

**MINUTES  
TOWN BOARD EXECUTIVE MEETING  
MARCH 26, 2021**

The meeting was called to order at 8:00 a.m.

Present: Supervisors: Prudhon, McCune, Ruzek; Clerk: Christopherson; Attorney: Lemmons; Public Works Director: Reed; Engineers: Studenski and Poppler; Finance Officer: Kelly; Planner: Tom Riedesel

**APPROVAL OF AGENDA (Additions/Deletions):** McCune moved approval of the agenda as submitted with the addition of 13B) New Position Process; 13C) American Recovery Act; 14A) South Shore Boulevard Property; and a Closed Session with the Attorney regarding a personnel matter. Ruzek Ayes all.

**APPROVAL OF MINUTES OF FEBRUARY 26, 2021:** Ruzek moved approval of the minutes of February 26, 2021. McCune seconded. Ayes all.

**2021-2022 STREET IMPROVEMENTS – UPDATE:** The Town Engineer updated the Board on this agenda item. The Town had a good turnout at the most recent resident meeting, where only 8 residents wanted to discuss the project. Since then, Town Engineers and staff have been meeting people one at a time in person to address their concerns. The main concerns were logistics and how the project would work on their properties or driveways. Everyone seems to be looking forward to it and there have been no opposition as of now. There was a question of whether or not anything has stuck out to the Engineers to work on. Bellaire catch basin was noted as an area the Engineers are looking into, because it may not be able to handle the overflow.

The next couple of weeks, staff will finish plans, go out for bid, come to the Town Board with the bids in May, award bids and start project in June.

**WATER SYSTEM IMPROVEMENTS – UPDATE:** The Public Works Director reported that there have been a couple of programming things that have been adjusted this week. Back washes have been done manually so far, so staff is upgrading the system so they don't have to be done manually. He noted that the Town received notice that it will be receiving a rebate for the heating system. There was some discussion of how other communities are handling the health based guidance regarding Manganese. It was noted that some communities go as far to spend \$50 million on a new water

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treatment plant. There was some additional discussion of the State selecting communities at random to test for this guidance and how the Township (Hopefully) shouldn't be chosen at random for a while.

**I & I – UPDATE:** The Public Works Director reported that staff is still working on getting quotes for the televising projects this year.

**POLAR LAKES PARK RESTROOMS – UPDATE:** The Town Engineer reported that the Town received 6 bids with the lowest being \$148,292 from Jacon. The bids ranged up to \$230,000. The lowest bid is under the Engineer's estimate. It was noted that Jacon did work at Columbia Park. These bids will be brought to the next Town Board meeting in hopes to start right away. Staff will communicate with the restroom contractors Diering Pierson. The project will most likely not be completed until fall.

There was some discussion on signage for the Old Town Hall.

**HIGHWAY 96 LAKE LINKS TRAIL – PARK PROPERTY:** The Town Planner reported on the on-going discussion between Town staff, City staff, Lake Links Trail advocators, and MnDOT regarding the construction at the intersection of 96 and S Birch Lake Boulevard. There was discussion of the Town's property there and how White Bear Beach Community Club would like more room. The Town Attorney had looked at the deed and noted that there are no use restrictions but a lot of easement, so the Town could grant an easement upon an agreement with the trail.

There was some discussion on the median on 96 to improve the trail construction. The Town Planner explained that there has been continued discussion regarding the discrepancies in the process between Lake Links staff and MnDOT. At this point there is plenty of negotiation going on.

There was some discussion of the potential easement for the driveway for the WBBCC. Currently staff will begin discussion with the private property owners along the trails about the encroaching Right-of-Way concerns. There was discussion of the finances that had been planned so far.

**GEM LAKE – JPA REQUEST:** The Town Clerk reported that Gem lake had a water issue 2-3 weeks ago and has come to the conclusion that they may need some help maintaining their water systems. That was the impetus behind this JPA. What implications adding Gem Lake's water burden onto Township staff would have was discussed, if it is even feasible, etc. There was specific discussion regarding what emergency only service would look like. There seemed to be consensus on emergency only, as that would be most beneficial to Township staff.

It was decided that the Town could take multiple approaches in responding. The options would be: 1) What emergency services only would look like; 2) What regular maintenance would cost, including the Township's need to hire an additional staff member; 3) The option to hire their own staff member for this.

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There was some additional discussion of wells, water meters, and LGA.

The Town Board took a break from 9:13 a.m. to 9:25 a.m.

**RAMSEY COUNTY MOU – UPDATE:** The Town Clerk reported that Ramsey County responded back to the Town's concern with the original MOU and submitted their response. It looked good to Town staff and the Town Attorney approved. This will be added to the Consent Agenda at the next Town Board meeting. There was a question over whether the sewer or lighting was mentioned in there. Nothing mentioned as of now, but Ramsey County is still working on the design and copy, though the quote came in over \$100,000 less than other design firms. There was a question on what the City agreed to in regards to this MOU, and it was decided that the City's MOU can be added as an Appendix to the Town's MOU.

**PUBLIC WORKS DIRECTOR REPORT:** The Public Works Director was present to report on the Public Works Department Activity of March 2021. The Board reviewed the report handed out at the meeting. There was a question as to whether the **EPA revisions** have caused any pain yet and it was noted that staff haven't been concerned at this point as they still have time to complete it. Public Works have not received the tire changer yet. There was some brief discussion on the **Nextern request** discussed at the Planning Commission meeting. They are interested in the Town's property at 5300 Centerville Road to construct a new facility, which North Oaks Company would complete, however; the Town submitted that property as location for a Planned Unit Development as a part of the 2000 Comprehensive Plan to the Met Council. In order for Nextern to purchase the land from the Township, there would be extensive work finding land similar size to swap, staff would have to resubmit a revision to the Comp Plan to surrounding communities for approval and finally to Met Council for approval prior to any building that could be done.

**CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR REPORT:** **Business License Update – UFP/Paraide/Nextern/Water Gremlin:** The Town Building Inspector reported that Town staff is working on business licenses and have completed up to 109 license completions. About 60 have been inspected by the Building Inspector and the Fire Marshal. Most companies have a list of things to improve within their facilities. In the packet is a letter from UFP for extension on their items and it went to the Planning Commission last night.

**Paraide:** paid their outstanding SAC and WAC fees. There is still some stuff to work through.

**UFP:** Still some stuff to work through as noted above.

**Nextern:** is trying to get buildings in compliance. Town is waiting to resolve some issues there before it comes to the Town Board for a public hearing.

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In a previous meeting it was noted that SMC completed something without a permit, but it was noted that it should be corrected to Paraide, not SMC.

**Water Gremlin:** There was discussion of the smog hogs, exit access ways, and extra fire door not being in compliance and up to code. It will be hard for them to meet the July deadline. There was discussion over this issue and although Water Gremlin has assigned a different person upon request and they are working on it, it still doesn't seem like they are taking the severity of this issue seriously. Water Gremlin has been under scrutiny for the past 2 years and the public is very concerned. All the Town has control over is the business licenses, but without their compliance in that, the Town has the right to deny the license. There was discussion of potential next steps. It was decided that the Town Attorney will send a certified letter of the next steps the Town could take, like an injunction, until the work is completed. It was noted that the Town needs to know just how much money is spent on Water Gremlin in terms of the Fire Department getting called out there each time there is a fire.

**5456 Township Drive:** The Town Building Inspector reported that there have been no applications submitted for improvement of this property. He has been communicating with the contractor and he seems to have every intention of applying for the permit and bring the home up to standards, but the Town hasn't seen any action yet. The Town Attorney noted that the court wants to know when to order to raze the building. There was discussion of the water ordinance.

**5305 West Bald Eagle Boulevard:** The Town Building Inspector reported that the cars came back, which will result in staff talking with the impound lot because that shouldn't have happened. The Town Attorney noted that the Town will have to make another abatement order for the cars. There was discussion of the cars and how to proceed. There was discussion of a letter written to the Board and the Town Attorney can write back too.

**CLERK-TREASURER REPORT: DNR Groundwater Management – Update:** The Town Attorney reported that a hearing/meeting is on Monday, so there will be more discussion of this agenda item at the April meeting.

There was some brief discussion of the Annual Town Board meeting, Otter Lake Elementary was on spring break.

**New Position Process:** This agenda item was added to clarify what the Board had previously thought the new position would entail. The Town Clerk explained that the new position will mostly be in-office administrative follow-up for all field work the Town Building Inspector has to do for properties like the nuisance properties, abatements, and things of that nature. The Town Clerk read the description. The Board had thought this position was more of an in-field work so the Town Building Inspector and Public Works Director could be in-field less. This position will, however, give these staff members more time in-office by serving as the administrative follow-up. There was also some discussion of timelines and progress on applicants.

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**American Recovery Act:** The Town Clerk reported that the Town has not been given any appropriated direction of how to spend the money it will receive from the federal government. The Town Finance Officer reported that \$135 billion will be given to municipalities in the state, so the Township should be able to expect between \$1.3 and \$1.4 million, or less due to miscalculations on the state leaving out a couple of cities. The financial amount is based on population size and the federal government will give the amount to the state first because the Township is under 50,000 residents. Then the state will give it to Township.

Some potential things the Town can spend the money are water/sewer/broadband infrastructure, transportation and building inspections, and other things related to COVID, but the Town will have to make sure. The Town will have until December 31, 2024 to spend the money. The 2 things the Town cannot use the money for is to offset reductions or delay taxes or pensions.

**ADDED AGENDA ITEMS: South Shore Trinity Lutheran Church – Property Sale:** The Town Planner reported that the Town put purchase orders in. The property owners had 2 offers and went with the other offer. The Town Attorney noted that staff can let the other buyer know of the Town's public purchase of the land. There was discussion of the property and circumstances now that a different offer was accepted.

**Monarch Butterfly Habitat:** The Public Works Director explained how this program is designed to help preserve Monarch butterfly habitats, mainly preserving milkweed along roadsides. There was discussion of the proposal in the supplemental packet. There was discussion of pollinators, wetlands, how the organization would affect the Township and the repercussions from restrictions this program will make. Staff just wanted to make the Town Board aware. There may be additional discussion of this agenda item at a later date.

At 11:48 a.m. Ruzek made the motion to enter into closed session with the attorney to discuss a contractual matter. McCune seconded. Ayes all.

At 11:56 a.m. McCune made the motion to come out of closed session, seconded by Ruzek all ayes. Summary of closed session discussions related to contractual matters.

**RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS:** Ruzek moved to receive all of the agenda materials and supplements for today's meeting. McCune seconded. Ayes all.

McCune moved to adjourn the meeting at 11:58 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

Megan R. Cavanaugh  
Recording Secretary

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