



WEST LAKELAND TOWNSHIP

959 Paris Avenue Circle North, Minnesota 55082
651/436-4773 · <http://www.westlakeland.govoffice2.com>

April 10, 2023

West Lakeland Town Hall

Present: Chairman Dave Schultz, Supervisor John Buelow, Supervisor Phil Moosbrugger, Carrie Seifert, Clerk; Marsha Olson, Treasurer; Viet-Hanh Winchell, Township Attorney; Ryan Stempski, Township Engineer

Call to Order

Chairman Schultz called the meeting to order at 7:06 PM.

Approval of the Minutes

Chairman Schultz moved to approve the minutes of the March 6, 2023 regular meeting with minor corrections. Seconded by Supervisor Buelow. The motion was carried with Supervisor Buelow abstaining.

Chairman Schultz moved to approve the minutes of the organizational meeting with minor corrections. Seconded by Supervisor Buelow, the motion carried.

Treasurer's Report

Ms. Olson presented the treasurer's report for March reflecting \$12,691 in receipts and \$74,357 in expenses, bringing the total current assets to \$2,373,887. There are two CD's due to mature shortly. Chairman Schultz moved to approve the treasurer's report and pay the invoices presented. The motion was seconded by Supervisor Moosbrugger and passed by roll call vote (3-0).

Todd Adams, Adams Construction, Request for Peddler's Permit

Mr. Todd Adams presented a request for a peddler's permit to solicit business in the township. The company is located in Plymouth, but works throughout the metro area, is a smaller family-owned company in business since 2016. Supervisor Buelow asked that the application be updated with additional contact information and business license information. Chairman Schultz noted that the permit process is under revision. No concerns were raised by staff or supervisors. Supervisor Moosbrugger moved to approve the permit, conditioned on reflecting the additional contract and license information. Seconded by Supervisor Buelow, the motion carried.

Planning Commission Update

Mr. Votava presented the current draft of the revision of the modifications to the soliciting and peddling application and revision to Ordinance Section 16.7. It was agreed to move this forward for a public hearing. Chairman Schultz noted that the fee schedule should be reviewed.

Mr. Votava brought forward the task of recodifying the town code to incorporate amendments into a single document. This will be reviewed at the next planning commission meeting.

Twin Pines Developer's Agreement and Stormwater Management Agreement

Ms. Winchell, township attorney, brought forward the agreement, and noted a few unique changes. The development is being sold to McDonald Construction, so the language is to accommodate the sale and allow the development to move forward. Normally security is required at the time the developer's agreement is approved by the board. It has been agreed that the security is to be provided

April 10, 2023

West Lakeland Town Hall

to the clerk at the filing of the plat. Ms. Winchell will incorporate this into her review of the final plat. Both the attorney and engineer have reviewed the final plat.

Mr. Stempski did ask Valley Branch Watershed District to review the Stormwater Management Agreement and received their concurrence. Mr. Stempski further noted that there is some follow-up from the approval, specific to coordinating the easement and bringing the full package back to the board to act on 28th Street improvements, with some cost share by the Township. The staff recommendation is for approval.

Supervisor Buelow had concerns with the development. He noted in the developer's agreement with the town being responsible for storm water improvements. He believes that this should be borne by the developer. In his experience, the costs are borne fully by the developer regardless of the current condition of the storm water management issues currently present. He also noted that the warranty period is not specified in the document. Mr. Stempski noted the warranty period is one year. Supervisor Buelow would like to see this extended, one year is not enough. He suggested a 20-year warranty if the road design is to last 20 years. Mr. Stempski noted a one-year warranty is standard for municipal projects. The township also has an inspector on site to ensure the construction and engineering is up to standard. The one year is to look at the freeze thaw cycle to look at defective work. It is not a guarantee for any wear, but that work is done to industry standards. Ms. Winchell clarified that the warranty is for installation and workmanship. Supervisor Buelow would also like to see the high season water table noted, and concern on the impact of the high seasonal water table on the road. Mr. Stempski noted that this did not get raised as a concern with the review by Washington County and Valley Branch Watershed District.

Mr. Stempski noted that the cost sharing was a result of a combination of the development and the current water erosion and overflow did not have a long-term protective solution for this area impacting current properties to the north. With collaboration with the Watershed District, the agreement to include this long-term solution for the current runoff and erosion issues with the developer's improvements. Mr. Stempski provided an overview of the design and clarified that the maintenance of the stormwater pipe would follow the developer or homeowner's association, with the township having oversight.

Chairman Schultz does not support changing the warranty period at this late stage in this development, and if the policy is to change, it should be done outside this agreement.

Supervisor Moosbrugger asked if the delay of posting the security would be a concern of the agreement. Ms. Winchell indicated it would not be a concern.

Chairman Schultz moved to approve the developer's agreement and stormwater agreement for Twin Pines Development and allow for signature outside the meeting. Seconded by Supervisor Moosbrugger, the motion carried, with Supervisor Buelow voting against the motion. Supervisor Buelow does not support the Township cost share of the storm water improvements.

Roads Committee, Supervisor Buelow

Supervisor Buelow has seen what the renovation committee has done, and noted this has saved the board a lot of effort and would like to see a similar committee on road maintenance. He noted that the costs are increasing for components and construction. He would like to see the Township be able to move more quickly on needed repairs.

April 10, 2023

West Lakeland Town Hall

Chairman Schultz, after discussion with engineers and contractors, would not believe a road committee concept would not provide executable work plans, and the constraints are budgetary, not a selection of optional or required work. He noted that the residents voted at the annual meeting to continue to levy road repairs.

Mr. Stempski said he does not have experience with a roads committee comprised of citizens, not board members. A roads program works well if there is a good inventory and a good objective rating standard such as age or distress that can be mapped to the funding. He does support input from the residents, but the authorization of work is the decision of the town board.

Supervisor Moosbrugger supports a systematic inventory of all the township roads, and an objective review of the life expectancy of the roads, and then address the priority of roads and unfunded requirements. He would like the township to consider bonding as a method of funding. He is not in favor of a committee to do that analysis.

Supervisor Buelow asked if, with the work on 30th Street, there was reimbursement for the gravel removed from this project or used on work in our township in the future. Mr. Stempski noted that the material had deteriorated to the point where it was no longer suitable for use.

Road Update, Chairman Schultz

Chairman Schultz noted that there are some severe potholes, and some of the worst have been patched. Supervisor Buelow noted that there may be options to cold patch products that may last longer, but he is not aware of the costs.

Landlocked Basin Study, Chairman Schultz

Valley Branch Watershed District and the Corps of Engineers is doing a study of landlocked basins. This is to review flooding at landlocked basins, those that do not have an outlet, such as Down's Lake or Sunfish Lake. They are looking at options to prevent flooding in the basins, similar to the project 1007 in the late 1980's to manage flooding. Chairman Schultz has concern over funding for the project, and if the Township will be required to bear some of the cost. The information is on the township website and Valley Branch Watershed District website.

Review and Sign Resolutions

The following resolutions were presented for signature after approval at the March regular meeting.

R-2023-3 for variance for allowing size and number of accessory structures for the St Croix Montessori School.

R-2023-4 for amendment for conditional use permit to increase allowed enrollment from 135 to 200 students.

Supervisor Buelow asked about the impact of building permits on the septic system requirements, and if the additional flow was addressed. Supervisor Schultz noted that the septic system had been increased and permitted by Washington County recently.

2023 Street Sweeping Contract

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April 10, 2023

West Lakeland Town Hall

A contract proposal for street sweeping from Miller Excavating was presented for review. For this contract, the average rate included the fuel surcharge compared to the fixed rate for last year. Supervisor Moosbrugger moved to approve the contract with Miller Excavating for 2023. The motion was seconded by Supervisor Buelow and approved by roll call vote (3-0).

Public Comment

Supervisor Schultz opened the floor for public comments.

Mr. Brad Cornell, 2733 Neal Avenue, noted that he believes the holding ponds on Lake Elmo Airport are not holding the water as expected. The next road project will need to address that water. He would like to see if the township could address that issue with MAC and the Valley Branch Watershed District so that 30th Street is not damaged by water overflow. Chairman Schultz noted that he did raise this issue at the Valley Branch Watershed District open house with their inspector. Mr. Stempski noted that there was excessive run off prior to the MAC project, and the restriction is that they could not exceed the runoff prior to that project. He did agree that a review by the Valley Branch Watershed District is appropriate.

Old and New Business:

Chairman Schultz noted the snowstorm on April 1st, and noted the large amount of tree damage was experienced in the Township. He noted that there was an Emergency Management meeting he missed due to a power outage, and the follow up conversation with Washington County. We may have met the minimum costs to have to the state allow for some level of reimbursement. Approximately 10 miles of road needed clearing from tree debris. The current estimate to clear the right of way is \$70,000, to include the manpower, transportation and disposal. Supervisor Buelow noted he had an individual chip the debris at no cost. However, this raises concern about liability and permitting. Mr. Matt Schmidt noted that the rate is found is around \$9 per cubic yard to chip and haul away debris.

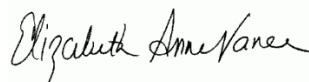
The clerk presented information on the annual curbside clean up scheduled for May 19, 2023. A postcard mailing with details will be out this next week to residents.

Supervisor Buelow noted that some of the tables should have modesty skirts at the request of residents. The clerk will research this option further.

Adjourn

Having no further business, Chairman Schultz moved to adjourn the meeting. Seconded by Supervisor Moosbrugger, the motion carried. The meeting was adjourned at 9:20 PM.

Respectfully Submitted,



Elizabeth A. Vance
Recording Secretary