



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

December 11, 2023

West Lakeland Town Hall

Present: Chairman Dave Schultz, Supervisor John Buelow, Supervisor Phil Moosbrugger, Carrie Seifert, Clerk; Marsha Olson, Treasurer; Jenny Samec, Deputy Clerk; Viet Hanh Winchell, Township Attorney

Call to Order:

Chairman Schultz called the December 11, 2023 regular meeting to order at 7:06 PM.

Approval of Minutes:

The clerk presented the minutes of the November 13, 2023 regular meeting, a special meeting held on November 15, 2023 regarding the potential for bonding options for road maintenance, a special meeting held November 24, 2023 regarding the potential for bonding options for road maintenance and a special meeting held October 25, 2023 regarding the town hall renovation project. After review, Chairman Schultz moved to accept the minutes of the November 13, 2023 meeting with minor corrections and the minutes of the special meetings held November 15, 2023, November 25, 2023 and October 25, 2023. Seconded by Supervisor Moosbrugger, the motion carried.

Treasurer's Report:

Ms. Olson presented the treasurer's report for November 2023, reflecting \$556,328 in receipts and \$145,034 in expenses. After review, Chairman Schultz moved to approve the report and pay the invoices presented by the clerk. Seconded by Supervisor Moosbrugger, the motion carried by roll call vote (3-0).

The board reviewed the options for managing the earned safe and sick time mandated by the State of Minnesota effective January 1, 2024. The board discussed options for managing the time. After discussion, Chairman Schultz moved to grant safe and sick time hours annually at the beginning of the year and pay out any unused time at the end of year. Seconded by Supervisor Moosbrugger, the motion carried.

Planning Commission Update:

Mr. Mark Votava updated the board on the actions of the West Lakeland Planning Commission. He noted the secretary position will be filled by Mr. Sean Flaherty. Ongoing activities include the township fee schedule, noting that there may be minor changes to the text of the township ordinances to align fees referenced in the text with the fee schedule. An inquiry was made of the planning commission on the acreage required for keeping goats. It was noted that goats are small sized livestock and are beneficial in managing invasive species. A review of the livestock ordinances is being drafted to consider if a modification is appropriate. A request was put before the planning commission to consider the size of outbuildings with regard to acreage on larger acreage lots. A subcommittee will be working with American Legal Publishing on the recodification of the township ordinances moving forward.

Building Permit Fee Schedule:

Mr. Votava presented the updated draft of the building permit fee schedule. Table 1 represents the fixed fees charged for specific services. Table 2 is consistent with state statutes and a similar format that used by a number of municipalities. In addition to the fees proposed, there is a surcharge for plan review. After the updates, the final fees charged are not really changing for the residents but do provide more consistency and clarity.



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Supervisor Buelow asked about documented procedures for demolition. Mr. Isaac Stensland responded that reports from 3d party inspectors expert in hazardous materials were retained to address the concern over contaminated building materials. Supervisor Moosbrugger asked about the impact of the plan review fee. Mr. Votava responded that the cost to the resident should remain consistent with the current fees. The proposed schedule was returned to the planning commission to review and confirm the lowest tiers of the schedule to ensure the fees are appropriately defined.

Building Inspection Contract:

Minor changes to the contract were recommended by the township attorney and agreed to by the inspector. It was noted that the contract should refer to the fee schedule, and not a specific state statute. The adoption of the contract was deferred to allow for a final review of the building fee schedule.

Metropolitan Governance Task Force:

Representative Mark Weins appeared before the board to introduce the Metropolitan Governance Task Force and the upcoming public engagement sessions. The task force is evaluating the Metropolitan Council, including its governance, roles and responsibilities. It was suggested that the Metropolitan Airport Commission also be considered for a similar review in the future.

Ms. Marian Appelt asked to clarify the format for the public engagement sessions. Mr. Votava raised the comment that the planning process for the community comprehensive plan is a generic process and not appropriate for a township.

Lake Elmo Airport Advisory Committee Report:

Mr. Brad Cornell reported on the actions of the Lake Elmo Airport Advisory Committee. He noted that with the previous runway there were 5 homes immediately in the runway approach surface. The new approach surface, per Mr. Cornell, holds 24 homes. The last meeting focused on updating the noise abatement standards, which are voluntary. Comments are open for residents regarding the draft noise abatement plan through December 2023.

West Lakeland Freeway Properties:

Mr. Jake Steen, on behalf of the property owner, Mr. Steve Nelson, appeared before the board requesting variances and a conditional use permit for a self-storage facility located at the southwest corner of Stagecoach Trail and I-94. The applicant is looking for variances to the minimum lot size for commercial use and surfacing requirements for a commercial facility. The application proposes a fully enclosed (fenced), outdoor self-storage facility with a class 5 surface. No buildings, septic or water is proposed. Access to the site, after discussion with MNDoT, is proposed to come off the western edge of the lot on Hudson Road. It was noted that there is currently screening from existing trees and a lower elevation of the bulk of the property. Mr. Steen noted that when the property was acquired in 1990, the expectation was to maintain a billboard on the site. A permit was granted by the township at that time but overruled by Washington County who had zoning authority at that time. Since that time, zoning has been returned to the Township.

Mr. Votava reported on the review by the planning commission. In general, the members were supportive of the use, given that this is a very unique nonconforming lot. Concerns were raised over



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sufficient access and screening. Chairman Schultz noted that the ordinance currently does not allow for outside storage as part of the allowed conditional use for a storage facility.

Chairman Schultz moved to direct the attorney and clerk to schedule, draft and publish notification for a public hearing on the conditional use and requested variances. Seconded by Supervisor Moosbrugger, the motion carried.

Newsletter:

Ms. Samec asked for direction on the publication of a newsletter. The intent is to have a newsletter to the publisher for January 1st to bring attention to a public informational meeting on bonding scheduled for February 7, 2024. A postcard will be mailed, and a code red notification in addition to the newsletter.

Additional Business:

The clerk required a new laptop due to performance concerns since the last regular meeting. Chairman Schultz moved to have the board ratify the purchase \$1,179.98. Seconded by Supervisor Buelow, the motion carried by roll call vote (3-0).

Chairman Schultz reported on the project meeting for the turn up of 22nd Street. The estimated construction cost in 2023 dollars, including the purchase of right of way, addressing drainage issues, and realignment is \$3.8 million. The next step is to present the project to the County Board, and expect that the County will return to the Township requesting a resolution of support in the February 2024 timeframe.

Supervisor Moosbrugger presented an update on the recodification. The contract language was amended as suggested. The clerk reported that, per the Minnesota Association of Townships, recodification would not require a public hearing as all elements being incorporated are already adopted code. Chairman Schultz moved to approve the signature and final contract language with American Legal Publishing and the League of Minnesota Cities. Seconded by Supervisor Moosbrugger, the motion carried by roll call vote (3-0).

Supervisor Buelow reported from the update from the advisory committee for the 3M Settlement, noting over 100 monitoring wells are in place to monitor the PFAS contamination. Modeling has been completed to model the spread of contamination over the next 50 to 100 years. The review will expand into the impact of high-capacity wells.

Supervisor Buelow reported back on the MAT training meeting regarding data retention policies, road limits. He suggested that the township's share of the 22nd Street turnup costs be validated.

Supervisor Buelow suggested that a move of the election for township supervisor be moved to November. It was noted that this needs to be done as an action of the town at a town meeting. Each time it has been proposed, it has been voted down.

The resolution for the conditional use permit amendment for the St Croix Montessori School was presented for signature.

Public Comment:

Mr. Mark Votava expressed appreciation for the township and wished everyone a Merry Christmas.

WEST LAKELAND TOWNSHIP

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Ms. Mary Vierling asked that the planning commission consider a noise ordinance that covers everything. Supervisor Moosbrugger noted that the township is bordered by I-94, the rail tracks, and the Lake Elmo Airport. There are limits on what the township can regulate in terms of noise.

Ms. Tamara Morrissey thanked the town board for adding an additional screen to project town information during the meeting. She asked if the township website could provide links to all associated organizations that impact the township. Ms. Morrissey also asked if absentee voting for the township could address topics such as the levy. Ms. Winchell indicated that only the voting for supervisor is considered as part of absentee voting.

Adjourn:

Having no further business, Supervisor Moosbrugger moved to adjourn the meeting. Seconded by Supervisor Buelow, the motion carried. Chairman Schultz adjourned the meeting at 10:16 PM.

Respectfully Submitted,



Elizabeth A. Vance
Recording Secretary