

STILLWATER TOWN BOARD MEETING

June 25, 2009

Town Hall

7:00 P.M.

PRESENT: Chairperson Sheila-Marie Untiedt, Supervisors Jim Hiniker, Linda Countryman, David Johnson and Matt Beane, Stillwater Township Clerk Pat Bantli, Deputy Clerk Kathy Schmoeckel, Engineer Paul Pearson and Park Manager Rick Jacobson.

Vikingstad Variance Hearing

Neighbors present: Pat Bantli, Box 2130 Stillwater
John Lays, 12461 Arcola Trail
Frank Vikingstad, 501 N Main St
Mary Petrisko, 9328 Neal Ave N

Frank and Mitzi Vikingstad are requesting a Variance from improved road frontage and minimum lot size requirements for a property located south of Neal Avenue and 92nd Street North with shoreline on North Twin Lake. The property is an existing nonconforming vacant lot of 4.4 acres. The lot has zero frontage on a public improved road. The applicant is also requesting to confine a blanket walkway and drainage easement on the property. Chairperson Sheila-Marie Untiedt opened the public hearing and referred to TKDA's memorandum dated June 19, 2009.

There were the following comments:

- ? Frank Vikingstad - He believes they satisfy the requirements. The previous applicant had a site specific house, but they would like to sell the property without the specific site spelled out although he would expect the house would be built in the same area.
- ? John Lays - He is an adjoining property owner. He originally platted this in 1979. At that time he was given tacit approval for the lot. He had the original signed plat.
- ? Mary Petrisko - She is a neighbor. Currently there is public use of a trail on the 92nd Street road right-of-way. She is concerned there will still be a trail. She has lived there for 41 years and is concerned that the trail would be closed off. She has additional concerns if a trail is established on the lot to provide lake access. There may be a bigger problem on the lake if there is public access granted.
- ? Lays - The easement going down to the lake is not a public easement, but a drainage easement. Sheila-Marie Untiedt - She understands this is an informal access. Linda Countryman - She understands this is a drainage and trail easement. Untiedt - People in the area who have had casual use would not lose this. It is not a boat launch.
- ? Petrisko - She prefers it stays as is.

The public hearing was closed at 7:10 p.m.

Regular Meeting - 7:10 p.m.

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

2. MINUTES - M/S/P Hiniker/Countryman moved to approve the 6/11/09 Stillwater Town Board Meeting minutes as amended. [Toward the bottom of page 7, under Barb Riehle’s comments, change “Waste Management” to “Maroney’s”] (5 ayes)

3. TREASURER

a) Report reviewed.

b) The following claims and checks were approved for payment.

3962	City of Stillwater	\$60,840.04
3963	Keller Woodcraft & Signs	145.00
3964	Maroney’s Sanitation	150.90
3965	MJ Raleigh Trucking Inc	19,909.38
3966	MFRA	14,954.40
3967	Owest	107.64
3968	Reed Business Information	686.34
3969	Stillwater Gazette	47.40
3970	Xcel Energy	95.02
3971	Washington Co. Public Safety	33.34

4. CLERK

a) Post Office - Next Tuesday is the last day for the post office box. Mail will all be forwarded to the town hall address.

b) Ordinances - Two of the three sets have been scanned and they will be returned to the town hall. After they have been returned, we should look into how to better store them.

5. VIKINGSTAD VARIANCE - David Johnson reported that our attorney had advised that there was an undefined easement for drainage and trail on the entire property, which is being addressed in this case, the engineer has defined where the easement should lie. As Mr. Lays had said, a previous board had felt that it was not appropriate to have a cul-de-sac that long and there should be an opportunity for a road to go through. With respect to the trail, Engineer Paul Pearson explained that there are some trees with branches hanging down. Clearing the trail would involve removing brush and trimming limbs. The trail would be grassy. The easement is 10 feet wide, but the trail corridor could be less, say 4-6 feet. With respect to ADA requirements, more research needs to be done.

M/S/P Countryman/Johnson moved to approve the Vikingstad request for a Variance with the conditions stated in TKDA’s memorandum dated 6/19/09 with conditions 1. and 2. removed since they have already been done and condition 5. should read “The applicant shall clear brush, grade as necessary and trim low hanging limbs in a 6 to 8 foot corridor.” (5 ayes)

6. BERGMANN PROPERTY - The Bergmanns have an unauthorized access off of 62nd Street which is creating problems for the neighbors due to traffic. He would have needed a driveway permit. This is a city road, so who would grant the permit? This matter will be referred to the Joint Board. Our planner will contact the City Planner for discussion.

7. ENGINEER -

a) Bituminous Road Maintenance Projects - Paul Pearson reviewed his memorandum dated 6/24/09. He has looked at the road area where the recent accident had occurred on Mendel Road and the curve is well signed. A 30 mph speed advisory sign also exists. We are not intending to realign the road at this time. The bids received were reviewed.

M/S/P Hiniker/Johnson moved to accept Option 2 and to move as quickly as possible. (5 ayes)

b) Culvert Maintenance - Paul Pearson had looked at all culverts to see which ones need maintenance work. Raleigh has provided an estimate of costs for six culverts that need work. Rip rap may not be needed on all of the culverts. Culvert #6 is on a gravel road (Marylane) and it could wait another 5 to 10 years.

M/S/P Countryman/Beane moved to approve the list of culverts to repair with the exception of culvert #6, not to exceed \$15,526. (5 ayes)

c) Otta Seal Maintenance Bond - The Otta Seal work has been completed on 90th Street. One item in the specification required that a two year maintenance bond be provided. Allied has told Paul Pearson that since they reduced their bid from \$16,000 to \$12,500 and since this is an experimental road, they would prefer not to issue a bond. Paul Pearson believes that the risk of a problem on this road is minimal, but the bond was part of the specification. Paul Pearson was instructed to give Allied the option of sending a letter saying that they stand behind their work for the road for the two year warranty period.

8. ORGANIZED WASTE HAULING - This discussion follows the public hearing at the last Town Board meeting. Other calls and mailings have been received.

There were the following comments from the Board:

? Sheila-Marie Untiedt - She expressed concern about the hostile comments that had been made at the last meeting. We are looking for a better way to serve the community. No decision has been made.

? Jim Hiniker - We started the process with the simple goal of keeping costs down. We need to know the facts before we can make an intelligent decision. Is the cost of doing the study worth it? To do the due diligence that citizens expect of us, we need to pursue this process. We can look at specifications that other communities used to develop our own. We can look into this at a very low cost.

? Linda Countryman - After the last meeting, she tried to find educational materials on this subject and found that the PCA where she works had studied the pros and

cons of organized waste hauling. Some reports had said the study was biased in favor of organized hauling and she feels she should recuse herself from this issue.

? David Johnson - He agreed with Sheila-Marie Untiedt’s comments that we want to get the facts on the table. No decision has been made. There is a process that a community must go through to determine if it makes sense or not.

? Sheila-Marie Untiedt - We do have a decision to terminate or go forward.

? Matt Beane - He has the impression that people want to stay with the way it is. No one is calling to complain about their trash hauling.

M/S Hiniker/Johnson moved to accept “A Resolution Announcing Intent to Organize Collection of Solid Waste.” (2 aye, Beane, Untiedt nay, Countryman abstain)

M/S Beane/Untiedt moved to accept “A Resolution Announcing Not to Organize Collection of Solid Waste.” (2 aye, Hiniker, Johnson nay, Countryman abstain)

A resident suggested that the chair can only vote to break a tie. We will check with our attorney to see what needs to be done further.

9. MENDEL ROAD ACCIDENT - Kate Carlson reported that a shrine has been erected where the recent accident had taken place. Can it be removed if it becomes a public safety issue? Chief of Police Steve Nelson will be asked to advise.

10. PARK MANAGER - The Farmers’ Market is going well. There were 9 vendors last week. Park Manager Rick Jacobson will do more advertising and signage.

11. COMMUNICATION COMMITTEE - A sign has been put up by the entrance to the Town Hall and there is a sign on the glass on the bulletin board.

12. FOLDING CHAIRS - After last meeting’s overflow crowd, there was some question as to whether we need additional chairs. We should be able to accommodate about 50 people with the chairs and benches we now have and if we think we may need more, we can borrow from the City of Stillwater.

13. GRANT - Linda Countryman had received a grant application from Dana Jackson for work to be done for the Township by graduate students. Linda Countryman will pursue. More discussion at the September meeting.

14. ADJOURNMENT - The meeting was adjourned at 9:05 p.m.

Clerk_____

Chairperson_____

Approved_____