

TOWN of MAY
WASHINGTON COUNTY, MINNESOTA
OFFICIAL TOWN BOARD MINUTES
October 4, 2018

The Board of Supervisors of the Town of May convened their regular monthly meeting on Thursday, October 4, 2018 at the May Town Hall. Those present included: Board members John Adams, John Pazlar and Bill Voedisch; Town Treasurer Cheryl Bennett; Town Clerk Linda Tibbetts; Town Engineer Katie Koscielak; Town Building Official Jack Kramer; Town Planner Nate Sparks; residents of the Town of May and others with business before the Town. Town Attorney David Snyder was absent. Mr. Voedisch called the meeting to order at 7:00 PM.

Minutes, Checks, Treasurer's Report

Mr. Adams moved, seconded by Mr. Pazlar, to approve the minutes of the September 6, 2018 regular Town Board Meeting. Motion passed. Mr. Voedisch moved, seconded by Mr. Adams, to approve the minutes of the Special Board Meeting of September 13, 2018. Motion passed.

Mr. Pazlar moved, seconded by Mr. Adams, to accept checks for October, 19641 through 19676, along with electronic funds transfers EFTS1018 and EFTF1018 to State of Minnesota Department of Revenue and Federal IRS, respectfully, as presented. Motion passed.

Mr. Adams moved, seconded by Mr. Pazlar, to approve the Treasurer's report as presented. Motion passed.

Mr. Adams moved, seconded by Mr. Pazlar, to transfer \$10,000.00 from the 201 Sewer Fund to the 201 Sewer Replacement Fund and \$6,650.00 from the 201 Sewer Fund to the 201 Sewer Pumping Fund. Motion passed.

Mr. Adams moved, seconded by Mr. Voedisch, to adding \$6,650.00 to the 201 Sewer Pumping Certificate of Deposit which renews on October 10, 2018. Motion passed.

Mr. Adams moved, seconded by Mr. Voedisch, to cash the 201 Sewer Replacement Certificate of Deposit in the amount of \$68,029.50 to be used for charges coming forward. Motion passed.

The check register and treasurer's report are attached to these minutes and serve as the official record.

Citizen proposal to pave 130th Street Stub

Dan Thurmes (14730 130th Street) and Brian Cress (14710 130th Street) were present and proposed paving the 130th Street "stub" at Big Carnelian Lake, at the four homeowners' expense. They were before the Town Board a year ago regarding the potential of paving their part of the road, the rest of 130th being paved. The four lots serviced are 14706, 14710, 14730, and 14750. Currently, one of the residents who has a tractor with a back blade has been trying to keep up with grading maintenance, which has been difficult due to the high amounts of rain received in the past few

years. However, said resident is selling his tractor. Therefore, the need to remedy grading has been under neighborhood discussion. The road is too narrow for the Town to grade.

One option is to vacate the road, the homeowners pave it and would take on all maintenance responsibility including snow plowing. The second option is for the homeowners to pay for the paving of the road with the township then performing paving maintenance. Since this part of 130th Street is in the 201 system, the first option did not seem viable. Therefore, the second option is being proposed.

Mr. Voedisch questioned the condition of the subsoil. Ms. Koscielak responded that she recommends conducting two tests of the subsoil to determine how many inches of gravel the road currently holds. She wants to see a minimum of six inches of gravel just before paving commences and is hoping that there is also good subgrade.

The Board is leaning towards the paving project being conducted by the residents, under the review and approval of the township and its engineer. Stormwater drainage would need to be reviewed to ensure any potential asphalt installation would not create water runoff problems. The proposal has a final spill off the end of the road to a rip rap strip already in place which could clean stormwater heading toward the lake. The homeowners want to direct the water away from driveways and yards so there needs to be an active drainage way built. The township would need a year warranty period from the residents, ensuring the road goes through one freeze – thaw cycle before the town accepts the road.

The residents discussed a potential option of a reverse crown so the road carries water toward the rip rap. Ms. Koscielak noted that reverse crowns are typically used in alleyways wherein storm sewers help alleviate potential for standing/freezing water. There would be a liability with this type of road design on 130th Street. Mr. Voedisch then indicated the road could tip slightly to the right with a water carrying mechanism built as part of the design.

Mr. Pazlar affirmed that the township would not be paying for said project, but when accepted, the Town would do normal paved road maintenance and not assess. Mr. Pazlar encouraged oversight by the town's engineer to help insure the project is handled properly.

Ms. Koscielak mentioned that to give the town oversight while minimizing costs, she asked if she could talk with the potential contractor as well as have a construction observer from WSB at the site during paving. The township needs a consistent three and one-half inches thickness after rolling.

Ms. Bennett questioned if the homeowners would be asked to produce an escrow for the future time of the engineer. Mr. Voedisch asked to hold off on implementing an escrow until we have a better estimate of all of the town's professional costs. He also mentioned that a Township Road Improvement Agreement will be needed which will cover all aspects of the project, costs and responsibilities. Mr. Thurmes will work with Ms. Koscielak to move forward in the planning.

Mr. Voedisch moved, seconded by Mr. Adams, that the Town of May approve the preliminary plan for the citizens paving the 130th Street unpaved stub at the homeowners' expense, under the review of the town's engineering firm, WSB, that the work be done under a Road Improvement Agreement entered into between the four homeowners and the township, and that an escrow be received to cover the costs of professional fees. Motion passed.

Panorama Avenue Drainage

Residents James Brockberg (13140 Panorama Avenue), Kevin Murphy (13078 Panorama Avenue), and Gregory Glenn (13230 Panorama Avenue) were present to discuss the "grand" Panorama Avenue drainage and paving project. According to Mr. Brockberg, storm water heads down 131st Street, misses the manholes and drains into his property and into the lake, causing erosion of the beach.

Mr. Brockberg then reported that at the recent Carnelian Heights Homeowners Association, it was discussed that, if the public portion of Panorama is paved could the paving of the private portion also be done at the same time, as a "private" extension of that job.

There are three drainage issue locations at hand according to Mr. Voedisch, which are the Goers Property (13068 Panorama Avenue), the Brockberg property (13140 Panorama Avenue), and the Sandgren Property (13210 Panorama Avenue). If the "grand" project is completed, all the water will be collected in a storm system holding pond. If we can't get the "grand" project done, we will have to address the three drainage problems individually. The Carnelian-Marine-St. Croix Watershed District is working through the design of the grand project and easements. The Town engineer as met with the watershed engineer, and will be reviewing the design.

Request for Sign at Park – Jonathan Muehleck

Jonathan Muehleck (14287 135th Street) was present with his father, Chris. Jonathan is a fifth Grader at St. Croix Catholic School. He is participating in a community service marathon where each student was challenged to do 26 acts of service in support of the school and the community. For his part, Jonathan chose to pick up litter and clean up the May Town Park. He noticed there was quite a bit of litter. He would like to construct a sign saying "Please Keep the Park Clean and Litter Free." He is before the board to ask for approval. Mr. Voedisch questioned if it would be a permanent sign that would hold up to weather. Jonathan responded that the sign would 18 inches square, made out of outdoor grade plywood, painted white and sealed with polyurethane. Jonathan would use galvanized steel hardware to mount it to the pavilion. Mr. Voedisch asked Mr. Pazlar if Hunter Green is the official color of the town hall trim, which Mr. Pazlar confirmed. Jonathan was asked to submit a mockup to the Town Clerk.

Mr. Adams moved, seconded by Mr. Pazlar, to approve Jonathan Muehleck's request for making a sign and hanging it on the pavilion park as defined above. Motion passed.

201 Sewer System

Mr. Adams reported that the Metropolitan Pollution Control Agency permit application has been accepted as complete. He further mentioned he would like to conduct an on-site training session

with the board and staff regarding the 201 Sewer System. The Town Clerk will schedule and notice a training session.

Engineering and Roads

Fog Seal

Ms. Koscielak reported that, due to the weather, the fog sealing has not been completed. Fog sealing requires optimum temperatures to cure. Typically, fog sealing is applied when it is 60 degrees and rising, and currently, most days are starting at 40 degrees. In conversations with Allied, if we do have a nice day and since there is less than one day of fog sealing needed, they will work towards completing the project this fall. However, if weather conditions continue to be rainy and cold, the town will be a priority on Allied's schedule in the spring of 2019.

Violations

Collova

The violation on Keller Avenue is now in the hands of the Town Attorney, Mr. Snyder. The violation comes from the property being a duplex structure. The homeowner (Collova at 12555 Keller Avenue) was directed to do three things to come into compliance by October 1, 2018, and he agreed to make those physical changes by the deadline. The township received a letter from Mr. Collova dated September 11, 2018 which did not address the remedies requested by the township but said only that one family was living there. Jack Kramer confirmed that none of our directed remedies have been completed.

Paradise Avenue

The Paradise Avenue project is a dual violation, with the DNR and the Town both involved with enforcement. The homeowner (Wacker at 12860 Paradise Avenue) will be sent two separate orders requiring restoration of the site. At that point, there will be a site meeting to review. Mr. Pazlar questioned if there is some utility in the board either mentioning in the annual township newsletter or craft a letter asking residents to be aware that if they are going to be doing any substantial grading/excavating, to contact the town and other agencies before work begins

Short Term Rental

The 130th Street short-term rental violation has reoccurred. This particular homeowner (Wise at 14840 130th Street) has been previously warned about the STR violation. Mr. Sparks told the board there have been a number of known STR violators who were sent notices over the summer of said violation. This property is one that did not come into compliance. At this stage, Mr. Sparks recommends Mr. Snyder send a firm letter to the homeowner with a deadline to cease.

Mr. Voedisch moved, seconded by Mr. Pazlar, to direct the town attorney to send a letter to the homeowner at 14840 130th Street directing them to cease any short-term rental operation. Motion passed.

Old Business

Croixside Lot Line Adjustment

Resolution 2018-12 was reviewed by the board which formally approves the Croixside Lot Line Adjustment with conditions that received preliminary approval at the special September 13, 2018 Board Meeting. Mr. Sparks handed out a draft of a Development Agreement for the Croixside marina. Essentially, the DA will memorialize the requirements in Washington County's shoreline ordinance and the old DNR marina standards. The Croixside Property Owners Association (CPOA) has agreed to the DA.

Mr. Voedisch moved, seconded by Mr. Adams, that the board adopt Resolution 2018-12, a Resolution Approving a Lot Line Adjustment for the Croixside Property Owners Association & Robert Johnson, with conditions. Rollcall Vote: Adams YES; Pazlar YES; Voedisch YES. Motion passed and the resolution is adopted.

Mr. Sparks indicated the Croixside private docks used to be under a license issued by the Minnesota Department of Natural Resources, which has long ago evaporated. The private docks are not under any controlling document or governed by Washington County. Therefore, the Town of May should have a controlling document to manage the Croixside private docks, i.e., private marina. Therefore, the proposed Development Agreement Croixside Controlled Access Lot accomplishes this goal. Mr. Sparks further mentioned said document structure is modeled by the DNR and required by Washington County, although the County suggested the Town be the issuer of the DA.

Mr. Voedisch moved, seconded by Mr. Adams, that the board approve the Development Agreement in form and in general content, giving the board until Tuesday, October 9, 2018, to provide any comments to Mr. Sparks, thereafter, we will pronounce this Development Agreement final to be signed by CPOA and Mr. Voedisch and Ms. Tibbetts. Motion passed.

Grader Tire Replacement

Mr. Voedisch announced he doesn't feel the board is ready to move towards a decision on a tire replacement for the grader. He is waiting for a final quote from Nobles on Goodyear tires. Ms. Bennett is working with Nobles to secure this quote. We have a final quote from A1 and Bauer Built. Quotes are for replacing all six tires on the road grader and recycling the old tires.

Chapter 13 Fees/Escrows

The board reviewed and updated the fees and escrows as follows:

Mr. Voedisch moved, seconded by Mr. Adams, to increase the blacktop road protection escrow from \$1,000 to \$1,500. Motion passed.

Mr. Voedisch moved, seconded by Mr. Pazlar, to replace the Animal Control "step" fees to the actual costs billed for animal control and animal shelter as approved at a previous meeting. Motion passed.

There was lengthy discussion by Mr. Sparks, Ms. Bennett and the board on actual costs incurred for subdivisions, from concept through preliminary and final plat, and that each needed an application fee and that the escrows be significantly increased.

Mr. Voedisch moved, seconded by Mr. Adams, regarding major subdivisions, to set concept review application fee at \$50 with escrow at \$1,000; preliminary plat application fee at \$100 with escrow at \$12,000; final plat application fee at \$50 with escrow at \$6,000. Motion passed.

Mr. Voedisch moved, seconded by Mr. Adams, regarding minor subdivisions, to set concept review application fee at \$50 with escrow at \$750; preliminary plat application fee at \$100 with escrow at \$1,500; final plat application fee at \$50 with escrow at \$1,000. Motion passed.

Mr. Voedisch moved, seconded by Mr. Pazlar, to increase the Road Vacation Escrow Fee from \$900 to \$1,500. Motion passed.

Mr. Voedisch moved, seconded by Mr. Pazlar, to increase lot line adjustment escrows from \$400 to \$500 for basic LLA's and \$900 for complex LLA's. Motion passed.

Mr. Voedisch moved, seconded by Mr. Adams, to increase the hourly rate for Clerk and Treasurer time from \$30/hour to \$40/hour. Motion passed.

Mr. Voedisch moved, seconded by Mr. Pazlar, to remove "Grader and Operator" and "Road Crew" under Policy Fees from Chapter 13. Motion passed.

Mr. Voedisch moved, seconded by Mr. Adams, to add "Non-Sufficient Fees (NSF) and/or return-check" fee of \$50. Motion passed.

Mr. Voedisch moved, seconded by Mr. Pazlar, to increase major grading permit from \$200 to \$500. Motion passed.

The Board needed more information on the Cell Tower Removal Bond and Katie is following up on current industry costs for such a project. The Board decided to table discussion on the building permit fee schedule, and adding engineer costs onto building permit fees. Further discussion on Chapter 13 will continue at November 1, 2018 Board Meeting.

Treasurer Position

Mr. Voedisch expressed the need to add a question to the March 2019 Ballot asking that the clerk and treasurer position be combined. Ms. Bennett spoke with Mr. Adams, Mr. Pazlar and candidate Marsha Olson regarding Ms. Olson filling the part-time treasurer position. Ms. Bennett would like to appoint Ms. Olson at the November meeting to the position of Deputy Treasurer, and start paying her as of January 2019 so she can be trained with the audit. Ms. Bennett requested that the insurance portion and billing portion of her position be taken over by Ms. Tibbetts.

Attached Garages

Mr. Pazlar recommended that this item be discussed at the November 1, 2018 Board Meeting. Voedisch asked both Nate and Jack if other municipalities have the “within 6 feet and it’s attached” provision for garages and both said we are sort of a dinosaur in that respect. Both agreed it should be removed. They also agreed that some limit should be set on the size of attached garages.

We could do a workshop discussion at either the next Planning Commission meeting or the next Board meeting and also, draft an ordinance making changes to this area of the code.

Truck Maintenance Schedule

Mr. Voedisch discussed the quote received from Dresel for repairs to the Sterling and Freightliner trucks. These include a 3-level approach: the “immediate” needs to remain DOT compliant, a “higher priority” list which could prevent midseason breakdowns, and a “wish list” proposal of lower priority work. The Sterling’s DOT and “higher priority” needs would be \$10,055. The Freightliner’s would be \$5,900. Dresel’s quote also includes a 10% contingency amount pushing the total to about \$17,500. Ms. Bennett indicated the town’s annual budget for equipment repair is \$16,000 so dropping the contingency amount brings it back under \$16,000.

Mr. Voedisch indicated the trucks, which only sat out perhaps 5% of the time at Marv Schroeder’s house, now sit out at Dresel. Mr. Voedisch is able to house the Freightliner for six months when not plowing snow but the Sterling sits out year-round at Dresel and rust is becoming a major issue. He recommended we start looking for a good used tandem since our equipment replacement fund has only \$80,000. Ms. Bennett indicated we should start levying into that fund again.

Mr. Voedisch moved, seconded by Mr. Adams, to authorize a total of \$15,955.00 in repairs for the Sterling and Freightliner. Motion passed.

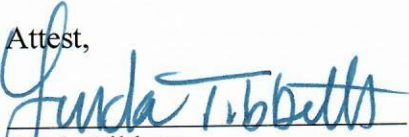
Marine on St. Croix Fire Contract

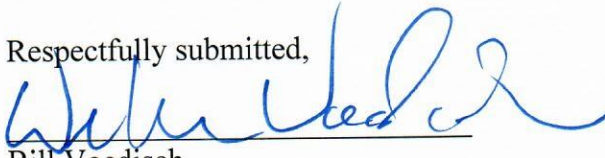
The board reviewed the proposed fire contract with the City of Marine on St. Croix.

Mr. Voedisch moved, seconded by Mr. Pazlar, to approve the Marine on St. Croix Fire Contract which provides a three-year agreement. Motion passed.

Mr. Adams moved, seconded by Mr. Pazlar, to adjourn the meeting. Motion passed.

The meeting adjourned at 9:09 p.m.

Attest,

Linda Tibbetts
Town Clerk

Respectfully submitted,

Bill Voedisch
Board Chair

Sterling

Immediate attention for DOT purposes:

| | Parts | Labor | Total | |
|---|---|--------------------|------------------|--------------------|
| 1 | Change engine oil and related filters, replace air dryer canister, service differ | \$ 400.00 | \$ 500.00 | \$ 900.00 |
| 2 | Replace rear axle Brake shoes. | \$ 110.00 | \$ 185.00 | \$ 295.00 |
| 3 | Replace Steer tires- Passenger side near rupture | \$ 1,300.00 | \$ 180.00 | \$ 1,480.00 |
| | | <u>\$ 1,810.00</u> | <u>\$ 865.00</u> | <u>\$ 2,675.00</u> |

High level of need- repair to prevent mid-season down time:

| | | | | |
|---|--|--------------------|--------------------|--------------------|
| 1 | Replace driveshaft hanger bearing, three related U- Joints | \$ 475.00 | \$ 500.00 | \$ 975.00 |
| 2 | Replace front differential pinion seal (heavy leak and drive shaft already out), | \$ 450.00 | \$ 875.00 | \$ 1,325.00 |
| 3 | Front wing blade cylinder remove and repack (possibly need to replace rod.) | \$ 1,100.00 | \$ 750.00 | \$ 1,850.00 |
| 4 | Replace Wing blade cutting edges | \$ 600.00 | \$ 180.00 | \$ 780.00 |
| 5 | Replace Air compressor and all lines, reseal | \$ 1,200.00 | \$ 1,250.00 | \$ 2,450.00 |
| | | <u>\$ 3,825.00</u> | <u>\$ 3,555.00</u> | <u>\$ 7,380.00</u> |

Moderate level of need- Likely mid season repairs if not addressed pre-season

| | | | | |
|---|--|--------------------|--------------------|--------------------|
| 1 | Replace cover over hydraulic valve assembly. | \$ 400.00 | \$ 125.00 | \$ 525.00 |
| 2 | Replace Rear Drives due to low tread and wheels due to rust. | \$ 1,400.00 | \$ 315.00 | \$ 1,715.00 |
| 3 | Replace spinner motor and sand wheel | \$ 750.00 | \$ 250.00 | \$ 1,000.00 |
| 4 | Replace plow blade cutting edges | \$ 700.00 | \$ 180.00 | \$ 880.00 |
| 5 | Patch Plow blade face | \$ 100 | \$ 750.00 | \$ 850.00 |
| | | <u>\$ 3,350.00</u> | <u>\$ 1,620.00</u> | <u>\$ 4,970.00</u> |

Future issues

| | | | | |
|---|---------------------------------------|---------|-------------|-------------|
| 1 | Repalce all Hydraulic lines | \$2,000 | \$ 1,500.00 | \$ 3,500.00 |
| 2 | Plow lift pins, links, and pin bores | | | |
| 3 | Wing blade pins, links, and pin bores | | | |
| 4 | The transmission cooler and lines | | | |
| 5 | Air tanks and related fittings | | | |
| 6 | Fuel tank, straps, and mounts | | | |
| 7 | King pins and front end linkage | | | |
| 8 | The rest of the hydraulic cylinders | | | |

