

West Lakeland Township

December 9, 2019

Oakland Middle School

Present: Chairman Dan Kylo, Supervisor Marian Appelt, Supervisor Dave Schultz; Carrie Seifert, Clerk; Jennifer Samec, Deputy Clerk; Ms. Marsha Olson, Treasurer; Ms. Viet-Hanh Winchell, Township Attorney; Duane Stensland, Building Inspector; Del Miske, Planning Commission

Public Hearing to Consider a Variance to Minimum Lot Size, 12033 22nd St N

Chairman Kylo called to order a public hearing to consider an application by Mr. James Tobin, 12033 22nd St N, for a variance to allow a lot size of 0.1 acres. This lot split is requested to replace a current easement with the neighboring lot. The lot line cannot be adjusted to accommodate the request because the neighboring lot is in Lake Elmo. At this point, there is no agreement with the neighbor on how to replace the easement. Chairman Kylo moved to continue the public hearing to allow time for an agreement to be reached. Seconded by Supervisor Appelt, the motion carried. Chairman Kylo suspended the public hearing at 7:25 PM.

Call to Order

Chairman Kylo called to order the regular meeting of the West Lakeland Town Board at 7:25 PM.

Approval of the Minutes

Chairman Kylo moved to approve the minutes of the November 4, 2019 regular meeting. Seconded by Supervisor Schultz, the motion carried.

Supervisor Schultz moved to approve the minutes of the special meeting held November 19, 2019 regarding the Mediation for Auleciem Litigation. Seconded by Supervisor Appelt, the motion carried.

Treasurer's Report

Ms. Olsen presented the treasurer's report for November 2019 reflecting \$30,714 in receipts, \$240,010 in expenses and \$1,247,286 in current assets. Chairman Kylo moved to approve the report and pay the invoices presented for payment. Seconded by Supervisor Appelt, the motion carried.

Minor Subdivision, 690 Novak Ave N

Mr. Milo Horak presented on behalf of the property owner, David Kloeber, to split the parcel at 690 Novak Ave N into two parcels. Both lots meet all ordinances requirements, with the soils test outstanding. Chairman Kylo moved to approve the lot line split as delineated on the certified survey of the Kloeber Edition and authorize signature of the mylar at the next meeting, subject to approval of the county surveyor. Seconded by Supervisor Schultz, the motion carried.

Adult Foster Care Operations, 1740 Overlook Trail N

Ms. Elibelle Jardio appeared before the board to discuss the adult foster care operation operated in her home. She currently cares for two residents under a 245D lisenec and would like to expand her license to care for up to five residents. Ms. Jardio resides at the home full time. Chairman Kylo noted that a conditional use permit is required for this use, referring Ms. Jardio to Section 11.2.0 of the town code. Chairman Kylo and Mr. Stensland will visit the property. No action was taken at this time.

Curb Damage, 795 Midwest Trail

Ms. Winchell provided a release agreement for signature, which should be signed before the agreed payment is released. Chairman Kylo moved to approve and send the release of liability to Mr. Nordberg and upon signature, authorize release of payment of \$480. The motion was seconded by Supervisor Appelt. The motion passed with two aye votes, Supervisor Schultz abstained from the vote.

Lake Elmo Joint Airport Zoning Board Update

Supervisor Schultz provided an update on the Lake Elmo Joint Airport Zoning Board. He explained the standard safety zones A and B defined in 1974, and the application of custom zoning. The custom zoning is being considered for Lake Elmo airport, with a public hearing on January 23, and public comment from January 6 to March 3.

Custom zoning is used at the Flying Cloud Airport. Supervisor Schultz believes the custom zoning puts managing acceptable risk on the municipality. Chairman Kylo would like more information on the analysis and application of custom zoning at the Flying Cloud Airport. After discussion, Chairman Kylo moved to authorize the township attorney to spend up to two hours to research and provide an opinion for the Township's liability for structures in the Airport zones. Seconded by Supervisor Appelt, the motion carried.

Ms. Mary Vierling brought forward the reconstruction of 30th Street for discussion. She noted that MAC can choose not to rebuild the road. Chairman Kylo noted that they are working with MAC to build a road that is constructed in such a way that it will not fail, and the Township can accept. Discussions will continue with MAC on the road design and construction.

Approve Resolutions

Ms. Winchell presented resolution R-2018-8, vacating the drainage/utility easements at 13956 10th St N. The action was approved at the November 4, 2019 meeting.

Ms. Winchell presented resolution R-2019-9 adopting the West Lakeland Township 2040 Comprehensive Plan. It was noted there are minor corrections needed to the resolution. Chairman Kylo moved to approve the resolution and authorize signature outside the regular meeting after final edit. Seconded by Supervisor Appelt, the motion carried.

Public Comment

A question was raised about the request for the adult care facility. Chairman Kylo summarized the process.

Additional Business

Supervisor Schultz noted comments from the Metro Mosquito Control District, noting 239 tires were removed from the Township.

Supervisor Appelt noted that from the Washington County Administrator's Meeting, this a record wet period and anticipate more severe flooding in 2020 and 2021. Washington County Emergency Services has offered to address the board regarding resources available for flood relief.

Chairman Kylo presented a grant agreement with the MPCA. This agreement will allow the Township to submit for reimbursement for expenses resulting from the ground water contamination covered under the 3M settlement. West Lakeland's current expenses are approximately \$5,000. Supervisor Schultz moved to apply for reimbursement of funds. Seconded by Supervisor Appelt, the motion carried. Chairman Kylo will submit the application.

The culvert work contracted to M&M tree service is almost complete. Most of the culverts were on Neal and Northridge.

The board reviewed an invoice from Mr. Dwight Dahlan requesting \$850 for review of MAC's appraisal of 30th street. Mr. Dahlan spent approximately two hours with Supervisor Schultz to review the appraisal. Mr. Dahlan was under the impression he was contracted for that review. Supervisor

West Lakeland Township

December 9, 2019

Oakland Middle School

Schultz was under the impression that no reimbursement was applicable. No written report was received. Mr. Dahlan presented a bid for the appraisal, which the Township did not choose to move forward at this time. Ms. Winchell will review all the available documentation and recommend if the board should consider this a valid expense.

Planning Commission Report

Mr. Del Miske presented the actions of the planning commission in November. The planning commission reviewed the lot line adjustment approved in the meeting, is continuing to review and update a grading permit for the township and is in discussion of the use of conditional use versus interim use permits.

Adjourn

Chairman Kylo moved to adjourn the meeting. Seconded by Supervisor Appelt, the motion carried. Chairman Kylo adjourned the meeting at 9:34 PM.

Respectfully Submitted,



Elizabeth A. Vance
Secretary