

West Lakeland Township Regular Meeting

May 11, 2020

7:00 PM

Web Conference

Present: Chairman Dan Kylo, Supervisor Marian Appelt, Supervisor Dave Schultz; Carrie Seifert, Clerk; Ms. Viet-Hanh Winchell, Township Attorney; Mr. Ryan Stempksi, Township Engineer; Ms. Marsha Olson, Treasurer; Mr. Mark Votava, Planning Commission Chair; Mr. Dan Gregerson, Gregerson, Rosow, Johnson and Nilan Ltd

Call to Order

Chairman Kylo called to meeting to over at 7:00 PM. Ms. Seifert, clerk, called the roll. Ms. Winchell, acting as host for the zoom meeting, explained the authorization for a remote meeting via web or teleconference.

Approval of the Minutes

Chairman Kylo moved to approve the minutes of the April 13,2020 regular meeting with minor corrections. Seconded by Supervisor Appelt, the motion carried by roll call vote.

Chairman Kylo move to approve the minutes of the May 1, 2020 meeting with minor corrections. Seconded by Supervisor Schultz, the motion carried by roll call vote.

Chairman Kylo moved to approve the minutes of April 16,2020 special meeting. Seconded by Supervisor Appelt, the motion carried by roll call vote.

Treasurer's Report

Ms. Olson reported the township had \$12,081 in receipts and \$6,199 in expenses for the month of April 2020. Current township assets are \$1,474,157. Ms. Olson noted that property taxes would be paid to the township in two payments, with a second payment reflecting payments delayed by the homeowner to July 2020. Supervisor Appelt moved approve the treasurer's report and pay the invoices presented. Seconded by Supervisor Schultz, the motion carried with a roll call vote.

Ms. Olson noted that a CD at Lake Elmo bank was due to expire. The board discussed renewal, and agreed to renew for one year.

Chairman Kylo noted that the contract with Shenhon Real Estate Appraisers contracted to review the appraisal of the 30th Street easement needed to be ratified. The firm was retained by Mr. Gregerson to evaluate the appraisal provided by MAC prior to the deadline for the condemnation. Chairman Kylo moved to ratify the payment of estimated \$3,500 for the services of Shenhon Real Estate Appraisers for appraisal review. Seconded by Supervisor Schultz, the motion carried with a roll call vote.

Country Insurance Review

Mr. Chris Sauro, Country Insurance, presented the annual review of the Township's liability insurance. No substantial change in insurance coverage requirements were noted year on year. The premium of \$2,195 is stable with previous years. Mr. Sauro reminded the Township staff to be sure to have contractors provide certificates of insurance. Mr. Sauro announced his forthcoming retirement, and introduced Mr. Josh McDuffy, who will be assuming the management of the Township policy.

Variance Request, 14101 23d St Ct N

Mr. Craig Albert, 14101 23d St Ct N, presented the variance request to allow for an accessory building in front of the main residence. The proposal is to place the accessory building adjacent to the driveway where the topography is reasonably flat. The proposed location is a 50x50 area, with a

West Lakeland Township Regular Meeting

May 11, 2020

7:00 PM

Web Conference

building of 36x48, 182 feet from the western edge of the property and 230 feet from the northern property line. The lot behind the house is quite steep, with 2-1 slopes in some areas. Chairman Kylo moved to defer the request to the planning commission for review and direct the township attorney to prepare a notice of public hearing. Seconded by Supervisor Schultz, the motion carried with a roll call vote.

Variance Request, 12882 20th St N

Mr. Joe Kranz, 12882 20th St N, proposed a variance to encroach on the side setback when an addition to the existing garage. The request is to add 32 feet to garage to the west, for a 32x32 ft addition. The front corner would be approximately 19 feet from the property line, closer than the allowed 25 ft setback. Chairman Kylo moved to defer the request to the planning commission for review and direct the township attorney to prepare a notice of public hearing. Seconded by Supervisor Appelt the motion carried with a roll call vote.

Road Vacation 11th and 15th Street

Ms. Winchell provided the results of her research into the allocation of property should the township vacate an existing road easement. In general, the property from a vacated easement is returned equally split to the adjacent property owners. The easement for 11th off Nordice and 12th Avenue is platted, and should be split equally between the neighboring landowners. 15th off Omaha and Olene is complicated by the outlot owned by West Lakeland Township. This is an outlot of 2.01 acres. The board discussed options to vacate the easement, split the property equitably and prevent the West Lakeland outlot to be a substantand or landlocked lot. An unequal split may allow the lot to be not landlocked. Ms. Winchell was asked to investigate further. No action was taken at this time.

Township Boundary Signs

Chairman Kylo presented a proposal by Scout Eric Votava to assist in the design and installation of signs marking the township boundaries as an Eagle Scout project. The estimated cost to aquire 9 signs is estimated at \$2,000. Chairman Kylo move to authorize himself to work with Mr. Eric Votava on the acquisition of boundary signs for a cost not to exceed \$2,000. Seconded by Supervisor Schultz, the motion carried with a roll call vote.

Resident Comments on 30th Street Realignment and Lake Elmo Airport Expansion

Supervisor Appelt asked how the responses would be provided to the residents. It was suggested the residents who submitted questions be given a link to the approved minutes of the special meeting.

Two additional comments were received from Mr. Vince Anderson, regarding the process for contracting for road repair. Supervisor Schultz explained the process and timeline. The question regarding bringing township right of way into compliance was unclear.

Assumption of Hudson Blvd

MnDoT has raised the issue of West Lakeland assuming responsibility for Hudson Blvd north of I-94. Is currently a state road. The request at this time is an informal discussion. Chairman Kylo noted there are two sections of Hudson Blvd within the township. After discussion, the board reach a consensus that there was no reason to move forward with the request at this time.

West Lakeland Township Regular Meeting

May 11, 2020

7:00 PM

Web Conference

Curbside Pickup Event

Ms. Samec presented the proposal for a spring curbside pickup event. Last fall, the board discussed a spring activity to potentially increase participation. An event in mid to late June is a feasible timeline. After discussion, Chairman Kyлло moved to authorize a curb side recycling pickup event for the third week of June. Seconded by Supervisor Appelt, the motion carried with a roll call vote.

Reimbursement for Water Intrusion

The board discussed a request for reimbursement for damage from water incursion, alleged to be caused by a frozen culvert. When the culvert was cleared, the contractor noted changes in elevation that impacted the ability for the culvert to drain. Other contributing factors may be that the previous owner of the property constructed a swale which changed the water drainage, and the property owner on the opposite end of the culvert may have added material to the ditch, changing the drainage pattern of the water. Supervisor Schultz had discussed the water damage with the homeowner, and was unable to find a source for assistance. The board agreed to refer the request for reimbursement to the Township insurance provider.

Memorandum of Understanding, Washington County Weed Management Area

This is a new initiative, with no noted expense for the township. Chairman Kyлло moved to sign the Memorandum of Understanding for the Washington County Weed Management Area, with Supervisor Appelt as the primary contact. Seconded by Supervisor Schultz, the motion carried by roll call vote.

Youth Services Bureau Contract

Youth Services Bureau provides mental health services to the at risk youth community, and West Lakeland has been supporting that organization for the past few years. Chairman Kyлло moved to authorize a contract for \$250 to Youth Services Bureau. Seconded by Supervisor Appelt, the motion carried by roll call vote.

Spray Patching Contract

Supervisor Schultz presented the contract for RCM Specialties to provide for spray patching. Seal coating is not being done this year, because crack sealing was not done last year. The contract does not include work on 30th Street. Chairman Kyлло moved to sign the contract with RCM Specialities for \$137,000 for spray patching. Seconded by Supervisor Schultz, the motion carried by roll call vote.

Additional Business

Supervisor Appelt asked about the property not reviewed at the Board of Audit and Equalization Meeting. Chairman Kyлло noted that after research, it was determined the property could not be reevaluated if not discussed at the meeting. The resident was directed to bring the issue to the County Board of Adjustment and Equalization.

Mr. Votava summarized the discussion of the planning commission regarding a shade tree ordinance. It was noted that the links on the website regarding shade tree diseases are not functioning, and should be reviewed. As a township, there may be a need to have more defined policies on managing trees in the right of way, particularly at the edge of the right of way. Ms. Winchell was

West Lakeland Township Regular Meeting

May 11, 2020

7:00 PM

Web Conference

requested to review the difference in the township's authority to remove trees and vegetation in prescriptive right of way versus a dedicated right of way. The planning commission agreed that the trees on the homeowner's property are the homeowner's responsibility, and an ordinance directing removal may not be appropriate or manageable. The current ordinance allows the township to remove trees from the township right of way, so an ordinance for diseased trees in the right of way was not necessary. At this point, issues with homeowners will be addressed individually.

Chairman Kylo noted a meeting on May 15, 9 AM, to review the draft road agreement and appraisal review.

Ms. Siefert noted that the location for the June meeting is still unresolved.

Mr. Votava summarized the agenda for the planning commission meeting on May 21. This will be a remote meeting.

Adjourn

Chairman Kylo moved to adjourn the meeting. Seconded by Supervisor Appelt, the motion carried by roll call vote.

Respectfully Submitted,



Elizabeth A. Vance
Secretary