

**MINUTES
TOWN BOARD MEETING
SEPTEMBER 7, 2016**

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

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

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

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

APPROVAL OF AUGUST 15, 2016 TOWN BOARD MEETING MINUTES: Prudhon moved approval of the August 15, 2016, Town Board Meeting Minutes. Ruzek seconded. Ayes all.

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) League of Minnesota Cities Liability Coverage - Approve Waiver of Liability Form; 5B) In Accordance with Town Ordinance No. 35, Section 9-6.3(e).(3) and Based on Staff Review, Recommendation and Approval, Ratify Town Clerk's Issuance of an Administrative Driveway Variance to 5246 Beaver Street; 5C) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve CenturyLink Permit Through Telcom Construction to Install Buried Cable to Service the Twinhome at 746 Gilfillan Lane Including Boring and Open Trenching; 5D) Based on Town Engineer Review and Recommendation and Including His Recommended Conditions, Approve Xcel Energy Permit to Install a Gas and an Electric Service to the Residence at 2363 Taylor Avenue Including Street Boring. Prudhon seconded. Ayes all.

HOBBY KENNEL LICENSE – 5715 FISHER STREET – HOBBY KENNEL LICENSE REQUIREMENT FOLLOW-UP: The Clerk noted that at the August 15, 2016 Town Board Meeting the Board moved to approve the Hobby Kennel License for the property owner at 5715 Fisher Street to allow the homeowner time to implement Animal Control Officer, Mario Lee's requirements noted in his review. Officer Lee's report noted that there are gaps on the bottom of the fence on the south side of the property which need

MINUTES
TOWN BOARD MEETING
SEPTEMBER 7, 2016

to be closed so the little dogs do not escape. There was also approximately 20 feet on the northeast side of the property which is lined with pine trees, brush and a wood pile which needed to be fenced, either with chain link or wood fencing. Officer Lee also scheduled a site visit of the property before tonight's meeting. Officer Lee told the Town office on August 31, 2016 that the yard is completely fenced and looks great. Rebar was installed in areas where the fence is not flush to the ground so that the dogs can't dig a hole to get out. The property owner is in compliance with all the requirements for the Hobby Kennel License.

7:10 PUBLIC HEARING – ORDINANCE NO. 35 AMENDMENT: The Public Hearing was held at 7:12 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all. Ruzek moved to open the Public Hearing. Prudhon seconded. Ayes all.

The Planner reported that the Town Board recently adopted Ordinance No. 87 relating to stormwater management. Since this is a new ordinance, which may impact development proposals, several existing Ordinances, (8, 15, & 35) should reference the new ordinance Ordinance No. 8, Section 5-36 – Erosion & Sediment Control, Section B-Scope - #7, refers to "Ramsey County Erosion and Sediment Control Handbook". This handbook is considered outdated and should be replaced with: "Community Stormwater Management Design Manual. Section 5-36 – Section B-Scope – add the following to the end of the paragraph: "and all requirements of Ordinance No. 87 relating to stormwater management". Section 5-36 – Section D: replace Ramsey County Erosion and Sediment Control with "Community Stormwater Management Design Manual". In Ordinance No. 15 – add a new section to this Ordinance referring to Ordinance No. 87. Section 6-2.4(n). All requirements of Ordinance No. 87 relating to stormwater management. In Ordinance No. 35 – amend Section 9-5.5(c) Stormwater Run-Off as follows: add "and the requirements of Ordinance No. 87 relating to stormwater management. And amend Section 9-5.5(c).(1) to add "and requirements to the Town's Ordinance No. 87 relating to stormwater management".

Prudhon moved, based on Planning Commission and Staff review and recommendation to approve the amendments to Section 9-5.5(c) and Section 9-5.5(c).(1) of Ordinance No. 35, Zoning, incorporating the New Stormwater Management Regulations. Ruzek seconded. Ayes all.

ORDINANCE AMENDMENTS/ADDITIONS RELATING TO ADOPTION OF ORDINANCE NO. 87 – STORMWATER MANAGEMENT: 1) ORDINANCE NO. 8, SECTION 5-36 AMEND; 2) ORDINANCE NO. 15, SECTION 6-2.4(n) ADD: The Planner reported that the changes to Ordinance No. 8 and Ordinance No. 15 need to be made to reference new Ordinance No. 87, Stormwater Management. In Ordinance No. 15 a new section is proposed to be added as follows: 6-2.4(n). All requirements of Ordinance No. 87 relating to stormwater management. In Ordinance No. 35 Sections 9-5.5(c) and 9-5.5(c).(1). add: "and requirements of the Town's Ordinance No. 87 relating to stormwater management".

MINUTES
TOWN BOARD MEETING
SEPTEMBER 7, 2016

Prudhon moved, based on Planning Commission and Staff review and recommendation to approve amendment to Section 5-36 of Ordinance No. 8 incorporating the New Stormwater Management Regulations. Ruzek seconded. Ayes all.

Prudhon moved, based on Planning Commission and Staff review and recommendation to approve addition of Section 6-2.4(n) of Ordinance No. 15 incorporating the New Stormwater Management Regulations. Ruzek seconded. Ayes all.

RAMSEY COUNTY PARKS AND RECREATION BOW HUNT REQUEST – RAMSEY COUNTY PARKS AND RECREATION REQUEST TO BOW HUNT AT THE BENSON AIRPORT AREA AND POPLAR LAKE COUNTY PARK IN THE TOWNSHIP: The Planner reported that Ramsey County Parks and Recreation Department requests a permit to hold special hunts at the Benson Airport Area and Poplar Lake County Park within White Bear Township. There will be two 3-day hunts at each site. The Poplar Lake County Park hunts are scheduled for October 7-9 and October 28-30 with a maximum of 16 hunters; Benson Airport area is scheduled for October 7-9 and October 28-30 with four hunters. Ramsey County uses bow hunters from the Bow Hunters Resource Base. In response to a question, the Planner stated that the individual hunters which the Town Board approved for hunting the Benson Airport area will only hunt outside the time that Ramsey County schedules hunts. He noted that the individual hunters are permitted to hunt to the end of the season, while Ramsey County will only schedules hunters during the two 3-day weeks requested.

Prudhon moved to approve Ramsey County Parks and Recreations Department request to hold two 3-day special deer bow hunts at the Benson Airport area and Poplar Lake County Park within the Township as follows: Benson Airport Area: October 7-9 and October 28-30; Poplar Lake County Park: October 7-9 and October 28-30. Ruzek seconded. Ayes all.

APPROVE 2016 BOW HUNTING REQUESTS: BRADY ANDERSON, JESSICA ANDERSON AND ARNOLD ANDERSON AT 210 E. COUNTY ROAD J; MICHAEL GATZKE AT 1386 BIRCHCREST DRIVE: The Planner reported that Brady and Jessica Anderson have been approved in past years to bow hunt on private property on 210 East County Road J, adjacent to Poplar Lake Park open space. He reported that both Brady and Jessica have a Bowhunter's Certificate and have bow hunted in this area in the past. He reported that they are requesting that their uncle, Arnold Anderson also be granted permission to bow hunt with them this year. Arnold also holds a current Minnesota Bowhunter's Education Certificate which meets Town policy. Bow hunting would only be allowed during deer bow hunting season and for doe only and that bow hunting is only allowed on the private property at 210 East County Road J.

The Planner reported that Michael Gatzke, 19227 Tyler St. NW, Elk River is requesting to bow hunt on the Jebco property, abutting Rice Lake. He reported that Mr. Gatzke's parents live on Birchcrest in the Township next to Mr. Markoe. There are no other hunts

MINUTES
TOWN BOARD MEETING
SEPTEMBER 7, 2016

in that area. The bow hunt is requested from the beginning of the bow hunting season to the end of the year. Michael Gatzke has completed the Deer Hunting Permission Form and Deer Hunter Advanced Education Program.'

Ruzek moved, based on staff review and recommendation to approve the 2016 Bow Hunting requests for Brady and Jessica Anderson and Arnold Anderson at 210 East County Road J from September 19, 2016 through December 31, 2016. Prudhon seconded. Ayes all.

Ruzek moved, based on staff review and recommendation to approve the 2016 Bow Hunting request for Michael Gatzke at 1386 Birchcrest Drive from September 19, 2016 through December 31, 2016. Prudhon seconded. Ayes all

LIFT STATION #7 – FINAL PAYMENT: The Town Engineer reported that the Lift Station #7 rehabilitation project, including all punch list items, has been completed. All work has been reviewed and approved by Public Works staff and Town Engineer. All documents including the Operation & Maintenance Manuals have been delivered to Public Works. All salvaged and required control panel components have been received by Public Works. The lift station has been properly functioning for an extensive time period without any issues. Final Pay Estimate #6 and Compensating Change #2 have been reviewed. The final project costs have come in below the original cost of \$177,700.00 by \$3,912.00 bringing the total to \$173,788.00. All project warranties are still in effect.

Prudhon moved, based on Town Engineer review and recommendation to approve the final payment to Lametti & Sons in the amount of \$9,173.90 which brings the total to \$173,788.00. Ruzek seconded. Ayes all.

2017 BUDGET: 1) RESOLUTION REDUCING TAX LEVY PURSUANT TO MINNESOTA STATUTES, SECTION 475.61; 2) RESOLUTION ADOPTING THE PRELIMINARY AMOUNT TO BE RAISED BY PROPERTY TAXES FOR THE YEAR 2017: Resolution Reducing Tax Levy Pursuant to Minnesota Statutes, Section 475.61: The Finance Officer reported that the Township has issued one general obligation bond which, if funds were not available to pay the debt, would require the Town to levy property taxes to fund the payment. If funds are available to pay the debt, then the Town must pass a resolution demonstrating how much and what issues the Town does not plan on levying taxes for. This debt levy reduction is required by Minnesota Statute, Section 475.61. The debt issue affected by this statute is the 2011C Tax Increment Refunding Bond. In total the Town would be required to levy \$21,218.75 in property taxes in 2017 for this debt issue, however the Town does have funds on hand to pay for all of the 2017 debt payments. A resolution, if passed, will reduce the Town's 2017 debt levy by \$21,218.75 and will result in the Town not levying for debt in 2017.

MINUTES
TOWN BOARD MEETING
SEPTEMBER 7, 2016

Prudhon moved, based on Finance Officer's review and recommendation to adopt the Resolution Reducing Tax Levy Pursuant to Minnesota Statutes, Section 475.61. Ruzek seconded. Ayes all.

Resolution Adopting the Preliminary Amount to be Raised by Property Taxes for the year 2017: The Finance Officer reported that the Township is required to certify its 2017 preliminary property tax levy to the County no later than September 15, 2016. This is a tax levy that the County will use on the Truth-in-Taxation notices mailed out in mid-November. Once the preliminary levy is certified to the County, the Town can lower the levy prior to final levy certification in December but the final levy cannot exceed the certified preliminary levy. As in the past the Town residents approved a preliminary levy of \$3,445,000 at the Annual Town Meeting in March. As staff has received budget request from other agencies and adjusted other line item budgets the proposed levy has been lowered to \$3,267,693. Staff recommends that the 2017 preliminary levy be certified at \$3,270,000. A preliminary levy of \$3,270,000 when applied against the Town's tax capacity would give the Town a tax rate of 23.966%, which is lower than the final 2014 rate of 23.991% and 2013 rate of 25.246%. However, it is higher than the final 2016 rate of 22.875% but lower than the preliminary rate of 24.120%.

Prudhon moved, based on Finance Officer's review and recommendation to adopt Resolution Adopting the Preliminary Amount to be Raised by Property Taxes for the Year 2017. Ruzek seconded. Ayes all.

OPEN TIME: Kermes announced that the 2016 Township Day event will be held on Saturday, September 10, 2016, at Polar Lakes Park. Bands, food vendors, demos, and fireworks are planned. He invited Town all residents to attend.

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

Ruzek moved to adjourn the meeting at 7:33 p.m. Prudhon seconded. Ayes all.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approved as Official Meeting Minutes

Town Board Supervisor

Date

**MINUTES
TOWN BOARD MEETING
SEPTEMBER 7, 2016**