

**MINUTES  
TOWN BOARD MEETING  
FEBRUARY 3 2020**

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

Present: Supervisors: Prudhon, Ruzek, McCune; Town Clerk: Christopherson;  
Attorney: Lemons; Town Planner: Riedesel; Engineer: Poppler

**APPROVAL OF AGENDA (Additions/Deletions):** Ruzek moved to approve the agenda as submitted with the supplemental information for agenda item 8A. McCune seconded. Ayes all.

**APPROVAL OF PAYMENT OF BILLS:** Ruzek moved to approve payment of bills. McCune seconded. Ayes all.

**APPROVAL OF MINUTES OF JANUARY 22, 2020 (Additions/Deletions):** Ruzek moved to approve the minutes of January 22, 2020. McCune seconded. Ayes all.

**CONSENT AGENDA:** McCune moved to approve the consent agenda as follows: 5C) Cable Franchise Extension Agreement – Approve extension of expiration date of the current Franchise Agreement from February 28, 2020 to March 31, 2020 & authorize execution by the Town Board Chair; 5D) Stable Property, 5685 Portland Avenue – Call public hearing for Monday, March 2, 2020 beginning @ 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road to consider a Major Subdivision & Conditional Use Permit for a planned unit development; 5E) 2020 Manitou Days Grande Parade – Authorize participation in the 2020 Manitou Days Grande Parade at a cost of \$70.00 & call a Special Town Board Meeting for Friday, June 19, 2020 beginning @ 4:30 p.m.; 5F) Vacation of Excess Right-of-Way – 5297 West Bald Eagle Boulevard – Call Public Hearing for Monday, April 13, 2020 @ 7:00 p.m. @ Heritage Hall, 4200 Otter Lake Road. Ruzek seconded. Ayes all.

The Board pulled consent agenda items 5A and 5B to clarify.

5A) Special Town Board Meeting – Call Special Town Board meeting for Thursday, February 6, 2020 beginning @ 6:00 p.m. at 4200 Otter Lake Road, to attend a neighborhood open house for the 2020 Road Improvements. It was clarified that the meeting is posted for 6:00 p.m., though materials say 6:30 p.m. it is a 6:00 p.m. start time. McCune moved to approve consent agenda item 5A. Ruzek seconded. Ayes all.

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5B) Board of Audit – Call Board of Audit meeting for Friday, February 28, 2020 @ 10:55 a.m., at the Township Administrative Offices, 1281 Hammond Road. It was noted that this meeting is scheduled to coincide with the Executive Board meeting, and so the Executive Board meeting will be moved to February, 21, 2020. Ruzek moved to approve consent agenda 5B. McCune seconded. Ayes all.

**WATER GREMLIN BUILDING PERMIT – BUILDING INSPECTOR ITEM:** The Town Building Inspector was present to introduce this agenda item. Water Gremlin has applied for permits with a planned renovation in 3 phases.

**Phase 1:** consists of relocation of the manufacturing equipment from the 4400 Otter Lake Road location to the 4316 Otter Lake Road location. All requirements have been met and the permit is ready to be issued early next week for phase 1.

**Phase 2:** consists of acquiring temporary buildings to house the equipment and materials that are in the way of construction for phase 3. Once phase 3 is complete, the equipment and materials will be returned to the main building, as all construction is interior not exterior. Permits for phase 2 have been applied for by Water Gremlin recently, but the Town Building Inspector has not reviewed them yet so he can't speak to them.

**Phase 3:** consists of remodeling workers locker rooms and lead hygiene showers to fit the Minnesota Pollution Control Agency (MPCA) and Minnesota Department of Health (MDH) standards.

It was noted that there will be no additions to the buildings, all constructions will be done internally, save the temporary structure that will be held in the northeast parking lot for 180 days. It was noted that upon approval of phase 2, staff should put a date on the permit that states when it should be removed by.

Carl Dubois from Water Gremlin was present to discuss this agenda item. He stated that Water Gremlin was working on these showers as an order by Ramsey County District Court because of a claim filed against Water Gremlin by the MDH and the Department of Labor (OSHA). The resolution of the complaint was the construction of permanent facilities that included shower capabilities as a part of best in class lead hygiene provisions. Water Gremlin is confident this work will be done within 180 days because they are employing a design build contractor who will do both and will save time without needing to go out for bid.

A minor note of the temporary structure containing no shower was mentioned. There may be more discussion on this agenda item as the construction is completed.

**ORDINANCE NO. 33 (SIGN ORDINANCE) – AMENDMENT:** The Town Planner showed a map of Polar Lakes Park where the 2 billboards are located. He explained that the Town took care in placing these billboards the sign overlay district in 2004. He noted that both billboards are in the industrial zone. Clear Channel has a 15 year lease

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with the Township to advertise on these static billboards that is up in February. Recently Clear Channel has proposed to convert the most visible billboard to electronic that is proposed to change every 8 seconds. This would require an ordinance amendment to section 4-1.4 and addition of sections 3-16.7, 3-16.8, 3-16.9, and 3-16.10

Matthew Weiland, VP Real Estate, attended and presented the proposal to the Planning Commission at the January meeting. The proposal failed 3:2, though the Commissioners stated there should be requirements if the Board passes it.

Weiland was present at the Town Board meeting to answer any questions. He noted that the size of the billboard would not change just minor changes structurally. Notably the digitalization and a kicker bar. The up lighting will also go away. There was some discussion on maintenance; there will be the same amount of maintenance, just a different type. There was some discussion of the 20 hours that is allotted to Township advertising per month, the amber and weather alerts, partnerships with police, FBI, etc.

Resident Ralph Tilma, 4294 Oakmede Lane, was present to present the consequences of the Township updating this billboard to electronic. He stated the distraction to drivers seems undesirable in a state that is focused on eliminating other forms of distracted driving. He argued that the financial benefit the Township would receive would not outweigh the change it would create, not to mention the financial benefit that Clear Channel would receive. Tilma advocated that if the Board did pass the proposal at least allow 30 second changes in rotation, not 8.

Weiland noted the reason for the 8 second ad rotation is based off of the Minnesota regulation approving 6 second changes and a 55 mile per hour speed. With these stats, the average driver would only see 1 or 2 ads.

The Board noted that while residents don't see profit of the billboard revenue on a decrease in say property tax, the billboard revenue does help increase the park funds. Clear Channel has been a partner of the Township for 15 years, and with this next proposal they are looking to continue partnership for 20 more.

Ruzek moved to amend section 4-1.4 changing from thirty (30) to eight (8) seconds. McCune seconded. Ayes all.

Ruzek moved to add section 3-16.7 to Ordinance No. 33. McCune seconded. Ayes all.

Ruzek moved to add section 3-16.8 to Ordinance No. 33. McCune seconded. Ayes all.

Ruzek moved to add section 3-16.9 to Ordinance No. 33. McCune seconded. Ayes all.

Ruzek moved to add section 3-16.10 to Ordinance No. 33. McCune seconded. Ayes all.

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Section 4-1.4 now reads: “Flashing signs or revolving signs, except those with symbols or numerals indicating time and temperature and word changes, provided the words do not change more frequently than once every eight (8) seconds.”

Section 3-16.7 now reads: “Off premise advertising signs are permitted to have a digital display. The sign face shall not change more than once every 8 seconds. No video or word changes may take place during the 8 second interval.”

Section 3-16.8 now reads: “All dynamic display billboards shall be equipped and operated with an ambient light monitor or a mechanism that automatically adjusts the brightness level of the sign in response to light conditions. Dynamic display billboards shall be equipped with a means to immediately turn off the display or lighting in the event of a sign malfunction. The dynamic display billboard sign and all associated lighting shall be turned off within one hour or as soon as reasonably possible after receiving a notification by the Town that the sign does not meet the standards of this section.”

Section 3-16.9 now reads: “No dynamic display billboard sign shall exceed five hundred (500) nits (candelas per square meter) at night or seven thousand five hundred (7,500) nites (candelas per square meter) during the day.”

Section 3-16.10 now reads: “Dynamic display billboards shall not operate at brightness levels of more than three-tenths (0.3) foot-candle above ambient light, as measured using a foot-candle meter at a present horizontal distance of two hundred fifty feet (250') from the nominal size (14 feet x 48 feet) sign face.”

**CUB FOODS – REQUEST FOR RENEWAL OF PERMITTED USE STANDARDS**

**PERMIT TO SELL CHRISTMAS TREES:** The Town Planner reported that the lease for Cub Foods, PQT Company expired on December 31, 2019. He showed a map of the parking lot. The tree lot would block off 11 parking stalls, but there have been no complaints. It was noted that the area is always tidy. The Planning Commission reviewed the application and recommended approval of the Permitted Use Standards permit to sell Christmas trees for 5 years in November and December only.

Ruzek moved based on Planning Commission & staff review & recommendation approve the renewal of the Permitted Use Standards Permit for Cub Foods and PQT, 1059 Meadowlands Drive to allow for a Christmas Tree lot from November 15, 2020 through December 31, 2025. McCune seconded. Ayes all.

**PUBLIC WORKS DIRECTOR ITEM: 2020 SEALCOAT PROJECT 1. APPROVE BID SPECIFICATIONS; 2. AUTHORIZE ADVERTISEMENT FOR BIDS:**

The Town Clerk reported that this agenda item has been budgeted and sealcoating is important to extend street life. The estimate came in under budget and staff is comfortable with the process. It was noted that the Public Works Director has done a good job with these projects. He uses previous bid knowledge to gauge what the estimate should be, and if

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a project doesn't come in like he thought it might, he lessens the scope to stay in budget.

The Town Engineer answered some questions regarding which streets get sealcoated and how it prolongs the life cycle. Streets within the 2.5 to 4.5 grade scale get the sealcoats and it depends on the last time a street got a sealcoat, as a surface can only accept so many sealcoats before a mill and overlay or reclamation may be needed.

It was noted that the Town will go out for bid for the 2020 Sealcoat Project on February 27, with a target start date of July 6, 2020.

McCune moved based on Public Works Director review & recommendation approve the 2020 Sealcoat Specifications. Ruzek seconded. Ayes all.

McCune moved based on Public Works Director review & recommendation authorize bidding with funding from the Improvement Fund 505. Ruzek seconded. Ayes all.

**TOWN ENGINEER ITEM: IMPROVEMENT 2020-2 – WATER SYSTEM IMPROVEMENTS: 1. APPROVE PLANS & SPECIFICATIONS; 2. AUTHORIZE ADVERTISEMENT FOR BIDS:** The Town Engineer reported a bit on the manganese backstory that the Town Board and staff have been discussing the best possible solution to the standard set forth by the Minnesota Department of Health. The Town is planning on going with this option, looking for ways to minimize the cost, improving the pumps and SCADA controls on wells 4 and 5, and another pump upgrade. The bids are planned to be in by February 26, and back to the Board at the March 2 Town Board meeting. It was noted that the Board has put a lot of consideration into this agenda item.

Ruzek moved based on Town Engineer review & recommendation to approve the plans & specifications. McCune seconded. Ayes all.

Ruzek moved based on Town Engineer review & recommendation to authorize the bidding of the Water System Improvement Project with funding from the Water Fund. McCune seconded. Ayes all.

**ADDED AGENDA ITEMS:** There were no added agenda items.

**OPEN TIME:** No one was present for open time.

**RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS:** Ruzek motioned to receive all Agenda Materials & Supplements for tonight's meeting. McCune seconded. Ayes all.

McCune moved to adjourn the meeting at 7:52 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

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Patrick Christopherson  
Recording Secretary

Approved as Official Meeting Minutes

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Town Board Chair

\_\_\_\_\_  
Date