



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

November 14, 2022

West Lakeland Town Hall

Present: Chairman Dan Kylo, Supervisor Dave Schultz, Supervisor Marian Appelt, Carrie Seifert, Clerk; Marsha Olson, Treasurer; Jenny Samec, Deputy Clerk; Mark Votava, Planning Commission Chair; Ryan Stempski, Township Engineer

Call to Order

Chairman Kylo called the November 14, 2022 meeting of the West Lakeland Board of Supervisors to order at 7:03 PM.

Approval of the Minutes

Chairman Kylo moved to approve the minutes of the October 10, 2022 meeting with minor corrections. Seconded by Supervisor Appelt, the motion carried.

Treasurer's Report and Payment of the Bills

Ms. Olson presented the treasurer's report for October 2022. The report reflected \$104,199 in expenses and \$74,255 in receipts, with the Township's current assets at \$2,505,025. Chairman Kylo moved to approve the report as presented and pay the invoices presented by the clerk. Seconded by Supervisor Schultz, the motion carried by roll call vote (3-0).

Planning Commission Review

Mr. Mark Votava presented an update of the activities of the planning commission.

The Met Council 2040 System Statement update was reviewed, with no noted actions for the Township at this time.

Minor corrections were made to the business use application and associated draft ordinances. After additional discussion, the planning commission will review town board comments at the next meeting, with the expectation that a final draft would be available for the board at the December meeting.

The draft ordinance section 8.9 is complete and presented for final review. In discussions, there were no further concerns, and the draft can be considered for a public hearing. Chairman Kylo moved to direct the clerk to schedule and direct the attorney to publish for publication a public hearing notice for the draft Section 8.9 of the West Lakeland Town Code. Seconded by Supervisor Appelt, the motion carried.

The planning commission reviewed the home occupation request from Mr. Rob Cherry and two concept proposals. The concept proposals included an ongoing discussion of potential for a solar farm at the property south of the Lake Elmo Airport off 30th Street and the potential for storage garages at the substandard lot at Stagecoach Trail and Hudson Road N. Both offer unique conditions which restrict the uses to which the land may be used. There is no desire to rezone these areas at this time. The concept of using a Planned Unit Development to address these unique circumstances was raised, and the planning commission requested feedback from the board if that avenue should be further explored. The board indicated that research into the potential of the PUD to address the concerns should continue. However, no action or specific directive was offered at this time.

Accessory Structure Request, 1657 Neal Ave N

Mr. Tim Mossak appeared before the board to discuss the location of a proposed accessory structure on his property. The property lies in between two public roads, Nolan Ave N and Neal Ave N. At the time the lot was purchased, the access and property address were Nolan Avenue. In 2011, Mr. Mossak applied to Washington County to set the formal address of the property off Neal Ave N, as this allowed safer access to the school bus route. However, the Neal Ave N address places the desired location for the accessory structure in front of the front setback of the residence, thus triggering a need for a variance. The board discussed options on how the accessory structure might be allowed, and suggested that either a variance be considered, or the address returned to Nolan Ave N. No action was required at this time.

Review Conditional Use Permit, Minnesota Paving and Materials

Mr. Mark Butler, Mining Engineer and Land Management for Minnesota Paving and Materials, presented the conditional use permit issued by Washington County for Township review. It was noted that the supervisors recently completed a site inspection of the site at Hudson Road. It was also noted, that with change in management, the permit had lapsed. Discussion with the board of supervisors noted there has been no new concerns raised with the operation. The discussion did focus on the hours of operation, with the supervisors emphasizing there is no desire to increase the hours of operation, and that if deviation in the hours of operation were to occur, the town clerk must be notified in advance. It was noted that the hours approved for operation are currently 7 AM to 9 PM as approved in 2016. After discussion, Chairman Kylo moved to notify Washington County of the review of the 5-year renewal of the mining permit for Minnesota Paving at Materials with no additional concerns or modifications. Seconded by Supervisor Appelt, the motion carried.

Home Occupation Permit, 1383 Norcrest Ave N

Mr. Rob Cherry presented an application for a home occupation permit to sell and distribute fundraising products from his home at 1383 Norcrest Avenue. Although most of the sales are online, there is some retail activity at the site, as customers can choose to pickup their materials from that location. There is also a refrigerated truck used for storage of materials which is sometimes left operational in the driveway.

Mr. Votava presented on behalf of the planning commission, noting that the retail activity, although minimal, and the vehicle, with occasional use of the refrigeration unit on site, was determined to be a Class 3 business, and recommended a hearing be scheduled. Supervisor Schultz noted that Mr. Cherry is his neighbor. After discussion, Chairman Kylo moved to direct the clerk to schedule a public hearing and direct the attorney to publish the notice for the home occupation permit at 1383 Norcrest Ave. Seconded by Supervisor Appelt, the motion carried.

Twin Pines Fields, Drainage Improvements

November 14, 2022

West Lakeland Town Hall

Mr. Ryan Stempksi, township engineer, presented the proposed option to improve the current drainage at 28th Street and Oakgreen and to address the overflow for the storage pond proposed for the Twin Pine Fields. The recommendation is from consultation between Mr. Stempksi, the developer of Twin Pine Fields, and Valley Branch Watershed District, and would pipe the runoff from the existing lots and the planned storage pond to 28th Street. The estimated cost share for the township, which covers the pipe and the catch basin at \$40,000. The developer will be reimbursed the cost share at the completion of the project. There would also be a change in the easement to accommodate the location for the piping and catch basin. After discussion, Supervisor Schultz moved to approve the execution and cost share at an estimate of \$41,000 for the drainage improvements at 28th Street N and Oakgreen Ave, with payment based on validated actual costs at the completion of the project, as detailed in the Developer's agreement for Twin Points Fields. Seconded by Supervisor Appelt, the motion carried by roll call vote (3-0).

MS4 Permit Application

Mr. Ryan Stempksi, township engineer reported on the progress of the application for the renewal of the Township's MS4 permit. Two additional areas are required to be addressed in the Township Ordinance to be compliant with the permit application, including management of pet waste and management of de-icing materials. Concern was raised that an ordinance on pet waste on the Township's large lots would be difficult to enforce and excessive intrusion. The draft ordinances were forwarded to the planning commission for review.

Vacation of Road Easements, 28th St and 26th St

With the approval of the Twin Pines Fields development, the road easements off 28th St and 26th St become unnecessary for future development. This will be taken up as a separate action. Chairman Kylo did confirm that the township determines the allocation of property to the neighboring lots when the vacation is executed and would take into consideration to the location of the lot lines prior to the creation of the easement. No action was taken at this time

Email Retention Policy

The board reviewed a draft of an email retention policy for the township. Discussion resulted in some recommended changes. The draft will be updated and returned for review at the next meeting.

Architect for Town Hall Renovations

Chairman Kylo reported on the actions of the building committee on finding an architect to support the renovation of the town hall. Two candidates were reviewed, Mr. Jake Weyrach from RSP Architects and Mr. Jerry Anderson from JAM Architects. Both are qualified and cost proposals were very similar. Mr. Weyrach is a younger architect from a larger firm. Mr. Anderson is a solo practitioner with demonstrated experience in municipal buildings and municipal renovations. The board appreciated Mr. Anderson's broader experience and appreciated being contracted with a smaller firm which should provide more focus. After discussion, Supervisor Appelt moved to accept the proposal from Mr. Jerry



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November 14, 2022

West Lakeland Town Hall

Anderson, JAMB Architects, to work with the board and building committee on the design of town hall improvements, with an estimated cost not to exceed \$9,450 and to issue a retainer of \$2,000. Seconded by Supervisor Schultz, the motion carried by roll call vote (3-0).

Road Update

Pothole repair is complete, and the light at 30th and Manning is functioning. There will be an annual maintenance cost share for this stop light.

Bayport Fire update

Supervisor Schultz attended the meeting of the communities supporting the Bayport Fire Department. The cost share formula was reviewed, and the formula updated, which will be reflected in the next contract renewal.

MAT Annual Conference

Supervisor Appelt reported on the MAT annual conference. Highlights included the sessions on harassment, township legal concerns, and the legislative agenda MAT will be addressing during the next legislative session. Resolutions presented at the conference address a proposal for e-vehicle tax to replace gas tax revenues, supporting charitable gambling fees to townships, and restricting government agency appeals to rulings of the Board of Appeal and Equalization.

Public Comment

Chairman Kylo opened the floor for public comment. None was received.

Old and New Business

Chairman Kylo reported that the grant application for funds to acquire an emergency generator had been submitted. The approval process is lengthy.

Chairman Kylo noted the timer for the parking lot lights has failed, the company will be replacing the timer mechanism. He also noted that a number of mechanicals are aging, and recommended the Township establish a business account with a company such as One Hour Heating and Air Conditioning to allow for work to be performed and invoiced, rather than cash upon completion. One Hour Heating and Air Condition was suggested because of experience in working with this firm. There is no cost to establish a business account. After discussion, Supervisor Schultz moved to direct the clerk to establish a business account with One Hour Heating and Air Conditioning. Seconded by Chairman Kylo, the motion carried.

Supervisor Appointment.

Chairman Kylo formally presented his resignation from the Board of Supervisors. As Vice Chair, Supervisor Schultz continued to conduct the meeting. Supervisor Schultz reported on the results of the interview process of the five applicants. After review of the candidates from each of the members of the selection committee, Supervisor Schultz, Supervisor Appelt and Clerk Carrie Seifert, Supervisor

WEST LAKELAND TOWNSHIP

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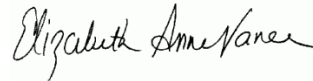
West Lakeland Town Hall

Appelt moved to nominate and appoint Mr. Phil Moosbrugger to complete the vacated term of Mr. Kylo. Seconded by Ms. Seifert, the motion carried by roll call vote (3-0).

Adjourn

Supervisor Schultz moved to adjourn the meeting. Seconded by Supervisor Appelt, the motion carried. Supervisor Schultz adjourned the meeting at 11:17 PM. A plaque commemorating his service and doughnuts were presented to Dan Kylo.

Respectfully Submitted,



Elizabeth A. Vance
Recording Secretary