

West Lakeland Township

October 8, 2018

7:00 p.m.

Oak-Land Middle School

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz; Carrie Seifert, Clerk; Jennifer Samec, Deputy Clerk; Ms. Marsha Olson, Treasurer; Mr. Scott McDonald, Township Attorney; Ryan Stempski, Township Engineer

Call to Order

Chairman Kylo called to order the regular meeting of the West Lakeland Town Board at 7:05 PM, October 8, 2018.

Per Minnesota Statute, it is not permitted to do public business on holidays, but an exemption is allowed for Columbus Day. Chairman Kylo moved to consider Columbus Day as not a holiday for this purpose. Seconded by Supervisor Ebner, the motion carried.

Approval of Minutes

Supervisor Ebner moved to approve the minutes of the September 2018 regular meeting with minor corrections. Seconded by Supervisor Schultz, the motion carried.

Treasurer's Report

Ms. Olson presented the report for September, reflecting \$17,832 in receipts and \$234,136 in expenses. Supervisor Schultz moved to approve the report as presented, and pay the invoices as presented by the clerk. Seconded by Supervisor Ebner, the motion carried.

Snow Contract

Miller Excavating presented the township a contract for the 2018/19 snow season. Supervisor Schultz presented a review of the contract. Some services recorded minimal increase of 3% or stayed the same as the past contract. The intent is to continue to purchase salt through Washington County and the state contract. The contract had minor changes from the legal review. Supervisor Schultz moved to approve the contract. Seconded by Supervisor Ebner, the motion carried.

Public Comment

Mr. McDonald noted that a proposal from Larkin Hoffman regarding the billboard post on I-94 be circulated to the town supervisors. Mr. McDonald noted the comments had been forwarded. No action was taken at this time.

Proposed Lot Line Adjustment, 1333 Oakgreen

Ms. Sharon McAuliffe owns adjoining lots and is looking to make the lots more uniform and to make the nonconforming lots larger in size. The lot that would be created with this adjustment would have an outbuilding and no residence, which is not allowed by town code. If the lot were to be sold apart from the lot with the residence, it would create a more nonconforming situation. The question was raised if there were conditions on the original variance that granted construction. The question was also raised if there were existing easements on the lot lines being adjusted. No action was requested at this time

Variance request, Accessory Building in Front of the Residence

Mark and Tia Huppert, 1480 O'Ryan Trail, presented a concept proposal to construct an accessory building in front of the residence on the right side of the home. The conditions of concern are the location of the drain field, the well, and the slopes leading to the back of the lot. Chairman Kylo moved to refer the request to the planning

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commission and direct the clerk to schedule a public hearing subject to a completed application. Seconded by Supervisor Ebner, the motion carried.

Preliminary/Final Plat and Developer's Agreement for Autumn Run 3

Mr. Jeff Hause appeared before the board requesting approval of the preliminary and final plat for Autumn Run 3 and the approval of the developer's agreement. Mr. Stempski clarified that improvements on the cul de sac are to be started when either of the two lots is issued a certificate of occupancy and completed within one year of that date. The purpose is to allow construction traffic to be largely completed prior to improving the cul de sac. Mr. McDonald noted that the security document will need to be completed prior to the signature on the final plat. After discussion, Chairman Kylo moved to authorize the changes to the developer's agreement and authorize signature of the plat and the agreement by the chairman and clerk outside the meeting. Seconded by Supervisor Ebner, the motion carried.

Planning Resources

Chairman Kylo presented the slate of potential candidates for a contract public planner. The discussion identified a need for a document of the requirements of the position. The action was referred to the planning commission.

Draft Changes to Town Code Permit Fees

Supervisor Ebner presented the draft of the modifications to the town code for permit fees. The changes provide for an appeal process for the use of escrow funds. The process leverages the appeals process for zoning decisions. Chairman Kylo moved to refer the language to the planning commission for final review and direct the clerk to schedule a public hearing. Seconded by Supervisor Ebner, the motion carried.

Rear Set Back Modification

The planning commission recommended approval be given to a zoning language change to reduce the rear setback for accessory structures from 50 feet to 25 feet. This matches the side setback. The rear setback of 50 feet would continue to apply to the main residence. Chairman Kylo moved to schedule a public hearing. Seconded by Supervisor Schultz, the motion carried.

BOLDPlanning Software

The board discussed the clerk's role as site administrator, and the level of effort required by the township for this software initiative. The requirements are repetitive and not clearly applicable to our Township. The system is more appropriate to larger cities with more staff and broader services. It was proposed that the agreement with Washington County could be broadened to provide the response network, since the response for the majority of the services is that the actions are referred to Washington County. Ms. Seifert and Supervisor Schultz will attend the next session, and additional discussion will be had with Washington County.

Lake Elmo Airport Environmental Assessment

Supervisor Schultz discussed with the board the next actions after the finding of no significant impact to the environmental assessment worksheet for the Lake Elmo Airport Expansion project. The next step might be an appeal to district court, which all agreed had limited chance of success. A second opportunity for input would be as part of the process of acquisition of property for the reconstruction of 30th Street. Supervisor Schultz will confirm if there any available funds from the retainer for Mr. Stu Grubb and Mr. Tom Casey.

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Road Maintenance Update

Supervisor Schultz reported on the St Croix Valley Jurisdiction Study and noted that the recommendation is to change the classification of 22nd Street from a B Minor to an A Minor application road. 30th Street remains a major collector. There is no impact on the design standards or other activity with these proposed changes in classification.

Mr. Stempski reported on the reclaim project for 4th/6th Streets. The geotechnical report has been completed, and indicates the repair is appropriate for reclaim, and supported the estimate of costs used behind the bid process. The total project cost is estimated at \$550,000. Supervisor Schultz moved to authorize Focus Engineering to do the plans and specifications necessary to initiate a bid process in February for the 4th/6th Street loop reclamation. Seconded by Chairman Kylo, the motion carried. Mr. Stempski suggested the township defer patching these roads, and relook at the requirements in the spring, to see if patching can be deferred until the larger reclaim is completed.

Additional Business

The developer's agreement submitted by Thomas and Pamela Barnes was presented for signature.

Resolutions R-2018-14, Adoption of Washington County All Hazard Mitigation Plan, and R-2018-13, Vacation of Utility and Drainage Easements at 1499 O'Ryan Trail, were presented for signature.

Supervisor Ebner moved to sign the EMWREP 2019-2021 for education programs compliant with the MS4 requirements with the East Metro Water Resources Education Program. Seconded by Supervisor Schultz, the motion carried.

There is a meeting with MCPA/MDH scheduled for Oct 11 to address concerns relating to TCE and PFAS. There is an additional meeting Oct 12 to meet with the hydrologist and to discuss ordinance requirements for new wells and the enforcement mechanisms for managing the testing of existing wells. Alternative dates were provided to the clerk. All three supervisors were not available on October 12.

Adjourn

Having no further business, Supervisor Ebner moved to adjourn the meeting. Seconded by Chairman Kylo, the motion carried. The meeting was adjourned at 9:38 PM.

Respectfully Submitted,



Elizabeth A. Vance

Secretary