning Commission has considered the Applicant's request at a duly noticed Public Hearing which took place on September 19, 2011 and subsequently considered the application, and has recommended approval to the City Council; and

WHEREAS, the City Council for the City of Grant has considered the Planning Commission's recommendation at its October 4, 2011 City Council meeting;

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 Brian and Leslie Axdahl for an Amended Conditional Use Permit, based upon the following findings pursuant to Section 32-147 of the City's Zoning Ordinance which provides that a Conditional Use Permit may be granted "if the applicant has proven to a reasonable degree of certainty" that specific standards are met. The City Council's Findings relating to the standards are as follows:

- The use will continue to be primarily seasonal agricultural activities and this amendment simply refers to the extension of business hours.

- The use conforms to the city's comprehensive plan.
- The extension of hours for a specific function for a defined period of time is consistent with the existing conditional use permit.
- The haunted trail and maze shall meet all ordinance standards for noise, light and any other nuisance as defined per city code.
- The use will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.
- The extension of hours of operations does not change the existing use of the property.
- The use meets conditions or standards adopted by the city (through resolutions or other ordinances).
- The use will not create additional requirements for facilities and services at public cost beyond the city's normal low density residential and agricultural uses.
- The use will not result in the destruction, loss or damage of natural, scenic, or historic features of importance.
- The use will not increase flood potential or create additional water runoff onto surrounding properties.

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

1. Hours of operation for the agricultural business shall remain 9:00 am to 8:00 pm from April 1st to December 31st.
2. The haunted trail and night corn maze activities shall be allowed to operate until 11:00 pm Wednesday through Sunday from September through October.
3. Ticket sales for the haunted trail and corn maze shall end at 10:00 pm to ensure the hours of operation are met.
4. All activities related to the haunted trail and corn maze shall be subject to the City's noise ordinance Section 32-332. Sound machines shall be setback from roadways and adjacent residential structures and shall be directed interior to the subject site.
5. All fog machines shall meet all setbacks on the property and shall be directed interior to the site.

6. No additional lighting is approved as a part of this permit, any additional lighting shall be subject to review and approval by the city planner.
7. No new access points or driveways are approved as a part of this permit. Traffic will use existing accesses to enter and exit the site. Once Manning Circle N is completed, all traffic shall be routed to this access.
8. The applicant shall continue to follow the traffic and circulation plan prepared for the amended CUP dated 7/15/2005. The plan makes sure that all customer vehicles are parked out of the traffic lane and do not constitute a traffic hazard. On-street parking shall be prohibited.
9. No additional signage is proposed as a part of this application. Any additional signage shall be reviewed and approved by the city planner.
10. Product sales shall be limited to the agricultural hours of operation and shall not be extended.
11. Any violation of the conditions of this permit shall result in revocation of said permit.
12. This permit shall be subject to annual review.
13. All escrow amounts shall be brought up to date.
14. The applicant shall sign an amended CUP within forty-five (45) days of the resolution being passed and record the same with the Office of the Washington County Recorder.
15. All ongoing conditions and requirements listed in the original Conditional Use Permit, in the Office of the Washington County Recorder shall also apply to this applicant.

Adopted by the Grant City Council this 4th day of October, 2011.

Tom Carr, 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 _____, 2011 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 _____, 2011.

Kim Points
Clerk
City of Grant

MEMORANDUM

To: Mayor and Grant City Council	Date: September 27, 2011
CC: Kim Points, City Clerk	RE: Staff Report - Planning
Nick Vivian, City Attorney	
From: Jennifer Haskamp, City Planner	

AGENDA ITEMS:

6B(ii). The Axdahl's have requested an amendment to their existing Conditional Use Permit to extend their hours of operation to allow for a haunted trail and corn maze on the property during the months of September and October. The Planning Commission held a public hearing on September 19th and unanimously recommended approval of the request. See the attached full staff report regarding this agenda item.

4F. Staff is currently working with the City Attorney to determine the appropriate steps regarding the requested boundary adjustment. A staff report regarding this item may be emailed to you in the next couple days if it is determined we can move forward. If not, staff will provide a verbal update at the Council meeting regarding this item.

STAFF REPORT:

ISD #832 CUP Elementary School Application Update:

Staff received an updated plan set for review of the surface water management onsite. The applicant has also submitted revised plans to the watershed districts for their review, and approval. After speaking with their representatives, it is their hope to begin working on the site yet this year, but is largely dependent on watershed district permits and county access permits.

11675 Keats Avenue – Wetland Violation

On September 27th staff met with the TEP panel to review the plan for restoration of the wetland. The applicant was granted a 45-day extension and is expected to submit a grading plan to the city for review and approval within two weeks. It was communicated at the meeting that the Applicant will be proposing to relocate the proposed accessory structure, and staff will work with the property owner to ensure that the future building site meets all city ordinance requirements. Staff will continue to update the council throughout the process.

ECKBERG LAMMERS
MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Nicholas J. Vivian, City Attorney

DATE: September 27, 2011

RE: Staff Report for October City Council Meeting

Please be advised that our office is presently working on the following matters on behalf of the City of Grant:

Nielsen v. City of Grant

The Court closed the record on the City's Motion to Dismiss and for Sanctions against Mr. Nielsen on July 22, 2011. The Court has 90 days to issue its final decision. The City Council will be notified as soon as the Court's decision is received.

Axdahl Jacobs Final Plat Approval

I have not received any new information from the parties. I expect the Final Plat as approved by the County will be forthcoming for the City's review soon.

11675 Keats Avenue N. – Wetland Violation

I have been working in conjunction with the City Engineer and the City Planner to review the progress of the restoration of this property. The deadline imposed by the Wetland Restoration Order is September 30, 2010.

Ideal Avenue Drainage Review

I have been asked to outline funding options for improvements related to drainage as identified by the City Engineer. The City has a number of options available including assessing the costs of the improvement to the property owner, entering into a cost-share arrangement with the property owner or completing the project with public funds. The City will be required to make a policy determination as to which option it will pursue if it elects to complete the improvements.

Zoning Matters

I have worked with the City Planner to review and finalize the Resolution approving the Amendment to the Axdahl Conditional Use Permit. I have also worked with the City Planner on a couple of boundary line adjustments which will be considered by the City Council in upcoming meetings.

Please call with any comments or questions.

City of Grant
Annual Audit Bids
October 4, 2011

Name	Abdo, Eick & Meyers, LLP	Oberloh & Associates, LTD.	LarsonAllen, LLP	Baker Tilly Virchow Krause, LLP	Tauges Redpath, LTD.
Three Year Bid	\$33,141	\$34,500	\$35,250	\$36,400	\$45,600
Contact Name	Andrew K. Berg	Dennis Oberloh, CPA	Craig Popenhagen, CPA	James Murray, CPA	David J. Mol, CPA
Location	Edina	Redwood Falls	Minneapolis	Minneapolis	White Bear Lake
Clients	North Oaks Excelsior Lindstrom Maple Plain Rockford	Sleepy Eye Dassel Renville Stacy Landfall Village	Mahtomedi May Township Watertown Scandia Cottage Grove Ramsey/Washington Cable	Jackson Lester Prairie Rosemount St. Paul	Oak Park Heights Linwood Township Cambridge Washington Co. HRA Columbus

Name	Smith Schafer & Associates, Ltd.	Wipfli, LLP	Goldetsky Eiting, PA	Malloy, Montague, Karnowski, Radosovich & Co., P.A.	KDV	Schlenner Wenner & Co.
Three Year Bid	\$36,487	\$39,400	\$45,820	\$48,450	\$48,810	\$47,360
Contact Name	Jason C. Miller, CPA	Robert Ganschow	Daniel C. Eiting	James H. Eichten, CPA	Mathew Mayer	Molly M. Thompson, CPA
Location	Maplewood	Eau Claire	Bloomington	Minneapolis	Bloomington	St. Cloud
Clients	Hugo Osseo St. Paul Park Rochester Stewartville	Baldwin, WI Ellsworth, WI Augusta, WI	Maple Grove Coon Rapids Lakeville	Brooklyn Center Burnsville Edina Monticello Newport Roseville St. Peter	Becker Elko New Market Falcon Heights Hanover Princeton	Albany Bayport St. Augusta Stewart Holdingford

Hillcrest Animal Hospital
1320 East County Road D. Circle
Maplewood, MN 55109

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

Grant City Employees:

I have enclosed a sample of our animal impound services agreement for you to review. It can be customized to fit the needs of your city ordinances.

As always the building is made accessible to Law Enforcement or Animal Control Officials for drop off 24 hours a day. There is an exterior door in which officers can access the animal control kennel area using a 3 digit code.

The most common period of time for cities to hold impounded stray animals is five (5) days. Since we are not open to the public on Sundays we do not count it as one of the five (5) days. If an animal is impounded on a Thursday, it would be made available for placement with a rescue organization on Wednesday of the following week. The length of impound can be modified in the contract to reflect Grant ordinances.

Animals that are not claimed by their owners are evaluated for placement after the minimum impound time has passed. We have a great working relationship with many of the local animal rescue organizations in the area and are able to place a large number of the un-claimed animals. Although un-claimed animals are available for rescue immediately following their impound hold, it typically takes several days to locate an opening with a rescue organization and arrange for intake.

Adoptable animals are held for a reasonable number of days after the mandatory impound to allow time for rescue arrangements to be made. The city will not be charged for the additional number of days that an animal is held in order to achieve placement. The disposal fee covers the cost of staff time spent on rescue placement and it also helps to defray some of the cost associated with caring for the animal until it can be placed. We make all possible attempts to place adoptable animals before resorting to euthanasia. Animals that are evaluated as dangerous or un-predictable will be euthanized as they are not good candidates for rescue.

Due to risks with liability we are un-able to adopt animals out directly to the general public. If a private party is interested in adopting a particular animal we are more than happy to pass their contact information on to the appropriate person when it is placed with a rescue organization.

Animals that are dropped off for impound are given a basic visual evaluation during intake. If an animal appears to be in medical distress we will have it examined by a veterinarian at the first availability. If the condition is one that requires immediate

attention or pain management we will provide the necessary care within the restrictions set by Grant in the contract. It is up to the city to set the desired monetary amount for a medical allowance per animal. A common medical allowance among many of our cities is \$100.00. Typically the entire allowance is not used unless the animal has suffered a traumatic injury. In those cases we are usually able to provide sufficient care within that \$100.00 limit. If an impounded animal is found to have fleas they will be treated accordingly. This prevents fleas from being spread to other animals that are being housed in our facility.

It is up to the city to decide if they would like to charge owners who are claiming their animal an impound fee. The collected impound fees will be credited back the city's account at the end of every month to help defray the cost of any un-claimed animals. The impound fee for the city of Grant has been \$42.00 under the previous contact with ACS but you are free to set it at any amount you like. Some cities choose to issue the owners of claimed pets a citation or fine in place of collecting an impound fee during the claim process.

With the monthly invoice, you will also receive a copy of the impound slips for every animal that was either claimed or billed out during that billing period. This provides the city with all the information we have on every impounded animal. The charges are also broken down on every impound slip for the individual animal. The impound slips for claimed animals contain the owner's name, address, phone number and driver's license number. This allows the city to keep detailed records of who owns an animal that has been claimed and where they reside. A copy of these records is also maintained at our facility.

I covered as many questions that I could think of that usually come up in regards to the contract but I expect that you may have a few more. Feel free to contact Dr. Bouthilet or myself with any further questions or to discuss any changes that you would like made to the contract.

Thank You for giving us the opportunity to provide animal control impound services for the city of Grant.

Sincerely,

Pamela Freeman
Impound Manager

ANIMAL IMPOUND SERVICES AGREEMENT

HILLCREST ANIMAL HOSPITAL AND CITY OF GRANT, MINNESOTA

This agreement, effective on the ____th day of August, 2011, by and between Hillcrest Animal Hospital, hereinafter referred to as "HAH" and the City of Grant, a municipal corporation located in the County of Washington, State of Minnesota, hereinafter referred to as "City".

In consideration of the covenants and agreements, hereinafter set forth, it is mutually agreed by and between the parties hereto as follows:

1. **Services.** HAH shall serve as the impound facility for the City beginning on the date of the signing of this agreement, providing services as follows:
 - a. HAH shall receive and care for any small domestic animal brought to it during business hours by an authorized City representative, or by ruling of the Minnesota Board of Health or other Minnesota or United States Agency with jurisdiction.
 - b. If an animal is diseased, vicious, dangerous, rabid or exposed to rabies and the animal cannot be impounded without serious risk to the persons attempting to impound the animal, it may be immediately killed.
 - c. Impounded animals shall be kept in a suitable, humane manner for a period required by the City Ordinance.
 - d. In the event that any animal is unclaimed after the expiration of any applicable redemption or quarantine period, or five (5) business days, whichever is longer, it shall become the property of HAH and may be disposed of or sold at its sole discretion. All proceeds from the disposition of such animals shall be the sole property of HAH, including any proceeds received from the disposal of any dogs in accordance with Minnesota Statutes 35.71
2. **Fees.**
 - a. If an animal is unclaimed, the City shall pay to HAH the charges as agreed to on "Exhibit A" to this Agreement within 30 days of receipt of an itemized invoice therefore.
 - b. Before an animal is released to its owner, HAH or its agent shall collect the charges specified on "Exhibit A" to this Agreement.
3. **Records/ Data Practices.**
 - a. HAH shall maintain a record of all animals impounded, and shall promptly respond to inquiries from the City for information or documentation related to its performance of this agreement.
 - b. HAH shall comply with the Minnesota Data Practices Act and all other State and Federal laws relating to data privacy or confidentiality, and shall hold the City and its employees harmless from any claims resulting from an improper disclosure or use of data it receives or maintains in performance of this Agreement. HAH shall

days prior to the expiration of the then current term.

10. **Cancellation.** The agreement may be cancelled with or without cause by either party upon sixty (60) days written notice.
11. **Entire Agreement.** It is understood and agreed that this is the entire agreement between the parties and that this agreement supersedes all previous written and oral agreements between the parties relating to the subject matter.
12. **Severability.** Every section, provision or part of this agreement is declared severable from every other section, provision or part thereof to the extent that if any section, provision or part of this agreement shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision or part thereof.

City of Grant Minnesota (City)

Hillcrest Animal Hospital (HAH)

By: _____
Mayor

By: _____

Date: _____

Its: _____

By: _____
City Clerk

Date: _____

**ANIMAL IMPOUND SERVICES AGREEMENT
EXHIBIT A**

Charges due from City of Grant, Unclaimed Animal:

\$16.00	Daily boarding fee
\$100.00	Maximum, statutory veterinary services
\$20.00	Euthanasia
\$50.00	Cremation
\$40.00	Disposal of animal not euthanized
\$5.00	Administration fee

Charges due from the City of Grant shall be reduced by any City of Grant impound fees collected from owners of claimed animals.

Charges due from Owner, Claimed Animal

\$19.00	Daily boarding fee
Actual Cost	Veterinary services
\$5.00	Administration fee
\$42.00	City of Grant Impound Fee

AGENDA ITEM 8G

STAFF ORIGINATOR	Kim Points
MEETING DATE	October 4, 2011
TOPIC	Process for Road Reconstruction Fund

BACKGROUND

At the September 14, 2011, Special Council meeting, a road reconstruction fund was discussed.

It was suggested that a process for the road reconstruction fund be developed and discussed at the next Council meeting.

Attached is a tentative schedule to establish this process.

RECOMMENDATION

Council review and discussion

City of Grant
 2012 Preliminary Levy and Budget
 Adopted 9/14/2011

The City Council has diligently reviewed administrative expenses, road conditions and resident comments. Unlike the last three years there are no levy limits for 2012. The Council reviewed budget examples that included no levy increase and reduced expenditures to balance the budget compared with the 2011 budget. However, many residents contacted Council members asking for better road maintenance. Some residents asked for no levy increase and some asked for a greater increase. The Council also felt that it was not prudent to budget deficit spending again for 2012. In addition, the Council is very interested in your input. On the home page of this website in the left hand column click on the road issue feedback form. Your response will be tabulated and shared if you include your name (to avoid duplicates.)

Tentative Schedule

City Council Meeting	Tuesday, October 4	7pm	Propose and discuss process
First Informational Meeting	Thursday, October 13	6:00 pm – 9:00 pm	Open house for informal questions and feedback.
Second Informational Meeting	Monday, October 24	6:00 – 9:00 pm	Open house for informal questions and feedback.
City Council Meeting	Tuesday, November 1	7pm	Public Hearing on revised road policy.
City Council Meeting	Tuesday December 6	7pm	Truth in Taxation

At the, 2011 City Council Meeting the final levy and budget will be adopted. This levy may be decreased but not increased compared to the preliminary levy.

Expenses

The City Council has a proposed budget increase of \$24,601 or a 2.1% increase in spending on comparable expenses. The deficit spending is included in this. In addition, the Council is asking for the public's input in making an investment in additional road maintenance that would have a ten year payback compared to potholing only. This is an amount of \$70,000 for a total increase in expenses of 8.1%.

AGENDA ITEM 8I

STAFF ORIGINATOR Kim Points
MEETING DATE October 4, 2011
TOPIC Town Hall Window Repair Estimate

BACKGROUND

Attached is an estimate from Mr. Terry Derosier to fix the broken window at Town Hall.
Staff is unclear as to what the cost of materials would be.

RECOMMENDATION

Council prerogative

Window world 9/14/11
Estimate of window repair.
Cost of materials to take it
to the hardware store & get glass
replacement - clear glass. Labor Free.

Terry DeRosier
Larry White

September 21, 2011
5418 Lake Elmo Ave. N.
Lake Elmo, MN. 55042

To the Mayor and Council Members of the City of Grant:

Dear Mayor and Council Members:

The Board of the Gateway Trail Association has previously passed a resolution advocating an entrance/exit at the end of Manning Trail Court N. onto the Gateway Trail. The new Manning bridge is near completion, and trail users will soon be riding across this great new overpass. We have talked to users of the trail in the local community surrounding this new bridge, and find many want to be able to access the trail at this point which is currently being used while the bridge was under construction

We have talked to Kent Skaar at the DNR and the DNR would support this access from the trail. It would join city property for a short distance to connect with Manning Trail Court N. The DNR would put signage at that juncture telling people that access was limited to this one spot and that there is no access on the east side of Manning.

This access will allow residents of Grant to get on to the trail without a long detour. Without this access, they would have to most likely take their bikes or themselves to Pine Point Park or possibly to Hwy 96 to park and ride.

We would like to see the City of Grant proceed to develop this access with the DNR. It would be advisable to start this action soon before residents start to make their own ways on to the trail, possibly in a manner not in the best interest of Grant or the DNR.

If we can be of help in moving this matter forward, please let us know. The GTA is always interested in improving the trail for the residents of the communities it goes through.

Regards,



John Oldendorf
President Gateway Trail Association

cc: Kent Skaar. Minnesota DNR