

**MINUTES
TOWN BOARD MEETING
MAY 4, 2020**

The meeting was called to order at 8:00 a.m. the Township Administrative Office.

Present: Supervisors: Prudhon, Ruzek, McCune; Town Clerk-Treasurer: Christopherson; Attorney: Lemmons; Public Works Director: Reed; Town Finance Officer: Kelly; Town Planner: Riedesel; Town Engineers: Poppler and Studenski

The meeting was held at the Town Office Conference Room, present there were the Town Finance Officer, Town Attorney, Town Clerk, Town Planner and the Public Works Director. Town Board Chair Prudhon, Supervisors McCune and Ruzek, Town Engineers Poppler and Studenski, and guests were present via telephone conference. The motions, seconds, and votes were stated by roll call as directed.

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved to approve the agenda as submitted. McCune seconded. Ayes all.

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

APPROVAL OF MINUTES OF APRIL 20, 2020 (Additions/Deletions): Ruzek moved to approve the minutes of April 20, 2020, with the correction of one error: under Bellaire Beach discussion, Q3 is a subcontractor for XcelEnergy, not the Township. McCune seconded. Ayes all.

CONSENT AGENDA: McCune moved to approve the consent agenda as follows: 5A) South Shore Trinity Lutheran Church – In accordance with the Township’s special events policy, grant non-exclusive use of Bellaire Beach to South Shore Trinity Lutheran Church, 2480 South Shore Boulevard to hold outdoor worship services, weather permitting & provided the Stay-at-Home Order is lived on June 24 & 28, July 12 & 26, & August 9 & 23, beginning at 9:45 a.m. for two hours per service & to allow use of electricity from the Township’s lifeguard building to power the south system, noting the church will adhere to any safety/social distancing guidelines that are in place during this time, and noting the submitted COI is on record; 5B) Cub Foods Fireworks License – Based on staff review & recommendation approve the fireworks license for Cub Foods from May 1, 2020 through April 30, 2021 subject to approval by the Town’s Fire

MINUTES
TOWN BOARD MEETING
MAY 4, 2020

Inspector; 5C) Planning Commission – Re-appoint Ronald Denn, Howard Blin & Zachary Flann to three year terms on the Planning Commission to expire April 30, 2023; 5D) Utility Commission – Re-appoint Trent Bernstein & Dennis DeLoach to three year terms on the Utility Commission to expire April 30, 2023; 5E) Public Safety Commission – Re-appoint Patrice Pozzini-Stedman & James Linn to three year terms on the Public Safety Commission to expire April 30, 2023; 5F) Right-of-Way Permit – Based on Town Engineer review & recommendation & including his recommended conditions, approve the XcelEnergy permit to straighten & add a guide wire to 2 poles on 120th Street. Ruzek seconded. Ayes all.

EMERGENCY MANAGEMENT TEAM REPORT:

1. Ramsey County COVID-19 Incident Management: The Town Clerk reported that the previous week Ramsey County COVID-19 Incident Management team had a phone conference. During this time the team discussed the new testing methods are reflective of the numbers going up.

2. Contract Group Update: The Contract Group did not meet.

3. Attorney Update: The Town Attorney noted that the outdoor recreational provisions is still in effect, but the Town cannot open the parks to any organized groups. Legally tennis courts shouldn't be a problem, but any contact sports like basketball would be too much. It was noted that the Baseball Association is holding virtual tryouts. Boating is now open too, so Summit Lane will open on time. Public Works staff will update the signs around the Town parks, and the Town Attorney will get a document to the Public Works Director for details of how to proceed.

4. Operations Logistics/Administrative Offices/Public Works – Revise Declaration of Emergency: The Town Clerk reported on the legal memos from the Minnesota Association of Townships. Townships across the state are legally able to go back to in-person meetings or over the phone. There was discussion among this in the Ramsey County meeting, and all of the Township's municipal neighbors are closed to the public. One thing Town staff are disappointed with is Ramsey County not following through on the COVID-19 talking points so all communities within the county are operating uniformly. The Town Clerk suggested the Township be closed to public and continue staggering shifts, at least until after the Governor's executive order is completed. It was noted that the Town has not received any complaints regarding staffing and administrative office closure, that all residents are respectful of what everyone is going through right now.

There was discussion of meeting as a Town Board. There was discussion of the masks the Town could provide, however, the Town cannot limit the number of people in the audience due to the open meeting law, so it was decided that the Board could go back to meeting at 7:00 p.m. but keep the meeting place and details as is. The May 18th Town Board meeting will begin at 7:00 p.m. (EDA meeting at 6:40 p.m.) at the Town

MINUTES
TOWN BOARD MEETING
MAY 4, 2020

Offices conference room, via in-person and telephone conference. And the May 22nd Executive Town Board meeting will begin at 8:00 a.m. at the Town Offices conference room, via in-person and telephone conference.

There was discussion over seasonal staff, that the Town should continue to hire on the seasonal staff as directed to keep up with mowing and road patching. Town staff will ensure that the COVID-19 rules and regulation are also laid out in the contract that will have to sign off on.

BUILDING INSPECTOR ITEM – 1ST QUARTER CONSTRUCTION REPORT: This agenda item and the information in the packet are FYI for the Board. There was discussion on how the Town Building Inspector is handling all of his duties during this time. It was noted that he is doing very well, but is very busy. Vadnais Heights have him working a bit, plus numbers on building permits are way up. There have been more building permits issued in April than all of last quarter. It was also noted that WBL is helping Vadnais Heights when the Town's Building Inspector cannot.

There was discussion over business license renewals are down due to COVID-19. Town staff will keep sending out notices that licenses are due for renewal. Staff doesn't want businesses opening back up and not have the licenses set in place to operate.

IMPROVEMENT 2020-1—STREET IMPROVEMENTS – 1. AWARD CONTRACT – 2. AUTHORIZE TKDA TO PERFORM CONSTRUCTION OBSERVATION: The Town Engineer reported that the Board received the bids at the last meeting, and explained that even with all of the contingency calculations (15%) and other fees that go into the street improvement projects; the Township is still nearly \$1 Million under budget. There was discussion over the assessments and it was noted again that the assessments may still go down, but the Town should wait until the September assessment hearing because once the assessments are lowered, they cannot be raised. The Town Engineer advised the Town to start now and take advantage of the prices of this market. If started now, the process will finish on time, but if the Board waits much longer the project will be rushed. It was noted that TKDA will have a mix of newer engineers and seasoned engineers on site daily to ensure construction is performed to the Township's standards.

Ruzek moved based on Town Engineer review & recommendation adopt resolution awarding contract for Improvement 2020-1 to T.A. Schifsky & Sons, Inc., in the amount of \$1,591,578.26. McCune seconded. Ayes all.

Ruzek moved based on Town Engineer review & recommendation authorize TKDA to perform construction observation services in an amount not-to-exceed \$182,699.00. McCune seconded. Ayes all.

CAPITAL IMPROVEMENT PROJECTS 2020/2021 – DISCUSS: The Town Clerk reported that this was discussed a bit at the Executive Town Board meeting in April and has been followed-up on since by staff to work on the financial, planning, and

MINUTES
TOWN BOARD MEETING
MAY 4, 2020

engineering sides, etc. The goal is for the Town to put together a package with the 2020 projects as well as the potential 2021 projects as a way to get ahead during this low interest rate market. The package for the Town to bond at once for is for Peterson Road, the restrooms at Polar Lakes Park, the 2020 street improvements, and the water system improvements.

There was discussion over one area (Meadowview Lane) of the Township that seems halfway between 2020's projects and near another project years in the future. The street rating is 1.3, and is lower due to the soil conditions of the road. It was decided that the street would be more of a total reconstruction, and therefore would take more work than the contractor could do this year, especially due to the timing of a feasibility study that would have to be done. It was decided that Township staff will maintain the street with surface projects this year in order to extend the life of the street and then improve it on schedule with the other projects near Meadowview Lane.

There was further discussion of Peterson Road and the logistics and assessments. The project cost may be too much, and outweigh any potential increase in the value of their home. There was discussion over potential grants for which the Town could apply to lessen the financial burden of Peterson Road residents. There will be more clarification on Peterson Road, but a consensus on the projects submitted.

ORDINANCE NO. 69 (TOBACCO) – ADOPT AMENDMENT: The Town Attorney reported that the Town can raise the legal age of purchasing tobacco to 21. The age increase is not adopted by the state yet, but it most likely will be as it is in process. The federal law is more unclear and it will be a state-by-state item. There are a couple ways of adopting the ordinance amendment: the Town could take their current amendment and change all '18' to '21'; or the Town could adopt the Tobacco 21's amendment submitted. There was discussion on the wording of this amendment. It was noted that it is heavy, but the Town Attorney stated that it is comprehensive. The only concern he has is the regulation against cigar sale in general. It was decided that the Board will only approve amending the Town's current ordinance, but would like additional research.

Ruzek made the motion to table this agenda item until the Town Attorney does additional research and reports back at the May 18th Town Board meeting. McCune seconded. Ayes all.

LAKE LINKS REPRESENTATIVE – CALL IN: No one was present to report on this agenda item.

LIQUOR LICENSE FEES – REFUND OPTIONS: The Town Clerk reported that he wanted to discuss this item in a formal atmosphere. There was discussion of approving the refund of 2 months of the liquor license fees, but what happens if the Governor pushes the Stay-at-Home order back again. The discussion focused on whether the Town should issue some refund checks at this time or wait until the state is opened back up. It was noted that this is the time to show support of local businesses, and the Town could do that by starting with the 2 months refund and add to it if needed at a later

MINUTES
TOWN BOARD MEETING
MAY 4, 2020

date. There will be more discussion, as the Board wants to come to a consensus before anything is decided. This agenda item will be discussed at the May 18th Town Board meeting.

HOCKEY DAY MINNESOTA – UPDATE: The Town Planner reported that staff is continuing to get a feel for what Hockey Day Minnesota would look like in the Township, a good feeling so far. Hockey Day Minnesota has been in contact with the designer of Polar Lakes Park and have discussed the intricacies. Everything is looking good, though there will be no announcement until January of 2021 about the following year's location. There was a question regarding generators, and it was noted that the vendors at the festival will take power out of the Township's transformer pedestals. The Board is eager to learn of the conceptual design process to see if everything works together. The Board doesn't want to spend a lot of time and resources on this if it isn't going to go through, so it was noted that staff should keep track of all the time spent on this agenda item.

ATTORNEY/CLIENT CLOSED SESSION – STABLE PROPERTY: At 9:31 a.m. Ruzek made the motion to go into closed session regarding fees of the case of the Town of White Bear vs. Stoddard. McCune seconded. Ayes all.

At 9:43 a.m. Ruzek made the motion to come out of closed session. McCune seconded. Ayes all.

The overview of the closed session was to update the Board regarding the statutory costs dealing with the Stoddard case.

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. Ayes all.

McCune moved to adjourn the meeting at 9:44 a.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

Patrick Christopherson
Recording Secretary

Approved as Official Meeting Minutes

Town Board Chair

Date