

## **Rochester Township**

### **Board Meeting Minutes**

**May 9, 2024**

**Meeting was call to order at 7:00 pm by Chairman Nathan Clarke.**

**Members present** – Jamie Neisen, Matthew Kitzmann, Nathan Clarke, Michael Melford, Jeff Orth and Randy Staver.

**Guests** – Pat McGowan, Dean Thompson, Brian Mueller, Brandon Theobald and eleven members of the public.

#### **Open Comments**

- There was a resident comment about planting trees to help visually obscure a solar array recently installed on a neighboring property. Michael Melford and Nathan Clarke tried to contact the owner but haven't made contact yet. It was noted that public funds cannot be used to add improvements to private property. Michael suggested that the neighborhood could create a GoFundMe account to collect funds for tree planting. The resident expressed concern about impact on property values. Matt Kitzmann asked if the resident has contact information and if so, could they please share that with the board.

**Minutes** – Jeff Orth moved to approve the minutes for the April 11, 2024 meeting. Michael Melford seconded. All voted in favor and the motion passed.

#### **Deputy's Report –**

- Deputy Dean Thompson stated that there were 43 calls for service over the last month.

#### **Treasurer's Report –**

- Treasurer Randy Staver reported. There was no unusual activity to report.
- A pre-audit meeting will be held on Thursday, May 23<sup>rd</sup> with Michael Melford and Jamie Neisen participating. The formal report will be presented at the June meeting.
- Matt Kitzmann moved approval of the treasurer's report. Jeff Orth seconded. All voted in favor and the motion passed.

**Rochester Township Claims** – Jamie Neisen moved and Matt Kitzmann seconded to accept and pay Rochester Township claims #5507-5522 in the amount of

\$60,627.35. All voted in favor and the motion passed. Randy followed up on how certain bills are divided between Rochester and Cascade townships and paid under Joint Powers. He and Sara are putting together a summary which could be presented at the July JPB meeting.

**JPB Claims** – Jamie Neisen moved and Jeff Orth seconded to accept and pay Joint Powers Board claims #6543-6568 minus claim #6553 and the Rochester Township share in the amount of \$38,76.47 and a payroll share of \$14,555.70. All voted in favor and the motion passed.

**Unemployment Claim** – As a result of an unemployment claim made by Joshua Lien, Joint Powers is being asked to pay an amount to Minnesota Unemployment. Board discussion concerned why this is being paid and whether it can be appealed. Randy will follow up with Sara Rudquist regarding the current status. Until then, payment will be put on hold.

**Road Maintenance Supervisor Report –**

- The surgery for Chris Lien went well.
- Riley Viker will start May 20<sup>th</sup>.
- There is an upcoming LTAP class and Pat, Luke and Riley will attend.
- Pat talked about a lot of road grading taking place and his plan for laying down gravel. Jeff questioned whether we are budgeting enough for gravel materials.
- Nathan Clarke asked about shoulder work on Glenwood Road and wants to ensure that it isn't forgotten.

**2630 Wild Rose Lane SW –**

- Matt Kitzmann talked about the litigation that occurred on April 15<sup>th</sup> in Olmsted district court where the seller was petitioning to enforce the purchase agreement. The judge ruled in favor of the defendant meaning the purchase agreement is voided.
- Matt went on to say that he had been contacted by a builder who stated that the current owner's ex-husband will be taking possession of the property and completing the project. Matt also stated that due to the history of this project, he feels the board should be very involved in monitoring the progress. It was suggested that the township ask Peter Tiede for his opinion.
- Matt moved that the board wishes to review and approve all submittals for the 2630 Wild Rose Lane SW property prior to the zoning administrator approving the request. This would be contingent that Peter Tiede is in agreement. Jamie Neisen seconded. All voted in favor and the motion passed.

## **Land Use Planning Workgroup –**

- No new information to report.

## **8<sup>th</sup> Street Speed Study –**

- Nathan Clarke opened the floor for public comments related to speed on 8<sup>th</sup> Street. Nathan noted a neighborhood survey that had been distributed regarding speed limits. Matt Kitzmann clarified that the discussion this evening is not about speed limits but rather speed control measures.
- Eleven residents who live along 8<sup>th</sup> Street or in the vicinity spoke and were universal in their comments that there is too much speeding along the 8<sup>th</sup> Street corridor. They were also in agreement that speed control measures, such as speed tables, should be installed and that the current 25 mph speed limit be retained.
- One resident asked whether thinning some trees might improve visibility. Others did not think that would slow traffic but would improve visibility. Pat McGowan said that he will take a look at trees and especially those that intrude into the right of way.
- Nathan closed the public comment period.
- Brandon Theobald spoke and stated his role as engineer in evaluating projects even though he is not specifically a traffic engineer. He spoke in support of speed bumps but also said that they may not have the effect of slowing speed along the entire corridor. There may be concerns about noise and he also said they can slow emergency vehicle response. He has not seen speed bumps installed in rural areas but more so in urban areas.
- Brandon will work with Pat to identify the best locations.
- Matt asked about equipment concerns for snowplowing. Pat said that speed tables are somewhat better than speed bumps. There would be signage indicating location of speed tables.
- Pat stated that it would cost approximately \$7,500 to install two speed tables including striping and signage. In response to a question, Pat stated that temporary (removable) speed controls are more expensive.
- Jamie Neisen noted that no one has asked for speed controls along Weatherhill although he pointed out that it is more curvilinear with fewer straight roadways which may naturally control speed. Jamie asked about the number of accidents on 8<sup>th</sup> Street and Deputy Thompson said that he couldn't recall any.
- Matt stated the challenge of evaluating road speed controls in certain areas versus township wide. He stated that there is speeding all over and this issue is not unique to this particular area. He stated that few areas install these kinds of controls.

- Michael Melford stated that in areas where he has lived with speed tables, they are effective.
- Jamie said we would need a policy to help guide where and when speed controls would be used.
- Nathan said that the township could use this area as a test case and revisit at a future point. He said that the cost is relatively small compared to other costs. If other areas ask for controls, then we could respond that this is a test case and that no policy has been established yet.
- Jeff Orth said that it is important to be consistent. Because township costs are socialized, everyone pays.
- Jamie would like to see if some cautionary signs would help. He also said that targeted patrolling could help.
- Michael Melford said that the number of residents showing up demonstrates that speed is clearly an issue and he is willing to listen. He suggested it is worth the cost to install a couple of speed tables.
- Michael Melford moved that the township install a set of two speed tables, with the location to be determined with the assistance of the township engineer, to be evaluated for a period of 24 months as a test case. Jeff Orth seconded.
- Matt Kitzzmann moved to amend the motion and clarify that the board is taking this action 1) due to the uniqueness of the neighborhood, 2) that much of the change is due to increased development in the area, 3) home proximity to the roadway and closeness of driveways, 4) that removal of the speed tables is a possibility, 5) that there would be a moratorium on installing future speed controls until the 24 month test is completed, 6) and that ARPA funds will be used to fund the project. Nathan Clarke seconded. All voted in favor of the amendment. All voted in favor of the original motion as amended.

#### **Land Use Plan Amendment – RES2024\_05\_01 –**

- Jered Staton distributed a report to the board via email regarding changes to the city and county land uses. He is suggesting that it would be premature to adopt this resolution until after further discussion with the city and county.

#### **Waste Hauling - Recycling –**

- In response to a request for pickup of recycled materials, Aspen responded that one (1) 95-gallon container, picked up every other week would cost \$16.90 per month and includes taxes. One (1) 2-yard recycling dumpster, picked up every other week would cost \$71.52 per month and include taxes.
- Matt Kitzzmann moved and Jamie Neisen seconded to contract for one (1) 95-gallon container. All voted in favor and the motion passed.

#### **Presidential Nomination Primary (PNP) Reimbursement –**

- Randy reported that he applied for State funding for reimbursement for the Presidential primary election. The township may be able to recover most of the costs, which were primarily election judge wages.

#### **SLFRF Annual Report –**

- The annual SLFRF report was filed on time. This report details what has been spent from ARPA funds to date.

#### **Annual Reorganization –**

- Randy stated that the edited version of the 2024 reorganization is contained in the meeting packet.

#### **Reports:**

##### **TCPA Report –**

- Jeff Orth reported that they met yesterday. The financials are down some but it is largely due to the current overstaff situation. Some work is being done on billing practices. Matt asked whether we should ask CMS for pricing so that TCPA could in turn set their pricing practices. Jeff also noted some bylaws changes under consideration that will clarify which attendees may vote on TCPA matters.

##### **Board of Appeals & Adjustment Report (Township Board) –**

- There was no additional action requested this month.

##### **Planning and Zoning Commission Report –**

- There will be a meeting on May 21<sup>st</sup> where the draft language for a solar ordinance and solar farm ordinance will be discussed as well as clarifications to the pool ordinance.

##### **Board Chair Report –**

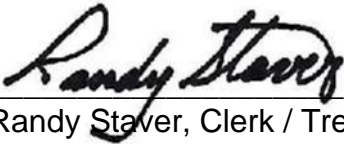
- Nathan Clarke said he had followed up with DNR staff concerning the deer population. Essentially, there isn't much that can be done. There are fewer hunters and the current hunting season cannot be expanded.
- Nathan noted a concern he has heard about a resident locating their trash containers at the end of their driveway close to the roadway. So long as the containers are not in the right of way, there is nothing the township can do absent a specific policy.
- Based on recent incidents where a development sign blew down, he stated that signage should not be allowed in the right of way.
- Nathan said he would like to take a look at the auditing rates from Smith Schafer when the time comes for renewal of the contract.

**Other Business –**

- **Lilly 4 Surety Agreement** – Randy Staver reported that the legal representatives are drafting the appropriate documents. There will be a supplemental development agreement for Lilly Farm 4<sup>th</sup> as well as a deposit account control agreement

**Meeting Adjourned** – Michael Melford moved to adjourn the meeting. Jamie Neisen seconded. All voted in favor and the motion passed. Meeting was adjourned at 10:29 PM.

Respectfully Submitted,



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Randy Staver, Clerk / Treasurer

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Nathan Clarke, Chairman