

**OFFICIAL MINUTES
SPRING LAKE TOWNSHIP
MONTHLY BOARD MEETING
September 13, 2018**

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

Present:

Doug Berens - Supervisor
Melissa Hanson – Clerk

Glenn Kelley – Supervisor
Sara Domer – Deputy Clerk

Ted Kowalski - Supervisor

Also Present:

Kyle Renneke - Stantec

Absent:

Stacy Siegle - Treasurer

- 1) a) The meeting was called to order by Chairman Kowalski at 7:00 p.m. The Pledge of Allegiance was said.
- b) Changes to the agenda. Staff requested to **Amend 3a** by removing Discussion of and replace with Consider County Road 81 and 87 Turn Back Maintenance and Timing Agreements **Add 3b.** Consider Request for Variance for Side Setback, Increase of Impervious Surface to 30% and Addition to Non-Conforming Property of Greater than 50% at 2790 South Shore Drive **Add 3e.** Consider MnDOT Contract 1031896 and Resolution 18-008 - A Master Partnership Contract with MN Dept. of Transportation for the Construction of Center Left Turn Lanes and Right Lanes at Trunk Hwy 13 and Vergus Avenue. **Add 3f.** Consider Drainage Easements and Addendum for Maintenance Agreement with City of Prior Lake for Culvert on 174th St E.
Kelley made a motion to approve the agenda as amended. Berens seconded. All in favor.
- c) Approval of the August 9, 2018 meeting minutes. Berens made a motion to approve the minutes. Kowalski seconded. The minutes were approved 3-0.

2) Public Commentary

- a) Tom Wolf, Scott County Commissioner noted-
 - Turn back of CR 81 and 87 to Spring Lake Township will happen by end of 2018.
 - Conversations are on-going with Legislature about turn lane legislation.
 - Township Association Meeting is next week (9/18/2018) at Spring Lake Townhall.
 - Cedar Lake would like to change planning to eliminate clustering of homes at 2.5 acres.
 - Broke ground at 41 and 169 last week with estimated completion date of 2020.
- b) Curt Hennes, Prior Lake Spring Lake Watershed District reported-
 - Crappie kill- started on August 28th and continued until September 9th. DNR contacted and dumpster was put out on 9/6 for resident disposal of dead fish. It will need to go to Black Dog Landfill and Buckingham has been great to work with.
 - DNR has sampled live and dead crappies to test. It will take two weeks to get final results. Crappies are most delicate and most impacted by the change in water temperature and lack of oxygen.

- Raymond Park was sprayed by Great River Greening. More woodchips have been placed on the path.
 - Asked about removing no parking on Raymond Avenue. Renneke stated that the road is not sufficiently wide enough to permit parking as it's only 25 feet wide.
- c) Christine Busse 4625 182nd St E. - Asking for input on how to put in a driveway for access to land locked parcel. Could an easement be obtained from a relative? Kowalski has checked with the County on options for the property. It is uncertain how the property was allowed to be divided without connection to a road. Board suggested that resident look at title to see what it says. Kowalski will continue to work with County.
- d) Garry Tupy (On-Site Marketing)– Stated that for the November meeting he will request to reduce letter of credit from \$337,000 to \$100,000 as infrastructure is mostly complete. He also mentioned that they would like to plat phase 2 as lots are selling well and they have buyers interested in the phase 2 area. In order to move forward, Tupy asked if developer's a second developer's agreement is needed or if the first can be amended. His plan is to leave surety as it is the trigger for 2nd addition. Street and stop signs will be completed in the next week or two.

3) **Agenda Items**

- a) Consider County Rd 81 and 87 Turn Back Maintenance and Timing Agreements. Staff presented new Turn Back Agreements to Board as approved by Township and County Attorneys. In response to question from Berens about why the road is being turned back, Wolf stated that, per the County's Transportation Department, the nature of the road has changed and the turn back request was staff driven. Wolf talked about more road changes that are coming to the County from both Townships and the State. Board asked Wolf if Xeon could be looked at sooner than later for turn-up. Berens commended the County on work that was done on 81 and the agreements for maintenance costs in both agreements. Renneke stated that the new roads represent about a 25% increase in total mileage and maintenance (8 miles) for Spring Lake Township. Board explained that the possibility of annexation makes the increase even more burdensome for residents and asked for support in the annexation conversation to keep our most densely populated areas to help with this burden. Kowalski made a motion to approve the Turn Back Agreements for CR 81 Berens seconded. All in favor. Berens made a motion to approve CR 87 with the addition of crack fill before sealing added. Kelley seconded. Kowalski abstained.
- b) Consider Request for Variance for Side Setback, Increase of Impervious Surface to 30% and Addition to Non-Conforming Property of Greater than 50% at 2790 South Shore Drive. Ryan Hemingson on behalf of Scott Langguth requested three variances 1) Decrease setback from 10 feet to 5 feet on the east side of home for their addition 2) An increase from 25% to 30% for impervious surface. 3) An increase in the square footage by more than 50% on a non-conforming property– a total of 70% increase. Renneke suggested that issues of 5 foot setback and increase to impervious surface are not concerning issues given the size of lot and consistency with other past variances given. Kowalski stated that the grading should be done so as not to cause run-off to neighbors. Berens made a motion to approve the 5 foot setback variance, the non-conforming increase of greater than 50% to a non-conforming property and an increase from 25% to 30% of impervious surface. Kowalski seconded with an amendment that the addition not exceed 70% of the non-conforming property. All in favor.

- c) Consideration of Resolution 18-007 Directing Staff to Certify the 2019 Levy for the General Fund and the Road & Bridge Fund. Kelley made a motion to approve 18-007 Certifying the 2019 Levy for the General Fund and Road & Bridge. Kowalski made a motion to certify the 2019 levy for the road and bridge fund. Berens seconded. All in favor.
- d) Consider Approval of Amendment to Standards for Development and Construction, Removing Minimum Lot Width of 12 Acres or Less. A special meeting was held on May 10, 2018 to review the keyboard lot policy. Staff was asked to review with attorney the necessary steps to change the policy. The Board needs to determine the change and make a motion at a Board meeting. After discussion the Board concluded that the need to promote growth in our area outweighs the concerns of aesthetics for keyboard lots. Kowalski made a motion to remove item 2: Minimum Lot Width-Development of 12 Acres or Less from Design Standards. Berens seconded. All in favor.
- e) Consider MnDOT contract 1031896 and Resolution 18-008 - A Master Partnership Contract with MN Dept. of Transportation for the Construction of Center Left Turn Lanes and Right Lanes at Truck Hwy 13 and Vergus Ave. Renneke presented contract 1031896 and Resolution 18-008 as reviewed and approved by Township Attorney. Renneke explained that the current costs of the turn lanes have dropped and the authority granted for change requests would only be minor so that project could move along. Kowalski made a motion to approve MnDOT Contract 1031896 and Resolution 18-008. Kelley seconded. All in favor
- f) Consider Drainage Easements and Addendum to Maintenance Agreement with City of Prior Lake for Culvert on 174th St E. Staff presented drainage easements for property owners off of 174th and Maintenance Addendum to Maintenance Agreement with the City of Prior Lake for maintaining the culvert on 174th to address drainage concern brought to the Board at the August 14th meeting. All agreements have been reviewed and approved by attorneys for Spring Lake Township and the City of Prior Lake. Kowalski made a motion to approve Easements and Maintenance Addendum with execution of Easements at a later date. Berens seconded. All in favor.

4) **Engineer's Report**

Renneke presented the September Engineer's Report.

- a) 2018 Bituminous Patching – Consider quotes for bituminous patching work on various Township roads. No quotes received by Renneke. Renneke continues to work to get bids stating that many of the smaller projects can wait but there are some safety related issues that should be addressed. Kowalski made a motion to spend up to \$15,000 to get safety related patching completed this fall. Berens seconded. All in favor.
- b) Butterfly Lane Drainage – Consider quotes for ditch grading and restoration work along Butterfly Lane to improve drainage. Renneke received quotes from Blakeborough and Art Johnson trucking. Home owner continues to look at alternative options including storm sewer piping and long culvert. Renneke suggested that the Township not put in storm sewer pipe and that although the ditch slope is less than ideal, the ditch is relaying water as it should. Board recommends homeowner come to the next Board meeting.
- c) County Turnback Roads – Turnback or CR 81 and 87 are still scheduled for fall 2018 turnback.
 - CR 81 – Paving and sealcoat work is completed, with striping and mailbox adjustments to take place shortly.

d) Miscellaneous

- Keyboard Lot Policy – Review language update in the Township’s Standards for Development and Construction.
- Signage Retro-reflectivity Review – Consider fall signage review. Staff to review if Township or others have a policy for frequency of retro-reflectivity review.
- Turn Lane Fee – Our last meeting was held in July with Township, County, and State Legislature to discuss potential resolutions for turn lane fees.

e) Development

- Scott County 2040 Comprehensive Plan – Scott County staff has prepared the draft 2040 Comprehensive Plan. This draft is currently in the 6-month review period for the participating County, Cities, and Townships.
- Orderly Annexation Agreement –The Township and City will continue to draft updates to the agreement and map as this effort continues.
- Developments –
 - (1) Sunrise Ridge – Developer is updating plans/documents based on Township and County comments, for review at a later date.
 - (2) Harvest Bluffs – Small utilities are installed and street has base course pavement installed.

5) Road Report

- a) No Road Issues to Report.
- b) Construction Sign reported on County. Rd 10, belongs to County.
- c) Berens to talk to Doug Johnson about plow routes and timing.
- d) Berens reported that resident in Country Squires requested that Township pay for dust coating. Spring Lake Township policy is homeowners pay for dust coating in front of their home.

6) Town Hall and Parks Report

- a) Fish Lake Park Tree Trimming- Cole Cuts presented a quote in the amount of \$2625 for various removal and trimming of trees around playground and parking lot. Approved removal of dead birch tree and pull dead shrubs for total of \$300.00
- b) Fence – new split rail fence installed at Fish Lake Park and old chain link fence removed.
- c) Air conditioner – office zone is not working properly.
- d) Sprinkler System Maintenance- Curbside fixed two leaks in sprinkler line and replaced two sprinkler heads.
- e) Discussion of Involvement in Prior Lake Park Planning- Staff will inquire to get put on discussion.

7) Water Resources Report

- a) Kelley attended PLSLWD budget meeting and reported three open PLSLWD positions coming up.
- b) Kelley received copy of proposed rules that was shared. Renneke explained that the rules were new to him and that there were concerns with this same proposal last Spring when input was sought. The proposed changes as input from County and others were against the stated rules as they are too onerous for Township.

8) Treasurer’s Report

- a) Hanson presented the August, 2018 Treasurer's Report. In August total receipts were \$32,322.95, total disbursements were \$174,504.49, and the ending cash balance was \$1,429,391.96. Berens made a motion to approve the August, 2018 Treasurer's Report. Kelly seconded. All in favor. Staff reminded Board that at October meeting unpaid utilities would be certified

9) New Business/Old Business

- a) Set time for Board of Canvas- Wednesday, 11/14 at 4:30.
- b) Discuss Response to Quiet Title Action- Staff explained the Township has been named in Ludowese, Quiet Title Action. Township Attorney has requested the Board authorize his signing of the Stipulation for Road Right-of-Way easement to remove us from further involvement in the lawsuit. Kowalski made a motion to approve authorizing Town Attorney to Stipulate to Road Right-of-Way. Berens seconded. All in favor.

10) Approval of Disbursements The Board reviewed the September, 2018 disbursement ledgers and approved checks numbered, 12402 to 12444, to be issued. The checks were signed and given to Hanson for mailing.

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

- List of upcoming meetings

There being no further business before the Board, Kelley made a motion to adjourn. Berens seconded. All in favor. The meeting was adjourned at 9:30 p.m.

Melissa Hanson, Clerk
Spring Lake Township

Minutes approved _____

Thaddeus Kowalski, Chairman

Melissa Hanson, Clerk