

**MINUTES
TOWN BOARD EXECUTIVE MEETING
JULY 23, 2021**

The meeting was called to order at 8:01 a.m.

Present: Supervisors: McCune, Prudhon, Ruzek, later; Clerk: Christopherson;
Attorney: Lemmons; Engineer: Studenski; Finance Officer: Kelly; Planner:
Tom Riedesel

APPROVAL OF AGENDA (Additions/Deletions): McCune moved approval of the agenda as submitted with the addition of discussion of North Oaks Water with the Public Works Director Report; 12C) Rescheduling Labor Day Town Board Meeting; Adding 8:30 Ramsey County Representative; 14) Trailer Parking. Prudhon seconded. Ayes: McCune, Prudhon; Abstention Ruzek.

APPROVAL OF MINUTES OF JUNE 25, 2021: McCune moved approval of the minutes of June 25, 2021. Prudhon seconded. Ayes: McCune, Prudhon; Abstention: Ruzek.

RAMSEY COUNTY REPRESENTATIVE: Scott Merrick was present to discuss the West Bald Eagle Boulevard corridor with the Town Board. The County has been receiving complaints about bike and pedestrian safety, which has been a lingering issue for years. The County has been talking about it and would like the Town to consider initiating a corridor study for a potential issues fix. The parameters of the study would be discussed later. There was some brief discussion of this agenda item and with Ruzek not currently present to give his input, the Board would not entertain anything yet. There were some concerns made by the Board that this would generate the issue of the County turning this corridor into a one-way, just like South Shore Boulevard. Merrick stated “any agreement would have to be had by both parties.” One-ways put the Township in a tough spot because it is the County’s position to not handle or maintain one-ways, and the Township does not receive adequate aid from the county, state, or federal governments to update and maintain the roads within the Township’s jurisdiction as is. There was some discussion of timeframes, and it was noted that whenever the Township is ready to proceed, the County will be ready. The County is entertaining new roadway projects and studies in 2026, so there is time.

CONTRACT PLANNER: The Town Engineer introduced Evan Monson from TKDA as the Town’s new Contract Planner. With Riedesel retiring, any duties that cannot be assigned to staff, Monson can help. He gave a brief overview of his experience: working in other communities within Iowa, South Dakota, Minnesota, and Wisconsin. He graduated from Iowa State University in 2017.

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2021-2022 STREET IMPROVEMENTS – UPDATE: The Town Engineer reported that **Peterson Road** is paved and staff is currently trying to get grass to grow. The concrete work has just been finished. The **Southeast Area** is under way. The watermain work has been completed on Homewood and staff is transitioning to Lakewood today. **County Road F** watermain is underway as well, about halfway through. The more difficult areas are to come, with more pipework. But it was noted that the Engineers want the watermain work to be finished by the August Executive meeting because Ramsey County will start road work on County Road F around that time. There have been daily challenges, but so far staff has been able to handle them. The ArcGIS system is getting more and more updated with each project the Town does. The original pavement was found 3.5 feet down. Staff has been in discussion with Ramsey County about any concerns or issues, like with corrugated pipes, since it's a County road and rehab on that road will begin in a month.

Otter Ridge Circle is getting finished up. Staff wants to come back to the Board with an updated Pavement Management Report with updated roads and new ratings, more data, etc. This would improve the process as a whole, going forward. And updating the Pavement Management Report would be a fairly simple process and cost less than starting it from scratch.

VLAWMO – TMDL – UPDATE: The Town Public Works Director reported that he is working on getting a plan together regarding the TMDL project for the Town, starting with the Utility Commission, which TKDA can help explain processes. They need to be on board, and then Reed can report to the VLAWMO meeting about the Township's commitment. There was some discussion of not knowing if there is any other locations the Township could be able to reduce phosphorus reduction. Town staff will try to get a commitment and dollar amount out of the Utility Commission and that will correspond in the JPA. The agreement will come back to the Town Board.

POLAR LAKES PARK RESTROOMS – UPDATE: The Town Planner reported that the contractors are plugging away and should wrap up by the end of August with the final landscaping finished by Township Day. The Town Public Works Director updated the Board on the specifics, like the contractor is working on getting the power to the building, the trusses and roofing set. Then the contractor will work on the interior work next. Staff will winterize the building in October. There was some discussion of test running the bathrooms this winter and see how it works, because it would be nice to have the restrooms work for Hockey Day MN 2023 at Polar Lakes Park.

PUBLIC WORKS DIRECTOR REPORT: The Public Works Director was present to report on Public Works Department Activity for July 2021. A question was asked if he could update the report to have underlined or bolded sections emphasize new activity. A lot of the report is on-going projects, and it would be a nice way to stand out to the Board if the new items were bold or underlined. There was some discussion of the **Ordinance 92, the Critical Water Deficiency**. Parts of the state are in extreme drought, most of the state is at least severe, and the Township is just inside the moderate drought. But the Board will have the ability to call for a Water Emergency or a Critical Water Deficiency in the future. The change of the ordinance will take at least 60 days, with the public hearing. The Governor may call something if most of the state is in such a severe or extreme drought conditions. So far the Town's wells have been able to keep up, but there have been many municipalities that cannot keep up. There was some discussion of residents who water outside of Township Ordinance. **North Oaks**

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Water: Residents in North Oaks are among some residents who violate the ordinance. Staff will bring attention to residents in “News & Views” within the *White Bear Press*. Sprinkling Ordinance was in the water bill. The Town Attorney noted that the Town has the authority to cut off water to residents within the Township or North Oaks who violate the ordinance. The Town Attorney will send a letter out to the City of North Oaks and North Oaks Company about signing the JPA and complying with the Town’s ordinances.

TOWNSHIP AUDIT – TOM KELLY: The Town Finance Officer introduced Jim Eichten from MMKR to report on the Township Audit. Eichten reported on the process that is typically completed in June, which went smoothly. The Township uses MMKR to report on the Annual Financial Report, ensuring it is in compliance with Financial laws; it is also required for the GFOA submittal; and MMKR completed a single audit for the federal awards from Recovery Act funds.

Eichten gave an overview of the audit: the scope of work and timings; opinion and findings; other observations. The findings were that within the internal controls there 3 random entries used and one of them didn’t have the legal language for subcontractors. It was added right away. There was some brief discussion of the entries. MMKR found nothing wrong with the single audit for the Recovery Act funds. There was some discussion of the Recovery Act funds, noting the Town has 4 years to spend the funds. MMKR is working to improve the Township’s Governmental fund financial position, to improve net position in enterprise funds, and to keep the reporting clean.

Supervisor Ruzek arrived.

TOWNSHIP CIP – TOM KELLY: The Town Finance Officer gave a summary of what has been added into the 10 year CIP, stating it hasn’t been fully vetted and that includes the future projects that may change due to the updated Pavement Management Report. There was some discussion of what the Pavement Management Report may change within the CIP. Some hypothetical scenarios were discussed.

The Town Finance Officer noted that the CIP items in the year 2022 will go into the 2022 budget. He gave the Board a look into his process of setting money aside for certain funds, like the Equipment Depreciation Fund, ensuring the Town has funds to purchase equipment when need be.

CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR REPORT: Water Gremlin: The Town Building Inspector was present to report that Water Gremlin has completed all of the fire suppression installations within each smog hog. This was a big job, and the Fire Marshall and Town Building Inspector inspected and signed off on it. There was some brief discussion of the Concerned Citizens Group. The Town Board is glad that Water Gremlin hasn’t been a focal point for the Town lately, and after this completed project the Board is looking forward to that trajectory continuing.

5500 Township Drive: The Town Building Inspector was present to report that the Town has dealt with this property in the past and it recently crept up, with receiving some complaints from neighbors about brush piles, trash, and barrels. The Inspector sent notice to the residents and they did clean up the barrels, the trash bags, and brush piles in the front yard. There is 1 brush pile that remains in the back yard. There is a camper that doesn’t have tabs sitting on the

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driveway. There was some discussion of the property, but for now staff will continue to monitor that property and report back if needed. It was noted that staff should have the owner apply for a rental permit and inspect the property, but the owner will probably refuse.

5305 West Bald Eagle Blvd : The Town Building Inspector was present to report that the sale closed and there is a new owner of this property. Zac Love will be moving to Arizona with his daughter. The new owner was at the July Planning Commission meeting requesting a minor subdivision to split the property and clean it up. The house will be demolished and the rental will keep open for the other owner once he sells, recognizing that the water and sewer lines need to be extended to the street. The Planning Commission approved the minor subdivision and it will be in front of the Town Board on August 2nd.

2105 Stillwater: The Town Building Inspector reported that he hasn't heard anything happening. No one has been out to cut the grass recently. He sent an abatement order for the grass/weeds and the allotted time has passed. He may hire one of the Town's contractors to cut the grass. The Building Inspector received a voicemail from Lopez and asked for a call back. He has since called him a couple of times, leaving a voicemail, but Lopez hasn't returned his call. The Building Inspector has some concerns about inspecting the property alone with Lopez. The property is unfit for human habitation; last he knows is that there is debris inside and he doesn't know if he'll be able to properly inspect. The mold and mildew made the property reek last time Johnson was there a couple of years ago. The Town Attorney mentioned that it may be a good idea to obtain an administrative search warrant for July 30th, so that way the property can be inspected with or without Lopez. From there, the Town Building Inspector can document the evidence of the property to further solidify and justify whether to demolish the property. There was some discussion and it was the consensus of the Board to proceed this way.

There was some discussion of the Island property and the owner, Nate Landucci, is trespassing on government property (Township and County). Three neighbors have called Supervisors and asked about it. The Town Attorney noted that he will write a legal notice and suggested that the Town get their own contractor to assess and potentially fix the damages Landucci is causing. Then can either have him pay, have it go on his taxes, or sue him for damages. Because if the Town simply notes that he has to fix it up he may not fix it up to Township's unfunded mandated standards for roads and easements.

CLERK-TREASURER REPORT: DNR Groundwater Management – Update: The Town Attorney updated the Board about the hearing on Wednesday. The Plaintiffs wanted the DNR to report monthly on progress of contested hearings. Up to 350,000,000 gallons can be pumped from the lake but they don't know how they are going to divide the allocations up among all of the municipalities. The issue came up of the hearings, whether they should do individual hearings or consolidate them into one. It was the consensus among the attorneys representing each individual municipality that the hearings should consolidate discovery only, but each municipality still has a right to ask regarding wells individually. There was some discussion on the current water level of the lake with the drought. There was some general discussion of the case and potential restrictions that may come from it. The Town Attorney will update the Board at the August 2nd meeting.

Stable Property – Follow-up to Monday's discussion: The Town Attorney did talk with his partner who recommended 2 attorneys who specialize in municipal law. He will put together a packet to have the attorneys look at regarding the Stable Property, how

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TIF comes up, blighted buildings, demolition, right of first refusal, and eminent domain. The Town Attorney should have enough research conducted by the EDAB meeting in August. There was some discussion of an amount. It was noted that the Attorney will shoot for about \$3,000 but that the Board is willing to grant \$5,000 if needed. A proposal will be available for the Board at the Town Board meeting on August 2nd.

Reschedule Labor Day Town Board Meeting: Due to Labor day on Monday, September 6, it was decided to reschedule the meeting, as always, to Wednesday, September 8th.

FAREWELL TR: Tom Riedesel gave a brief history of his career. He was a store manager at a store in Maplewood, and then he and his wife bought a house in the Township in 1989. He got to learn some planning with some developments that were going on around him. The previous Town Clerk reached out to Riedesel about an internship as Town Planner in 1991. He took it and then after the internship was contracted for 6 months, extended to another 6 months. And then the rest is history. Riedesel has had a big positive impact on the Township and he loved his job. Evan Monson from TKDA is up to the challenge to serve the Township as Contract Planner. Riedesel is getting Monson up to speed on as much as possible. And if he needs anything, or if anyone needs anything, staff has his phone number. The Town Clerk noted that he has greatly appreciated Tom's time and patience with him when he was new to the Township.

ADDED AGENDA ITEMS: Trailer Parking: Supervisor McCune brought this agenda item up because he wanted to ensure that the RV Parking issue was either resolved or that it gets back on for discussion at one of the Town Board meetings. Staff looked into previous minutes from April and found that the Town Board tabled the Planning Commission's recommendation because it didn't like the wording of the ordinance. Staff will get this back on a Town Board meeting. Town Board also tabled the ordinance about the porcelain teacup pig, but approved the change in ordinance about chickens.

OPEN TIME: No one was present for open time.

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 11:13 a.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

Megan R. Cavanaugh
Recording Secretary