



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

West Lakeland Town Hall

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**Present:** Chairman Dave Schultz, Supervisor John Buelow, Supervisor Phil Moosbrugger, Carrie Seifert, Clerk; Marsha Olson, Treasurer; Jenny Samec, Deputy Clerk; Hailey Howe, Township Attorney representative

**Public Hearing, Change to Conditional Use Permit for St Croix Montessori School, 177 Neal Ave N, to allow main access to the School to Remain on Neal Ave N**

Chairman Schultz called the public hearing to order at 7:00 PM to consider an application by Valerie Olson of St. Croix Montessori School for the property located at 177 Neal Avenue North, for an Amended Conditional Use Permit to allow the main access to the school to remain on Neal Avenue North, rather than moving it to the frontage road. Mr. Chris Shelton and Mr. Ross Behling from the school board presented the request. The initial amendment had as a condition to move the entrance from Neal Avenue to the frontage road to reduce traffic congestion during pick up, drop off and school functions. The plan recommended by the Washington County traffic department is much more expensive and intrusive into the school property. An alternative was presented to the board which would retain an entrance on Neal Avenue further from the intersection and add parking spaces and stacking spaces off the public roads.

Mr. Del Miske presented the review of the West Lakeland Planning Commission. The plan does address the concerns raised at the previous hearing and does prevent the need for the students to routinely cross the drive. The planning commission recommended approval, recognizing that this plan meets the core requirement of moving cars off the public street. Chairman Schultz reported on a letter from Mr. Dan Elder from Washington County, with some requested considerations that would need to be met for the new proposal to be determined as sufficient, including dedicated right of way, extending the paved shoulder, moving the driveway from the current access point and obtaining an access permit from Washington County. Future increases in the student population may still require the access to be moved from Neal Avenue.

Mr. Richard Casci, 195 Neal Avenue, asked if the current entrance would be removed. He has concerns about parking on the street during school events. During some school events, he has found it difficult to exit his driveway.

Ms. Jodie Alldritt, 120 Neal Ave, asked if the additional parking would prevent the need for parking on the street during school events. Mr. Shelton and Mr. Behling noted that the on-street parking would be drastically reduced, and school procedures and school staff would address parking issues with parents and staff. The proposed alternative design provides for 850 feet of additional parking/queuing space. Ms. Alldritt asked about lowering the speed limit. Chairman Schultz replied that speed limits are set by the state. Ms. Alldritt noted that the moving of the fences and buildings did not seem to be cost prohibitive in her opinion. Mr. Behling noted the cost is driven by the length of the drive required to meet managing the slopes and access distances requested in the original plan.

Mr. Gary Heaser, 290 Neal Ave N, expressed concerns over the speed of traffic, noting the hills on the road, no passing zones, number of driveways, and use by bicyclists and pedestrians.

Having no additional comment, Chairman Schultz adjourned the public hearing at 7:33 PM

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### **Call to Order**

Chairman Schultz called the regular meeting of the West Lakeland Town Board to order at 7:33 PM.

### **Supervisor Discussion, Modification CUP Amendment for St Croix Montessori School, 177 Neal Ave N**

Chairman Schultz noted he sat at the school one morning during drop off time and did not see any queuing on Neal Ave. He did see cars waiting to make the left hand turn into the school parking lot. Supervisor Buelow asked how many cars came to the school each day. Currently, they have about 88 cars per day. He thinks the additional parking will address the daily use but would like to ensure the school addresses the neighborhood concerns.

Supervisor Moosbrugger indicated that the concerns raised by Washington County traffic management be considered as conditions should the amendment be modified. He also asked about the sight lines for the new entrance. Based on distance from the hill, this should be an improved sight line. Ms. Olson noted that one third of the students stay for after care, further decreasing the density of cars at the end of the school day. She noted that for the Halloween event, there were open spaces in the parking lot, but parents chose not to park in the lot. This will be addressed by the school administration in the future.

After discussion, Supervisor Moosbrugger moved to approve the amendment to the conditional use permit to allow for access on Neal avenue as outlined in the proposed parking plan, subject to the conditions additional 50 feet of right of way, extended paving of the shoulder, receiving an access permit from Washington County, removal of the existing driveway, and noting that any further expansion of the student body would require that the access on Neal be revisited, and to instruct the attorney to draft a resolution documenting the approval. Seconded by Supervisor Buelow, the motion carried.

### **Approval of the Minutes**

Chairman Schultz moved to approve the minutes of the October 2023 regular meeting, with minor corrections. Seconded by Supervisor Moosbrugger, the motion carried.

### **Treasurer's Report**

Ms. Olson presented the treasurer's report for October 2023, reflecting \$23,113 in receipts and \$54,200 in expenses. Chairman Schultz moved to approve the report and pay the invoices presented by the clerk. Seconded by Supervisor Buelow, the motion carried by roll call vote (3-0).

Ms. Olson presented a summary of the "safe and sick law" newly passed by the State of Minnesota. The law provides for safe and sick time for government employees, including township staff. Alternatives on how to accommodate this law were briefly introduced. The clerk was directed to include this as an agenda item for the December meeting.

### **Planning Commission Update**

Mr. Del Miske presented a summary of the work by the planning commission, including continuing work on the fee schedules and a potential variance request, not yet presented to the board. Changes to the fee schedule may result in minor modifications to the ordinances.

### **Building Permit Fee Schedule**

Mr. Miske presented a draft of the revised building permit fees, noting this should be considered when updating the contract with the building inspector. A new contract is recommended. The revised fee schedule includes fixed fees for some standard services and more in line with other municipalities and considering ICC tables and MN Statute 326B.153. The planning commission recommended increasing the share of the fee to the building inspector from 65% to 85%, as they are providing additional services including documentation previously done by the town board. Supervisor Moosbrugger recommended that the documentation be returned to the township staff, and if done, the share of the fee due to the inspector should be reviewed. A final draft will be presented at the next meeting.

The review of the building inspector contract will be delayed until the new building fee schedule is finalized.

### **Landlocked Basin Study**

Chairman Schultz presented a summary of the landlocked basin study being done by the Valley Branch Watershed District. Included in the study are Horseshoe Lake and the West Lakeland Storage ponds in West Lakeland Township. Three alternatives are being considered to address the high flooding levels experienced in the past. Estimated costs vary from \$15M to \$113M. He expressed concern about how the project would be funded, as it seems that the most likely funding would be from the Watershed residents. There is also concern about the impact on the spread of PFAS.

### **Washington County All Hazard Mitigation Plan**

Chairman Schultz noted the need to update the Washington County All Hazard Mitigation Plan every five years. By participating in this plan, there are options for funding in the event of an emergency. There is no cost to participate. Chairman Schultz moved to sign the resolution noting participation by West Lakeland Township in the Washington County All Hazard Mitigation Plan. Seconded by Supervisor Moosbrugger, the motion carried.

### **LRIP Local Road Improvement Grant**

Chairman Schultz noted that his improvement grant was being investigated as a method of funding the turn up of 22<sup>nd</sup> Street to Washington County. The project is not yet in the Washington County 5-year capital improvement plan, so an application is not appropriate at this time. Supervisor Moosbrugger asked if there was any way to freeze the estimated cost share for this project with Washington County, so that the township would not be subject to time based increases while the County determines a program date.

### **Recodification of Township Ordinances**

Supervisor Moosbrugger brought forward the draft contract with American Legal Publishing to recodify the town code and provide code update services and web publishing. It was noted that the cost to recodify the code at \$6500 is less than would be charged by the Township attorney. He noted some minor changes to the contract language, providing for a 90-day review of the draft. It is his



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recommendation that the township proceed with the contract for recodification and follow on support services. It was confirmed that the web published document would be an on-line searchable document.

After discussion, Supervisor Moosbrugger moved to enter into contract with American Legal Publishing for recodification of the township ordinances at an estimated cost of \$6,500 and follow on services for online web hosting for \$800 and updates for \$20 per page. Seconded by Supervisor Buelow, the motion carried by roll call vote (3-0).

## **Township Election Date**

Supervisor Buelow proposed moving the election date for the township election to the November election, indicating that there may be a higher turnout. Chairman Schultz noted that this would necessitate longer terms of either 4 or 6 years. He also expressed concern that the higher turnout may not be aware of township issues and concerns, and based on the experience with other townships, may result in lowering the attendance at the annual meeting, where the key vote on the levy is mandated. State law requires that the town meeting be held in March. No action was taken at this time.

## **Additional Business**

Chairman Schultz noted that the road and bridge funds has exceeded the budgeted estimate, due primarily to snow removal in the spring and additional costs for street sweeping.

Chairman Schultz noted that Mr. Ryan Stempski is no longer with Focus Engineering. West Lakeland's primary engineer will be Ms. Cara Geheran.

Supervisor Buelow reported from the steering committee for the PFAS Priority 2 workgroup that costs for initial projects are coming in higher than expected. This has limited impact on West Lakeland Township.

Supervisor Buelow asked if the board would consider allowing private citizens to fund and contract for the repair of the township roads in their neighborhoods. Chairman Schultz expressed concern over liability issues and how to manage the quality of the repair. Supervisor Moosbrugger noted that any concept would need legal review. No action was taken at this time.

Supervisor Buelow suggested that the township obtain portable truck scales. He believes that a number of trucks on township roads are exceeding the load limits, and believes that weighing these trucks would increase compliance and protect township roads. Concern was raised on how the scales would be used, and who would administer the weight checks.

Chairman Schultz signed the 2023-2024 snow contract with Miller Excavating approved at the October meeting and Resolution R-2023-9, approving a building variance.

It was noted that Supervisor Moosbrugger will participate on behalf of the township in a metropolitan governance task force meeting for MAC and the Minnesota Department of Agriculture.

The MAT annual meeting will be held in St Cloud on Dec 7-8. Ms. Siefert will be attending.

Mr. Dan Kylo, Building Manager, noted the fire extinguishers need to be inspected, which will result in a charge estimated at \$150 for an external inspection. He is also scheduling inspections of the furnaces prior to the cold weather and getting locations marked for building utilities.

## **Public Comment Period**

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Ms. Tamara Morrissey, 2465 Periwinkle Avenue, asked if the township cost share for 22<sup>nd</sup> Street could be fixed with Washington County at the current proposed rate, and funds set aside for that purpose. She would like to see the township consider a donation fund for road repair, with funds earmarked for specific neighborhoods. She voiced support for retaining the township elections in March, and asked if absentee voting was possible. The clerk confirmed that absentee voting is enabled for that election. She suggested that the township consider increased fees for truck hauling to assist in managing road repair.

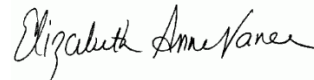
Mr. Brad Cornell, 2733 Neal Avenue, provided an update on activity at Lake Elmo Airport. He noted that the complaints registered for Lake Elmo Airport have been increasing, with the bulk of the complaints originating with West Lakeland residents. He expressed concern at the noise level during take off and landing, believing the levels exceed FAA guidelines. Members of the advisory committee suggested that he become part of the advisory committee.

Ms. Mary Vierling, 2825 Neal Ave N, requested that Mr. Brad Cornell be appointed as the West Lakeland representative to the Lake Elmo Airport Advisory Board. Currently that position is held by Supervisor Buelow. Supervisor Buelow moved to appoint Mr. Brad Cornell to the Lake Elmo Advisory Board. Seconded by Chairman Schultz, the motion carried.

## **Adjourn**

Having no further business, Chairman Schultz moved to adjourn the meeting. Seconded by Supervisor Buelow, the motion carried. The meeting was adjourned at 10:40 PM.

Respectfully Submitted,



Elizabeth A. Vance  
Recording Secretary