



LIVONIA TOWNSHIP REGULAR BOARD MEETING MINUTES
HELD AT THE LIVONIA TOWNSHIP HALL
SEPTEMBER 24, 2018

Supervisors present: Doebler, Hass, Hiller, Maloney and Pool.

Staff present: Clerk/Treasurer Hammre, Deputy Clerk/Treasurer Fiedler, Maintenance Coordinator Berghuis

Others Present: Nick Anderson, PE Bogart, Pederson & Associates.

Chairman Hass called the meeting to order at 7:02 pm.

1.1 Pledge of Allegiance: The assembly recited the Pledge of Allegiance.

1.2 Approve Regular Meeting Agenda: Hiller/Doebler unanimous to approve the Regular Meeting Agenda with the following changes: add Item 2.35 Request for Variance; move Item 5.8 to 1.5a.

1.3 Approve Consent Agenda: Doebler/Pool unanimous to approve Consent Agenda as follows and with a correction to Consent Agenda A Item 1.8 as follows: **Item A) August 28, 2018 Regular Meeting Minutes; correction to Consent Agenda A Item 1.8 Correction of Date to read – *The next meeting is scheduled for September 20, 2018;***

1.4 Sherriff's Report: Sgt. Wilson reported there were 214 calls for service in August; the calls included 67 traffic stops, and there were no other concerns for Livonia Township. Wilson reminded Livonia residents to lock their car doors, there has been an increase of thefts of items from cars; Hass asked for continued patrol around North Point Park; Doebler mentioned the increased dumping of garbage in the Township ditches. Discussion followed about this ongoing problem. Hammre provided a document recovered at one dump site and location maps. Hammre also passed along a resident request to increase patrol in the Country Meadows development.

1.5 Fire Report: Fire Chief Maloney provided August calls for service: 4 medical assists, 2 gas leak, 1 motor vehicle personal injury accident, 6 carbon monoxide, 1 fire alarm, 4 arching/down power line, 1 vehicle fire, 1 residential shed (Livonia), 1 residential house fire (Elk River), 1 fire mutual aid. Maloney also reported that about 800 people attended the Fireman's Dance.

1.5a/5.8 Fire Alarm System in Maintenance/Fire Building (Item moved to this position): The fire alarm system in the maintenance/fire building was discussed. Staff will research options for monitoring.

1.6 Engineering Updates: 239th Ave – planning for a March Bid opening, discussion about the progress of trail location and easement progress.

1.7 Road Report: Maintenance Coordinator Berghuis reported that ditch mowing on the east side of the Township and 277th Ave is complete, several trees were removed from the road, and the maintenance team placed rock around the Sugarbush bench, Little Free Library, and the entrance sign. Hass directed Berghuis to seed grass around the North Point Park parking entrance.

1.8 Planning Commission Report- Spencer present to give the PAC report: The Sherburne County Advisory Planning Commission met on September 20th, 2018 and recommended approval for the following requests: Request for Final Plat approval of Heinen Addition – Baldwin Township; request for an IUP for a Gravel Mining Operation under a new property owner – Big Lake Township; Request for Residential Preliminary Standard Plat of Two Rivers – Big Lake Township; Request an Amendment to the Sherburne County Zoning Map to Rezone property from an Agricultural District to an Industrial District – Big Lake Township; Request a Conditional Use Permit to allow an existing Single Family Residence in an Industrial District – Big Lake Township; Request for residential Preliminary Standard Plat Approval of Highland Meadows Third Addition – Livonia Township; Request Residential Final Standard Plat approval of Sleepy Oaks – Palmer Township.

2.1 Wayne Johnson Development: Wayne Johnson present to inform the Board that he has a property under contract in Livonia Township with HWY 169 frontage. Mr. Johnson explained that he is looking at developing a commercial/industrial hybrid property. The Board asked Mr. Johnson several questions about changing zoning, road or Highway access, and what type of business he is planning on locating there. Johnson declined to give details and asked the Board what business they would like to see there. The Board stated that Johnson would need to make that decision.



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He was advised that he would first need to work with Sherburne County on potentially changing the zoning classification and other details and with MNDOT for Highway access. No action taken.

2.2 Request for IUP – Gracik: no one present for this Agenda item. No action taken.

2.3 Request for IUP: Sarah Cook, 26660 104th St NW, Zimmerman, present to request approval for an IUP for a Home Business in an Accessory Building – Dog and Cat Grooming. Ms. Cook explained to the Board that she has been operating a Dog and Cat grooming business in Monticello and now wants to move it to her home. Cook described the building renovation that she is planning, her desired hours, signage, etc. There was discussion about the number of animals expected on the premises each day, the number of employees, prevention of excessive barking, parking, how long animals stay and if there would be boarding. Cook said there would be up to 15 – 20 animals in a day, though they would arrive and leave throughout the day. She also clarified that she has indoor space for animals who will stay for the day while their owners are at work. There will be no overnight boarding. Cook will have 2 full time employees. Cook has a strict policy of preventing excessive barking and dogs are not allowed to be outside while continuously barking. Her facility has enough indoor space to accommodate all of the animals brought in. Cook is also planning on expanding her driveway for parking, though there is rarely more than 2 client vehicles at any one time. The septic system needs were discussed, Cook explained that she will put in a system to accommodate the business as required by Sherburne County Zoning. The last item of concern was the impact on neighbors and potential for headlights disturbing neighbors as they pull into the driveway. Cook stated that she is well screened from her neighbors, but is willing to put in a fence to eliminate any headlight glare. The Town Board was in agreement to recommend approval for the IUP for a Home Business in an accessory Building for Dog and Cat Grooming with the following comments: recommend a fence to be built where needed to shield neighbors from headlights when clients are parking; excessive barking must be controlled.

2.35 Request for Variance: Nic Malchow and Sean Carmichael present to request a 56' Variance in setback from the OHWL of Lake ID #71001800 which is a Natural Environment Lake for Construction of a Detached Garage. Required Setback from a Natural Environment Lake is 150'. Malchow described the project and stated that the location they chose is within the setback, but the only other location is where a septic system would need to be placed if the original system were to fail. Malchow stated that the current septic system is within the OHWL and will need to be moved before the house is sold again. The garage would be constructed to match the exterior of the house. There was also discussion about the need for the property owner to present the plan to the Woodlands HOA. It was also stated that the building will be accessed from the current driveway. Hass/Maloney unanimous to recommend approval for the Malchow Variance Request of 56' from the OHWL of Lake ID#71001800 for the Construction of a Detached Garage. Board Comments include: the proposed garage aesthetically fits the character of the neighborhood; there would be a setback problem on any location on the lot.

2.4 Developer's Agreement: Hammre provided a draft of the Developer's Agreement that reflected the changes recommended at previous meetings and a list of suggested changes based on final staff review, a suggestion from Maintenance Coordinator Berghuis and accounting updates. The additional suggested changes included: the consideration of the requirement of swing-away mailbox posts to make plowing more efficient and to minimize mailbox damage. The Board determined that they would prefer not to make swing-away mailbox posts a requirement of the Developer's Agreement; snowplowing costs to be incurred by the Developer before the roads are accepted by the Township was clarified that the cost is per plowable event or when needed to apply salt/sand. Also requested was the change to the required signage money to pay for street signs, traffic control signs and 911 sign to be determined by "current price" rather than a set price. Maloney also pointed out a correction on the warranty period and percentage retained. These items were all accepted by the Board. Maloney/Pool unanimous to allow the approved changes to the Developer's Agreement to be made, and for the final draft to be sent to the Township Attorney for review.

2.5 Highland Meadows 3rd Addition Development (Maloney stepped down from the Board for this item): Maloney present discuss the options for the cul-de-sac in Harrison Hills that will join with the road to be constructed in Highland



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Meadows 3rd Addition. Maloney stated that he and Hass have not yet met with the affected property owners for removal of the cul-de-sac. The options to remove the cul-de-sac while preserving the driveway were discussed. Discussion then followed about who would be responsible for the cost of removing the cul-de-sac. Maloney stated that he would pay for removal, but a waiver of trespass fee should be paid by the Township. Hass/Hiller unanimous to allow two Supervisors to contact the affected neighbors and decide how to proceed.

2.6 WH Cates Development Update: Engineer Anderson discussed the planned installation of two ponds for water management. He explained the specific requirements of ponds to hold and slowly release or absorb water.

2.7 Sherburne County Public Works HSIP: Engineer Anderson explained the HSIP program that Sherburne County is offering that would allow the Township to participate in if desired. The program provides for a cost savings for edge line striping on **collector roads**. Hass made a motion, unanimous, to direct Berghuis to inventory collector roads and prioritize them. A Committee consisting of Hass, Pool, Berghuis and Hammre would then meet to determine which roads would be included.

3. Open Forum: Brad Brown present to introduce himself as a candidate for MN House of Representatives District 31A.

4.1 Clerk Treasurers Report: Hammre reported items of interest during the past month include: Princeton Vet Clinic is no longer able to be our animal impound facility; the SCAT Meeting Agenda arrived today.

4.2 Approve payment of claims and transfer funds: Hass/Hiller unanimous to approve payment of claims, including payroll, as submitted and to transfer \$127,000.00 from savings to checking to cover claim numbers 8564–8591, check numbers 18486-18524 and Electronic Fund Transfers (EFT) #251-253 (September) Federal, State, and PERA withholding tax.

4.3 Supervisor Reports: Hiller –no report; Maloney –no report; Pool – no report; Doebler – Park Board report: the Park Board recommended that the Town Board ask Maloney if he would grant easement in lieu of park dedication fees for the lots on the north side of the development Highland Meadows Third Addition. This would join an existing trail easement. Maloney was agreeable to the request; discussion about potential board walk connection from Sugarbush Preserve to the Great Northern Trail. Hass – North Point Park parking area is finished and rip rap has been installed around the dock. Discussion about park and road signage. Maloney informed the Board that there is a playground available from Albertville being offered to any government entity who can transport it. The Board agreed to allow Maloney to check into cost if any and make the decision to act on the offer.

5.1 Transportation Plans Comments Requested –Anoka County – The Livonia Town Board has no comments on the Anoka Transportation plans.

5.2 Zimmerman/Livonia Youth Day –Hass informed the assembly that Hass, Pool and Maloney have already held Youth Day on the original date discussed.

5.3 2018 Clean Up Day Report- Hammre presented the final Clean Up Day figures including the Grant that was received from Sherburne County to help pay for costs.

5.4 Orrock Road Agreement- Hass/Doebler unanimous to approve by roll call Resolution 18-15 Accepting the Withdrawal of Orrock Township from the Road Maintenance Agreement between the Town of Orrock and the Town of Livonia for Improvements to Various Township Roads. The Board also was agreeable to entering into a road plowing agreement with Orrock Township to swap the plowing of 255th Ave, 145th St, and 254th Circle in the Mystic Ridge Development area with 142nd St. and 233rd Ave in the Southwest corner of Livonia, a mutually beneficial agreement.

5.5 Minnesota Sportsman's Club Raffle – Hass/Hiller unanimous to allow a raffle hosted by the Minnesota Sportsman's Club to take place within the Township.

5.6 Newsletter Review – the Board suggested a change in the section about increased dumping in Township road right of ways to include instructions to call and report to the office or Supervisors as well as law enforcement.



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5.7 112th Street Final Approval – Doeblor/Hiller unanimous to approve final payment to Knife River for the 112th Street Phase 3 road Project.

5.8 Fire Alarm in Maintenance/Fire Building (this item was moved to 1.5a.)

Doeblor/Pool unanimous to adjourn the meeting at 9:07 pm

Approved this 22nd day of October 2018.

Chairman or Vice Chairman

Clerk/Treasurer or Deputy Clerk/Treasurer