Becker Town Board Meeting
Regular Meeting 7:00 p.m.
Monday, December 18, 2023
12165 Hancock Street

Attendance
Board members: Brian Kolbinger, Brad Wilkening, Joe Danielson, Robin Boros, Luke Babler, Clerk Lucinda Messman, Treasurer Tanya Danielson, Deputy Clerk Fran Seeley, Deputy Treasurer Marilyn Danielson
Absent: none
Others: Megan Schmidt, Captain Broich - Sherburne County Sheriff's Department, Craig Wensmann for Township Engineer, Ben Wikstrom – Township Planner, Mark Kolbinger – The Patriot Newspaper, Damien Toven – Township Attorney (online), Tony Wruck – Township Engineer, many others in recognition of Fran's last meeting as Deputy Clerk.

Zoom platform was available for any member of the public who wished to attend virtually.

Meeting called to order at 7 pm. Quorum verified by Chair Kolbinger.

Pledge of Allegiance

CONSENT AGENDA ITEMS APPROVED

1. Approval of minutes
    a. Regular Meeting November 20, 2023
2. Approval of upcoming electronic fund transfers/automatic payments.
    a. City of Becker – water/sewer for Town Hall
    b. Xcel Energy – gas/electric for Town Hall
    c. Midco Business – phone and internet
    d. Upcoming EFTS related to payroll
        i. Federal and State Taxes
        ii. PERA
    e. State of MN for building permit surcharge fees
    f. Monthly credit card reader fee
3. Correspondence/Information
    a. MN LTAP Workshops Information
    b. Advocates for Health Outdoor AED Information
    c. Minnesota Equipment Government Day
    d. North Star Company ROW Spraying/Brush Removal
    e. Options Newsletter
    f. Election Notice
4. Approval/Acceptance
    a. Approval of Tri-County Humane Society Dogs Only Contract
    b. Resolution 2023-12 – fee schedule

Motion to approve consent agenda as listed above by Babler. Second by Boros. Motion carried all voting in favor.

Motion to approve a regular agenda after a by Danielson. Second by Babler. Motion carried, all voting in favor.

SHERIFF'S REPORT

Typical month, nothing out of the ordinary.
141 calls for service (167 at this point in 2022 and 230 in 2023)
63 traffic

7:03 pm PUBLIC HEARING – Building Code Ordinance, Pools Amendment

Wikstrom reviewed ordinance change. Above ground pools that are not attached to a house with a deck are becoming more common in the township. The addition of Section 9, item 5 as follows is recommended by staff:

> "Decks, platforms, and other structures that are accessible from ground level and serve as a pool deck or apron for above ground pools shall be equipped with a self-closing, self-latching gate at the top or bottom of the stairs, ramps, or any other access points."

No public comments.

7:05 pm Motion to close public hearing by Wilkening. Second by Boros. Motion carried, all voting in favor.

Motion to approve Ordinance 2023-01: Building Code, Construction Licensing, Permits and Regulation: An Ordinance Amending Section 9, Swimming Pools in the Township Building Code, Construction Licensing, Permits, and Regulation Ordinance by Boros. Second by Babler. Motion carried, all voting in favor.

Motion to approve Summary Ordinance 2023-01: Building Code, Construction Licensing, Permits and Regulation: An Ordinance Amending Section 9, Swimming Pools in the Township Building Code, Construction Licensing, Permits, and Regulation Ordinance by Wilkening. Second by Danielson. Motion carried, Babler – Aye, Boros – Aye, Danielson – Aye, Kolbinger – Aye, Wilkening – Aye. All voting in favor.

OPEN FORUM

- None

PLANNING COMMISSION/JOINT PLANNING BOARD UPDATES – Wikstrom

- Activity
  - Planning Commission this month – request to allow shipping containers. Discussion regarding having as Accessory Structures occurred. Currently in the research phase to locate other ordinances that allow them. Last time there were not any, so looking again. In very early stages.
    - Supervisor Babler: Also check to find out about painting them to look nice without the lettering. These are good containers that are affordable.

        - The following items were discussed/instructed for staff to look into
            - Paint
            - Placement
            - Aesthetic
            - City of Becker allows long term with IUP vs. Administrative permit
        - Supervisor Wilkening: If we can come up with a good ordinance, this is a simple process to put into place as they are not harming anyone.
    - Comprehensive Plan discussion started. It needs updating. Last updated in 2014. Will review section by section.
- **Motion to approve Resolution 2023-27, appointing Brian Kolbinger and Frank Kasowski, Jr. as Members of the Town Planning Commission by Babler. Second by Danielson. Motion carried, all voting in favor.**

ENGINEER'S REPORT – Wensmann (for Tessmer)

- 97th Street
    - Payment approval required – quantities are in order – payment #5
    - **Motion to approve payment in the amount of $5,187.62 and chair to sign required paperwork by Boros. Second by Danielson. Motion carried, all voting in favor.**

Sherburne County/City of Becker Request - Trails

Sherburne County and the City of Becker have requested Township support for a grant application that will go to the MN Department of Transportation Active Transportation Grant Program in February.

This has been brought to the board before. Trail to be located in the County Road 23 Right-of-way. It would abut Township parcels, one of which would end up as a "corner lot" with trails on two sides.

Supervisor Babler contacted 4 of the 9 residents directly. They are not in favor of the trail that would be abutting Township residential properties only. The concerns brought forth include:

- Who maintains these trails.
- Who will have to clear the snow.
- Who will handle complaints/trash thrown onto the parcels/abuse of the private landowners property when trespass occurs?
- There are two other existing accesses/trails to the park now, why not use those? This would be a 1.42 mile trail – one through Autumn Ridge that currently exists would be only .42 miles (roughly) to pave.
- Remember grants are not "free" money. Taxpayers are paying for them.
- Why here when there are other viable locations?

- What is the impact to wetlands through this area. There are some issues with culverts getting plugged up and then and backing on the existing trail that runs along Edgewood, how will this be different?
- There are no sidewalks on the section of 103rd Street SE that is township. There are no plans for them as township residents do not have sidewalks. There is no shoulder either and it is a heavily used road. Why would a trail go along the side of this property located just north of the City Park?
- Can they locate the trail in one of the other two existing locations and light it?

Several residents whose parcels would abut the trail were present to voice their opposition to the trail.

- Seems a very poor choice to put in this location when there are other locations that are safer and not along major roadways.

Motion to table any trail discussion by Boros. Second by Danielson. Motion carried, 4-1-0. Supervisor Babler voting against.

SUPERVISOR REPORTS

Fire Board – Supervisor Babler

- Routine meeting.
- City deeded the Fire Hall to the to Fire department.
- Fire board is now controlling everything to do with fire department. The elected officials, appointed by their individual entities, make up the fire board.

River Crossing Group – Sanders/Supervisor Kolbinger

- CMRP – plans for river crossing.
  - Changing to a non-profit – that work continues.
  - By law changes and administrative items to handle fires.
- PEL Study
  - In process.
  - Community engagement and public outreach are coming – see the web page as it will let people know the processes involved.
  - Necessary study to get funding for a river crossing.

Roads – Supervisor Boros and Supervisor Danielson

- Fire signs that had issues are going in. 95% complete at this point.
- Brush control will be done. Contractor to trim back to get sun on the roads.
- Meeting with William for CIP to get the numbers and see how to best allocate the available funds

Facilities

- **Gazebo**
  - Can parks funds be used? Not to fix the gazebo, but to add benches or improvements, yet.

- **Motion to use parks money to house a few benches by Boros. Second by Babler. Motion carried, all voting in favor.**

- **American Legion Building**
  - Security for the Legion – there are options available. People dumping trash around the DAV donation box. That is for clothing/shoes only.

Treasurer's Report

- 2024 Budget work is coming along and proceeding as directed by the Board at the Budget meeting. Plan to bring forward final version for approval at the January meeting due to error found just prior to this meeting.
- **Motion to approve Treasurer's Report as presented by Boros. Second by Babler. Motion carried, all voting in favor.**
- **Motion to approve payment of**
  - **Warrants 16278-16313**
  - **PO's 15393-1599**
  - **in the amount of $ 337,137.58 by Wilkening. Second by Boros. Danielson – abstained as his company had submitted an invoice. Motion carried all voting in favor. Motion carried 4-0-1.**

Other

- Local Board of Appeal and Equalization date is ok, send response to county.
- Thank you to Fran Seeley for her past 7 years of service as this is her final meeting in the capacity as Deputy Clerk.

Meeting Adjourned 7:37 pm.

Brian Kolbinger, Chair

Lucinda Messman, Clerk