

**MINUTES
TOWN BOARD MEETING
JUNE 20, 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; Planner: Riedesel; Engineer: Studenski.

APPROVAL OF AGENDA (Additions/Deletions): Prudhon moved approval of the Agenda as submitted. Ruzek seconded. Ayes all.

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

APPROVAL OF JUNE 6, 2016 MEETING MINUTES: Ruzek moved approval of the June 6, 2016 Meeting Minutes noting minor corrections; one a lack of a second; footnote to a name; and page six: 2nd paragraph: reference to a six foot sign should state "six square foot sign". Prudhon seconded. Ayes all.

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) Reschedule July 11, 2016 Town Board Meeting to July 6, 2016 at 7:00 p.m. Due to Conflict; 5B) Receive and Approve the 10-Year Update of the VLAWMO Joint Powers Agreement and Authorize Execution by the Town Chair and Town Clerk; 5C) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve Xcel Energy Permit to Provide a Gas Service From the Existing Gas Main Line North; 5D) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve Xcel Energy Permit to Replace Electric Service Lines on Margaret Street North and South of Park Avenue - The Project Will Consist of Underground Work; 5E) Receive Construction Activity Report.

Kermes asked about Consent Agenda Item 5B) Receive and Approve the 10-year Update of the VLAWMO Joint Powers Agreement. He commented that he would like to give the Town Board the opportunity to discuss aspects of the agreement such as assessment abilities and voting responsibilities by members and directors, prior to giving approval. Kermes suggested that these issues be referred to the Executive Meeting for discussion.

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Ruzek moved approval of Consent Agenda Items 5A; 5C); 5D) and 5E) and to refer Item 5B) VLAWMO Joint Powers Agreement – 10 Year Update, to the Executive Meeting for discussion. Prudhon seconded. Ayes all.

RAMSEY COUNTY ELECTION SERVICES JOINT POWERS AGREEMENT AMENDMENT – APPROVE JOINT POWERS AGREEMENT AND AUTHORIZE EXECUTION BY THE TOWN BOARD CHAIR, TOWN CLERK, AND TOWN ATTORNEY:

The Clerk reported that at the June 6, 2016 Town Board Meeting the Town Attorney provided a report with the recommendation that a section of the Joint Powers Agreement regarding special elections be deleted. The Board asked if the deletion had been reviewed with Ramsey County. It had not, so no action was taken at that meeting. Since that time, staff has reviewed the proposed deletion of Section 7, Special Elections, Subd. 7.3 with Ramsey County Elections. Joe Mansky, Election Supervisor replied that they were okay with that approach and to go ahead and make that change to the amendment. The Clerk noted that the amendment that is being considered is with the deletion of that section.

Prudhon moved to approve the Joint Powers Agreement Amendment with Ramsey County Election Services as proposed by the Town Attorney and to authorize execution by the Town Board Chair, Town Clerk, and Town Attorney. Ruzek seconded. Ayes all.

ALL-WAY STOP SIGN REQUEST – PORTLAND/SHORT AND MALLARD PONDS BOULEVARD – RECEIVE RAMSEY COUNTY RESPONSE AND FORWARD TO KARA AND ROBERT HAMPTON:

The Clerk reported that at the June 6, 2016 Town Board Meeting the Board received a letter from Kara and Bob Hampton, 2710 Short Street regarding traffic concerns on Portland Avenue and Short Street. The Board authorized staff to forward the letter to Ramsey County Public Works Engineering staff and the Ramsey County Sheriff's Office. Joe Lux, Senior Planner, Ramsey County Public Works responded that he discussed this request with Ramsey County Traffic Engineer Erin Laberee and copied the Washington County Traffic Engineer Joe Gustafson so he is aware of the request as well. Joe Lux checked crash records for this intersection and found no crashes there in the last five years and three in the last ten years, none of which had any injuries. They have not done an all-way stop warrant analysis, but based on traffic volumes, they do not anticipate that they would be even close to meeting the criteria for installing an all-way stop at this intersection. There are no significant delays, no crash history, and no geometric reasons to do so. Mr. Lux has driven that route for over 25 years and never saw any indication that an all-way stop would be needed. Unless there are some circumstances that they are not aware of, they will not be installing an all-way stop at this intersection. The Clerk stated that since Ramsey County has jurisdiction over Portland Avenue (a County State Aid Highway) they have the authority over traffic control. He reported that the request was sent to the Sheriff's Office, Mike Casey, Coordinator of the Traffic Unit. He responded that he would work the area and has been there both in the morning and the afternoon. He worked north of the intersection but did not see much of anything. The south was more productive but he did not think that a stop sign would help at all with speed. He stopped

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some northbound traffic as they came over the hill all ten miles over. He stopped five vehicles before lunch. He had none over the limit going south. He feels that the speed limit is proper but will continue to work the area. They will work with the Washington County Sheriff's department as well.

Kara Hampton, 2710 Short Street asked if they could be in contact with the Sheriff's Office. She was informed that she could and contact information would be provided. Bob Hampton reported that they thought about putting a "caution child" sign out but did not think that would help. The Hampton's thanked the Board for assisting them.

7:10 P.M. PUBLIC HEARING – HOBBY KENNEL LICENSE REQUEST – 1335 COUNTY ROAD H-2: The Public Hearing was held at 7:13 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 Thomas Olheiser, 1335 County Road H-2 has three dogs, requests a Hobby Kennel License, and has fulfilled all the requirements for submittal for applying for a license. The Ramsey County Sheriff's Animal Control Officer has visited the property and performed his inspection. Based on his inspection, he recommends approval of a Hobby Kennel License. Notices were sent out to all properties within 350 feet and no responses were received. Ruzek noted that one of the dogs, Mateah, has a vaccination license which expires within 3-4 days. He asked if they have renewed the license since the approval of the Hobby Kennel License is subject to all dogs having a current vaccination certificate. The Clerk stated that the information regarding the vaccination certificate will be provided to the applicant. Ruzek stated that he is comfortable with approving the request as long as the vaccination certificate for Mateah is current.

Ruzek moved to open the open portion of the Public Hearing. Prudhon seconded. Ayes all. There was no public comment received. Ruzek moved to close the open portion of the Public Hearing. Prudhon seconded. Ayes all.

Ruzek moved, based on staff and Ramsey County Animal Control Officer review and recommendation, approve the request for the Hobby Kennel License at 1335 County Road H-2 for a two year period through March 31, 2018 subject to current vaccination certificates for all three dogs. Prudhon seconded. Ayes all.

7:15 P.M. PUBLIC HEARING – HOBBY KENNEL LICENSE REQUEST – 5646 FISHER STREET: The Public Hearing was held at 7:20 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 Tommy and Michele Thompson, 5646 Fisher Street, have applied for a Hobby Kennel License. They have fulfilled all the requirements for application for the license as well as certificate for rabies. The Animal Control Officer

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has performed a site inspection. In his records he identifies each of the three dogs, access to water, sufficient quality of food, leashes for each dog, shelter conditions, exercise space and sanitation. He noted that the Sheriff's Office has received no complaints at this residence. However, on April 15, 2016 there was a dog vs dog bite at Otter Lake Dog Park. Investigation was inconclusive. He recommends approval of the Hobby Kennel License. The Clerk reported that a neighbor called to state that they do not agree with the issuance of the license as there are too many dogs running loose in the neighborhood already that leave messes in other people's yards. He noted that it appears that the caller's complaints are with dogs in general as opposed to dogs at this address.

Prudhon moved to open the public comment portion of the Public Hearing. Ruzek seconded. Ayes all.

The Clerk reported that Craig and Linda Meadows, 5624 Fisher Street, sent an email in which they stated that they live three doors down from 5646 Fisher Street and registered a firm "no" to the request for Hobby Kennel License. They state that they have to deal with a nuisance barking dog behind them and they do not want another nuisance dog(s) to the side of where they live. They state that there are other residents in the neighborhood who have three (sometimes more) dogs but have not applied for a Hobby Kennel License and asked how this ordinance gets enforced. They state that the resident at 5646 Fisher have a yard that is filled with "garden and art" objects and they do not believe that it is possible to fit three dogs into the area. The Clerk noted that with the inspection of the property by the Animal Control Officer he noted that there is 1800 square feet fenced and even with the art items there is still plenty of room. Craig and Linda Meadows stated that the resident requesting a Hobby Kennel License has a dog that is a nuisance barker. They state that in the Township if two dogs are allowed no kennel license should be approved, to comply with the Ordinance. If the neighbors at 5646 Fisher intend to kennel the dogs, they should consider the quality of life for the dogs. The Clerk noted that the term "Hobby Kennel License" is commonly misunderstood. It is not intended to mean concrete slab with chain link fencing. It only means that there are three dogs. He noted that a better definition should be considered.

Tommy Thompson, 5646 Fisher Street reported that they have three dogs, all Corgi's, two of them are under 20 lbs. and the other under 27 lbs. He stated that he does not understand the comment about the dogs not having enough yard space. He stated that there is a lot of room in the yard for the three dogs. They take them on walks and to the dog park so the dogs are not lacking. They are in good shape as far as exercise and quality of life goes and does not know what the comment was based on. The Clerk stated that one of the concerns of Craig and Linda Meadows is barking. Meadows stated that last night they listened to this dog bark for 15 minutes straight. This occurs on a daily basis during the summer months and can become quite annoying. Anytime the dog is outside it barks. Multiply this by three dogs and there is a problem. Tommy Thompson stated that they have purchased a bark collar for the dog which is the

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“barker”. He reported that it worked very well when they bought the collar in February. Michele Thompson reported that when the collar is left on the dog it causes injuries to the dog and has been taken off when the dog is in the house to allow the dog to heal. There have been times when the anti-bark collar was inadvertently left off when the dog was outside. Tommy Thompson stated that they are aware of the barking. Ruzek noted that in the Animal Control Officer’s report there was a dog vs dog bite alluded to. Tommy Thompson reported that there was a woman with a rescue pit bull and one of the Thompson’s dog was playing with a dog that it knew and while the Thompson’s were talking to another dog owner he heard his dog “scream”. There was a pit bull there but there was nothing going on so he called his dog to come. The pit bull followed him. He picked up his dog. The owner of the pit bull told him that he could not pick up his dog because it would incense her pit bull to bite him. Tommy Thompson left with his dog. The Sheriff’s report stated that a trio of Corgi’s went crazy and started biting people and dogs. His dogs did not bite anyone as far as he knew. Their Corgi, Finley was bitten and photographs were taken of his dog. His dog was not the attacker. Ruzek asked if Craig and Linda Meadows’ concern about there being other residents in the neighborhood who have three, and sometimes more, dogs but have not applied for a Hobby Kennel License would be addressed. The Clerk stated that it would be enforced if staff can identify an address. Kermes asked if the Animal Control Officer would revisit the Thompson property in a few months to see how the anti-barking collar is working and if it is successful. The Clerk stated that could be done.

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

Prudhon moved, based on Staff review and recommendation to approve the request for Hobby Kennel License at 5646 Fisher Street for a two-year period through March 31, 2018, subject to the conditions listed in Ordinance No. 5 (Animal) which sets forth the procedures to be followed; and that the Animal Control Officer revisit the property in six months to see how the anti-bark collar is working. Ruzek seconded. Ayes all.

The Clerk reported that residents have stated that if the neighbors are hesitant about calling 911 for a barking dog. He provided a non-emergency phone number at the Sheriff’s Office that can be called. That number is 767-0640. The can also leave a message at this number for Animal Control Officer Mario Lee.

7:20 P.M. PUBLIC HEARING – HOBBY KENNEL LICENSE REQUEST – 5715 FISHER STREET: The Public Hearing was held at 7:37 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made.

The Clerk reported that Jagger Xiong and Kazoua Yang, 5715 Fisher Street have applied for a Hobby Kennel License. In accordance with Ordinance No. 5 (Animal) copies of rabies certificates have been provided for all three dogs; the dogs shall have current Township licenses if the Hobby Kennel License is approved; the application has been completed and fee paid; and Animal Control Officer has provided a Residential

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Kennel Inspection Report. He noted that for exercise space there is an open grass front yard of 600 square feet. Two dogs are tethered via ground stakes at a time. The owner is considering installing an invisible fence in the front yard. No animal complaints other than 3 unlicensed dogs on the premises have been received. The Clerk reported that Kraig and Anne Kelsey, 5707 Fisher Street sent an email to the Town outlining their concerns. They state that this family has a history of having several dogs that never stay in the family for more than one year; they never see the dogs go for a walk; they let the dogs out briefly to do their business and then bring them right back into the house; the dogs have been loose several times and often poop in their yard and they have to clean up the mess; the dogs were not licensed with the Township until neighbors reported them. Another resident, Deb Tachney, 5696 Fisher Street called and stated that she objects to the issuance of the Hobby Kennel License since the dogs are rarely leashed and will run out into the street. Two residents have no opposition to the request. Prudhon asked if the Animal Control Officer has any preference for invisible fencing or regular fencing. Ruzek stated that with invisible fencing it keeps the dogs on the property but does not keep other dogs from going into the yard.

Ruzek moved to open the public comment portion of the Public Hearing. Prudhon seconded. Ayes all.

Jagger Xiong, 5715 Fisher Street, stated that his dogs are never off leash and are never in the street. They are always on leash or staked and never bark. He stated that the only time that they would bark is if they see another dog. He reported that they take their dogs out for walks and the dogs are in great shape. He stated that he often jogs with his dogs. Prudhon asked the time frame for an invisible fence. Jagger Xiong stated that he is getting quotes and intends to install by late August. Jagger Xiong's mother stated that she would rather have a six foot high fence to protect them from their neighbors rather than pay for an invisible fence for their dogs who are safe, good, and not a nuisance to anyone. She stated that she will abide by Town Ordinance. Ruzek asked if they were talking about fencing in the front yard or the back yard. The property owner stated that she could do it either way. She stated that the only neighbors who see their dogs are the neighbors to their right. The neighbors to the left have two dogs and do not complain. She stated that she has a commitment to provide some kind of barrier. She stated that the back yard is fine with her and she would rather have a wood fence.

Scott Snyder, 5739 Fisher Street stated that he lives three doors down from Jagger Xiong. He stated that he is concerned that there are currently no dog licenses for the three dogs. He stated that he also has concern that there is no fencing in the yard. He stated that he is concerned about having so many dogs in the area, a dog within a chain-link fence, two dogs next door to Jagger, and a house down the street from him that has a Hobby Kennel License, there is a dog park a block and one half from him. He stated that most dogs are leashed and people pick up after their dogs, but it raises concerns about the number of dogs in the neighborhood. Scott Snyder asked how many kennels are in his neighborhood. He stated that he is not happy with a lot of dogs

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in his neighborhood since they have had complaints of dogs off leash. Prudhon explained that all the Hobby Kennel Licenses come due at the same time. It appears that there are only two in this area. The Clerk reported that the Town issued seven kennel licenses last month and three are being considered tonight. That is a total of 10 and there are over 4000 homes in the Township. Scott Snyder stated that he is concerned about fencing. He stated that on his block there are no fences in the front yards. There are a number of houses who have wood or chain link fencing in the back yards. He stated that he lives on the same side of the street as the Xiong's and there is a wetland behind them. He asked if a fence would be placed there or if the dogs would go into the wetland. Prudhon reported that a fence in the front yard cannot be more than four feet in height. Scott Snyder asked that the fence, for his property value, be put in the back yard and not allowed to be in the front yard. Ruzek asked if Scott Snyder has any specific observations on the behavior of the Xiong's pets. Scott Snyder stated that he did not know until a few days ago that they had more than one pet. He stated that he would have some concern about a dog being on a post in the front yard during the day, especially if there is no one at home. He stated there is a neighbor with an invisible fence and the dog does bark when people walk down the street. There is no reason with an invisible fence that a dog would not run into the yard. He stated that he would be concerned about an invisible fence in that situation.

Mike Davis, 5684 Fisher Street, stated that the comment about the dogs always being on a leash is not true because they have been out and been in the street and the neighbor's yards and needed to be cleaned up after. He stated that there are a lot of little kids in the neighborhood and pit bulls have a bad reputation. As far as walking the dogs, he does not see it. He is retired and around all day and does not see the dogs being walked. He stated that they do bark occasionally. It is not a "big deal" but is a nuisance. He stated that with the dog park they have escaping dogs all the time. He stated that there is an overabundance of dogs in the neighborhood. He stated that if the Xiong's put a fence in the back yard he could live with that but does not see having a fence in the front yard because it takes too much from the neighborhood. He stated that he is opposed to the Hobby Kennel License. He asked if the dogs were up to date on shots. The Clerk reported that rabies vaccination certificates have been provided.

Jagger Xiong's girlfriend stated that she and Jagger attend Century College and are often at home to take care of their dogs. She stated a fence in the front yard would not look pretty. Jagger Xiong stated that he cannot remember the last time that his dogs would have been in the street. He reported that he was not aware of needing dog licenses until he received notice from Officer Mario Lee. He called the Animal Control Officer the same day. He stated that he had three dogs last year and no one complained so he did not know. He reported that he took care of it immediately. Jagger Xiong's mother stated that when they put the dog out on a stake it is to take care of business. The dogs are not staked outside for hours. They are staked so that they do not run out into the street. She stated that she is appalled by the concerns of the neighbors and invited them to let them know if they are not following the rules.

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Scott Snyder stated that he came to the meeting because he received the notice. He stated that he is concerned and this is why he came. For the applicant, Ruzek noted that all dogs need to have a license, not just when there are three dogs. He also noted that there needs to be a time frame for installation of a fence. He asked the applicant what time frame they propose. The applicant stated that they could have a fence installed by the end of July. Kermes suggested that the applicant check with the Animal Control Officer regarding fencing standards. The Town Attorney clarified that two types of licenses are required: one license for each dog, and a Hobby Kennel License if there are three dogs. The applicant stated that they would apply for dog licenses by the end of this week.

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

Ruzek moved, based on Staff review and recommendation to approve the request for a Hobby Kennel License at 5715 Fisher Street for a two year period through March 31, 2018 subject to the procedures stated in Ordinance No. 5 (Animal); individual dog licenses obtained by the end of the week; installation of fence in the rear yard by the end of July; and review of fence plan by the Animal Control Officer and inspection of the property after the fence is installed. Prudhon seconded. Ayes all.

SKETCH PLAN REVIEW – NATE HANSEN – ZONING ORDINANCE AMENDMENT TO PERMIT SELF-STORAGE IN THE B-2 (GENERAL BUSINESS) ZONE (LEIBEL

ADDITION): The Planner reported that Nate Hansen has not submitted a formal application but is interested in the Planning Commission and Town Board knowing of what they would like to construct on the property in the Leibel Addition. He provided an overhead showing the location of the property consisting of two lots. There is currently a two unit self-storage structure on the property. The property is zoned light industrial. The property next to it is a vacant parcel on the corner which is in a different zoning district, B-2, General Business zone and abuts the current mini storage property. The applicant would like a larger storage facility from what is there now. Currently the I-1 zone allows warehousing but is not listed as a permitted or conditional use in the B-2 zoning district. A zoning ordinance amendment would be needed to change the uses in the B-2 zoning district. This was reviewed by the Planning Commission, in concept, and the consensus is that it will work but the preference is not to amend the Zoning Ordinance by changing the zoning, but rather add enclosed warehousing to the permitted or conditional uses in the B-2 district, as it is in the I-1 district. He provided an aerial photo of the area identifying the properties. The concept is to retain the existing two buildings and to construct on the corner a larger climate controlled building over 17,000 square feet in area with some retail space for sale of moving boxes and an office portion with the remainder for climate controlled storage. Additional buildings planned will be inside storage but not climate controlled. There would be a new access off Leibel Street. There would not be an access off of Highway 61. The current driveway off of Highway 61 would be closed as part of this proposal. The Planner identified storm water treatment ponding. There is some concern about a pond located

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close to the end of the Benson Airport runway. An alternate has been recommended to the developer. The building will be 15' in height maximum with concrete tip up panels with some brick. The total area planned for storage is 69,238 square feet. The property to the south will be buffered as well as along Highway 61. They propose to remove some of the trees along Highway 61 to have better exposure. They are encouraged to retain as many trees as possible. A landscaping plan will be submitted. The applicant is looking for input from the Town Board. Kermes asked if this use is permitted in the B-2 district if it would be the same for any other property in the Township that is in the B-2 zone. The Planner stated that it would be the same for other property in the B-2 zone. Prudhon stated that the Planning Commission prefers adding warehouse to the B-2 zone is because it is only storage. He stated that there are only a few properties that the change could affect. The Planner reported that when the Leibel Addition was developed landscaping requirements were developed. These requirements would be applied to this project.

Nate Hansen, 4350 Baker Road, Minnetonka stated that he is the developer for this project. He stated that the Planner did a good job of presenting the project. He stated that a landscaping plan needs to be completed and buffering for the building. He stated that having frontage is important to them and green space is important to them. He stated that they would work with the Township on these matters. He explained that the project would be done in phases. He identified on an overhead the first building which would be on the west side of the site and the northern building facing east/west. Their plan is to buffer the site right away. They would get away from having the view dominated by storage doors. The doors to the east/west northern building will have storage units on the southern side only. On the northern side there will be buffering. The second phase would be the north/south building on the west side and then they would work in toward the existing building. Total development will be two years. They would like to break ground this year and open next year; the next phase they would break ground next year and open the following year; and the final phase would break ground in 2018 and open the following year. Ruzek asked about the buffering. Nate Hansen explained on the north side of the property the east/west building will be screened so that it won't even be seen when the trees are in bloom. It will be natural landscape. Their visibility will be their front office space. They plan to have a retail area. People go there for boxes, tape, and moving materials. Nate Hansen stated that their goal is to not make this look like an industrial building but a multi-tenant retail building with storage on the inside. The Planner stated that the next step is a formal application. Prudhon asked if the Animal Hospital has been informed of the plans. The Planner stated that once the application is received notice of Public Hearing will be sent and the Animal Hospital will be notified. Nate Hansen reported that there is a vacant property to the east where the two current buildings are. When the Leibel Addition was graded the wetlands have crept up. They do not want to destroy the wetland. The lot to the east does not work for them. They need the 55,000 square feet to make the project work. Using the eastern lot would not work for them so they looked at the vacant lot to the west. Prudhon asked if they have looked at where they would put the storm water pond. Nate Hansen stated that they have not retained a civil engineer as yet and that

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would be up to them to make a recommendation. He stated that they have had engineers look at the site and they state that it can work but they have not retained an engineer to address the ponding. It was the consensus of the Town Board that the project is favorable and conceptually it is a good project.

IMPROVEMENT 2016-1 – PINE HILL: A) RECEIVE BIDS; B) AWARD CONTRACT

TO C. W. HOULE, INC.: **Receive Bids:** The Town Engineer reported that the following bids were received for the Pine Hill project June 15, 2016: C. W. Houle, Inc. for \$792,751.00; Geislinger and Sons, Inc. for \$852,596.00; S. R. Weidema for \$915,668.55; Northland Construction Company, Inc. for \$972,452.73; and Park Construction Company for \$1,075,273.00. The Engineer's estimate was \$1,240,928.00. He reported that the North Oaks Company has reviewed the bid results and recommends awarding the contract to C. W. Houle. The North Oaks Company is also reviewing the process for obtaining the necessary material for the select granular subbase which might require a change order to the contract. This will be further evaluated and if any changes are made it will be brought back to the Town Board. The project has an interim completion date of September 2nd to finish the utilities, subbase, curb, and first lift of bituminous within the subdivision right-of-way. The Engineer reported that this contract includes extending water main along the south side of CR H2 and providing services to the residents on the north side of the road. This will require coordinating with the residents on the location of the services and Right-to-Enter Agreements. **Award Contract to C. W. Houle, Inc.:** Kermes asked Gary Eagles, North Oaks Company, if they were satisfied with the bids. Gary Eagles stated that they were satisfied. The Engineer reported that they are working with the contractor on permits. They look forward to starting work as soon as possible. A pre-construction meeting is being set up.

Ruzek moved, based on Town Engineer review and recommendation to receive the bids for Improvement 2016-1 and to award the contract to the lowest bidder, C. W. Houle, Inc., in the bid amount of \$792,751.00. Prudhon seconded. Ayes all.

The Engineer reported that TKDA performed adjustments to the plans and specifications due to requirements related to a MnDOT permit which changed the plat, easements and the trail improvements. Also, the site material was short and adjustments were made to address this issue. TKDA performed this work for an amount of \$7,400.00 TKDA will be performing the construction surveying and observation for an amount not to exceed \$149,400.00.

Ruzek moved to authorize TKDA to perform the construction surveying and observation for the Pine Hill project for an amount not to exceed \$149,400.00. Prudhon seconded. Ayes all.

BARRY LANE DETENTION POND RESTORATION – AUTHORIZE PREPARATION OF PLANS AND SPECIFICATIONS: The Town Engineer reported that as part of the

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Township's stormwater management program, the Town develops projects based on staff inspections and resident issues. The Township was awarded \$31,300.00 cost-share grant with the Rice Creek Watershed District for the Barry Lane detention pond restoration project. The total project cost is estimated at \$73,700.00. The Agreement has been executed between RCWD and the Township. The Township is now ready to prepare the plans and specifications in accordance with the submitted documents to RCWD. TKDA and the Township will work with the RCWD in the preparation of the documents. The plans and specifications will be brought back to the Town Board for acceptance and to authorize bidding of the project. In accordance with the cost-share agreement, the final completion of all the project is December 31, 2018. The Engineer reported that TKDA would work with Public Works staff to determine the specifics of the rehabilitation improvements that will take place. The project plans and specifications will be completed this summer for an amount not to exceed \$5,500 with funding provided through the RCWD and the Storm Water Utility Fund.

Prudhon moved to authorize preparation of plans and specifications for the Barry Lane Detention Pond restoration by TKDA for an amount not to exceed \$5,500 with funding provided through Rice Creek Watershed District and the Storm Water Utility Fund. Ruzek seconded. Ayes all.

SCADA – SOFTWARE UPGRADE APPROVAL: The Town Engineer reported that the Township uses Wonderware SCADA Software to monitor its infrastructure including sanitary lift stations, wells and water tanks. The system including computers and software is in need of upgrade. This upgrade will cover: new computers, new software, integrator work and specification/bidding/installation observation. Computer upgrading will be performed through Roseville's IT Department. There will be two computers and monitors with Windows 10 Pro, Excel and Word for \$5,000. The upgraded software will be through Wonderware which is the same vendor that is in use now. The cost for Wonderware upgrades is +/- 12,000.00. TKDA will prepare the integrator specifications, go out for quotes, and provide the installation observation for an amount not to exceed \$6,500.00. The integrator work is estimated at approximately \$15,000.00. All the proposed improvements will be completed by December 31, 2016. The funding source will be through the Capital Equipment Fund. TKDA recommends that the Township authorize the Town Finance Officer, Town Public Works Director, and TKDA to perform the SCADA upgrades as described for an estimated amount of \$38,500.00. Ruzek asked what happens to the old computers. The Public Works Director stated that there is no reasonable use for them.

Prudhon moved, based on Town Engineer review and recommendation to authorize the Town Finance Director, Town Public Works Director, and TKDA to perform the SCADA upgrades as described in the Town Engineer's Correspondence dated June 16, 2016 for an estimated amount of \$38,500.00, with funding from the Capital Improvement Fund as identified in the 2016 budget. Ruzek seconded. Ayes all.

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LONGVILLE PARK TENNIS COURTS: A) APPROVE COLOR COAT SURFACING QUOTE FROM COURT SURFACES AND REPAIR, INC.; B) APPROVE FENCING QUOTE FROM TOWN AND COUNTRY FENCE:

Tennis Court Surfacing: The Public Works Director reported that as part of the Town's infrastructure management program, the Town budgets money in the Capital Improvement Plan to rehabilitate existing tennis courts. This year the double tennis courts at Longville Park had the old asphalt court removed and replaced with new asphalt the week of May 23rd. The tennis courts now need the color coat surfacing which is usually applied approximately 30 days after the asphalt court is installed. The new surface will provide players with lines for boundaries for both tennis and pickle ball. Quotes were received from Court Surfaces & Repair, Inc. for \$8,550.00; C&H Sport Surfaces Inc. for \$8,750.00; and the Tennis Court Doctor for \$11,280.00. The project is identified in the 2016-2020 Capital Improvement Plan. To date expenses have been \$33,430.00 for the new asphalt court, \$14,700.00 for new tennis court fencing and net posts leaving \$21,870.00 balance of the \$70,000.00 designated in the Park and Recreation Fund for the surfacing. Staff recommends approval of the quote from Court Surfaces & Repair, Inc. for \$8,550.00

Ruzek moved, based on Public Works Director's review and recommendation to approve the quote for the Longville Park tennis court surfacing from Court Surfaces & Repair, Inc., for \$8,550.00 with funding from the Park and Recreation Fund. Prudhon seconded. Ayes all.

Longville Park Fencing Quote: The Public Works Director reported that quotes were received from Town & Country Fence for \$14,700; and from Modern Fence for \$20,200.00. There is a balance of \$28,070.00 designated in the Park and Recreation Fund for the fencing. Ruzek asked if there would be one or two gates. The Public Works Director reported that only one gate is included in the quote. Ruzek noted that two gates may be more practical so that if the ball goes over the fence, the player would not have to go out the only gate and go around the courts to retrieve the ball. The Public Works Director will talk to the vendor regarding providing two gates.

Ruzek moved to table the matter of Longville Park tennis court fencing until the July 18, 2016 Town Board meeting so that the Public Works Director can talk with the vendor regarding two gates versus one gate. Prudhon seconded. Ayes all.

ROLL-UP FIRE DOOR – AUTHORIZE PURCHASE: The Public Works Director reported that Public Works has annual inspections done on the three roll up doors. With the recent inspection one door failed inspection. This door is the original door that separates the old maintenance bay to the shop. The reason for the failure is damage to the top housing and the bottom of the door has damage as well. Bids were received from the following three vendors: 1) Twin City Garage Door Co. for \$6,600.00; Northern Door for \$5,995.00; and Crawford Door Sales Company for \$5,965.00. Staff recommends purchase of the replacement door from Crawford Door Sales Company for \$5,965.00.

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Prudhon moved, based on Public Works Director's review and recommendation to approve the purchase of a replacement fire door from Crawford Door Sales Company for \$5,965.00 with funding from the Capital Building Maintenance Fund. Ruzek seconded. Ayes all.

COMPUTER REPLACEMENT – APPROVE REPLACEMENT PURCHASES: The Clerk reported that the Town has five computers that were purchased in 2010 that were scheduled for replacement in 2015 but were not replaced because of the new web site costs. There are also two computers that were purchased in 2011 and are scheduled for replacement this year. Staff recommends replacing all seven of these computers this year. Staff also recommends adding a second monitor to six of the seven computers. The new computers will be smaller, faster, and have the latest software versions on them. Staff is having some issues with the current computers such as running slow or freezing up. Adding a second monitor will allow staff to have multiple programs viewed at one time which could save time and paper. Staff has worked with Roseville IT to coordinate the replacement of these computers and they have provided the Town with a price quote of \$8,242.00 to replace all seven computers and to add a second monitor to six of the computers. The price quote also includes the latest Microsoft Office software version. The Finance Officer reported that the Town's 5-year Capital Improvement Plan included \$7,500 for computers/monitors replacement and \$45,000 for software upgrades to be funded from the Capital Equipment Fund.

Ruzek moved, based on Finance Officer's review and recommendation to approve replacing seven computers and adding a second monitor to 6 of the computers at a cost of \$8,242.00 with funding from the Capital Equipment Fund. Prudhon seconded. Ayes all.

AUGUST 1, 2016 TOWN BOARD MEETING DATE – RESCHEDULE: The Clerk reported that there is a conflict with the August 1, 2016 Town Board Meeting. It was the consensus that the meeting be rescheduled to Wednesday, August 3, 2016.

Ruzek moved to reschedule the August 1, 2016 Town Board Meeting to Wednesday, August 3, 2016 at 7:00 p.m., at Heritage Hall, 4200 Otter Lake Road. Prudhon seconded. Ayes all.

TEMPORARY LIQUOR LICENSE – APPROVE ISSUANCE OF A TEMPORARY ON-SALE LIQUOR LICENSE FOR THE SENIOR CITIZEN'S NIGHT AT THE BALLPARK AT POLAR LAKES PARK TO BE HELD ON JUNE 29, 2016: The Clerk reported that the Greater Mount Moriah Ministries is requesting approval of a temporary liquor license so they may provide free beer to the senior citizens at the "Senior Citizens Night at the Ball Park" event to be held at Polar Lakes Park on June 29, 2016. This event is part of the Manitou Days events. The event is scheduled from 7:00 p.m. - 11:00 p.m. Transportation will be offered and free beer, hot dogs, etc. will be provided to all qualified senior citizens. The Clerk stated that Section 2-7 of Ordinance No 32 (Liquor) states that temporary "on sale" licenses may be issued to a club or charitable

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organization, religious, or non-profit organization in existence for at least three years in connection with social events within the Town for up to three days in accordance with Minnesota Statutes, Section 340A.404, Subd. 10. A letter from the Ministry states that they have been in existence since 2011 which satisfies the Ordinance. The Ministry has outlined their request for the temporary license along with the request to waive the \$250 license fee. No money would be changing hands and the event is strictly charitable. If the license is approved the Ministry will provide a Certificate of Insurance listing White Bear Township as the certificate holder. Application and Certification of Compliance – Minnesota Worker’s Compensation Law forms will be provided. Kermes asked how long the liquor license will be effect. The Planner stated that the park curfew is 10:00 p.m. however, Polar Lakes Park has lighting. He recommended 11:00 p.m. The Clerk reported that in light of the receipt of the application and Worker’s Compensation Information, but lack of a Certificate of Insurance, the request can be approved subject to receipt of a Certificate of Insurance listing White Bear Township as the certificate holder.

Prudhon moved to approve issuance of a temporary on-sale liquor license to Greater Mount Moriah Ministries for the June 29, 2016 event at Polar Lakes Park from 6:00 p.m. - 11:00 p.m., waiving the \$250.00 fee; subject to receipt of a Certificate of Insurance listing White Bear Township as the certificate holder. Ruzek 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 9:10 p.m.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approved as Official Meeting Minutes

Town Board Supervisor

Date