



959 Paris Avenue Circle North, Minnesota 55082  
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February 13, 2023

West Lakeland Town Hall

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**Present:** Chairman Dave Schultz, Supervisor Marian Appelt, Supervisor Phil Moosbrugger, Carrie Seifert, Clerk; Jennifer Samec, Deputy Clerk; Marsha Olson, Treasurer; Viet-Hanh Winchell, Township Attorney

**Public Hearing, Adoption of Amendments to Town Code Related to Business Use Permits and MS4 Requirements**

Chairman Schultz called the public hearing to order to consider the adoption of amendments to multiple sections of the Town Code to address necessary changes related to Business Use Permits and MS4 requirements for Domestic Animals and Salt Storage at 7:05 PM. Mr. Mark Votava, Chairman of the Planning Commission, presented a summary of the proposed modifications to Section 2.6, 2.7, Section 4, Section 10, Section 11 and Section 18 to clarify business use within the township, specifically including a delineation between where conditional use permits are used and where interim use permits are used. The proposal includes a single business use application for both permit types.

Chairman Schultz opened for public comment and discussion. Mr. Ed Freitag, 2040 Oakgreen Ave N, asked for additional clarification between the condition use and interim use.

Mr. Votava presented the proposed modifications to section 13 to address storage of bulk de-icing materials and Section 17 to address management of domestic pet waste in public areas. The additions to the code are in response to requirements for the Township's MS4 permit.

Chairman Schultz asked for public comment to these recommended additions. No comment was received.

Chairman Schultz closed the public hearing at 7:25 PM.

**Call to Order:**

Chairman Schultz called the February 13, 2023 meeting to order at 7:28 PM.

**Board Consideration of Adoption of Amendments to Town Code Related to Business Use Permits and MS4 Requirements**

The proposed modification of the town code was presented for supervisor discussion. No additional comments were offered by the Township attorney. After discussion, Chairman Schultz moved to accept the changes of the ordinance to Section 2.6, 2.7, Section 4, Section 10, Section 11, Section 13, Section 17 and Section 18, as proposed and to direct the township attorney to prepare a summary for publication. Seconded by Supervisor Appelt, the motion carried.

**Approval of the Minutes**

Supervisor Appelt moved to approve the minutes of the January 9, 2023 regular meeting with minor corrections. Seconded by Supervisor Moosbrugger, the motion carried.

Chairman Schultz moved to accept the minutes of the January 6 budget meeting with minor corrections. Seconded by Supervisor Appelt, the motion carried.

**Treasurer's Report**

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Ms. Olson presented the treasurer's report for January 2023, reflecting \$51,850 in revenue and \$200,659 in expenses, bringing the current assets to \$2,447,340. Supervisor Schultz moved to accept the report and pay the invoices presented by the clerk. Seconded by Supervisor Moosbrugger, the motion carried by roll call vote. (3-0)

**Update Town Hall Building Committee**

Mr. John Evans, representing the Town Hall Building Committee, presented an update on the proposed revisions to the Town Hall. Mr. Evans presented the makeup of the committee and the effort completed thus far. The objectives of the committee are to provide for ADA compliance, address storage deficiencies, address security deficiencies, address technology deficiencies and provide a facility for township use in a cost-effective manner. The committee is also considering the impact on long term durability, energy efficiency and ongoing maintenance impacts. Ideally, the town hall could serve as an emergency operations center and provide for emergency power generation for the town hall and provide for law enforcement access as needed. The primary source of funding for the work is targeted from the American Rescue Act funds. These funds need to be committed by 2024. In addition, the committee is exploring other funding and grant opportunities. A grant to support the purchase of an emergency generator is submitted and pending.

The committee engaged an architect, JEM Engineering, to begin doing renderings and specifications to lead to design specifications necessary to support bid solicitation.

Mr. Evans presented the concept plan, creating two zones within the building, an administrative section of the building to provide office and security storage, and a public space for meetings and public use. The modifications include updating the bathrooms and entrances for ADA compliance, including a ramp to the dais. The proposal includes adding minimal kitchen facilities to expand functionality of the space, but not sufficient for more than warming or storing food prepared off site. The proposal includes storage for chairs, tables and other materials within the building, and expansion and update of the mechanicals and utilities.

Supervisor Moosbrugger, as liaison to the committee, noted that it would be beneficial to be able to store all the election equipment inside the more secure and temperature controlled building instead of the outdoor shed. The additional storage will also allow for consolidation of the township records. Supervisor Moosbrugger also recommended that an energy audit be completed to assist in identifying projects that will assist in managing ongoing costs and energy conservation.

In response from a question from Supervisor Appelt, it was noted that the space for utilities increased, to allow for an update to the mechanical systems. These systems are aging and should be replaced with updated, more efficient units. Clarification was made by all the supervisors, that the intent for public use was never to equip the facility to be a banquet or event space but support small community meetings and gatherings.

The board asked that the cost estimates, as they are prepared, be separated based on priority, noting that the ADA compliance is essential for a public building. The plan should be laid out in phases. The next step of the committee is to further build out the concept, phases, and estimated costs.



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### **St Croix Montessori School Conditional Use Permit Amendment and Variance**

Ms. Valerie Olson, director, and Mr. Ed Freitag, Elf Construction, presented a proposed amendment to the conditional use permit for the St Croix Montessori School. The current permit allows for 135 children to be enrolled at the school. The request for the amendment is to increase the enrollment to a maximum of 220 students.

The requested variance is to allow for more outbuilding square footage than allowed by ordinance in the Single-Family Estate district. The proposal is to modify and expand the pavilion to allow for improved food service and sanitary facilities and accommodate the growing student population, which necessitates increasing the square footage of accessory structures, but not the number of structures.

Chairman Schultz clarified that a public hearing would be required for both the amendment to the conditional use permit and the variance request, which are separate issues for consideration. After discussion, Supervisor Appelt moved to schedule the public hearings and direct the attorney to draft a public notice. Seconded by Chairman Schultz, the motion carried.

### **Planning Commission Update:**

Mr. Votava reported on the actions of the planning commission during the month of January. The commission met with the Montessori School to assist in clarifying what needed to be requested of the board. The outgoing and incoming Met Council Sector Representative also attended the meeting, to review the Met Council planning process and discussed the potential of using a Planned Unit Development approach within West Lakeland Township. The benchmark search for PUD ordinances and uses did not reveal a PUD designed for a specific use outside the allowed uses in the zone. Research is ongoing. It became evident to the Planning Commission that understanding the longer-term impacts of allowing planned unit development need to be understood in terms of how it may impact the zoning ordinances and compliance to the Comprehensive Plan.

### **Road Update:**

Supervisor Schultz had no specific issues to report regarding roads.

### **Peddling/Soliciting Permit Ordinance and Permit Revision:**

Mr. Votava summarized the proposed changes to Section 16.7 and the peddling/solicitation permit, noting the intent was to streamline the approval process. Discussion was raised about how to identify licensed contractors in the process. The draft was returned to the planning commission for additional discussion.

### **Additional Business:**

Supervisor Appelt presented a summary of the Minnesota Association of Townships Day at the State Capital. Top issues raised were transportation funding and annexation fairness as legislative



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priorities. She was able to meet with Senator Judy Seeberger and Representative Mark Weins, and as a group with Governor Tim Walz. Chairman Schultz noted he also had the opportunity to speak with Representative Mark Weins.

Supervisor Appelt presented a summary of the Washington County Administrator's Meeting, where legislative priorities of road funding and bonding requests.

Supervisor Appelt reported on the 3M Settlement Meetings, noting that technology for detecting PFAS is improving, so it is expected that the threshold amounts may be lowered. The committee is also starting to look at Priority 2 activity, focusing on clean up of the contamination.

Supervisor Moosbrugger revisited the energy audit raised as part of the Town Hall Building Committee update. Xcel has a fee for the audit for other than residential homeowners. After discussion, Supervisor Moosbrugger moved to direct the building committee to initiate an Xcel Energy Audit with an estimated cost of \$600. Seconded by Supervisor Appelt, the motion carried by roll call vote (3-0).

The contract with ELC for lawn and snow management for 2023 was presented for review. In general, the costs were not substantially different than the 2022 contract. After discussion, Chairman Schultz moved to accept the contract with ELC for lawn and snow management for 2023. Seconded by Supervisor Moosbrugger, the motion carried by roll call vote (3-0).

**Public Comment:**

No comments were raised.

**Old and New Business:**

Ms. Samec noted that the applications for recycling grants are due. She proposed two projects, the recycling section of the newsletter and a curbside recycling opportunity in the spring. The board concurred with her recommendation. It was suggested that the curbside recycling opportunity be scheduled for the week of May 15-19.

Supervisor Appelt noted that with the approval of the revision of the business related sections of the ordinance, it is an appropriate time to recodify the ordinances, so that modifications and amendments can be brought into the consolidated text. This was last done six years ago. Supervisor Appelt will begin investigating resources and costs.

Mr. Duane Stensland noted he will begin transferring his business to Mr. Isaac Stensland. The town inspector will remain with the same firm, but the staffing will change.

Supervisor Appelt noted the next meeting will be March 6, to avoid conflict with the Town Meeting.

**Adjourn:**

Having no further business, Chairman Schultz moved to adjourn the meeting. Seconded by Supervisor Appelt, the motion carried. The meeting was adjourned at 8:40 PM.



# WEST LAKELAND TOWNSHIP

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Respectfully Submitted,



Elizabeth A. Vance  
Recording Secretary