



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

May 13, 2024

West Lakeland Town Hall

Present: Chairman Phil Moosbrugger, Supervisor John Buelow, Supervisor Rachel Dana, Marsha Olson, Treasurer; Jenny Samec, Deputy Clerk; Carrie Seifert, Clerk, Chad Isakson, Township Engineer; Troy Gilchrist, Attorney

Public Hearing, Modifications of Town Code

Chairman Moosbrugger called the meeting to order at 7:05 PM with the pledge of allegiance, to consider minor modifications to the town code. Modifications were proposed to Town Code Section 15, Regulations of Utility, Town Code Section 17.11 Regulation Regarding Keeping of Goats and Sheep, Revisions of Town Code Section 18 relating to definitions from proposed Section 17.11, and the revision to the town fee schedule.

Mr. Mark Votava presented the revisions to Section 15, regarding regulation of utilities. The modifications, borne out of the review of the township fee schedule, simplify the multiple utility permits with a single permit.

Chairman Moosbrugger opened for public comments on the modifications to Section 15. No comment was brought forward.

Mr. Mark Votava briefed the substance of the added section to Section 17 regarding the keeping of up to 5 goats and/or sheep and prescribed grazing. The additions to Section 17 generated additional definitions to be added to Section 18. Chairman Moosbrugger opened for public comment, which noted approval for the proposed modifications.

Mr. Mark Votava presented the amended fee schedule for township fees other than those addressed on the building fee schedule. The objective was to clarify, align and simplify. Chairman Moosbrugger noted that the action also was to align the fees to the administrative costs to the township. A public hearing is not specifically required for modifications to the fee schedule but was being held in the interest of public transparency. Chairman Moosbrugger asked for public comment, none was offered.

Call to Order

The public hearing was closed, and Chairman Moosbrugger opened the regular meeting at 7:26 PM.

Considerations of Modification to the Town Code

Chairman Moosbrugger moved to adopt the revisions proposed to Section 15. Seconded by Supervisor Dana, the motion carried.

Chairman Moosbrugger moved to adopt the addition of Section 17.11 to the Town Code regarding keeping of goats and sheep. Seconded by Supervisor Dana, the motion carried.

Chairman Moosbrugger moved to adopt the revisions to Section 18 to add the definitions for goats and. Seconded by Supervisor Dana, the motion carried.

Chairman Moosbrugger moved to adopt the fee schedule as proposed. Seconded by Supervisor Buelow, the motion carried.

Chairman Moosbrugger moved to adopt the recommended summary language for publication in lieu of publishing the full text. Seconded by Supervisor Dana, the motion carried.

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Town Hall Renovation

Mr. Jerry Anderson, JAMB architects, gave an update on the bid process for the renovations to the town hall. Currently, there are 9 contractors bidding. It was noted that additional funds will be required to complete the process through the final negotiations with the accepted contractor, projected at between \$4,500 and \$6,000. After discussion, Supervisor Moosbrugger moved to approval an additional \$7,500 to cover costs for architectural services for the town hall renovation through contract issuance. Seconded by Supervisor Dana, the motion carried by roll call vote with Chairman Moosbrugger and Supervisor Dana voting aye and Supervisor Buelow voting nay.

Approval of the Minutes

Supervisor Dana moved to approve the minutes of the April 2024 regular meeting. Seconded by Supervisor Beulow, the motion carried.

Treasurer's Report

Ms. Olson presented the treasurer's report for April 2024, noting \$18,533 in receipts, \$123,204 in disbursements and \$2.7 million in current assets. Chairman Moosbrugger moved to accept the report as presented. Seconded by Supervisor Buelow, the motion carried.

Chairman Moosbrugger introduced Mr. Troy Gilchrist, acting as the township attorney for the meeting, and congratulated Ms. Viet Hahn Winchell on her appointment to the judicial bench. Chairman Moosbrugger moved to ratify engaging Mr. Gilchrist for representation at the meeting. Seconded by Supervisor Buelow, the motion carried by roll call vote (3-0).

Chairman Moosbrugger moved to pay the invoices presented by the clerk. Seconded by Supervisor Dana, the motion was carried by roll call vote (3-0).

2023 Audit Review

Mr. John Stachel of the Abdo accounting firm, presented the findings of the 2023 audit. Audit Review. The audit results included one internal control finding regarding preparation of financial statements and no Minnesota Compliance issues. The audit also recommended the township continue to develop policies and procedures for financial controls.

2025 and 2026 Street Improvement Project

Mr. Chad Isakson, Focus Engineering, presented the project proposal for commencing the 2025 and 2026 street improvement project. The first phase is to begin the preliminary design engineering and geotechnical data collection. The expectation is that the preliminary design scope would be completed by September 2024, targeting bringing the selected roadways to a 7-ton pavement design. Mr. Isakson recommended that the town enter into an agreement with Bolton and Menck at an estimate of \$49,972 for the preliminary design work, and Braun Intertec for the geotechnical work, estimated at \$19,270.

After discussion, Chairman Moosbrugger moved to enter into the proposed services agreement with Bolton and Menck for an estimate of \$49,972 and Braun Intertec at \$19,270 for preliminary road design and geotechnical work as outlined in the proposal agreements. Seconded by Supervisor Buelow, the motion carried by roll call vote (3-0).

Chairman Moosbrugger asked about the pavement management plan estimates. Mr. Isakson indicated that information should be available for the next regular meeting.

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Fahrner Asphalt Sealers

Mr. Lucas Chapman presented an overview of the services provided by Fahrner Asphalt Sealers for road maintenance. Supervisor Buelow offered the suggestion that funds be allocated to provide for maintenance on the better roads to extend their life. Supervisor Dana noted that there was an existing road and bridge fund to provide for road and right of way maintenance but would like to see a more complete proposal before moving forward with allocating additional funds. Chairman Moosbrugger suggested the board consider a complete pavement maintenance plan to ensure funds were spent as efficiently as possible.

Conditional Use Permit, Solar Garden, Oriana Solar LLC

Mr. Tim Kelly presented the current status of the application for a conditional use permit for a community solar garden on 30th Street and Manning, and requested a public hearing be scheduled. It was agreed by the applicant to consider the application complete as of April 30, 2024 with a deadline for consideration of July 22, 2024.

Mr. Mark Votava, representing the planning commission, indicated that from the review at the last planning commission meeting, the consensus was that a community solar garden is not an allowed use within the single family estate district.

Chairman Moosbrugger moved to set a public hearing and authorize publication of the hearing for June 10, 2024. Seconded by Supervisor Dana, the motion carried. Mr. Gilchrist was requested to attend the hearing.

Planning Commission Update

Mr. Mark Votava presented a minor change to Town Ordinance 8.17.4.3 to provide additional clarification. The recommendation is to add the clarify that ground mounted community solar garden is not allowed within the single-family estate district by providing more specific language, but solely in the highway commercial zone. Chairman Moosbrugger moved to schedule a hearing and authorize publication for June 10, 2024. Seconded by Supervisor Dana, the motion carried.

The planning commission also recommended a minor change to Section 11. 6 exempting government offices from the requirement to screen government buildings. The intent of the ordinance was to screen storage facilities. Supervisor Moosbrugger moved to schedule a public hearing and authorize publication for June 10, 2024. Seconded by Supervisor Dana, the motion carried.

Mr. Votava noted three people have applied for the vacant volunteer position on the planning commission. He also noted the recodification effort was still pending assignment of an editor at American Legal Publishing.

Supervisor Dana suggested the planning commission consider a revision to the ordinance that requires an accessory structure to be constructed behind the main residence.

Hybrid Meetings

Mr. Mike Graetz presented a summary of potential considerations for conducting virtual meetings. Review of the open AV proposals was tabled until the next regular meeting.

Variance Requests

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Chairman Moosbrugger presented a verbal request from Schaefer contracting to use 22nd Street for dump trucks to move material for the Oakgreen Ave reconstruction project. No formal request was received.

North Pine Aggregate also presented a verbal request to increase access from Stagecoach Avenue and add hours of operation at the Holcim gravel pit (FKA Aggregate Industries). It was noted that changing these conditions would be a modification of the conditional use permits held by Holcim (FKA Aggregate Industries), and they would need to bring forward any formal request to modify the conditional use permit.

Additional Business

Supervisor Dana asked Supervisor Buelow, as road supervisor, for an update on the repair for the culvert at the Carlson residence. Mr. Isakson noted that the recommendation was to remove soil, add fabric, and rip-wrap to prevent future erosion. Supervisor Beulow will find a contractor to complete the repair.

Supervisor Buelow asked about the status of the lien placed on the property of Karl Aulscheims. Supervisor Beulow moved to authorize Mr. Gilchrist to review the current legal status of the lien. Seconded by Chairman Moosbrugger, the motion carried by roll call vote (3-0).

Public Comment

Mr. John Brock, 2946 Oakgreen Ave, requested the town board work with Washington County to not do a speed study after the renovation of Oakgreen Avenue and keep the speed limit constant. A speed study is not a legal requirement. Chairman Moosbrugger will consult with Baytown on a potential joint communication.

Mr. Brad Cornell, 2733 Neal Ave N, asked that the public hearing in June regarding the solar garden request for conditional use permit be published. Ms. Seifert noted that the public hearing process requires publication.

Mr. Mark Votava expressed his satisfaction with the work done by M&S tree services on Nolan Avenue.

Interview with Mr. Troy Gilchrist, Town Attorney

The board members met with Mr. Troy Gilchrist to review his proposal to serve as the township attorney. No decision was made at this time.

Adjourn

Having no further, business, Chairman Moosbrugger moved to adjourn the meeting. Seconded by Supervisor Buelow, the motion was adjourned at 10:47 PM.

Respectfully Submitted,



Elizabeth A. Vance
Recording Secretary