

**OFFICIAL MINUTES**  
**SPRING LAKE TOWNSHIP MONTHLY MEETING**  
**June 10, 2010**

SPRING LAKE TOWNSHIP TOWN HALL  
20381 FAIRLAWN AVENUE, PRIOR LAKE, MN

Present:

Glenn Kelley - Supervisor                      Mick Borka – Supervisor                      Chris Olson - Supervisor  
Kathy Nielsen – Clerk                              Stacy Siegle - Treasurer

Also Present:

Mark Statz, Bonestroo

- 1) a) The June monthly meeting was called to order by Chairman Kelley at 6:00p.m.  
b) The Pledge of Allegiance was said.  
c) Changes to the agenda. The following additions were made to the agenda, consideration of a resolution adopting an amended fee schedule, a discussion of issues related to Doherty’s Tavern and their upcoming request for support of a large assembly permit, discussion of the Board’s vision for future development. Olson made a motion to approve the agenda as amended. Kelley seconded. All in favor.  
d) Approval of May 13, 2010 meeting minutes. Borka made a motion to accept the minutes as presented. Kelley seconded. The minutes were approved 3-0.
- 2) **Public Commentary.** Tom Wolf asked for input regarding proposed changes to the Scott County zoning ordinance regarding outdoor wood burning stoves. Board members and residents discussed their experiences with these stoves. No recommendations were made with respect to the proposed amendment to the zoning ordinance.
- 3) **Agenda Items**
  - a) Discussion of support for re-zoning PID #119140230, 4625 182<sup>nd</sup> Street, from RR-1 to A-1. Greg Wagner, Scott County Planner discussed the land use implications of rezoning this parcel to A-1, including an increased intensity for feed lots from 250 to 500 animals, and in inability to assess this parcel for future road improvements. It was noted that there has never been a feedlot on this property and future development would be required to pave 182<sup>nd</sup> Street. Kelley and Olson voiced that they would not be opposed to rezoning the property, if the property owner decided to request it. Borka said he could go either way.
  - b) Country Prime Time, request to support a large assembly permit for a street dance to be held on July 24, 2010 from 7:00 p.m. to 11:00 p.m. Carolyn Stage answered questions regarding crowd control and other details of the event. Stage stated that an officer will be on site during the event. There have never been any problems with this annual event. It was noted that a bartender at Country Prime Time was ticketed for serving alcohol to minors on June 5<sup>th</sup>. Stage was aware of the incident and noted that it was an isolated error by a longtime employee with a clean record of serving. Based on the long standing history of operating in the Township without a violation, Kelley made a motion to support a large assembly permit for the street dance on July 24, 2010 from 7:00 p.m. to 11:00 pm. Olson seconded. All in favor.
  - c) Consideration of approval of a developer’s agreement for Krueger’s Industrial Park 2<sup>nd</sup> Addition. After reviewing the staff report, Olson made a motion to approve the

- developer's agreement for Krueger's Industrial Park 2<sup>nd</sup> Addition. Borka seconded. All in favor.
- d) Consideration of a resolution modifying the terms of township supervisors from four years to six years, and setting forth a transition plan. The Board discussed the benefit of having staggered terms for Board members so that only one supervisor will be up for election in any given year. Based on this, Borka made a motion to adopt Resolution #10-005 establishing a plan for the orderly transition of the Board to six year town board supervisor terms. Kelley seconded. All in favor. Staff was directed to place this issue on the November 2, 2010 ballot for approval by the electors.
- e) Consideration of a resolution modifying the 2010 Township Fee Schedule. The fee schedule was modified to add a \$50 fee for a CD of the Town's Engineering Design Standards. Kelley made a motion to adopt Resolution #10-004 setting forth Township fees for 2010. Borka seconded. All in favor.
- f) Discussion of issues related to Doherty's Tavern and their upcoming request for support of a large assembly permit. Staff presented a report outlining the history of violations and issues with Doherty's Tavern. Staff noted that Doherty's has requested to be placed on the July agenda to seek Board support for the issuance of a large assembly permit to host an outdoor wrestling match on August 14<sup>th</sup>. Jason Simmering, Doherty's co-owner, provided input regarding recent and previous infractions noting that the after hours serving violation in August, 2009 was due to an oversight in allowing their 2:00 a.m. liquor license lapse, which was not communicated to the bartender. The June 5<sup>th</sup> serving to a minor violation was a mistake wherein one bartender thought that other had carded the minor. The event in March, 2010 where the bar opened up the shed for public use an extension of the bar was a mistake. After reviewing the Township's policy regarding expansion of use for non-conforming taverns, Kelley made a motion to consider the party held by Doherty's Tavern on March 26, 2010 to be the Tavern's one outdoor event for 2010. No other outdoor event in 2010 will be supported by the Town. Olson seconded. All in favor. Staff updated the Board on its meeting with Brad Davis regarding amendment of the zoning ordinance to change eating and drinking places from an administrative use to a conditional use. If that change to the ordinance is made, the Board may consider supporting an amendment to the 2030 Scott County Comprehensive Plan to change the land use of property at the intersection of CSAH 8 & 23 to commercial. This would be a prerequisite to any future request for re-zoning by Doherty's Tavern in order to build a larger facility on adjacent property under a conditional use permit. It is likely that any action in support of re-zoning would require a written, binding commitment to abandon the current property and relocate the tavern to the adjacent property to the west. This would benefit the public by potentially removing the existing structure, providing an opportunity for a safer realignment of the intersection.
- g) Discussion and adoption of the narrative portion of Township Engineering Design Standards. Statz presented the revised narrative portion of the design standards. The Board discussed minor modification to the document. Kelley made a motion to adopt the narrative portion of the Township Engineering Design Standards, with the recommended modifications, contingent upon receipt of any further comments from the board prior to June 17, 2010. Olson seconded. All in favor.
- h) Authorization of road maintenance projects for 2010. Statz presented estimates for various 2010 road maintenance projects. Olson made a motion directing Statz to prepare bid packages for seal coating, bituminous patching and storm sewer work for 2010. Kelley seconded. All in favor. Kelley made a second motion to advertise for

bids for seal coating, with a separate ad for bids for bituminous patching and storm sewer work. Olson seconded. All in favor.

**4) Engineer's Report.**

Statz presented the June, 2010 Engineer's Report.

- a) Xeon Avenue. The Board determined it will not add gravel this summer as paving in 2011 is not certain.
- b) Pond Inspections. Bonestroo will conduct pond inspections on June 15<sup>th</sup>.

**5) Road Report**

- a) Ditch mowing. Mowing began this week and will be finished shortly. Borka mentioned that the performance was spotty.
- b) Stop signs. Two stop signs were vandalized, requiring replacement.
- c) Trees in right of way. Trees are obstructing the sight lines looking south on Revere from 180<sup>th</sup> Street. Staff will notify Scott County highway department.

**6) Parks Report**

- a) Memorial ball field signage. Sign has been ordered and will be installed as a service project by the Fish Lake Sportsmen's Club.
- b) Flag pole. Flag pole has been installed. Concrete and electrical work will be completed in the coming weeks. A rock for the memorial is being donated by Brian's Rock Hard Landscaping. A flag has been donated by the VFW post in Prior Lake. Memorial contributions now total \$400.
- c) Pavilion. The interior of the pavilion has been painted as a community service project by the young man who last year vandalized it.
- d) Bench at Ball Fields. The bench was repaired by Kevin Berens at no charge.
- e) Batting Cage. Brian Bohnsack/Mudcats was interested in installing a batting cage at Fish Lake Park. Kelley will pursue.
- f) Hoses. Olson will purchase a hose reel and hose for the town hall. It will be stored in the utility room.
- g) Floor runners. Kelley will look into getting carpet runners which would be used to protect the carpet by the doors and food serving area.
- h) Mowing Raymond Avenue storm water pond. Berens will mow bi-weekly at a cost of \$50.

**7) Water Resources Report**

- a) WCA violations. Three WCA violations will be reviewed on June 24<sup>th</sup>
- b) NPDES annual permit. NPDES annual report must be filed by June 30<sup>th</sup>. Staff is waiting on Scott County to provide needed information. The report should be filed next week.
- c) Annual MS4 public hearing. Hearing was held on May 25<sup>th</sup>. No residents appeared for comment.

**8) Treasurer's Report**

- a) Siegle presented the May, 2010 Treasurer's Report. Kelley made a motion to approve the May, 2010 Treasurer's Report. Olson seconded. All in favor.

**9) New Business/Old Business**

- a) Easement for Vergus Avenue culvert replacement. An easement is needed from Larry Mueller. Mueller will not consent to an easement without the Board granting him a second field access to his property. Olson will contact Mueller to discuss.

- b) Violations on Vergus Avenue of the Right-of-Way ordinance. The Board discussed four properties on Vergus Avenue which have located large rocks or trees in the ROW. Staff is directed to send notices of violation to the property owners.
- c) Fish Lake Park fence repairs. Repairs will be made to that portion of the fence which was damaged by a car collision in December, 2009.
- d) Approval of special meeting minutes. Kelley made a motion to approve the minutes of the May 18, 2010 workshop on Township Engineering Design Standards. Olson seconded. All approved.

**10) Approval of disbursements.** The Board reviewed the attached June, 2010 disbursement ledgers and approved the checks numbered, 9065 to 9095, to be issued. The checks were signed and given to Nielsen for mailing.

**11)** The following items were included in the Board's information packets for informational purposes:

- May, 2010 sheriff's incident report
- List of upcoming meetings

There being no further business before the Board, Olson made a motion to adjourn. Kelley seconded. All in favor. The meeting was adjourned at 11:15 p.m.

Kathy Nielsen, Clerk  
Spring Lake Township

Minutes approved \_\_\_\_\_

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Glenn Kelley, Chairman

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Kathy Nielsen, Clerk