

STILLWATER TOWN BOARD MEETING

July 14, 2022

Township Hall

7:00 P.M.

PRESENT: Chairperson Sheila-Marie Untiedt, Supervisors Mike McMahon, Tim Sinclair and Robert Geisen, Deputy Clerk Jennifer Maes, Community Service Officer Mark Caroon, Treasurer Marsha Olson, Planner Evan Monson, Engineer's Paul Pearson and Michael Nielson. Supervisor Rod Hunter was absent.

1. AGENDA – M/S/P Sinclair/McMahon moved to adopt the amended agenda to include the addition of an invitation for public comment from residents regarding the ongoing wood burner discussions, a discussion of punch list use from Retired Township Engineer Pearson, an update on the status of the AOP, possible rescheduling of August meeting, bid for HVAC replacement at Town Hall, and four Park Committee recommendations to approve bids for repair and maintenance. (4 ayes)
2. MINUTES – M/S/P McMahon/Geisen moved to approve the 5/18/22 OWB Neighborhood Information Meeting notes without further edits (4 ayes). M/S/P McMahon/Sinclair moved to approve the 6/9/22 Regular Meeting and AOP Minutes (4 ayes).
3. ENGINEER –
 - a. Snow Removal/Road & Trail Maintenance Bids – Engineer Mike Nielson will be adding a clause to the Snow Removal/Road and Trail Maintenance bid package that will allow an adjustment to the contract unit maintenance prices as they relate to fuel and oil price increases or decreases during the three-year contract period. Further research needs to be completed, but he expects to be ready to consider the bids by next month and suggests we revisit at August meeting. The current bids are valid through the end of October.
 - b. Road Maintenance 120/Otchipwe Hole Update – Miller has been informed and has patched the hole and will continue to monitor. Cause of sink hole unknown after past excavation maybe organics in subbase near pond?
 - c. Handicap Stall in Otto Berg Park – The Park Committee raised concern that one of the Handicap Parking Stalls along 90th Street is too narrow for van accessibility. Engineers took pictures and will research further to ensure that the Park and Hall have adequate and compliant handicap parking accessibility. Further findings will be forwarded to the Park Committee through DC Maes.
 - d. Paving of Gravel Roads – There are approximately 5 miles of unpaved roads in the Township. It was discussed whether there would be cost savings to pave them considering the repeated costs of grading/gravel, calcium chloride, etc. A cost/benefit analysis should be done. If approved the work may be done as a tag on an existing project instead of independently/stand alone to get economies of scale. The Board suggested waiting until oil and fuel prices hopefully reduce. Treasurer Olson will add line item as place holder to budget for reminder. In 2008 the question was asked. Engineer Pearson brought a map which was adjusted in 2016. There was analysis/research regarding Otta Seal and an experiment was

performed on 90th Street. The country of Norway uses Otta Seal on low maintenance/low use roadways. Engineer Nielson will update 2008 numbers to devise percentage difference in cost to advise next budget process. Due to current atmosphere of inflated and unstable oil prices, two-year-old, more stable numbers will be used for analysis.

- e. Road Trail & Drainage Maintenance Punch List - Prior to 2015, a punch list was used to manage communication of requests to contractors through Sambatek in an effort to lower costs and increase efficiencies. Due to subsequent changes in staff and vendors, the use of the punch list has been discontinued. Engineer Pearson wondered if it would be helpful to start up again. CSO Caroon explained the current process which takes advantage of new communication systems like texting and existing relationships with vendor representatives. The current system seems to be working and it was agreed that the punch list is no longer needed.
4. TREASURER – Marsha Olson was present to report:
- a. Property Taxes and ARPA funds came in earlier than usual. One of those receipts came in July 1 and will show on July statements.
 - b. Claims and Checks #23868 through #23892 were approved for payment. Total disbursements in June were \$128,993.07 the bulk of which was for the Fire contract.

PEOPLE PORTION- (7:30 P.M.) began 7:45 PM

5. COMMUNITY SERVICE OFFICER – CSO Mark Caroon was present to give a report:
- a. There were 3 burning permits issued in June.
 - b. There were no dogs impounded in June, but 10 animal complaints were received.
 - c. There were 91 total calls for service in the month of June.
 - d. Ragnar Run event August 12 - This event has all necessary permits from the Township and the County. Disruption to residents is expected to be minimal.
 - e. Bears – Many residents expressed concerns over bear sightings/activity in the Township. After discussions with the DNR, CSO Caroon understands that due to drought conditions last year and late blooming this Spring, bears are hungrier than usual, and traveling further to find food. It is believed there are not an increased number in bears overall and the risk to homeowners is not significant. Homeowners should continue to take common sense actions such as keeping trash and bird feeders inaccessible and staying aware outdoors. A letter to residents from CSO Caroon regarding his conversations with the DNR has been posted to the website.
 - f. County Food Scraps for Composting Drive – CSO Caroon and Supervisor Sinclair expressed concern over the proposed food scraps collection program initiated by the County, especially considering the bear population. Many Residents already compost their own food scraps on their individual properties.
 - g. Fire/Police Presence at Annual Picnic – The Stillwater Police and Fire departments have again agreed to be part of the Annual Picnic.

- h. CSO Vacation/Retirement - CSO Caroon will be stepping away from his position for a while beginning July 30. He is working with other Township staff to ensure coverage in his absence.

6. Public Comment – Four residents concerned with the OWB issue requested to be allowed to speak at the meeting. Only Diane Polasik did. Her concern is to keep informed of the progress of the closed sessions and ensure that the neighbors are being heard. Supervisor Untiedt assured her that the matter is progressing and the Board endeavors to be as transparent and forthcoming as possible. Attorney Shepherd advised that the Board could place limits on public comments in an effort to efficiently complete the business of the board. Mr. Shepherd suggested Public comments could be limited to three minutes near the beginning of the meetings to address items not already on the agenda. All pertinent information will continue to be included in the Agenda and Minutes which are publicly accessible.

7. PLANNER

- a. Dog Licensing Requirements. - Planner Monson provided a proposed rewrite of relevant ordinances for discussion. It is the opinion of the Board that there is no benefit to requiring dog license tags going forward. Redundancies were discovered regarding Zoning Requirements and then subsequent Licensing in Kennels. The Board agreed that put simply, Zoning requirements deal with sanitation and humane treatment issues and Licensing Ordinances deal with nuisance and safety issues like dog noise and biting hazards. The opinion is to continue Licensing Requirements for Kennels, but not tags. Planner Monson will further edit the proposed ordinances for clarity and a Public Hearing will be scheduled at the next Board meeting. M/S/P Geisen/Sinclair (4 ayes).
- b. AOP – Planner Monson is finishing up work on the AOP, aware that the 45 days is nearly expired.

8. CLERK –

- a. Request to adopt Resolution to appoint Election Judges for Primary on 8/9/22. – The Board agreed to adopt the resolution after striking Robert Geisen from the list since he would be unable to vote on the resolution due to conflict of interest, resulting in a lack of quorum. M/S/P McMahon/Geisen (3 ayes). Supervisor Sinclair abstained due to conflict of interest.
- b. Need to reschedule 8/11/22 Meeting – As Supervisor Untiedt will be unavailable to attend the next Board meeting scheduled 8/11/22, it was considered that the meeting may be rescheduled for later in the month. As many other conflicts were discovered, it was decided that the meeting will proceed as scheduled without the participation of Supervisor Untiedt. Another chair will need to be appointed in the meantime.

9. PARK COMMITTEE –

a. Arcola Heights Park

1. Sign replacement. – The hole signs, and directional arrows are damaged and need replacement. Two bids were received, and the Park Committee proposed that the lower bid from Stillwater Printing not to exceed \$325.00 be approved. M/S/P McMahon/Geisen (4 ayes).

2. Tee Boxes – The tee boxes are currently filled with gravel which frequently degrades. The Park Committee proposed filling them with concrete as is the case with other courses in the metro. A bid from Schifsky was submitted for approval, but in discussion the Board chose to table it and revisit in the Spring in the hopes of more favorable concrete prices. DC Maes will contact Schifsky to request another bid be submitted in the Spring.

b. Little Carnelian Park

1. The Committee offered a bid to replace the bollard at the trailhead to discourage motorized vehicles from driving down the trail. The Board approved the bid to purchase the bollard not to exceed \$475. Once received, the bollard will need to be installed much like a post hole. Supervisor McMahon volunteered to assist CM Smith with the installation. M/S/P Sinclair/McMahon (4 ayes).

2. The Committee proposed a \$1,860.63 bid from Schifsky be approved to maintain the trail and protect from recurring washouts. M/S/P McMahon/Geisen (4 ayes).

10. COMMUNICATION COMMITTEE – No Report.

11. OLD BUSINESS –

- a. Fairy Falls Parking Concerns – The Board approved a request from the National Park Service to add six more parking spaces on Orwell Ct. to allow the Park to reopen for day use, provided the spaces are well-defined. M/S/P McMahon/Sinclair (4 ayes).

12. NEW BUSINESS –

- a. HVAC upgrade to Town Hall – The board approved the lower of two bids to replace the HVAC at Town Hall. The winning bid was from Markgraf dated 6/15/22 for \$11,000.00 less Xcel Energy Rebate. M/S/P Geisen/McMahon (4 ayes).

13. ADJOURNMENT – M/S/P McMahon/Geisen moved to Close the Meeting pursuant to Minnesota Statutes Section 13D.05, subdivision 3(b) for a confidential attorney-client privileged discussion of possible litigation involving a potential public nuisance and Township Ordinance violations located on the Haines property (9262 Otchipwe Avenue North, Stillwater, Minnesota 55082) at 9:00 PM

14. MEETING REOPENED – M/S/P McMahon/Sinclair moved to reopen the meeting at 9:30 PM

15. PROPOSED ACTION ON OWB ISSUE – M/S/P McMahon/Geisen moved to approve that Attorney Shepherd draft and serve complaint to Haines Properties.

16. ADJOURNMENT – M/S/P McMahon/Geisen moved to adjourn the meeting at 9:45 PM

Clerk_____

Chairperson_____

Approved_____