STILLWATER TOWN BOARD MEETING

July 24, 2008 Town Hall 7:00 P.M.

PRESENT: Chairperson David Johnson, Supervisors Jim Hiniker, Linda Countryman, Sheila-Marie Untiedt, Jim Doriott, Clerk Pat Bantli, Deputy Clerk Kathy Schmoeckel, Treasurer Carol Collins, Attorney Soren Mattick, Planner Berry Farrington, Engineer Paul Pearson and Park Manager Rick Jacobson.

1. AGENDA - M/S/P Hiniker/Countryman moved to adopt the agenda as amended. (5 ayes)

2. MINUTES - M/S/P Hiniker/Countryman moved to approve the 7/10/08 Stillwater Town Board Meeting minutes as written. (5 ayes)

3. TREASURER -
   a) Report given.
   b) Engineer Paul Pearson is reviewing the work done by Raleighs, especially to identify the extra expenses involved with ditches. The changes made to the trail at Little Carnelian Park can come out of the park fund since it is an improvement rather than just maintenance. Building permits are down from last year. Crosswinds Church has paid a different amount than was billed. The difference involves work done by the planner and attorney with respect to the lighting issue.

      M/S/P Untiedt/Hiniker moved to credit Crosswinds Community Church for the billing directly related to the lighting issue. (5 ayes)

   c) Claims and checks #18755 through #18769 were approved for payment.
   d) Election Judge Fees - Pay rates for election judges are $13.00 per hour and $18.00 per hour for the head judge.

4. PLANNER -
   a) Minimum Lot Size - The Planning Commission has recommended an increase in the minimum lot size for places of worship to 10 acres. The Planning Commission is also looking at minimum lot sizes for other uses. The consensus is to wait to adopt an ordinance after all issues have been dealt with.
   b) Public Hearing For Comprehensive Plan - The Public Hearing will be at the October 2, 2008 Planning Commission meeting. The Planner will send a letter to the surrounding communities to advise them of the date. Notice will also be posted on the web site.
   c) Review Of Surrounding Communities' Comprehensive Plans - Planner Sherri Buss will review the plans to see if any items impact Stillwater Township and will bring these items to the Planning Commission for input.

d) Letter To Metropolitan Council - Planner Sherri Buss had sent a letter to the Metropolitan Council regarding their proposed MUSA line. The Metropolitan Council staff will be invited to the August 7, 2008 Planning Commission meeting which the Town Board will also attend. A letter will be sent to Peter Bell to advise him of the situation.

e) Cannon Property - Berry Farrington reviewed the history of this property where wedding events had been held. Attorney Kevin Shoeberg, representing the Cannons, was present. He reported that they had also discussed this with the City of Stillwater. They would like to move forward with amending the ordinance and they are looking for guidance before they proceed. The nature of the business is wedding ceremonies only, no receptions. They do have a public address system but it is contained in the tent. The area is screened and well landscaped. It is a safe environment for people to come into. The event is usually over in about three hours. The period they do this in is from May to October. They are close to the public works department and ball field and they believe this is consistent with what is in the neighborhood. Mr. Shoeberg has checked with the neighbors and found no objection. The City has indicated they would need to go through a similar process so they thought it would make more sense to go through Stillwater Township since the property is in the Township. They believe the Township ordinance with respect to the Transition Zone would handle this issue better than the City ordinance. The County has suggested that they check with the Township first. With respect to Brown's Creek, the Cannons had provided additional drainage for the City's public works facility. The City has indicated that they would accept the Township's decision. The Cannons will be back for the meeting on August 14 with further information.

5. AXDAHL DEVELOPMENT - Brian Axdahl was present to request that his letter of credit be released since all work has been done except for the final lift. He was advised that the park dedication fee of $47,750 has not been paid and that the test of the infiltration basin has not been done.

M/S/P Hiniker/Untiedt moved to authorize the reduction of the Axdahl letter of credit from $476,250 to $118,000 with the condition that when the park dedication is paid it may be further reduced. Upon receipt of $4,500 the escrow will be reduced to $4,000. (5 ayes)

6. GALLUS ADDRESS - Brian Gallus was present to request his address be changed.

M/S/P Untiedt/Countryman moved to authorize the secretary to issue a letter to the Stillwater Postmaster to change the address of this parcel from 11286 Oxford Road to 14793 114th Street North. (5 ayes)

7. ATTORNEY -

a) Donation Resolution - Attorney Soren Mattick has suggested resolutions to deal with donations made by the Township. He will forward them to the Treasurer with instructions to bring them to the second meeting in March for the Town

Board's consideration. These amounts can be included as budgeted items. This can be a newsletter item.

b) Ballot Language - Clerk - Attorney Soren Mattick has proposed language for the proposed ballot question. The newsletter can explain the reason for the change.

M/S/P Countryman/Hiniker moved to adopt the ballot question "Should the Town of Stillwater Clerk's position become appointed rather than Elected?" (5 ayes)

Clerk Pat Bantli will publish this language along with the three supervisor positions and the public accuracy test date. A job description for an appointed clerks position has been drawn up.

c) Assessment Resolutions – Gohlike owes $687.50 which includes attorney's fees. He has paid $200 so he still owes $487.50.

M/S/P Hiniker/Doriott moved to have the amount of $487.50 owed from Gohlike to be certified to the tax roles. (5 ayes)

d) Axdahl Property - The property previously qualified as green acres. The taxes will be reallocated to each lot in 2009. A copy of the proposal will be sent to the Axdahls.

e) Tax Forfeiture Parcels - Two parcels in Otchipwe Trails totaling approximately 42 acres have been forfeited due to non-payment of property taxes. The Clerk will invite the neighboring property owners to the people portion (8:00 p.m.) at the August 14 Town Board meeting to hear an explanation of the situation and discuss what options are available.

f) Meinecke Boat Issue - This will go back to court unless it can be resolved. If the owner agrees, the Township can come on the property to demolish the boat and the costs can be assessed against the property owner, or a mover might be found to take it away.

g) Data Practices - Discussion among Board members via e-mail of Township business is a violation of the open meeting law.

8. ENGINEER -

a) Bids for the Otta sealing of 90th Street have been advertised and should be received by August 12. They will be discussed at the next Town Board meeting.

b) Maintenance Punch List - There was discussion as to why items have been carried forward from 2007. The items have not been completed.

9. FARMERS' MARKET - Park Manager Rich Jacobson said he would be willing to manage a farmers' market. He pointed out that the park is already full on Wednesday nights. He will attend the next Planning Commission meeting for further discussion.

10. PARK COMMITTEE -

a) Chips For The Otto Berg Playground - M/S/P Doriott/Untiedt moved to accept the quote of $1,150 from Valley Green for wood chips and installation. (5 ayes)

b) M/S/P Doriott/Countryman moved to appoint Bonnie Haines to the Park Committee subject to receipt of a completed application. (5 ayes)
c) Rick Jacobson reported that there are still three dead elm trees to be removed on Township property.
d) Township Picnic - Jim Doriott gave an update of plans for the picnic.
e) Park Land Acquisition - Rod Hunter's e-mail dated July 21, 2008 was discussed. The attorney will be asked to look into issues involved. The Park Committee should look at the park map and see what parcels they would like to look at.
f) Signs - Paul Pearson will be asked to order signs.
g) The net climber in Otto Berg Park should be replaced. Rick Jacobson will check into it.

11. ADJOURNMENT - M/S/P Hiniker/Countryman moved to adjourn the meeting. (5 ayes)

The meeting was adjourned at 10:40 p.m.

Clerk_____

Chairperson_____

Approved_____