

**MINUTES
TOWN BOARD MEETING
JANUARY 4, 2016**

The meeting was called to order at 7:00 p.m.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Attorney: Lemmons;
Planner: Riedesel; Engineer: Studenski.

APPROVAL OF AGENDA (Additions / Deletions): Ruzek moved approval of the agenda with the following amendment: Add 8A) Bald Eagle Island Status Report. Prudhon seconded. Ayes all.

APPROVAL OF PAYMENT OF BILLS: Prudhon moved approval of the payment of bills. Ruzek seconded. Ayes all.

APPROVAL OF MINUTES OF DECEMBER 21, 2015: Ruzek moved approval of the Minutes of December 21, 2015. Prudhon seconded. Ayes all.

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) Rice Lake Homeowners Request for Support – Adopt Resolution Supporting the Submission of a Community Blue Grant Application by the Residents in the Rice Lake Area of the Township (noting slight verbage changes in the resolution which staff will change). Prudhon seconded. Ayes all.

OLD BUSINESS ITEMS: There were no Old Business agenda items.

PUBLIC HEARING: 7:10 P.M. – 4532 GRACE STREET – REQUEST FOR HOBBY KENNEL LICENSE TO KEEP THREE DOGS AS PRIVATE PETS: The Public Hearing was held at 7:10 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all.

The Clerk reported that Kyle Anderson, 4532 Grace Street, has applied for a Hobby Kennel License which would allow him to obtain a third dog. Ordinance No. 5 (Animal) sets forth the procedures that should be followed. These include: 1) dogs shall have current rabies certificates (copies of the rabies certificates have been provided for the two current dogs); 2) dogs shall have current Township licenses (tags have been issued for the two dogs now residing at the home. If a Hobby Kennel License is approved a third

**MINUTES
TOWN BOARD MEETING
JANUARY 4, 2016**

dog will be licensed); 3) report by Animal Control (There are currently two dogs: 1 male 3 year old Lab/Collie mix named Tristan; 1 male 3 year old Golden Retriever named Remy. There are two pet ferrets that are kept in an indoor cage continuously and meet the criteria of Ordinance 5, Section 14-1.2. Residents are planning to add a large breed dog such as a German Shepherd or Bernese mountain dog; 4) Appearance of the animals were viewed and both dogs appeared healthy with good coats and were active. Tristan fits a Purina Body Conditioning System score of 6 and Remy fits a score of 8; 5). The dogs have access to clean potable water; access to sufficient quality food; enough leashes for each dog; good shelter conditions; and good sanitation. There have been no animal complaints to date. The Animal Control Officer recommends issuance of a Hobby Kennel License after the installation of tall wooden or chain link fencing on the north border of the property and between northwest edge of garage and southeast edge of house. The wire fencing on the southeast edge of the property should be replaced with tall wood or chain link fencing. The Clerk noted that the fencing as recommended by Officer Lee goes to the street. The Town's building code prohibits any fencing taller than 42" in the front yard. The back yard will be enclosed as recommended by the Animal Control Officer with a maximum fence height of 6 feet.

The applicant, Kyle Anderson, 4532 Grace Street had no questions and agreed with the installation of the fencing before the third dog is obtained.

There was no further public testimony. Prudhon moved to close the public testimony portion of the Public Hearing. Ruzek seconded. Ayes all.

Ruzek moved, based on Township's Animal Control Officer's review and recommendation to approve the issuance of a Hobby Kennel License to Kyle Anderson, 4532 Grace Street, subject to the following: 1) completion of installation of a tall wooden or chain link fence on the north border of the property and between the northwest edge of the garage and southeast edge of the house, and replacement of the wire fencing on the southeast edge of the property with tall wood or chain link fencing prior to obtaining the third dog; 2) the new dog shall obtain a dog license from White Bear Township; 3) the new dog shall have a current rabies vaccination; 4) this Hobby Kennel License shall expire on March 31, 2018 (dog license expiration). Application for renewal shall be completed prior to that date. Prudhon seconded. Ayes all.

2016 SANITARY SEWER LINING – OVERLAKE AVENUE – AUTHORIZE TKDA TO RECEIVE QUOTES:

The Town Engineer reported that improvements were done last fall to the sanitary sewer system on the west side of Bald Eagle Boulevard north of County Road H2 where issues were found with the sanitary sewer system. Last fall quotes were received on two portions of the Township and the project on the west side of Bald Eagle was awarded. Another improvement package is being put together for this year. The sanitary sewer lining for this project will be for the sewer pipe on Overlake Avenue from Hugo Road to Auburn Avenue. Leaks were found in the system and the line was televised to identify the areas. It runs through the low land area to service the homes towards Bald Eagle Lake. The Engineer requested authorization for TKDA to work with Public Works

**MINUTES
TOWN BOARD MEETING
JANUARY 4, 2016**

to revise the plans and specifications from last year's project and to go out for bids. Revision of the plans and specifications can be done for an amount not to exceed \$975.00 with funding from the Sanitary Sewer Fund. The Engineer will provide a report at the next Town Board meeting. He reported that the project is part of what the Township is doing for I & I activity. The Township needs to spend \$70,000 per year to address inflow and infiltration and any amount spent on the project will be subtracted from the \$70,000 per year established by the Metropolitan Council. Prudhon asked if there are any stubs in the area where the improvement will be done. The Engineer reported that there are some service Y's that are leaking but there are no connections in this stretch of the project, it is only the main line with no connections. He provided an overhead identifying the area where the improvement is proposed to be done. He reported that the pipe is only 8" in this stretch which services the area from the park to Bald Eagle Lake. There are no homes in this area.

Ruzek moved, based on Town Engineer's recommendation to authorize TKDA to work with Public Works to revise plans and specifications from the 2015 Sanitary Sewer Lining Project and to solicit bids for the 2016 sanitary sewer lining of Overlake Avenue in an amount not to exceed \$975.00 with funding from the Sanitary Sewer Fund. Prudhon seconded. Ayes all.

PUBLIC WORKS LEAD WORKER – APPOINT PAUL PELTIER AS PERMANENT FULL-TIME PUBLIC WORKS LEADWORKER:

The Clerk reviewed the memo from Peter Tholen, Field Maintenance Supervisor. Pursuant to Section III.F, Probationary Period of the Township Employee Handbook, he provided a report to the Town Board on the performance of Paul Peltier. On June 1, 2015 Paul was appointed as Public Works Leadworker for White Bear Township. The report is based on observations while working with him as well as feedback from the Public Works staff over the past six months. Paul filled in for the Field Maintenance Supervisor while the supervisor was out for medical leave for two months and showed everyone that he is capable of doing the job. Paul is performing all of the essential functions of the position as set forth in the Leadworker job description. His performance in all areas either meets or exceeds those in the job description. Paul enhances the Public Works Department by being a great Leadworker and by being able to tackle any job or task given to him. He also openly communicates to his supervisors and to other Public Works Maintenance staff.

Prudhon moved, based on staff recommendation, to appoint Paul Peltier to the permanent full-time Public Works Leadworker position. Ruzek seconded. Ayes all.

PUBLIC WORKS MECHANIC – APPOINT GERALD THOMAS (G.T.) MAGNUSON AS PERMANENT FULL-TIME PUBLIC WORKS MECHANIC:

The Clerk reported that Gerald T. Magnuson was appointed as Public Works Mechanic for White Bear Township on June 1, 2015. Pursuant to Section III.F, Probationary Period, of the Township Employee Handbook, a report is given to the Town Board on performance after the probationary period. GT is performing all of the essential functions of the position as set forth in the Public Works Mechanic job description. His performance in all areas either

**MINUTES
TOWN BOARD MEETING
JANUARY 4, 2016**

meets or exceed those in the job description. GT enhances the Public Works Department's personnel dynamics by being a team player and by being willing to tackle any job or task given to him. He has demonstrated to staff that he is prepared to maintain and keep all Town equipment safe and operational. He openly communicates with his supervisor and other Public Works Maintenance Staff.

Prudhon moved, based on staff recommendation, to appoint G.T. Magnuson as permanent full-time Public Works Mechanic. Ruzek seconded. Ayes all.

WBL 624 COMMUNITY FORUM SURVEY – AUTHORIZE DONATION: The Clerk reported that the White Bear Lake Area Public Schools Community Services and Recreation in cooperation with the YMCA Community Services Advisory Council is requesting Township participation in a comprehensive community survey that would include 1200 residents across the district boundaries. The purpose of the survey is to identify gaps, opportunities or infrastructure improvements needed for aging adult population. The cost of the survey is estimated to be \$42,000. The Town Board reviewed the results of the first draft of the survey at the December 18, 2015 Town Board Executive Meeting. At that meeting the Board recommended a \$1,000 contribution to the Community Forum Survey project. It was recommended that results of the survey be posted on the Town's website.

Ruzek moved to authorize the donation of \$1,000 to the White Bear Lake 624 Community Forum on Seniors Survey with funding from the General Government Department of the General Fund, noting that results of the survey be placed on the Town's website. Prudhon seconded. Ayes all.

TOWNSHIP CREDIT CARD USERS – AUTHORIZE ADDITIONAL CARD HOLDERS: The Clerk noted that the Town Board reviewed authorization of additional card holders and changes in the monthly spending limits at the last Town Board Executive Meeting. He reported that purchases include such things as chemicals, vehicle and equipment parts, office supplies, hardware and other parts and supplies. These items are purchases from a variety of vendors which require a number of checks to be generated to pay the vendors. To help streamline some of this process the Town began using the Minnesota WSC-P-Card Program through US Bank. This is a purchasing (credit card) program authorized by the State of Minnesota. Under the program the Town Board authorizes certain employees who were issued a purchasing card to make Town purchases. Each card has various restrictions placed on them which limit employees as to type of purchases, amount of purchase, or daily or monthly charge amounts. With the retirement of the Town's Leadworker /mechanic and his replacement by dividing the Leadworker and mechanic positions into two positions, an update of approved employees need to be made. At the November 20, 2015 Town Board Executive Meeting, the Town Board reviewed the list of employees, single purchase limit and monthly spending limits and changes were identified to monthly spending limits.

**MINUTES
TOWN BOARD MEETING
JANUARY 4, 2016**

Prudhon moved, based on Finance Officer's review and recommendation to authorize changes to the P-Card users as outlined in the Finance Officer's memo dated January 4, 2016. Ruzek seconded. Ayes all.

U.S. GEOLOGICAL SURVEY – PROJECT UPDATE MEETING ATTENDANCE: The Clerk reported that the USGS and the Metropolitan Council are providing a project update on USGS groundwater/surface water interaction assessment and modeling in the northeast metro area. The meeting is scheduled for January 20, 2016 from 10:00 a.m. to noon at the White Bear City Hall Council Chambers at 1701 Highway 61 North.

Ruzek moved to call a Special Town Board Meeting for January 20, 2016 from 10:00 a.m. to noon, at the White Bear Lake City Hall Council chambers, 1701 Highway 61 north. Prudhon seconded. Ayes all.

OPEN TIME: Bald Eagle Island: The Clerk reported that the Town Attorneys, the Code Enforcement Officer, Planner and Town Clerk had a telephone conference call regarding Bald Eagle Island. He reported that when the Town approved the Conditional Use Permit for the recording studio on the island, it was given with a six month permit. The Town does have a provision for a six month extension and that six month extension was granted and will expire tomorrow, on January 5, 2016. The applicant, which includes the developer and property owner, has completed application for two building permits. One permit for remodeling of the home and the second for construction of an accessory building. The Town's Building Inspector has reviewed both applications and has prepared a building permit to be issued for the remodel of the existing home. There is still some information that is needed for the accessory building. What initiates the project was discussed with the Town Attorneys and it was concluded that as much as the building permit for remodel of the existing home is ready to be picked up, the initiating of the project includes paying for the permit and picking up the permit and paying up the zoning account. That is expected to happen tomorrow or Wednesday. Kermes asked about the status of the permit of the accessory building. The Clerk reported that a status report from the Building Inspector is that he is waiting for information before preparing the permit for the accessory building. Prudhon asked if a building permit will be issued without information if the property has changed hands. The Clerk reported that the original application for the building permit was made by the developer, not the property owner, but Nick VanBrunt, the property owner, came to the office a day later and co-signed the application. There has been no closing on the sale of the property as yet. Prudhon asked if this is part of the agreement. The Clerk stated that regardless, the owner is Nick VanBrunt and he has signed the application. Ruzek asked if they have met what is required to have the building permit process to move forward. The Town Attorney explained that what is required is application for the permit, paying for the permit, and paying the fee. Ruzek asked if this is not paid in the next few days if it alters the approval. The Town Attorney stated that they have not initiated the process yet because they have not picked up or paid for the permit. He stated that the developer's attorney has indicated that they will cooperate and understand what they have to do follow the process. Kermes asked if they fail to perform if the project would end. The Town Attorney stated that if the initiation period runs out the

**MINUTES
TOWN BOARD MEETING
JANUARY 4, 2016**

project expires. Prudhon asked that since the permit action expires tomorrow, does that imply that if the permit is not initiated if they would get another six month extension. The Planner explained that it has been a year from approval and that the six month extension was granted last year. The extension sunsets tomorrow. The Clerk will provide a status update to the Town Board individually as information becomes available. Kermes reported that there will be permit update at the January 20, 2016 Town Board meeting.

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

The meeting adjourned at 7:36 p.m.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approved as Official Meeting Minutes

Town Board Supervisor

Date