

**MINUTES
TOWN BOARD MEETING
MAY 18, 2020**

The meeting was called to order at 8:00 a.m.

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

The meeting was held at the Town Office Conference Room, present there were the Town Attorney, Town Clerk and the Town Planner. Town Board Chair Prudhon, Supervisors McCune and Ruzek, Town Finance Officer, Town Engineer, Public Works Director, 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 MAY 4, 2020 (Additions/Deletions): Ruzek moved to approve the minutes of May 4, 2020 noting that the few corrections noted previously have been made. McCune seconded. Ayes all.

CONSENT AGENDA: McCune moved to approve the consent agenda as follows: 5A) VLAWMO 2019 Financial Report – Based on Finance Officer review & recommendation receive & accept the 2019 Financial Report of the Vadnais Lake Area Water Management Organization; 5B) National Police Week – Adopt resolution recognizing National Police Week as May 10-16, 2020; 5C) Conditional Use Permit Request @ Tamarack Nature Center – Call public hearing for Monday, June 15, 2020 @ 7:00 p.m. to consider a Conditional Use Permit request to allow an addition to the nature center building & other improvements; 5D) Mooring Requests – In accordance with the Portland Avenue Mooring Fees Policy, approve the mooring requests for the 2020 boating season June 1, 2020 through October 1, 2020 for 5373 & 5406 Portland Avenue; 5E) Right-of-Way Setback Variance Request @ 2731 Stillwater Street – Call public hearing for Monday, June 15, 2020 @ 7:00 p.m. to consider a 35' Right-of-Way Setback Variance; 5F) Right-of-Way Setback Variance @ 2317 Hoxie – Call public

MINUTES
TOWN BOARD MEETING
MAY 18, 2020

hearing for Monday, June 15, 2020 @ 7:00 p.m. to consider a 25' Right-of-Way Setback Variance; 5G) White Bear Lake Conservation District Representatives – Adopt resolution re-electing Diane Longville & Bryan DeSmet to three-year terms on the White Bear Lake Conservation District Board of Directors through April 30, 2023; 5H) Polar Lakes Park Ballfield – Based on Public Works Director review & recommendation approve White Bear Lake School District 624's Ballfield Preparation/Maintenance Proposal for 2020; 5I) Construction Activity Report – Receive. Ruzek seconded. Ayes all.

ORDINANCE NO. 69 (TOBACCO) – ADOPT AMENDMENT: The Town Attorney reported that he has read the ordinances for neighboring communities such as Shoreview, Little Canada, Vadnais Heights, and White Bear Lake. He noted that the ordinance for Little Canada and Shoreview recommend the Committee's wording, but keeping out a few minor things like the preamble, and keep the Town Board's right to grant variances and violations. The Committee wants the violations to be considered criminal, and the Town Board, if stated as the judge, would have say over the degree of the charge (i.e. administrative or criminal). There was discussion on this agenda item being passed at the state level and so perhaps the Town Board should table the discussion to see what language the state adopts first.

Ruzek made the motion to table this agenda item due to the State adopting Tobacco 21 and the uncertainty of the language of the ordinance, noting that the public hearing for this agenda item is called for Monday, June 15, 2020 at 7:00 p.m. at Heritage Hall. McCune seconded. Ayes all.

LIQUOR LICENSE FEES – REFUND OPTIONS: The Town Finance Officer reported that the past discussion of the Town Board has been whether to refund 2 or 3 months of the liquor licenses for the restaurants in the Township. It was noted that liquor stores within the Township will not receive the refund because they have not hurt from the pandemic. The Finance Officer noted that due to the licenses having been purchased in the beginning of the year, it is up to the Town Board whether to grant 2 or 3 months for the liquor license refund.

Ruzek motioned to refund 3 months of on sale and Sunday liquor for Lucy's, Zen Asia, Orchid, Applebee's, Emagine White Bear, and Red Luna as shown in the packet. McCune seconded. Ayes all.

HOCKEY DAY MINNESOTA – UPDATE: Bob Rode and John Stroh from Fox Sports North, Corey Roberts from Hockey Day Minnesota, and Wayne Petersen and Mike Guzzo from Minnesota Wild were present via telephone conference to discuss the intricacies of Hockey Day Minnesota. The Town Planner introduced the agenda item and noted that he sent out a rough draft comprehensive plan of the entire weekend event to staff.

MINUTES
TOWN BOARD MEETING
MAY 18, 2020

Roberts reported that the layout of the Township would be similar to the preliminary layout to Bemidji. He explained the layout of the Winter Village to include fire pits. He gave a recap of the history of both Hockey Day Minnesota and the Winter Village portion of the event. It was noted that the Fire Marshall will have to review the plan due to the self-contained, yet open, flames. Some areas of the Winter Village are fenced in and serve alcohol, some are left open. There was some discussion of the construction process and that the Public Works Director will be put into communication with the staff to ensure all details are communicated.

Though the whole event includes the rink available to community and youth teams to play on, the actual event is only one weekend. Setup is on the Thursday prior to the event. The event is 2 days. And then the crew of about 55 people tears down and is gone by about midnight after the event. There was some minor discussion on parking spots and paramedics. It was noted that the requirement is to have paramedics like an organization would for youth or high school athletics.

The Hockey Day Minnesota wanted a Special Events Permit. It was noted that Roberts and the Town Planner will be in contact to get the details of the permit ironed out before the Town Board Executive meeting of Friday, May 22nd. It was noted that staff are excited for the possibility of this event being held in the Township, though the year could change if the COVID pandemic social-distancing orders are still in place during the 2021 event, the Township location could be pushed to the year 2023 instead of 2022. As staff iron out the logistics and fine tune details, there will be more information brought before the Board.

EMERGENCY MANAGEMENT TEAM REPORT:

1. Ramsey County COVID-19 Incident Management: The Town Clerk reported that he met on Monday the 18th with the Ramsey County Manager's Office and went over the numbers of those affected by COVID-19. The majority of the conversation was around neighboring municipalities openings and re-openings. Since the meeting, the Clerk's suggestion for staff is to postpone appointment traffic until June 1st, and continue staggering shifts until June 1st, keeping the office closed to the public until June 1st. This is similar to Township neighbors.

2. Contract Group Update: The Contract Group did not meet. / There are no updates.

3. Attorney Update: The Town Attorney noted that due to the Governor's original order set to expire as of June 1st, that government meetings are now exempt from the 10 person limit. There was discussion of the June 1st Town Board meeting. It was decided that it will be at Heritage Hall at 7 p.m. per normal, with social distancing practicing put in place. The Town Board will lift the Emergency Declaration but keep the Emergency Management Team. Details of the night were discussed: the Board and staff will not wear masks due to the microphone and recording purposes, but will be 6 feet away; Christopherson will handle all incoming traffic, keeping folks outside until their public

MINUTES
TOWN BOARD MEETING
MAY 18, 2020

hearing or agenda item is being discussed, etc. It was noted that staff will set up chairs so there are only a few in the room, granting fewer people to be present in the room at a time.

4. Operations Logistics/Administrative Offices/Public Works – Revise Declaration of Emergency: The Town Clerk’s suggestion for staff is to postpone appointment traffic until June 1st, and continue staggering shifts until June 1st, keeping the office closed to the public until June 1st. This is similar to Township neighbors.

5. Park Closing: The Town Clerk reported that the parks are opened, but the activities, celebrations, organizations, and events, etc. are all still tentative in scheduling. It is up to each group to ensure social distancing practices are had at this point. There was some discussion over the portable toilets. There was some discussion on Ramsey County’s mandates and the Otter Lake School softball team practicing. It was noted that they were social distancing.

BELLAIRE BEACH LIFEGUARDS – STATUS: The Town Planner reported that the Town has a contract with the YMCA lifeguards for Bellaire Beach life guard needs. Due to the Governor’s orders expiring on June 1st, lifeguards will be out a couple weeks after Memorial Day instead of on Memorial Day weekend. There was some discussion over this, but it was determined that due to Ramsey County not opening their beaches, it may be imperative that the Township equip the beach with lifeguards due to the increase in drownings with unsupervised beaches. There was some discussion over the contract and that the wording will have to be changed in an addendum due to the late start of lifeguards this year. Staff will be in contact in this agenda item and will get all the details ironed out. There will be more discussion as needed. It was noted that the “No Lifeguard on Duty” sign is placed already. Once the Addendum is drafted it will need to be adopted by the Town Board.

TREE TRUST PLANTING – BRANDLWOOD PARK: The Town Planner reported that Tree Trust had 2 staff out digging holes to plant trees at Brandlwood Park and one of the neighbors interrupted their work, refusing the tree placement and tree type in that area. Though the staff were interrupted by this neighbor, it was noted that the neighbor has no input on the tree plantings to happen at this park.

BIRCHWOOD LIFT STATION #1 – APPROVE ALARM DISABLING: The Public Works Director reported that Birchwood needed to remove a water line to a manhole and the previous contract didn’t include the disabling of the alarm for the lift station. There was some discussion of why it wasn’t in the contract. TKDA has agreed to disable the alarm for a third of the cost. There was an explanation of all the intricacies of disabling the alarm: hooking up the laptop to the mainframe, going into each feature one by one and disabling them. Staff needs the Town Board to approve the contracts, and once the invoice is completed, the Town can bill Birchwood.

MINUTES
TOWN BOARD MEETING
MAY 18, 2020

Ruzek moved to accept TKDA proposal to disable all of the alarm points for Birchwood Lift Station #1 and to invoice the City of Birchwood once completed. McCune seconded. Ayes all.

PETERSON ROAD – IMPROVEMENT DISCUSSION – NEIGHBORHOOD MEETING

DISCUSSION: The Town Engineer summed up previous discussion of Peterson Road: how it is the last gravel road in the Township and the County; there is no sanitary sewer or watermain; part of the road isn't even on the right-of-way; etc. The Town Board has been looking to fix these things and had talked about it at the Executive Town Board meeting in April. Perhaps the Town could add on Peterson Road improvements during this time to capitalize on the marketable as favorable bids have come in for the 2020 street improvements.

Since north of Mehegan Lane is wetland to the west and the right-of-way isn't in the road, the north half would be considered in the future. It would make more sense to the Board to improve this part of the road when there is more development in that area. Because of this, the Town wants to include sanitary sewer, water, and paved road to the southern portion of Peterson Road.

He noted the terrain and tree cover gives 2 road options when it comes to the sidewalk: either on the road for a total width of 32 feet (option 1) or off the road for a total width of 34 feet (option 2). There were discussions of both of these options: on road sidewalk is easier to plow, the on road option made sense on one hand because the area is not heavily trafficked; but the sidewalk would connect elsewhere and may make more sense once the rest of the road is finished since the road will be shifted anyway. There was consensus on option 2.

Going from there, once the Board talks more of funding options at the Executive Town Board meeting, then the Town Engineer will set up a neighborhood meeting.

OTTER RIDGE CIRCLE – AUTHORIZE PREPARATION OF A REPORT FOR A STREET IMPROVEMENT:

The Town Engineer reported that this agenda item was brought to staff's attention by the Board at the last Executive Town Board meeting in which the discussion of capitalizing on the favorable economic conditions for construction bids and loan interest rates. Since then, Town Engineers have worked with staff and looked at the 2014 feasibility study that would need to be made current if Otter Ridge Circle is decided to be added to the list of Town improvements for 2020. There was some discussion of whether the Town should consider this project with the Peterson Road Project. It was noted that this project would make sense to bid with another project. There was some discussion of timing and that construction season is underway already. The Engineer noted that if approved tonight, the feasibility study could be completed before the June 15th meeting, and then staff can proceed from there.

MINUTES
TOWN BOARD MEETING
MAY 18, 2020

Ruzek moved to authorize TKDA to prepare a feasibility report in an amount not to exceed \$2,450.00 with funding from Improvement Fund 505. McCune seconded. Ayes all.

Ruzek moved to adopt resolution ordering preparation of a report on a street improvement. McCune seconded. Ayes all.

ORDINANCE NO. 92 – ADOPT: The Public Works Director reported that Ordinance No. 92 is simply part of the protocol of the Water Supply Plan staff has been working on. This ordinance needs to be approved first to fulfill requirements for staff to proceed in the Plan that is required by the Federal Government. The Town Attorney has reviewed it and is comfortable with the way it was reviewed. There was some discussion over the need for a public hearing for this ordinance. It was the consensus that there should be.

Ruzek made the motion to call a public hearing for June 15th at 7:00 at Heritage Hall and approve publication for the public hearing in the *White Bear Press*.

ADDED AGENDA ITEMS: There were no added agenda items.

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 8:52 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

Patrick Christopherson
Recording Secretary

Approved as Official Meeting Minutes

Town Board Chair

Date