

**MINUTES
TOWN BOARD EXECUTIVE MEETING
JULY 22, 2016**

The meeting was called to order at 12:10 p.m.

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

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved approval of the agenda with the following amendment: Add 20A) On-Line Utility Billing – Consider Purchase; 20B) On-Line Financial Reporting – Consider Purchase; 20C) Town Life Magazine Ad for Township Day. Prudhon seconded. Ayes all.

APPROVAL OF JUNE 24, 2016 MEETING MINUTES: Prudhon moved approval of the June 24, 2016 Meeting Minutes. Ruzek seconded. Ayes all.

NATHAN LANDUCCI – TOWNSHIP LOT ON WEST BALD EAGLE BOULEVARD:

The Planner reviewed Nathan Landucci's interest in the property south of the island garage on Bald Eagle Boulevard West. He reported that this a split lot (both sides of Bald Eagle Boulevard West) and the Town maintains the portion between Bald Eagle Boulevard West and the lake. The extra parcel on the west side is used for drainage and utility easements. The westerly one-half of this lot is wetland with a small upland portion. The parcel is maintained by the Town, is not currently used for drainage and utility but could be at some future date. The DNR feels that the lake side parcel is good as open space and would object to the Township giving up any right to the parcel over which the Town has a use deed. Nathan Landucci introduced himself as the new owner of 1 Bald Eagle Island. He inquired about the potential purchase of the Township lot (parcel ID 103022110005), which is a lot next to his garage. He is interested in acquiring this property for additional space that is needed for storage and parking which would allow him to use the island more efficiently. He reported that he had been in contact with Ramsey County who informed him that in 1974 this property was forfeited due to non-payment of property taxes. He was informed that the State of Minnesota now owns this land and White Bear Township uses it by means of a use deed. The Planner noted that that the Township currently mows the property regularly and cleans up trash. The Township has installed a sign stating "no dumping". Nathan Landucci

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reported that Ramsey County suggested that he contact White Bear Township to inquire about the possibility of purchasing this parcel. Nathan Landucci reported that he can only park two cars in his driveway and has an issue with storing the hovercraft and snowmobile in the garage. He asked if a 99-year lease would be considered. The Town Attorney noted that the Town only has a use deed and cannot do anything other than what the Town is authorized to use it for. Staff will provide Mr. Landucci with contact information at the County and the DNR. After he has had discussion with them he will provide the Town with any information he has received. Mr. Landucci asked if he could park on the lake side property. The Town Attorney stated that property is restrictive and the Town could not give a right to use the property in that way. It was suggested to Mr. Landucci to get to know the neighbors and see if there is a possibility for parking, such as the arrangement that Nick VanBrunt had with neighbors to park extra cars when he has visitors. He was informed of the Night to Unite event which will be held on August 2nd which would provide him an opportunity to introduce himself and meet the neighbors.

Nathan Landucci stated that he wants to fix up the house and asked if the Township would approve a bed and breakfast. The answer was “no”. The commercial designation was for application of a recording studio only. Mr. Landucci asked if an accessory structure would be allowed. The Planner stated that an accessory building could be approved, following Town Ordinance but that it would require variances due to so. Staff will work with Mr. Landucci regarding Town requirements and policy for an accessory building for residential use.

DNR GROUNDWATER MANAGEMENT – UPDATE: The first part of the USGS study should be available in October. It is anticipated that part 2 of the study will take longer. The Town Attorney reported that the DNR made a request to change the date for witness lists for the lawsuit hearing to October. He will provide the date when it is set.

I & I PROGRAM – UPDATE: The Engineer reported that last week there was work done on the manholes on Overlake. New sections of pipe were sealed from the inside. He reported that the biggest cause of infiltration has been addressed and inflow has been reduced.

SOUTHEAST AREA SANITARY SEWER LINING – UPDATE: The Engineer reported that the feasibility report is done. All benefiting properties were identified and checked. The next step is to set the date for public hearing. It was the consensus, based on participation at the neighborhood meetings, that only one public hearing is necessary. It was the consensus that the hearing be scheduled at a regular Town Board meeting in September. Frequently asked questions will be made available for affected property owners prior to the meeting and mailed with notice of public hearing.

WATER SUPPLY PLAN – UPDATE: The Engineer reviewed the 2016 updated total water pumped by all the wells using the SCADA data for the six-month period from January through June 2012-2016. He stated that the Local Water Supply Plan has

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objectives. He reviewed Objective #7: Additional Strategies to Reduce Water Use and Support Wellhead Protection Planning. The water supplier must provide a Water Conservation Program that includes at least two of the actions listed. Currently the Township has adopted three of the strategies and is developing a fourth. The three strategies adopted are: 1) Adopt a Water Use Restriction Ordinance (lawn irrigation, car washing, pools, etc.); 2) Adopt an Outdoor Lawn Irrigation Ordinance; 3) Implement a Stormwater Management Program; 4) Implement a Water Conservation Outreach Program. Objective #8: Tracking Success deals with how the Town will track or measure success through the next ten years. The Town will review metered water use by property/business owners and monitor Town water pumping records. The Town will also continue water meter radio read upgrades. To satisfy regulations utilized to reduce demand and improve water efficiencies the Town has water restrictions including time of day, allowable days, etc. The Engineer reviewed Resource Sustainability Monitoring. This list includes all production wells, observation wells, and source water intakes or reservoirs. Water Level Data includes a water level monitoring plan that includes monitoring locations and a schedule for water level readings. All production and observation wells are monitored at least monthly. The Engineer reviewed the Town's water level data which includes the well number; aquifer name; seasonal variation; long trending in water level data; and water level measured during well pumping maintenance. He reported that he will continue to provide additional data at the next Executive Meeting.

ORDINANCE NO. 87 (STORMWATER MANAGEMENT): The Planner reported that the Town Engineer, VLAWMO and Utility Commission have reviewed the draft Ordinance. VLAWMO did not provide any comment; the Engineer stated that it was okay; and the Utility Commission's comments were incorporated. He reported that minor clarifications have been made and typos corrected. The matter will be placed on the agenda for the August 3, 2016 Town Board Meeting to call a public hearing.

COUNTY ROAD H-2 WATER SERVICES – PAYMENT OPTIONS: The Clerk reported that the nine property owners on the north side of County Road H-2 have indicated an interest in connecting to Town water when the system is looped for the Pine Hill development. A resident asked if the Town would allow payment of the connection fee over time. In addition to that request, Jim Faulkner, owner of Meadowlands Shoppes, asked if the SAC and WAC charges for the proposed Wishing Tree business could be paid in installments. He asked if they could pay both of the SAC charges at \$12,340 and make five monthly payments on WAC at \$1,952.00. He was asked if there is some sort of hardship. He said that they were out of money due to construction, labor, and opening costs. Discussion included the following options: 1) assessment; 2) can add to Utility bill; or 3) by direct billing. The Town would establish the terms regarding time of payment and interest rates. It was the consensus that the Town is not in the business of making loans. If they have questions the Finance Officer could provide information on obtaining a loan from a bank.

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WATER TREATMENT REHABILITATION WELL #5 – UPDATE: Magney Construction has done the work on the chlorine valve; exhaust fan; and connection for polyphosphate feed for the chlorine room. The chlorine feed will be adjusted as necessary to feed more chlorine if needed.

TOWN WATER SYSTEM – UPDATE: The Hammond Road tower has been cleaned. There was three feet of suspended sediment on the bottom of the tank near the top of the overflow pipe. The Public Works Director reported that each month the drain to the reservoir will be opened and the sediment sucked out. He reported that the divers who cleaned the tank provided a video. He will bring it to the next Executive Meeting. Kermes asked if there have been discussion regarding having a higher level of polyphosphate to clean up the iron problems. The Public Works Director reported that they are measuring the poly feed to help reduce the frequency and intensity of water complaints. He reported that Pentair had an increase in the sediment that is captured in their high purity water filtration system. They have needed to replace their disposable cartridge pre-filters more frequently. The Township implemented an increase in the chemical most commonly used to prevent iron in the water from turning to sediment. Pentair indicated that they have observed an improvement but it could be improved more. The next step will be to increase the sequestering chemical to the maximum recommended dosage. Even with the use of chemical additives to prevent iron from turning to sediment, some iron will settle out in the pipes. The Town practices a regular twice yearly flushing program. Between those times specific types of distribution system events can raise up sediment. Sudden high industrial use can also create a similar effect. John Berrigan, TKDA proposes to install pressure monitoring devices in two to three locations where the water quality complaints are most frequent. The goal is to identify the date and time of flow disturbances in order to isolate the location and the cause. The rehabilitation of the filter system at Well #5 was recently demonstrated at full flow. The filtered water testing showed that the iron and manganese was reduced to non-detectable levels. Wilbert, Inc., an industrial customer is proposing a more efficient chiller system that uses less water. It is suggested that they have the on/off valves for existing and new chiller systems have slow turning valves. Staff continues working with John Berrigan, TKDA on these issues.

DATA PRACTICES POLICY: The Town Attorney stated that the Data Practices Policy should be updated each year in August. He noted that the last time it was updated was 1995/1996. He noted that Data Practices Contacts should be included in the policy. It was noted that currently the Finance Officer is the Compliance Official and Patti Walstad the Responsible Authority. There was discussion regarding requests for data. The Township is obligated to make data available but the activity should be monitored and there should be a charge. A staff member should monitor the activity when the data is being reviewed. The matter will be placed on a future Town Board meeting.

ORDINANCE NO. 32 AMENDMENT – LIQUOR: There was discussion regarding the recent amendment to Ordinance No. 32 regarding restaurant seating for on-sale liquor

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license and for on-sale wine license. A moratorium has been placed on liquor licenses until the confusion of 40 seats versus 100 seats is clarified. The applicants for a liquor license for a new burger café originally intended to have burgers and beer. They now would like a full liquor license. It was the consensus that the Town Ordinance needs to be consistent with state statute regarding liquor license. The Town Attorney will draft a resolution withdrawing the amendment recently adopted and lifting the moratorium and optional resolutions for 40 seats or 100 seats or more for beer/wine/alcohol liquor licenses.

ORDINANCE NO. 5 AMENDMENTS – KEEPING OF 3 DOGS: The following proposals to Ordinance No. 5 was reviewed: 1) rename hobby kennels to Special Three Dog Licenses; 2) add definition for Special Three Dog Licenses; 3) delete references to outside kennels; 4) separate Section 5-6 – expiration of licenses, into 2 categories and set forth the expiration dates for each. It was noted that no public hearing would be necessary if there have been no complaints when licenses are renewed.

PUBLIC WORKS DIRECTOR MONTHLY REPORT: The Public Works Director reviewed Public Works Department activity for the month of July. **Street Improvements:** There was discussion regarding street improvement projects and Ramsey County road projects within the Township. It was suggested that road improvements be placed on the Town's website along with a map of the specific road where work will be done. **Rice Creek Watershed District Rain Garden – West Avenue Lake Access:** This is a potential RCWD project for two rain gardens to filter water before it goes to Bald Eagle Lake and shoreline restoration. A shoreline buffer along with a handicap accessible ramp is also proposed. Bald Eagle Lake is considered an impaired water body. The area is a Town park although not on the park inventory. There is a sitting area and the Town mows the area and empties the trash container. The Utility Commission reviewed the proposal and placed it on their list of possible future stormwater projects but not on their high priority list.

CODE ENFORCEMENT OFFICER / BUILDING INSPECTOR: A) 1011 MEADOWLANDS DRIVE; B) 4403 OTTER LAKE ROAD: **1011 Meadowlands Drive:** The property was personally served a Restoration Order and a Resource Protection Notification simultaneously by a DNR Conservation Officer on April 6, 2016. The Order stated that the wetland restoration must be completed by July 1, 2016. Failure to comply with the Order by the property owner will cause the DNR to proceed with the prosecution of a misdemeanor offense and/or placing a deed restriction on the property. As of July 1, 2016 the property owner did not comply with the restoration order. Currently the DNR is proceeding with legal prosecution for violations to the Minnesota Wetland Conservation Act. The Code Enforcement Officer will meet with Ramsey County and VLAWMO on Monday to see how they will proceed. In response to a question regarding the cost to fix the trail the Code Enforcement Officer stated that he estimated that it would be about \$5,000. **4403 Otter Lake Road:** On June 17, 2016 the Town issued an Abatement Order requesting the property owner to comply with the Town's off street vehicle parking requirements. The property owner has made

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significant improvements to the property in the recent months and has complied with the June 17, 2016 Abatement Order. At this time no further enforcement is necessary. Staff will continue to monitor and encourage the property owners to take advantage of the various home improvement programs available to Town residents.

CLERK-TREASURER REPORT: The Clerk reported that the mission statement, vision, values and goals has been shared with staff which will provide feedback.

ON-LINE UTILITY BILLING – CONSIDER PURCHASE: The Finance Officer reported that one of the reasons that the Town upgraded its website was to provide online utility billing options. The Town uses Incode software for financial, payroll, and utility billing. Staff has been in contact with Incode about adding online utility management. The initial cost to add this is \$3,104.00 with an annual fee of \$2,304.00. Customers who pay online would be charged a \$1.25 transaction fee on their credit/debit card. In addition to paying their bill customers can view account information and water consumption history, which should help reduce the number of phone calls after bills are mailed. Customers can also elect to receive their bills electronically. The Finance Officer reported that the online utility billing purchase has been included in the 2016 budget. It is anticipated that it would be implemented by the end of August.

ON-LINE FINANCIAL REPORTING – CONSIDER PURCHASE: The Finance Officer reported that with the Town's upgrade of its website the Town has the capability to provide more information than before internally and externally. The Town uses the Incode software for financial, payroll, and utility billing. Staff has looked into the possibility of sharing financial information, first internally with other staff, and second externally with the residents. This is possible with the purchase of OpenGov software. The internal piece would allow staff to review their department budgets and actual expenditures and drill down into line items if something does not look right or to see what has been coded to a line item without asking finance or finance printing reports as we do now. Staff would not be able to change the data, but if they find an error in coding staff would let finance know and the data could be changed. Staff can also view the historical data which would help them with completing budgeting worksheets. They could also compare their expenditures to other OpenGov client's expenditures. The cost of the OpenGov Intelligence piece of software is \$5,000. The second piece, called OpenGov Transparency costs \$3,000 and would place the information on the Town's website for the public to view. Staff does not receive a lot of requests for this but a lot of positive feedback was received last year when the Town's Popular Report was published. In addition to the software purchase there is a one-time deployment fee of \$3,450 and an annual maintenance fee of \$7,787.50. If both products are purchased at one time, there is a savings of \$400. The total cost in year one would be \$11,050.00 and \$7,787.50 the next two years. It was suggested that Staff contact Vadnais Heights, who uses this program, to see how it is working for them. It was suggested that the Town begin with the internal piece of software and once Staff is comfortable with it then the second piece for public view could be considered.

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TOWN LIFE MAGAZINE – ADVERTISEMENT FOR TOWNSHIP DAY: The Planner requested consideration for the placement of an ad in Town Life Magazine for the Town's 2016 Township Day event. The cost of the ad would be \$350.00 which would be funded by the Township Day budget. It was the consensus that the ad needs to be published before the event. Payment for the ad would be made after the ad is placed and appears before the event. If the magazine is late in publication and the ad comes out after the event no payment will be made. The Town Board was in favor of placing an ad in Town Life Magazine with those conditions.

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

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

The meeting adjourned at 3:55 p.m.

Respectfully Submitted,

William F. Short
Clerk-Treasurer