

STILLWATER TOWN BOARD MEETING

July 10, 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, Attorney Soren Mattick, Planner Sherri Buss, Engineer Paul Pearson, Park Manager Rick Jacobson and Chief of Police Steve Nelson.

1. AGENDA - M/S/P Countryman/Hiniker moved to adopt the agenda as amended. (5 ayes)
2. MINUTES - M/S/P Untiedt/Hiniker moved to approve the 6/26/08 Stillwater Town Board Meeting minutes as written. (4 ayes, Countryman abstain)
3. ELECTION UPDATE - Clerk Pat Bantli gave an update on the upcoming elections. Filings are from August 26 through September 9 at 5:00 p.m. She reviewed filing procedures.
4. TREASURER -
 - a) Claims and checks #18730 through #18752 were approved for payment.
 - b) The Treasurer should check to see what is the effective date for the IRS mileage increase and make the necessary adjustments on next month's claims.
 - c) The Treasurer will be made aware of short courses for treasurers given by the Minnesota Association of Townships and be asked to get back to the Board if any of the classes are of interest to her.
5. PLANNER -
 - a) Cannon Property/Trellis Weddings Zoning Enforcement - A large quantity of gravel has been placed on this property to build a half-acre parking lot without the required permits. The property was tagged by the Building Inspector, who indicated that all work should stop. A grading permit from the Township would be needed as well as a permit from the Watershed District. The permitting process would be different for a personal use or a commercial use. Despite the Building Inspector's tag, the grading work on the parking lot was completed late last week. The property owner is also operating an "Events" business at the property, which is not an allowed use in the zoning district. Mrs. Cannon was present and she said she believed she had the necessary permits. She had prepared her gardens, etc., for her niece's upcoming wedding and she would like to have other weddings on this property if possible. The Planner and Attorney indicated that an events business use could only be allowed if the Township's Zoning Ordinance were amended to allow it. Mrs. Cannon indicated

that she may have booked three additional weddings at the site. The wedding for her niece does not violate the ordinance, since she is a family member. However, an events business is not an allowed use, and no additional events may be scheduled at the property.

The Board recommended the following:

- 1) Use of the property for a commercial Events business is not an allowed use in Stillwater Township.
 - 2) Mrs. Cannon may apply to the Township to request that they change their ordinance to allow this use; or may apply to the City of Stillwater for Annexation and rezoning of the property to allow this use. Dave Johnson noted that both of these avenues may be uphill battles, and would require public hearings and application processes that are at least several months long.
 - 3) Mrs. Cannon should inform the Planner as soon as she makes a decision about whether she will apply for a commercial use of the property, or discontinue the Events business at her property to conform to Township Ordinances. This decision will determine which Watershed permits are required for the grading activity at the property.
 - 4) The Planner will coordinate the permits with the Watershed District and Township Engineer.
 - 5) The Board requested that she contact the three non-family parties that have requested scheduling a wedding at the property, to determine if any of them can find an alternative site for their event. If some of them cannot find an alternative, the Board has requested that she provide information to them at the July 24 or August 14 meeting about these events - such as the proposed dates and numbers of attendees. The Board will make a decision at that meeting about whether those events might be allowed at the property.
 - 6) The Board noted that the Township's Ordinance provides for doubling permit fees in cases where work was done without obtaining the required permits. The Board has levied these doubled fees in other, similar cases. The Board directed staff to require a double fee in this case, given that a) The initial work was started without obtaining the required permits, and b) additional work on the parking lot was completed, despite the Building Inspector's red tag and staff direction that indicated that no additional work should be done until the required permits had been obtained from the Township and Watershed District.
- b) Comprehensive Plan - The Comprehensive Plan is out for review. The Metropolitan Council has identified certain communities as "Diversified Rural Areas" of which Stillwater Township is one. A meeting had been held by Metropolitan Council to discuss concerns of these communities but Stillwater Township had not been invited. The City of Stillwater's Comprehensive Plan has stated that they do not plan to expand further into Stillwater Township.

The Planner will contact Metropolitan Council to have them reschedule another meeting so that township representatives may attend. There has been previous correspondence with them asking that the map be changed.

6. CHIEF OF POLICE

- a) Harry Firth was present to discuss his concerns about increased traffic and speeding on Minar Avenue. This is possibly a temporary problem as people are using this as a cut through while Manning Avenue is under construction. The neighbors will be asked to attend a meeting at the Town Hall at 6:00 p.m. on Thursday, August 14 to discuss the issue and possible solutions.
- b) Monthly report given.
- c) Bouthilet and Lassonde Residential Kennel Licenses - There have been no problems or complaints for either of these. Susan McMillan will be giving up her residential kennel license.
M/S/P Hiniker/Untiedt moved to approve the Bouthilet and Lassonde residential kennel licenses. (5 ayes)
- d) Stonebridge Trail Speeding - Previously there had been complaints about speeding on the county portion of Stonebridge Trail. The road has been monitored and the speeds do not seem to be excessive. The sheriff and our Police Chief will continue to monitor the situation at least through the next month.

7. ACCESSORY BUILDINGS - HUNTERS RIDGE - Suzanne Schlichting, who is representing a possible purchaser of the property at 11929 Quail Avenue North, was present to discuss the outbuildings on the property. A variance had been granted in 1996 allowing the buildings to remain for a certain period but it had never been followed up on. What is the status of these buildings now? There is a policy statement in the Comprehensive Plan calling for the preservation of historic buildings, but it has not been put into ordinance form. Application should be made to amend the 1996 variance. Review of the application will allow the Board to determine which accessory buildings can remain on the property.

8. ENGINEER -

- a) The grading permit has been held on the Cannon property until the Brown's Creek authority has looked at it and Mrs. Cannon comes to a decision whether to pursue a commercial enterprise. There should be a fine of a double fee since the work had been done without a permit.
- b) Infiltration Specification Review - A new document has been developed that the Engineer would like to send out to developers who have infiltration basins. M/S/P Untiedt/Hiniker moved to adopt the changes to the Infiltration Specification Review as proposed by the Engineer. (5 ayes)
- c) Otta Seal - Jim Hiniker will contact the Langer family residents on 90th Street about the Otta Sealing of their road.

9. COMMUNICATION COMMITTEE - Jim Hiniker reported on the status of the web site changes. The next meeting for the committee will be August 21 at 7:00 p.m.

10. STONES FOR STONE BRIDGE - Linda Countryman reported that a similar bridge in southeast Minnesota had been destroyed by the recent floods and it will be demolished. The stones may be available for the Stone Bridge.

11. ADJOURNMENT - The meeting was adjourned at 9:30 p.m.

Clerk _____

Chairperson _____

Approved _____