

**MINUTES  
TOWN BOARD MEETING  
APRIL 18, 2016**

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

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Attorney: Lemmons;  
Public Works Director: Reed; Building Official / Code Enforcement Officer:  
Johnson; Engineer: Studenski.

**APPROVAL OF AGENDA (Additions/Deletions):** Prudhon moved approval of the agenda with the following amendments: Delete Old Business Item 6A) Solicitor License Request – Renewal by Anderson; and New Business Item 7B-4) Authorize Appraisal to be Completed by Real Estate Appraisal & Advisors to Determine the Park Dedication Fee for the Pine Hill Subdivision. Ruzek seconded. Ayes all.

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

**APPROVAL OF APRIL 4, 2016 MINUTES:** Ruzek moved approval of the April 4, 2016 Meeting Minutes. Prudhon seconded. Ayes all.

**CONSENT AGENDA:** Ruzek moved approval of the Consent Agenda as follows: 5A) Notify the Ramsey County Sheriff's Office Water Patrol Unit and the Applicant of the Township's Approval of the 2016 Bald Eagle Yacht Club Sailing Course on Bald Eagle Lake; 5B) 1) Approve Participation and Payment of \$70.00 Entry Fee for 2016 Manitou Days Parade; 2) Call Special Town Board Meeting for Friday, June 17, 2016, Beginning at 4:30 p.m.; 5C) Call Public Hearing for Monday, May, 16, 2016 at 7:10 p.m. for Hobby Kennel License Renewal Request at 3991 Birch Knoll Drive; 5D) Call Public Hearing for Monday, May 16, 2016, at 7:15 p.m. for Hobby Kennel License Renewal Request at 2699 Evergreen Circle; 5E) Call Public Hearing for Monday, May 16, 2016, at 7:20 p.m. for Hobby Kennel License Renewal Request at 5355 Hugo Court; 5F) Call Public Hearing for Monday, May 16, 2016 at 7:25 p.m. for Hobby Kennel License Renewal Request at 2502 Taylor Avenue; 5G) Call Public Hearing for Monday, May 16, 2016, at 7:30 p.m. for Hobby Kennel License Renewal Request at 5941 Otter View Trail; 5H) Call Public Hearing for Monday, May 16, 2016, at 7:35 p.m. for Hobby Kennel License Renewal Request at 5423 Jefferson Court; 5I) Call Public Hearing for Monday, May 16, 2016, at 7:40 p.m. for Hobby Kennel License Renewal Request at 5451 Normandy Court; 5J) Call Public Hearing for Monday, May 16, 2016, at 7:45 p.m. for Side Yard Setback Variance Request at 2577 County Road F; 5L) Call Public Hearing for Monday, May 16, 2016, at 7:50 p.m. for Lakeshore Setback Variance Request at 2609 South Shore Boulevard; 5L) Receive Finance Officer Report – First Quarter Financial Report; 5M) Based on Town Engineer Review and Recommendation

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and Including His Recommended Conditions, Approve Comcast Permit Through the Company Universal Services to Install a New Fiber Optic Cable Line to Service at 4849 White Bear Parkway Along With Directional Boring Under Birch Lake Boulevard and Setting New Vaults. Prudhon seconded. Ayes all.

**1<sup>ST</sup> QUARTER CONSTRUCTION REPORT:** The Building Inspector / Code Enforcement Officer reviewed the 1<sup>st</sup> Quarter Construction Report. He reported that there was one Single Family Residential Building Permit issued for a valuation of \$520,000. There was one Single Family Residential Building Permit issued 2015 year-to-date for a valuation of \$180,000. Miscellaneous Residential Permits issued were 89 for a valuation of \$878,930. Permits issued 2015 year-to-date were 31 for a valuation of \$683,757. Four Commercial Permits were issued for a valuation of \$676,000. Three permits were issued 2015 year-to-date for a valuation of \$46,540.00. Total permits issued 1<sup>st</sup> quarter 2016 were 96 for a valuation of \$2,074,930. Year-to-date permits issued in 2015 were 37 for a valuation of \$910,297. The Building Official reported that a total of 278 permits have been issued in 1<sup>st</sup> quarter. He reported that 1547 permits were issued in 2015 which is the highest number of permits issued in one year for the past ten years. He reviewed Township permits by category as follows: Building permits: 34.53%; Electrical: 22.30%; Fire: 1.08%; Mechanical: 13.31%; Plumbing: 24.10%; Zoning: 2.52%; Utilities: 2.16%. Business licenses issued in 2016 to date are 98. The 2016 business license report was presented as follows: Business: 60.87%; Non-complaint business: 27.33%; Vacancies: 10.56%; and Other Uses at 1.24%. He reported that 160 notices were sent to businesses in the Township relative to business licenses. Non-Compliant businesses will receive another notice next week. Kermes asked if there is a particular size or kind of business that is non-complaint. The Building Official reported that there is a random section of businesses. Kermes asked if there is a due date for non-compliant business to become compliant. The Building Official stated that there is. A final written notice is sent informing non-compliant business of the due date for becoming compliant. The Building Official reported that 175 rental licenses have been issued for the 2016-2017 period. Rental license activity included 68.92%; multi-unit rental licenses: 22.31%; non-complaint rentals: 8.37% (no longer responding to notification); and no longer rentals: 0.40%. First Quarter Code Violations are as follows: Unlicensed / inoperable vehicles: 14.1%; Garbage Container / litter: 66.67%; Debris & Junk: 14.1%; Dead tree: 14.1%. Ruzek asked at what point the Township gets involved with standing dead or diseased trees. It was reported that it is the responsibility of the property owner to remove the trees. If they do not, the Township may remove the tree and assess the cost of removal to the property owner's property taxes. Vacant building registrations for first quarter are two. One has been declared vacant; and 10 are nuisance or foreclosed properties. The highest number of vacant buildings in the past ten years was in 2015 with 17 vacant buildings.

Prudhon moved to receive the 1<sup>st</sup> Quarter Construction Report and related information. Ruzek seconded. Ayes all.

**IMPROVEMENT 2016-1 – PINE HILL (NORTH OAKS/HABLE PROPERTY: 1) RECEIVE NORTH OAKS COMPANY CORRESPONDENCE REGARDING PROJECT DEPOSIT; 2) RECEIVE FEASIBILITY REPORT; 3) AUTHORIZATION OF PLANS AND SPECIFICATIONS; 4) AUTHORIZE APPRAISAL TO BE COMPLETED BY REAL**

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**ESTATE APPRAISER AND ADVISORS TO DETERMINE THE PARK DEDICATION FEE FOR THE PINE HILL SUBDIVISION:**

The Town Engineer reported that previously the Town Board gave preliminary plat approval for the project on Centerville Road, north of County of County Road H-2 and west of I-35E. He reviewed the April 14, 2016 letter from the North Oaks Company which states that they are the developer of the 28 single family residential home site project. Their current development timeline anticipates new home construction on the site will start this year and enable their home builders to have a home in the fall Parade of Homes. The North Oaks Company has met with members of the Township administrative, planning and community development, building and public works staff over the past several months on the planning for the Pine Hill Project. TKDA and Township staff have reviewed with them the contents of the Feasibility Report and they are in agreement with the Report and the summary of estimated project costs to complete the recommended street, utility and drainage improvements for the project. As developer, they agree to the plan for the proposed improvements and as developer will agree to fund the entire cost of the proposed improvements outlined in the Feasibility Report directly and not from the special assessment process which would otherwise be available. As required to initiate the implementation process, they will deposit with the Township on or before April 18, 2016 the sum of \$150,000 representing approximately 10% of the estimated project construction costs to be used by the Township to defray costs of plans, specification and legal services that may be incurred. The goal of the North Oaks Company is to have for the May 16, 2016 Town Board meeting, a final plat for review so that, upon approval of the plat and plans and specifications and order advertisement for project bids.

The Engineer reported that the North Oaks Company will perform the grading activity, the tree removals and demolition on the site. They will have this project area prepared for the utilities and the street construction. Currently the Township has watermain that is along the north side of County Road H-2 from I-35E to Peterson Road and to the south the sanitary sewer runs just south of the project to the Met Council interceptor. A new watermain line will run through the development. There will also be a line brought to the south for a future extension. The line will be looped along the south side of County Road H-2 and connecting to existing watermain that is currently from County Road H-2 on the east side of Centerville Road. That watermain is not connected to anything at this time and will be the first live connection to any water system. The storm sewer will be contained through the site with the ponding on the east side and going into the wetland on the southeast corner. The street improvement will be the standard seven ton road design. The soils onsite consist mostly of silty sands and lean clays. These soils require a thicker section than the Town's standard road section for local streets to meet the seven ton road design. The section consists of 1-1/2" bituminous wear course; 2" bituminous base course; 8" Class 5 gravel; 12" select granular subbase, as necessary; D4 12 concrete curb and gutter. It is proposed to install the D4 12 concrete curb and gutter and have the initial 2" bituminous base course during the initial construction season. The final wearing course would be paved once 80% of all new homes have been constructed or as directed by the Engineer. By using this procedure, damage caused during new home building, or settlements in the road, can be repaired prior to the final surface being placed. A 10' bituminous trail will be constructed on the eastern side of the property, from County Road H-2 to the southern edge of the project. A connection from the proposed roadway to the trail between Block 1 Lots 6 and 7 is also proposed. The section consists of 2" bituminous wear course; 6" Class 5 gravel; and

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additional Class 5 gravel as needed. The plat includes an updated easement for a 20' emergency access. This will be an access easement and not a drainage and utility easement. The plat will update the easement for the trail to be a trail, drainage, and utility easement and not a drainage and utility easement. Preparation of the site will be done by the North Oaks Company. Silt fence will be installed, tree protection fence, and rock construction entrance. They will clear and grub trees and brush and salvage topsoil. The site will be graded in accordance with approved grading plan. Boulevards and streets will be graded to within  $\pm 0.2'$  of planned subgrade. Topsoil will be salvaged. Seeding and mulching will be done in disturbed areas. The developer will grade the stormwater treatment pond and infiltration area in accordance with approved grading plan. They will arrange and pay for installation of natural gas, electricity, telephone, and cable television throughout the subdivision. Street lights are not required and would be installed at the developer's discretion and expense. The developer shall install and pay for street name and signs and traffic control signs. All signs must meet current requirements including and not limited to size and reflectivity. The Township shall approve all signage prior to developer installation. Landscaping and erosion control will be done in accordance with approved landscaping plan. The Engineer reported that the Township will bid out the work for sanitary sewer, watermain, storm sewer and the streets. He reported that a demolition permit and grading permit will be provided by the Township; the NPDES Stormwater Permit, and Sanitary Sewer Extension will be acquired from the Minnesota Pollution Control Agency; Sanitary Sewer Extension Regional Review will be done by the Metropolitan Council Environmental Services; Watermain Extension from the Minnesota Department of Health; Stormwater Review by the Vadnais Lakes Area Water Management Organization; and Right-of-way (Centerville Road and County Road H-2) from Ramsey County. The Engineer reported that TKDA has been in contact with these entities.

The Engineer provided a summary of estimated project costs for the recommended street and drainage improvements. The project cost is estimated to be \$1,463,100. This cost includes: 1) sanitary sewer at \$252,800; 2) watermain at \$526,000; 3) Storm Sewer at \$180,500; 4) Street at \$443,900; and 5) Trail at \$59,900. It is proposed that 100% of the project costs for sanitary sewer, watermain, storm sewer, street, and trail improvements to be financed by the developer. The Township will contribute 50% (\$96,200.00) towards the watermain looping construction. Based on financing of improvements, the cost per lot is \$48,820. Total project cost of \$1,463,100 minus the Town's \$96,200 contribution towards the watermain looping construction results in a project cost of \$1,366,900. The Engineer reported that the next step, after receipt of the Feasibility Report tonight and resolution ordering the improvements and preparation of plans and specifications, is for Town Board approval of the Plans and Specifications and orders for advertisement of bids on May 16, 2016.

Kermes asked if the overall project scope is the same as previously presented. The Engineer stated that the overall project is the same with only more detail being received as the project progresses. Prudhon noted that the information states that the final plat includes the removal of Outlot A. The Engineer identified Outlot A on an overhead and explained that Outlot A is being removed and is now part of Lot 13. He stated that it was an inconsistency in the documents which were previously presented. He reported that engineering is working with Gary Eagles on the final plat. He reported that the connection

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to the sanitary sewer is outside of their property so there will be several components when the final plat comes forward. Prudhon asked if the road will be a public road. The Engineer stated that it will become a public road. Prudhon asked if the Town has requirements for street lights on a public road. The Engineer stated that street lights are not required. The Clerk explained that the Town has standards for street lights if they are requested. Prudhon asked if a name for the road has been determined yet. Gary Eagles, Vice President for North Oaks Company reported that they are proposing the name Pine Hill Lane. He reported that he checked with the Post Office and also researched if there were any roads with the same name in the metro area. None were identified. Prudhon noted that there is street light across on the north side of County Road H-2 at Peterson Road. Kermes asked if street lights were installed according to Town standards how many street lights would there be. The Clerk stated that when there is a road alignment change or curve a light may be considered. Gary Eagles reported that they have not done any projects with Connexus Energy that included street lighting but he has contacted them and has not received full information as yet. Ruzek stated that when the plans were first reviewed the trail was a 10' wide trail coming in from the development to the trail system. He asked if it will be a 10' wide trail. The Engineer stated that it will be a 10' wide trail. Ruzek asked about the connection from the roadway. The Engineer reported that all the trails will be 10 feet wide. Ruzek noted that the storm sewer will meet or exceed all watershed requirements. He asked if it will meet future standards. The Engineer reported that all standards will be met or exceeded and no issues are expected.

Prudhon moved to receive the Feasibility Report for the Pine Hill Hable Property Subdivision. Ruzek seconded. Ayes all.

Prudhon moved to receive North Oaks Company Correspondence, dated April 14, 2016, regarding project deposit. Ruzek seconded. Ayes all.

The Clerk reported that Township has received the deposit referenced in the letter from the developer.

Prudhon moved to authorize the preparation of plans and specifications for the Pine Hill Hable Property Subdivision. Ruzek seconded. Ayes all.

**STREET SWEEPINGS DISPOSAL – APPROVE ALLIED BLACKTOP COMPANY**

**PROPOSAL:** The Public Works Director reported that the Town Board approved a proposal from Allied Blacktopping Company for contractual street sweeping. The street sweeping was completed during the week of April 11, 2016. The debris from the street sweeping operations will need to be disposed of. In the past the Town has used a dumpster service to dispose of the street sweeping debris. Staff has estimated the cost to dispose the street sweepings again with dumpsters vs having a contractor haul and dispose of the material. Proposals have been received from Allied Blacktopping Company for \$37.50 per ton to haul and dispose the debris; Ace Solid Waste for \$38.62/ton, and Veit for \$43.28/ton. He reported that the Storm Water Operating budget has \$35,000 in 2016 for contractual street sweepings and debris disposal. The spring street sweepings actual cost was \$7,440.00 which leaves \$27,560.00 for disposal of spring street sweepings and fall sweeping disposal. The estimated total for spring street sweeping and disposal is \$12,000. In response to a

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question what happens to the debris after it is hauled it was reported that the debris is recycled.

Ruzek moved, based on Public Works Director's review and recommendation to approve the proposal from Allied Blacktopping Company for \$37.50/ton to dispose of street sweeping debris with funding from the Storm Water Operating Fund. Prudhon seconded. Ayes all.

**PLANNING COMMISSION MEMBER APPOINTMENT:** The Clerk reported that three applications have been received to fill the unexpired membership on the Planning Commission. He reviewed a map that showed the locations of where the current Planning Commission members live and where the applicants live. He noted that the Town's goal is to have commission member representation from various parts of the Town. Ruzek asked if the applicants have been informed of expectations and meeting dates. The Clerk stated that the meeting schedule is posted on the website but that Town Staff will confirm with the selected applicants. It was the consensus that Zachary Flann, 4157 Bellaire Avenue be offered the position noting that he lives in an area where there is no representation from the Planning Commission.

Ruzek moved to appoint Zachary Flann, 4157 Bellaire Avenue, to fill the un-expired commissioner term on the Planning Commission through April 30, 2017. Prudhon seconded. Ayes all.

**OPEN TIME:** No one appeared for the open portion of the meeting.

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

The meeting adjourned at 7:51 p.m.

Respectfully Submitted,

William F. Short  
Clerk-Treasurer

Approved as Official Meeting Minutes

\_\_\_\_\_  
Town Board Supervisor

\_\_\_\_\_  
Date