AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, NOVEMBER 12, 2019
7:00 PM IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL: *PLEDGE OF ALLEGIANCE*

2. APPROVAL OF AGENDA: *Agenda items are generated by the Mayor and Council a week before a City Council meeting.*

3. APPROVAL OF THE MINUTES

A. Minutes of the Regular City Council meeting on October 22, 2019

4. VISITORS AND PRESENTATIONS

5. PUBLIC HEARINGS: *If you are here for a Public Hearing, please sign in at the entrance before the meeting begins. When called to the podium, please talk into the microphone and state your name and address for the record. All comments/questions shall be directed to the Mayor and Council.*

6. LAND USE

A. **Consent:** *Land Use Consent items were unanimously passed by the Planning Commission and otherwise non-controversial. These items are not discussed unless they are pulled by staff or Council from the Land Use Consent Agenda at the beginning of the meeting. A citizen should make this request to staff or Council before the meeting is called to order, otherwise these items are passed by one motion and an affirmative vote of a majority of Councilmembers present.*

1. **Consideration of a Planning Commission recommendation regarding a request by Mike Belz for a Recombination Subdivision and 4 variances (Case No. 19-1-LS & 19-10-V)**
2. **Consideration of a Planning Commission recommendation regarding a request by the Lightfoot and Larrive families for a Recombination Subdivision (19-2-LS)**

B. **Non-Consent:** *Land Use Non-Consent items that require a public hearing or that were not unanimously passed by*

the Planning Commission are placed here to provide an opportunity for additional public input.

1. **Consideration of a Planning Commission recommendation regarding a request by Bruggeman Builders for a variance (19-9-V)**
2. **Consideration of a request by Lotus Recovery to amend the Municipal Code as it relates to group care facilities with seven or more individuals (19-6-Z)**

7. UNFINISHED BUSINESS

8. ORDINANCES:

Ordinances undergo first and second readings before they are voted on by the Council. The first reading is an introduction of the item and a chance for Council to discuss with staff. The second reading is typically held one month later to allow time for public review. Public comment is taken at the second reading.

A. Second reading of a request by Mike Belz to rezone the property at 2105 1st Street from B-4; General Business to R-4; Single Family - Two Family Residential (19-5-Z)

B. First reading of a City-Initiated request to amend the Sign Code to allow Drive-Thru signs to utilize dynamic display style sign faces (19-7-Z)

C. First reading of an amendment to the Winter Parking Ordinance

D. First reading of adoption of the 2020 annual fee and utility rate schedule

9. NEW BUSINESS

A. Resolution approving special event request by the Hockey Association for exclusive use of Podvin Park ice rink

B. Resolution in support of Ramsey County's FTA Grant Application for Advanced Station Area Planning along the Rush Line Bus Rapid Transit corridor

C. Resolution approving construction of a food scraps recycling (organics recycling) dumpster at Public Works

D. Resolution approving professional services contract for electrical inspections

E. Resolution canvassing election results

10. CONSENT:

Items under Consent are considered routine and non-controversial and are approved by one motion and an affirmative vote of a majority of Councilmembers present. Items are not discussed unless they were pulled by staff or Council at the beginning of the meeting. A citizen should make this request to staff or Council before the meeting is called to order.

A. Acceptance of minutes; September Environmental Advisory Commission; September Parks Advisory Commission; September White Bear Lake Conservation District; October Planning Commission

B. Resolution authorizing Score Grant funding allocation and application

C. Resolution accepting donation of a pontoon

D. Resolution approving special assessment

11. DISCUSSION: *Discussion items are intended for Council discussion, not action, and are not open for public comment.*

12. COMMUNICATIONS FROM THE CITY MANAGER

13. ADJOURNMENT

All Council meetings are broadcast live on Channel 16 and streamed live online at www.whitebearlake.org/mayorandcitycouncil.

If you require special accommodations, please contact the manager's office at least 96 hours in advance of the meeting: clerk@whitebearlake.org, or (651) 429-8508. Assisted Listening Devices are available for check-out in the Council Chambers.

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, OCTOBER 22, 2019
7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

Mayor Jo Emerson called the meeting to order at 7:00 p.m. Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh were present. Staff members present were City Manager Ellen Hiniker, Assistant City Manager Rick Juba, City Engineer Paul Kauppi, Community Development Director Anne Kane, Finance Director Kerri Kindsvater, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on October 8, 2019

It was moved by Councilmember **Biehn,** seconded by Councilmember **Edberg**, to approve the Minutes of the Regular City Council Meeting on October 8, 2019.

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

City Manager Hiniker added Tobacco 21 to Discussion.

It was moved by Councilmember **Edberg,** seconded by Councilmember **Jones**, to approve the agenda as amended.

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

A. Swearing in of Keirsten Englund

Police Chief Swanson introduced Keirsten who began last year as a White Bear Lake Reserve Officer, then as a Community Service Officer. No doubt inspired by her mother, a well-respected Commander on the St. Paul Police Department, Keirsten acquired her law enforcement degree at Century College and rose to the rank of Staff Sergeant after six years in the Air Force Reserves.

The City Clerk administered the oath of office to Officer Keirsten Englund. Her badge was pinned by her son Maddox and her step father Pat and boyfriend Bronson.

B. Robb Olson – Prosecuting Attorney

The City's Prosecuting Attorney, Robb Olson, handles speeding tickets, ordinance

violations, DWI and domestic assault cases. Mr. Olson noted a 70% conviction rate of 64 total cases in 2018. He mentioned that 83% of domestic violence cases were people with mental health and/or substance abuse issues. To more proactively address mental health issues, he pointed to the City's recent shared employment with multiple departments of a mental health case worker, Kristina.

Mr. Olson introduced Attorney Luke McClure, who provided a couple of examples of recent severe mental illness and chemical dependency cases. Mr. McClure noted one case in which mental health services, counseling and probation was sought rather than conviction in the hopes of helping these folks stay out of trouble, rather than punishing them.

C. AV Pilot Project

City Manager introduced Daryl Taavola an Engineer with AECOM, whose staff prepared a grant application to the Minnesota Department of Transportation (MnDOT) for an automated vehicle (AV) pilot program on behalf of the City of White Bear Lake.

Mr. Taavola covered reasons for the AV project including improved safety, increased mobility and societal benefits. He noted this project is unique as it not only demonstrates AV technology, but incorporates partnerships with the White Bear Lake School District's Career Pathway program and a local non-profit transportation provider for persons with disabilities and the aging.

The goal of the program, Mr. Taavolla said, is to conduct a 12-month AV shuttle pilot in all-weather operations which would be accessible to persons with disabilities and the aging population, and include and an AV education and work force development component.

Mr. Taavolla said the AV route extends 1.5 miles, running between Phoenix Alternatives and the White Bear Area YMCA, connecting Willow Lane Elementary School, Willow Wood Apartments, and The Boulders Senior Living facility along the route. He noted convenient proximity to the future proposed Rush Line route, White Bear Lake Area High School and Newtrax, the company that will attend to the vehicle.

City Manager Hiniker referenced two recent neighborhood meetings with limited questions. She stated that the vehicle will have a certified attendant at all times. She also clarified that the City is acting as the lead agency receiving the funds and disbursing payments per the contract, while AECOM would serve as the project manager. Liability, she explained, would be the responsibility of the AV vendor.

In response to Councilmember Walsh, Mr. Taavolla stated that the legislature has appropriated approximately $3.5 – $4 million for a MnDOT Cap Vehicle Challenge grant program to seek innovative pilot projects to further AV technology in the state in Minnesota.

5. PUBLIC HEARINGS

A. Resolution adopting assessment roll for 2019 Street Reconstruction Projects (Project No. 19-01 & 19-06)

City Engineer Kauppi stated this is a continuation of the assessment hearing and

recapped the procedure, which was detailed during the October 12, 2019, City Council meeting.

He mentioned receipt of a total of six objections of which five were corner lot alley assessments and the sixth was a separation of water service from a neighbor's line.

Mayor Emerson opened the public hearing at 7:49 p.m.

Berry Cool of 4830 Johnson Avenue asserted that corner lots do not receive the same benefits as those with garages and driveways on the alley. He mentioned emailing the Council with another option to weight alley assessment calculations.

Mayor Emerson closed the public hearing at 7:50 p.m.

Councilmember Edberg expressed concern over the relatively new alley assessment policy and asked for a work session discussion on this topic.

It was moved by Councilmember **Jones,** seconded by Councilmember **Engstran** to adopt **Resolution No. 12462** adopting assessment roll for 2019 Street Reconstruction Projects (Project No. 19-01 & 19-06).

Motion carried 4:1. Councilmember Edberg nay.

B. Resolution establishing the Downtown Area Special Service District Levy for the years 2020 and 2021

Community Development Director Kane reported, in 1992, the City in coordination with the Main Street Group helped establish one of the state's first special service district (SSD). Per state statute, she said, a petition was submitted to the City in favor of the levy and tonight is the public hearing to consider the levy. Ms. Kane explained that the special service district allows the City to establish an annual levy, which is collected with real estate taxes from all business properties in the district. The levy, she said, would be set at $45,000 and funds marketing, promotion and beautification of the downtown area.

It was moved by Councilmember **Jones,** seconded by Councilmember **Engstran** to adopt **Resolution No. 12463** establishing the Downtown Area Special Service District Levy for the years 2020 and 2021.

Motion carried unanimously.

C. Resolution establishing and imposing special assessment for the year 2020 with no interest on taxable property within the Birch Lake Improvement District

City Manager Hiniker explained that he Birch Lake Improvement District (BLID) began in 2006 pursuant to state statutes and a petition from the lakeshore property owners. The district's mission is to develop, finance and implement activities that improve and protect the quality of Birch Lake. The originating documents authorize the district's Board of Directors to approve an annual service charge not to exceed $25,000.

The 2020 Budget for the Birch Lake Improvement District requests a service charge of $19,000 for calendar year 2019, collectible in 2020. The City mailed a public notice to

affected property owners on October 4, 2019 notifying them of the proposed $306 annual service charge to all property owners with access to Birch Lake.

Steve Laliberte of 1387 Highway 96 has lived on Birch Lake for 20 years. He reported this is the 13th budget submitted by the improvement district. Initiatives include water quality management, fish stocking and mowing weed growth in the shallow lake with a harvester that is getting old and leaking. Mr. Laliberte also relayed a priority to get a walkway along Otter Lake Road when the County next improves that road.

In response to Councilmember Edberg, Mr. Laliberte stated they purchased the harvester about nine years ago for $30,000. He relayed that this equipment is stored much of the year and their group is exploring cooperative agreements for its use.

Mayor Emerson opened the public hearing at 8:17 p.m. As no one came forward to speak, the public hearing was closed.

It was moved by Councilmember **Biehn,** seconded by Councilmember **Engstran** to adopt **Resolution No. 12464** establishing and imposing special assessment for the year 2020 with no interest on taxable property within the Birch Lake Improvement District.

Motion carried unanimously.

D. Resolution certifying delinquent charges related to the municipal utility system assessment

Finance Director Kindsvater reported, the City bills property owners or renters for water, sewer and refuse utilities on a quarterly basis, with payments due within 35 days. She explained that accounts with outstanding charges beyond 30 days are reviewed as of June 30 each year to determine the amount to be certified to the appropriate County Auditor. She stated that delinquent notices are mailed to outstanding accounts and payments are accepted until November 30th.

Ms. Kindsvater forwarded for Council's consideration, a resolution authorizing the City to forward to the County any delinquent accounts still not paid by the end of November so they may be assessed to the property owner.

Mayor Emerson opened the public hearing at 8:19 p.m. As no one came forward to speak the public hearing was closed.

It was moved by Councilmember **Jones,** seconded by Councilmember **Engstran** to adopt **Resolution No. 12465** certifying delinquent charges related to the municipal utility system assessment.

Motion carried unanimously.

E. Resolution certifying delinquent 2019 miscellaneous private property assessment for recovery of city expenses

Finance Director Kindsvater stated there are certain services the City covers on behalf of homeowners such as tree removal and lawn care that is not taken care of by the property owner. The City then invoices these services to the homeowner for payment, however Ms. Kindsvater noted, six are still unpaid. She explained the homeowners have

been noticed of the delinquency and have until November 30 to settle their account. She asked Council for approval to certify amounts delinquent after November 30, 2019, to taxes.

Mayor Emerson opened the public hearing at 8:21 p.m. As no one came forward to speak, the public hearing was closed.

It was moved by Councilmember **Biehn,** seconded by Councilmember **Jones** to adopt **Resolution No. 12466** certifying delinquent 2019 miscellaneous private property assessment for recovery of city expenses.

Motion carried unanimously.

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

A. First reading of an ordinance amending Article VI of the Municipal Code by adding chapter 608 temporarily prohibiting the use of motorboats on East Goose Lake

City Manager Hiniker reported, the Vadnais Lake Area Watershed Management Association (VLAWMO) applied for a grant toward an alum treatment to mitigate internal phosphorus loading in East Goose Lake. She said, in order to proceed with an alum treatment, VLAWMO is requesting that the City enact an ordinance to restrict motorized boating for at least three years. Ms. Hiniker pointed to the Ordinance restricting motorboats on East Goose Lake and mentioned tonight is first reading and at Council's request, there will also be a public hearing in which VLAWMO and Goose Lake Homeowners have an opportunity to speak.

Dawn Tanner the Program Development Coordinator at VLAWMO provided a detailed presentation regarding the need for an alum treatment of East Goose Lake, which was identified as the most impaired lake in Minnesota by Minnesota Pollution Control Agency. She stated that boat traffic restrictions are the request of the Board of Water and Soil Resources in order to limit disruption of bottom sediments to allow for effective alum treatment and the potential of de-listing the lake. Ms. Tanner stated, with regard to Waste Load Allocations for MS4 Permitting, the City is responsible for reducing 72 lbs of phosphorus/year between East and West Goose Lake.

Councilmember Walsh asked for clarification regarding the length of treatment time. Greg Wilson, with Barr Engineering stated that the alum bond to phosphorous is permanent. He estimated in his feasibility study the alum treatment would last 10-15 years until new sediments cover the alum and phosphorous continues to enter the lake. Councilmember Walsh noted the lake is 88% internally loaded, and for that reason the introduction of new phosphorus from external sources is unlikely. Mr. Wilson agreed and stated that is why this treatment is expected to be successful in East Goose Lake.

Mayor Emerson understood the lake is shallow, but questioned the need to restrict boating for three years as there are few boats on this lake. Mr. Wilson stated that BWSR, who is administering the grant funds for alum treatments, wants some assurance as to its success. He asserted that the requested boating restrictions are part of the recipe for a successful alum treatment.

As a headwater, Council Edberg asked, what percentage of the phosphorus coming into Vadnais Lake results from external load originates in East Goose Lake. Ms. Tanner stated this has not been studied. In response to Councilmember Edberg's statement that Kohlman Lake appears comparable and was successfully treated with alum despite no boat restrictions, Ms. Tanner clarified that Kohlman Lake is 12 feet deep, while East Goose Lake is 7.4 feet.

Councilmember Biehn received confirmation from Mr. Wilson that, as a headwater, not treating East Goose Lake means the current system remains unchanged at four times the water quality standard, but does not get worse, or exacerbate problems further downstream. Ms. Tanner added there are wetlands in the system that are exporting nutrients as they are overloaded in the system. She mentioned a re-meander project of Lambert Lake, to help overloaded Lambert Creek, would be more effective if East Goose Lake was treated.

Councilmember Edberg inquired about MS4 Permitting and the City's requirements. Ms. Hiniker noted the City does have statutory obligations outlined in the permitting process. City Engineer Kauppi noted the City has requirements for reducing Total Maximum Daily Load (TMDL) of impaired waterbodies such as this in order to obtain its sewer permitting.

Lindsay Carpenter, 1947 Rishworth Lane provided a presentation on behalf of 19 Goose Lake residences and its four ski boats and one pontoon. She noted the lake has improved, citing loons and VLAWMO's graph showing declining phosphorus levels since 2001. She asserted this was as a result of recreational use on the lake and made following key points:

- alum treatment is not the right fit (expensive, toxin, temporary, weeds will result, bullheads will disrupt, no other options can be applied)
- if alum is applied, there is no need to remove boats (Half Moon Lake, WI – lake quality declined after removing boats; shallow Kohlman Lake had more boats and the Barr Study mentioned nothing about boat removal; also she stated that horsepower had no relationship to mixing depth)
- if boats are removed, property values will be devastated (reasonable expectation of boating would be taking away as a property use and diminish property values)
- e-coli and bacterial concerns happen in lakes that are stagnant, and there have been no reported health issues in Goose Lake

Ms. Carpenter stated the ordinance to restrict boats is premature to the BWSR grant application, which was submitted with no mention of boat restrictions. She stated it is the Goose Lake residents as the stakeholders taking all the risk and requested the public hearing be postponed to allow sufficient time to further review the science.

Jill Simms, Great Lake Policy and Engagement Manager for the National Marine Manufacturer's Association (NMMA) – the leading trade association for the recreational boating industry in North America introduced herself. In Minnesota, she

stated, recreational boating supports 11,000 jobs across 690 businesses with an annual economic impact of $3.1 billion. She encouraged the Council not to restrict motorized access on East Goose Lake for an alum treatment and cited other successful treatments in shallow lakes as well as declining property values.

Paul Gartzke of 4189 White Bear Avenue stated he is the newest resident on the lake and understood it was impaired when they purchased. He stated there had been no precedence for removing boats from the lake for treatments and expressed concern over boating restrictions, even beyond three years. He noted he wanted to raise his family here, in part, because of Goose Lake.

Scott Shoeneman of 1971 Rishworth Lane conveyed that East Goose Lake is the right lake for him to raise a family. He mentioned recent significant investments in his property and boating equipment and the reason he lives on East Goose Lake is to water ski. Mr. Shonneman noted that eight months ago VLAWMO was not even looking at an alum treatment as too expensive and now they are suggesting boats be removed for it. He stated that if residents cannot boat on the lake, they will leave and he asked that his right to access Goose Lake not be taken away.

Melissa Laughlin representing Cabin 61 owners, Cabin 61 LLC and Goose Lake Development Group LLC. She stated her ownership group are comprised of avid water skiers who bought Cabin 61 at 4150 Hoffman Road for recreational use of the lake. She expressed concern over the precedent of government removing recreational use of the lake from property owners. She reported, the Goose Lake Development Group cares about and wants to improve lake quality. To that end, they had applied for a grant with VLAWMO to work on natural vegetation to support the lake, but have been declined with each proposal even though VLAWMO assisted with its design. As business owners on the lake, Ms. Laughlin encouraged the Council not to restrict lake access and use.

Jon Paul Grubs of 2249 2nd Street expressed concerns over boating restrictions in East Goose Lake spreading to West Goose Lake and affecting the ski community. He noted, since 1995 the Ski Otters have been a part of the community and if boating restrictions are established they would need to relocate, or collapse entirely, which should be a concern to the community. The Ski Otters run clinics and provide entertainment in White Bear Lake. He noted a decline in property values and lifestyle of homeowners on East Goose Lake in the absence of boating.

Kristi Skillings, representing 136 Ski Otter members, 106 of whom are active water skiers and 30 working behind the scenes. She noted the group is made up of about 35 families, with approximately 2/3rds of those coming into White Bear Lake multiple times per week, four months out of year, in addition to the spectators. She cited VLAWMO's 2012 recommendations about negative effects of water skiing on internal loading and the need for restricted time and duration of boating. She also cited Barr's recommendation for alum treatment of West Goose Lake and explained that although West Goose Lake is not on the table now, this precedent to restrict access on East Goose Lake is a concern. Ms. Skillings stated she experiences no negative health effects after 25 years of lake exposure, nor does her 16 and 18 year old sons.

Mayor Emerson closed the public hearing at 10:12 p.m.

Councilmember **Walsh** made a motion to pull the ordinance from further

consideration, seconded by Councilmember **Biehn** for purposes of discussion.

Councilmember **Edberg** made a motion to table this action until such time the grant award is known at which time this may be scheduled for second reading, seconded by Councilmember **Walsh**.

Motion carried. Councilmember **Jones** nay.

9. NEW BUSINESS

A. Resolution providing benefits for employees of the City of White Bear Lake who are not covered by employment agreements

It was moved by Councilmember **Jones,** seconded by Councilmember **Biehn** to adopt **Resolution No. 12467** providing benefits for employees of the City of White Bear Lake who are not covered by employment agreements.

Motion carried unanimously.

10. CONSENT

A. Resolution establishing 2020 polling place designations. **Resolution No. 12468**

B. Resolution approving special assessment. **Resolution No. 12469**

It was moved by Councilmember **Engstran,** seconded by Councilmember **Biehn**, to approve the consent agenda as presented.

Motion carried unanimously.

11. DISCUSSION

A. Tobacco 21

Mayor Emerson spoke with three of four neighbors regarding institution of a tobacco 21 ordinance. She stated one would follow, one was going to wait for the State to take action and the third was unsure.

Councilmember Biehn preferred the State take on this action. Councilmember Walsh believed the State was going to act on this soon.

12. COMMUNICATIONS FROM THE CITY MANAGER

- Volunteer Recognition Dinner is 6:00 p.m. on Tuesday Oct. 29, 2019 at the BoatWorks
- November 19th is the last work session of the year, discussion of non-general funds
- MPCA reported zero airborne lead contamination by Water Gremlin (Councilmember Jones mentioned soil and water findings are not meeting standards)
- Potential for lead in homes brochure mailed to residents and FAQs have been established as a result of recent water testing
- Resolution to accept a grant from Ramsey County to place an organics collection site at Public Works will be on the next Council agenda

13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Biehn,** seconded by Councilmember **Walsh** to adjourn the regular meeting at 10:28 p.m.

Motion carried unanimously.

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

City of White Bear Lake
Community Development Department

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Anne Kane, Community Development Director

Date: November 12, 2019

Subject: **Belz Lot Split – Case No. 19-1-LS & 19-10-V**
2105 1st Street

REQUEST
Approval of a Minor Subdivision (lot split) to create a new residential lot and variances from the minimum lot area and width for parcels located within the Shoreland Overlay District.

SUMMARY
No one from the public spoke to the request. On a 5-0 vote, the Planning Commission recommended approval.

RECOMMENDED COUNCIL ACTION
Approval of the attached Resolution.

ATTACHMENTS
Resolution of Approval

RESOLUTION NO.

RESOLUTION APPROVING A MINOR SUDIVISION WITH CERTAIN CONDITIONS AND FOUR VARIANCES FOR 2105 FIRST STREET WITHIN THE CITY OF WHITE BEAR LAKE

WHEREAS, a proposal (19-1-LS & 19-10-V) has been submitted by Michael Belz to the City Council requesting a minor subdivision from the City of White Bear Lake Subdivision Code at the following site:

ADDRESS: 2105 First Street

EXISTING LEGAL DESCRIPTION: Lots 6 and 7, Block 1, Murray Grove Subdivision, Ramsey County, Minnesota. (Property Identification # 143022430015)

WHEREAS THE APPLICANT SEEKS: The approval of four variances:

- A 20 foot variance from the 80-foot lot width requirement for Parcel A;
- A 2,492 sq. ft. variance from the 10,000 square foot lot area requirement for Parcel A;
- A 20.42 foot variance from the 80-foot lot width requirement for Parcel B;
- A 1,004 sq. ft. variance from the 10,000 square foot lot area requirement for Parcel B; and
- A Minor Subdivision, per Section 1407.030, to split one parcel into two historic lots of record – Parcel A being 60 feet wide and 7,508 sq. ft. in size and Parcel B being 59.58 feet wide and 8,996 sq. ft. in size.

PROPOSED LEGAL DESCRIPTIONS:

Parcel A: Lot 6, Block 1, Murray Grove Subdivision, Ramsey County, Minnesota.
Parcel B: Lot 7, Block 1, Murray Grove Subdivision, Ramsey County, Minnesota.

WHEREAS, the Planning Commission has held a hearing as required by both the Zoning Code and the Subdivision Regulations on September 30, 2019;

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variances and minor subdivision upon the health, safety, and welfare of the community and the Comprehensive Plan, as well as any concerns related to traffic, property values, light, air, danger of fire, and risk to public safety, in the surrounding area;

NOW, THEREFORE, BE IT RESOLVED by the City of White Bear Lake that the City Council finds that the variances and minor subdivision abides by the intent of the city's ordinances, codes, and the Comprehensive Plan; and

FURTHER, BE IT RESOLVED by the City Council of the City of White Bear Lake, that for the lot split, the City Council accepts and adopts the following findings of the Planning Commission:

1. The proposal is consistent with the City's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. Because of the associated variances, the proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. Traffic generation will be within the capabilities of the streets serving the site.

FURTHER, BE IT RESOLVED by the City Council of the City of White Bear Lake, that for the variances, the City Council accepts and adopts the following findings of the Planning Commission:

1. Because the resulting lots will be more than 70% of the size and width requirements of the code, the requested variances will not:
   a. Impair an adequate supply of light and air to adjacent property.
   b. Unreasonably increase the congestion in the public street.
   c. Increase the danger of fire or endanger the public safety.
   d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.

2. The variances are a reasonable use of the land or building.

3. Although the proposal is consistent with the development pattern of the immediate neighborhood, the non-conforming uses of neighboring lands, structures, and buildings in the same district are not the sole grounds for issuance of the variances.

FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake herby approves the variances and minor subdivision subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.

2. The requirement for a hard-shell plat is waived.

3. Existing overhead utilities shall be buried and the appropriate easements recorded.

4. The home on Parcel A shall not exceed 30 feet from ground grade to peak. If Parcel B is ever reconstructed, this same height limit shall apply.

5. The driveway for Parcel A shall access First Street and the garage shall be located in the side or year yard only – not in front of the home.

6. Parcel B currently drains on to Parcel A. When Parcel A is developed, this additional stormwater runoff shall be reflected in the grading plan.

7. Raingarden design for Parcel B shall be finalized prior issuance of a Building Permit for Parcel A.

8. Within 60 days after the City Council approval of the sketch plan, the applicant shall supply to the City Planner a revised Certificate of Survey for both lots, including all legal descriptions, dimensions, and easements/dedications (consistent with the approved sketch plan) or the subdivision shall become null and void.

9. Within 90 days after approval of the revised Survey by the City Engineer, the applicant shall record the Survey along with the instruments of conveyance with the County Land Records Office or the subdivision shall become null and void.

10. The applicant shall provide the City with proof of recording (receipt) as evidence of compliance with condition #3.

11. The applicant shall provide the City Planner with two final, approved and recorded copies of the Certificate of Survey within 120 days after the date of recording.

12. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year in which to set the monuments.

13. Park Dedication shall be due for the new lot when a building permit is issued for the construction of the new residence on Parcel A.

14. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit for Parcel A.

15. Water and sewer hook-up fees shall be collected for Parcel A at the time when a building permit is issued.

16. A tree preservation plan for Parcel A shall be submitted for review and approval prior to the issuance of a building permit for the new residence.

17. No construction permits may be issued for improvements on Parcel A prior to approval and recording of the instruments of conveyance with the Ramsey County Recorder's Office.

18. The applicant shall agree to reapportion any pending or actual assessments on the original parcel or lot of record in accordance with the original assessment formula on the newly approved parcels in accordance with the City of White Bear Lake Finance Department schedules.

19. The amount of accessory uses and structures in the rear yard of both Parcel A and Parcel B shall not exceed 25% of the rear yard area.

20. The Shoreland Overlay district limits the amount of impervious area on both Parcel A and Parcel B to no more than 30% of the lot area.

The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

Approval is contingent upon execution and return of this document to the White Bear Lake Planning Department.

I have read and agree to the conditions of this resolution as outlined above.

_____ _____
Michael Belz Date

City of White Bear Lake
Community Development Department

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Ashton Miller, Planning Technician

Date: November 12, 2019

Subject: **Lightfoot/Larrive Lot Recombination – 1985 Birch Lake Avenue & 4701 Bald Eagle Avenue, Case No. 19-2-LS**

REQUEST
A recombination subdivision in order to convey a 4,206 square foot tract of land from 4701 Bald Eagle Avenue to 1985 Birch Lake Avenue.

SUMMARY
No one other than the applicant spoke. On a 5-0 vote, the Planning Commission recommended approval as requested by the applicant.

RECOMMENDED COUNCIL ACTION
Approval of the attached resolution.

ATTACHMENT
Draft Resolution of Approval

RESOLUTION NO.

RESOLUTION APPROVING A LOT RECOMBINATION FOR 1985 BIRCH LAKE AVENUE & 4701 BALD EAGLE AVENUE WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (19-2-LS) has been submitted by the Lightfoot and Larrive families to the City Council requesting approval of a lot recombination per the City of White Bear Lake Subdivision Code at the following location:

LOCATION: 1985 Birch Lake Avenue & 4701 Bald Eagle Avenue

EXISTING LEGAL DESCRIPTION: See Attached.

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF: Approval of a minor subdivision to convey a 4,206 square feet parcel of land from 4701 Bald Eagle Avenue to 1985 Birch Lake Avenue, per Code Section 1407.030; and

WHEREAS, the Planning Commission has reviewed this proposal on October 28, 2019; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed Recombination Subdivision upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City Council accepts and adopts the following findings of the Planning Commission:

1. The proposal is consistent with the city's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. Traffic generation will be within the capabilities of the streets serving the site.

FUTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approved the Recombination Subdivision, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.

2. Within 6 months after the approval of the survey by the City, the applicant shall record the survey along with the instruments of conveyance with the County Land Records Office or the subdivision shall be come null and void.

3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of either lot.

4. The applicants shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with two, final recorded copies of the Certificate of Survey.

5. The applicants shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.

6. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.

The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

Approval is contingent upon execution and return of this document to the City Planning Office.

I have read and agree to the conditions of this resolution as outlined above.

Anthony Lightfoot Date

Teresa Larrive Date

EXISTING LEGAL DESCRIPTION:

(1985 Birch Lake Avenue)

Lot 21, Oakhurst Acres

(4701 Bald Eagle Avenue)

Lot 19, Oakhurst Acres

City of White Bear Lake
Community Development Department

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Anne Kane, Community Development Director

Date: November 12, 2019

Subject: **Bruggeman Builders LLC – Case No. 19-9-V**
2687 County Road D

REQUEST
Approval of a five foot variance from the fifteen foot side yard setback requirement in order to construct a triplex ten feet from the west side of the property.

SUMMARY
Two residents of the Hidden Lake Pointe Townhomes, immediately east of the subject parcel, raised concerns with the compatibility of the tri-plex structure, reduced home values, and the loss of trees and vegetation on the site. On a 5-0 vote, the Planning Commission recommended approval.

RECOMMENDED COUNCIL ACTION
Approval of the attached Resolution.

ATTACHMENTS
Resolution of Approval

DRAFT RESOLUTION NO.

RESOLUTION GRANTING A VARIANCE FOR
2687 COUNTY ROAD D
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (19-9-V) has been submitted by Bruggeman Builders LLC to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 2687 County Road D

LEGAL DESCRIPTION: The West 100 feet of the East 663 feet of the South 613 feet of the Southeast ¼ of the Southeast ¼ (SE1/4 of SE1/4) of Section 36, Township 30, Range 22, lying northerly of the centerline of County Road D, subject to the rights of the public for County Road "D", in the County of Ramsey and State of Minnesota.

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A five foot variance from the fifteen foot side yard setback, per Code Section 1303.080, Subd.5.c.2.b, in order to build a triplex ten feet from the west property line; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on October 28, 2019; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variance upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City Council accepts and adopts the following findings of the Planning Commission:

1. The requested variance will not:
   a. Impair an adequate supply of light and air to the adjacent property.
   b. Unreasonably increase the congestion in the public street.
   c. Increase the danger of fire or endanger the public safety.
   d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.

2. The variance is a reasonable use of the land or building and the variance is the minimum required to accomplish this purpose.

3. The variance will be in harmony with the general purpose and intent of the City Code.

4. The variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.

FUTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approved the request, subject to the following conditions.

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.

2. Per Section 1302.120, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.

3. A building permit shall be obtained prior to construction.

Prior to the issuance of a building permit, the applicant shall:

4. Submit tree preservation calculations and a replacement plan, subject to staff approval.

5. Obtain any necessary permits from Valley Branch Watershed District; provide a copy of each to the City.

The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

Approval is contingent upon execution and return of this document to the City Planning Office.

I have read and agree to the conditions of this resolution as outlined above.

_____

Paul Bruggeman Date
Bruggeman Builders LLC

City of White Bear Lake
Community Development Department

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Anne Kane, Community Development Director

Date: November 12, 2019

Subject: **Lotus Recovery, 3561 White Bear Avenue – Request for Text Amendment and CUP, Case No. 19-6-Z &19-5-CUP**

REQUEST

The applicant, Lotus Recovery, has requested a Text Amendment to allow Group Care Facilities with more than 6 but not more than 16 individuals through the Conditional Use Permit process, and a Conditional Use Permit, per the revised code, to allow a 16 person facility at the subject site.

SUMMARY

Two letters were received after the Planning Commission packets were distributed. Nine residents expressed concerns and spoke against the request. One resident provided a petition with 19 signatures in opposition. On a 5-0 vote, the Planning Commission recommended denial of the request to consider a Text Amendment and related Conditional Use Permit, citing the size of the facility as the primary reason. Consequently, staff has drafted the attached resolution of denial.

RECOMMENDED COUNCIL ACTION

Denial of a request for a Text Amendment and related Conditional Use Permit.

ATTACHMENTS

Resolution of Denial
Haster Letters, dated October 24, 2019
Petition, dated October 25, 2019

RESOLUTION NO.

**RESOLUTION DENYING REQUEST FOR
A TEXT AMENDMENT REGARDING GROUP CARE FACILITIES
AND RELATED CONDITIONAL USE PERMIT
FOR 3561 WHITE BEAR AVENUE**

WHEREAS, a proposal (19-6-Z and 19-5-CUP) has been submitted by Lotus Recovery ("Applicant"), to the City requesting approval of both an ordinance making a text amendment ("Amendment") to the Zoning Code of the City of White Bear Lake ("Zoning Code") and a conditional use permit ("CUP") under the amended Zoning Code for the following location ("Property"):

LOCATION: 3561 White Bear Avenue

LEGAL DESCRIPTION: Lot 1, Block 1, Rivard Addition. (PID #353022210033)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: An Amendment to Section 508 of the Municipal Code and Sections 1301.030 and 1302.140 of the Zoning Code related to Group Care Facilities, to allow more than 6 residents, and a CUP, per the amended code sections, to allow a 16-bed facility on the Property; and

WHEREAS, the Planning Commission held a public hearing as required by the city Zoning Code on October 28, 2019; and

WHEREAS, after hearing from the public and considering the Applicant's requests, the Planning Commission voted to forward the requests to the City Council with a unanimous recommendation that they both be denied; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed Amendment and CUP upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of White Bear Lake hereby finds and determines as follows:

1. The Property contains approximately 0.43 acres and is located within the City's R-3 – Single-Family Residential District;

2. Section 1302.140 of the Zoning Code currently allows group care facilities providing resident services to fewer than seven people;

3. A group care facility was previously located on the Property, but the use was discontinued in approximately 2013 and Property is now vacant;

4. The Applicant's proposal to establish a 16-bed group care facility is not allowed under the Zoning Code;

5. The Applicant's proposed Amendment to the Zoning Code requests the City Council exercise its legislative authority to change the text of the Zoning Code to allow group care facilities with up to 16 persons.

6. The requested CUP can only be granted if the City Council approves the requested Amendment because a 16-bed group care facility is currently not allowed under the Zoning Code. If the requested Amendment is not adopted, the CUP must necessarily be denied;

7. The proposed Amendment would significantly increase the size of group care facilities allowed within residential districts. The City Council recognizes the value of allowing group care facilities serving up to six residents within residential settings, but allowing such facilities to serve up to 16 residents at a time changes the residential character of the use in a way that would be contrary to the surrounding single-family uses;

8. The Planning Commission recognized the concerns over allowing larger group care facilities in residential districts;

9. Without justification for increasing the number of residents beyond that which is currently allowed, the requested Amendment would not be in harmony with the intent of the Comprehensive Plan in so far as maintaining the essential character of community;

10. The proposed size of the facility is not consistent with the current character of the neighborhood in relation to population per household;

11. Because the adequacy of available off-site parking to serve the needs of the facility is un-proven, it is unknown whether the use conforms with the parking requirements of the Zoning Code;

12. The City Council determines that the requested Amendment to the Zoning Code to allow up to 16-bed group care facilities in residential districts is not in the best interests of the public as such uses would be contrary to the residential character of the districts and the surrounding uses; and

13. Without approval of the Amendment, the requested CUP is for a use not allowed under the Zoning Code and so must be denied.

BE IT FINALLY RESOLVED, that the City Council of the City of White Bear Lake, based on the record of this matter and the findings and determinations contained herein, hereby denies the Applicant's request to amend the Zoning Code to allow 16-bed group care facilities and further denies the requested conditional use permit for a 16-bed group care facility on the Property as the use is not allowed under the Zoning Code.

The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

10-24-19

Lotus Recovery (Case No. 19-6-2)

WBL is a poor alternative selection for a Hazelden Location. Hazelden is specifically designed and located to handle problems related to alcoholics and drugs.

The WBL Location is in a Shopping Center Located at the intersection of W.B. Ave. and County Rd. E. Heavy traffic, ambulances, fire trucks, police cars with sirens & lights flashing are a common occurance. Transindental meditation has many interruptions at a Location like this. There are no Lotus flowers at an intersection like this either.

You are doing the patients a grave injustice by placing them in a Location like this for rehabilitation.

Can you imagine bringing Betty Ford to a Location like this for her rehabilitation?

P.S. The 5am garbage dumpsters pick up will insure not oversleeping. The large truck deliveries to the Liquor store, meat market and dry cleaners in the ally ajoining the subject Lot will add to the early morning singing of the birds sitting on the fence Line if they are not scared away.

Dave Haster
651-770-1245.

Re: Lotus Recovery

Oct-2019

We bought our home on Jerry St in 1971. I wasn't Thrilled that WE was so close with the noise and pollution. However, our yard is full of mature trees and relaxing. We spend as much time as possible outdoors. We enjoy our flower gardens, pond, gazebo & barbeguing.

We have compassion for these people who want to better their lives, but what about ours?

With 16 beds - patients, staff, workers, visitors etc etc coming & going, we feel our peaceful days in our yard will be gone

This type of drug, etc rehab doesn't belong in any residential neighborhood.

Our own councilman didn't return our call, Planning Commission is so excited about it, and calls it a done deal.

Really, what voice do we neighbors have?

Bev Hastie

P.S. Thanks for letting us know after the fact!

Oct. 25, 2019

To the White Bear Lake Planning Commission:

We are the resident of Jerry St., White Bear Ave, Midland Ave., Dell St and County Road E, White Bear Lake, MN. We are writing to petition against the application by Lotus Recovery (Case No. 19-6-Z) for a text amendment to Code Section 13o2.140, "Day Care and Group Care Facilities" to allow a Group Care Facility with 7 or more individuals as a Conditional Use in residential zoning districts, and a Conditional Use Permit, per the amended code, to operate a 16-bed residential treatment center for chemically dependent individuals.

A 16- bed residential treatment center for chemically dependent individuals at the address 3561 White Bear Avenue is across the street from White Bear High School, a residential area with many children, and it is next door to a liquor store. It will undoubtedly attract illicit drug activity, physical altercations, and other types of crimes to this quiet residential neighborhood. Not only will our safety be at jeopardy and the home assessments decline, but the surrounding businesses, and eventually the area, will also diminish. Therefore, we request the White Bear Lake Planning Commission deny the application by Lotus Recovery (Case No. 19-6-Z).

Howard C Lee
3551 White Bear Ave

Wayne W. Zh
3549 midAND —
W. BL, 55110

Kaye Schiff 3564 Jerry
Beth Hill 3564 Jerry St.
Ranee Kothon - 3576 JERRY ST.

Dave Haster 3558 Jerry St.
Bev Haster 3558 Jerry St.

Kimberly Dewcomb 3550 midland Ave
Angie Ritti + Scott Anick 3531 White Bear Ave
Staci moore 3573 Jerry St.

Oct. 25, 2019

To the White Bear Lake Planning Commission:

We are the resident of Jerry St., White Bear Ave, Midland Ave., Dell St and County Road E, White Bear Lake, MN. We are writing to petition against the application by Lotus Recovery (Case No. 19-6-Z) for a text amendment to Code Section 13o2.140, "Day Care and Group Care Facilities" to allow a Group Care Facility with 7 or more individuals as a Conditional Use in residential zoning districts, and a Conditional Use Permit, per the amended code, to operate a 16-bed residential treatment center for chemically dependent individuals.

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Colleen Kelleher

Salim Hussain (Bear Area Carwash)

(Ryan Brown)

- 3557 White Bear Ave N

* Next door neighbor

(Fleck Meat)

2002 County Rd E E W.B.L.

Joseph L Karp (Manager Summit Liquor)

Resident (3761 Midland Ave. W.B.L.)

Oct. 25, 2019

To the White Bear Lake Planning Commission:

We are the resident of Jerry St., White Bear Ave, Midland Ave., Dell St and County Road E, White Bear Lake, MN. We are writing to petition against the application by Lotus Recovery (Case No. 19-6-Z) for a text amendment to Code Section 13o2.140, "Day Care and Group Care Facilities" to allow a Group Care Facility with 7 or more individuals as a Conditional Use in residential zoning districts, and a Conditional Use Permit, per the amended code, to operate a 16-bed residential treatment center for chemically dependent individuals.

A 16- bed residential treatment center for chemically dependent individuals at the address 3561 White Bear Avenue is across the street from White Bear High School, a residential area with many children, and it is next door to a liquor store. It will undoubtedly attract illicit drug activity, physical altercations, and other types of crimes to this quiet residential neighborhood. Not only will our safety be at jeopardy and the home assessments decline, but the surrounding businesses, and eventually the area, will also diminish. Therefore, we request the White Bear Lake Planning Commission deny the application by Lotus Recovery (Case No. 19-6-Z).

Name	Address
Mary Busse	3563 Jerry St.
Dave Keller	3583 Jerry St
Wendy Lulay	Summit Center 2100 E Cty Rd E

City of White Bear Lake
Community Development Department

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Ashton Miller, Planning Technician

Date: November 12, 2019

Subject: **Lightfoot/Larrive Lot Recombination – 1985 Birch Lake Avenue & 4701 Bald Eagle Avenue, Case No. 19-2-LS**

REQUEST
A recombination subdivision in order to convey a 4,206 square foot tract of land from 4701 Bald Eagle Avenue to 1985 Birch Lake Avenue.

SUMMARY
No one other than the applicant spoke. On a 5-0 vote, the Planning Commission recommended approval as requested by the applicant.

RECOMMENDED COUNCIL ACTION
Approval of the attached resolution.

ATTACHMENT
Draft Resolution of Approval

ORDINANCE NO.

REZONING 2105 FIRST STREET
FROM B-4 GENERAL BUSINESS DISTRICT
TO R-4 SINGLE AND TWO FAMILY RESIDENTIAL
(CASE NO. 19-5-Z)

THE CITY OF WHITE BEAR LAKE CITY COUNCIL DOES HEREBY ORDAIN:

SECTION l. The White Bear Lake Zoning Map is hereby amended as follows:

By changing the zoning district classification from B-4 General Business District to R-4 – Single and Two Family Residential for the parcels legally described as follows:

Lots 6 and 7, Block 1, Murray Grove Subdivision, Ramsey County, Minnesota. (Current Property Identification # 143022430015)

SECTION II. This Ordinance shall become effective upon its passage, after second reading and publication.

First Reading: October 8, 2019
First Publication: October 30, 2019
Second Reading: November 12, 2019
Final Publication: November 30, 2019
Codified:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

City of White Bear Lake
Community Development Department

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Ashton Miller, Planning Technician

Date: November 12, 2019

Subject: **FIRST READING – Sign Code Amendment to allow Drive-Thru Menu Boards and Digital Signs**

REQUEST
A text amendment to the City's Sign Code to allow dynamic display drive-thru signs and digital signs in commercial and industrial districts. The first reading is not a public hearing.

SUMMARY
No one from the public spoke to the matter. On a 5-0 vote, the Planning Commission recommended approval.

RECOMMENDED COUNCIL ACTION
No formal action is required for the first reading; the second reading is scheduled for December 10th.

ATTACHMENT
Draft Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE MUNICIPAL CODE AT SECTION 1202, THE SIGN CODE, AS IT RELATES TO DYNAMIC DISPLAY DRIVE-THRU MENU BOARDS AND DIGITAL SIGNS (CASE NO. 19-7-Z)

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA DOES ORDAIN THE FOLLOWING:

Section 1. The Municipal Code of the City of White Bear Lake is hereby amended at Section 1202 as follows:

§1202.020 DEFINITIONS

DIGITAL SIGN: An electronic sign limited to alpha-numeric display of one or two colors only.

DYNAMIC DISPLAY SIGN: A sign face which can be electronically or mechanically changes by remote or automatic means, **excluding digital signs.**

FREESTANDING SIGN: Any sign, which has supporting framework that is anchored in the ground and which is independent from any building or other structure, such as a monument, pylon, **or drive-thru sign.**

§1202.040 REGULATIONS BY ZONING DISTRICT

Subd, 2. Commercial and Industrial Districts:

B. Freestanding Monument Signs

3.g) The digital display portion **or a digital sign** may be incorporated into a freestanding monument sign, but are limited to no more than 70% of the total square footage of the sign or 25 square feet (per side), whichever is less. **Digital signs may not be used as wall signage and must comply with all criteria required of a dynamic display sign, except spacing and resolution. Properties with digital signs may still display approved temporary banners and sandwich board signs**.

E. Drive Thru Signs. One sign is allowed per drive–through lane not to exceed thirty-two (32) square feet in area. Said sign may be freestanding or a wall sign. If **freestanding,** the sign shall be a maximum of six (6) feet in height and shall be set back from all property lines at least ten (10) feet. **Up to 100% of a drive-thru sign may be a dynamic display style face and must otherwise comply with all criteria required of a dynamic display sign, except spacing and resolution.** Drive-thru signs are not permitted in the B-5, Central Business District.

SECTION 2: This ordinance becomes effective after approval shall take effect and be in force following its passage and publication (or, on "date").

Passed by the City Council of the City of White Bear Lake, Minnesota.

First Reading: November 12, 2019

Initial Publication: _____

Second Reading: _____

Final Publication: _____

Codified: _____

Posted on web: _____ _____
City Clerk Initials

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

City of White Bear Lake
City Manager's Office

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: Rick Juba, Assistant City Manager

Date: November 5, 2019

Subject: **Ordinance Amendment to Allow Towing/Impounding Outside of the City**

BACKGROUND / SUMMARY

The City's parking ordinance currently requires all impounded vehicles to be stored within the City limits. For decades, the City has used either Vadnais Towing or the former Amoco Station off Highway 96 for towing and storage of towed vehicles. In 2018, Vadnais Towing merged with Twin Cities Towing. While the office and storage lot on Bald Eagle Avenue continues to be used by Twin Cities Towing, the lot space is limited.

In order to expand the City's ability to tow vehicles during a snow event, which has become increasingly problematic, expanded storage capacity is needed. Staff recommends the Municipal Code be amended to allow storage of towed vehicles outside of the City, but within 15 miles of the Public Safety Facility. Staff worked with Twin Cities Towing to allow vehicles towed during a snow event to be released directly by Twin Cities Towing rather than first coming to the Police Station, which is more efficient and convenient for all involved.

Staff is prepared to further discuss winter parking enforcement at the City Council meeting on November 12th.

RECOMMENDED COUNCIL ACTION

Attached is an ordinance amending the Municipal Code to allow the towing and impoundment of vehicles outside of the City.

ATTACHMENT

Draft Ordinance

ORDINANCE NO. X-X-2019

AN ORDINANCE AMENDING WHITE BEAR LAKE MUNICIPAL CODE SECTIONS 603.080 TO ALLOW TOWING AND IMPOUNDMENT OF VEHICLES OUTSIDE OF THE CITY

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA DOES ORDAIN THE FOLLOWING:

SECTION 1. The Municipal Code of the City of White Bear Lake is hereby amended at Section 603.080 as follows:

§603.080 PARKING; TOWING AND STORAGE, LIEN. The City Manager is hereby authorized and empowered to have removed any vehicle on any street, alley or in a Municipal Parking Lot in violation of Sections 603.060 and 603.070 of the Code or stalled thereon and to have Such vehicle ~~placed in a garage or outdoor area by any person engaged in the general garage or filling station business in the City~~ removed and stored in a secure indoor or outdoor facility within 15 miles of the Police Station. Such vehicle shall not be removed therefrom until reasonable costs of storing and towing same have been fully paid. The City Manager shall have the further authority to direct employees of the City to remove any such vehicle and in that event the City Manager may impose a charge to be paid to the City Clerk before said vehicle may be taken or recovered by the owner thereof.

In the event that any vehicle held or stored by the direction of the City Manager, upon which there are charges for storage or towing or both, shall not be reclaimed, recovered or taken by the owner thereof, there shall be deemed to be imposed upon such vehicle a possessory lien in the amount so charged and unpaid and should the owner thereof fail to pay the same then the possessory lien may be foreclosed in the manner provided for by law. (Ref. §502.070, Code 1966; Ord. Nos. 439, 12/13/66; 574, 6/24/75)

Passed by the City Council of the City of White Bear Lake, Minnesota this XX of December, 2019.

First Reading: November 12, 2019

Initial Publication: XXXXX XX, 2019 *(White Bear Press)*

Second Reading: XXXXX XX, 2019

Final Publication: XXXXX XX, 2019 *(White Bear Press)*

Codified: XXXXX XX, 2019

Posted on web: XXXXX XX, 2019

_____
City Clerk Initials

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

City of White Bear Lake
City Manager's Office

M E M O R A N D U M

To: Mayor and City Council

From: Ellen Hiniker, City Manager

Date: November 5, 2019

Subject: **First reading of an ordinance establishing 2020 fee schedule**

BACKGROUND

As part of the annual budgeting process, staff reviews the City's fee schedule to determine whether any changes are recommended. Because the City's fee schedule is adopted by ordinance, first reading is being held at the November 12th Council meeting to coordinate its adoption with final consideration of the City's 2020 annual budget on December 10, 2019. Below is a description of each proposed fee schedule change. Additional information regarding rates adjustments for the enterprise funds is available in the draft budget document.

General Fees/Fines (proposed changes)

Massage Background Investigation: Due to extensive staff time devoted to background investigations required for this license, it is recommended that the investigation fee of $75.00 is more reflective of the time spent by staff conducting the background investigation. The current fee is $25. Staff does not recommend a change to the permit fee of $25 at this time, which is also be the cost of annual renewal.

Fire Department Fees: In an effort to facilitate compliance with the fire code, the department has asked to implement a $100 fee for each re-inspection after a second inspection. Currently the Fire Department re-inspects if a correction is required. If after the re-inspection, the issue is not yet addressed, this fee would be charge for a 2nd and each subsequent re-inspection.

Following are recommended fees for services that are not currently reflected on the Fee Schedule:

- $100.00 - Fire/EMS Standby Crew (for non-City sponsored special events)
- $90.00 – Commercial vent hood inspection (required annually by the Fire Code)
- $75.00 - Open burning permit for non-recreational fires
- $300 third/$400 fourth /$500 five + for false alarms attributed to malfunctions/annum

Ambulance Fees: A 2018 comprehensive review of ambulance service delivery and operations resulted in significant reorganization of the Fire Department. A combination Paramedic/Firefighter staffing model was implemented to a more deliberate and consistent call response. The department added four (4) fulltime Paramedic/Firefighters in 2019 to bring the

total staff count for this position to twelve (12) employees.

The Ambulance Fund budget includes 80% of the staffing costs, with the remaining costs assigned to the Fire Department budget. As an Enterprise Fund, the Ambulance Fund operates similar to a private business with revenues from user charges funding operational costs. The ability to generate additional revenues is dependent fees set for 30% of all calls, which represents those calls for people not on Medicare, Medicaid or other government assistance insurances that limit the reimbursement amounts on patient ambulance services.

Ambulance service providers are also now experiencing more difficulties collecting fees from users with private insurance due to increasing deductibles for medical plans. This trend will be discussed in further detail when Council reviews the Enterprise Funds at it November 19 Work Session.

At this time, staff is recommending a more modest rate increase of 3.00% for most services in 2020, as reflected below.

Call Type	Effective 1/1/19	Proposed 1/1/20
Basic Life Support	1,415.00	$1460.00
Advanced Life Support – 1	1,865.00	$1920.00
Advanced Life Support – 2	2035.00	$2095.00
Treatment No Transport	475.00	$490.00
Mileage per mile	30.00	$31.00

Administration: The Police Department is frequently requested to provide verbatim transcripts for police interviews. The fee does not adequately cover the cost of staff time to create verbatim transcripts. This task requires significant attention and time for accurate completion. A per hour charge of $40.00, rather than a $3.00 per page charge, more adequately covers staff time and is comparable to what most area departments charge for this service.

Pioneer Manor: Rent increases for Pioneer Manor have been adopted by resolution annually since 1997, but are being incorporated into the fee schedule for improved transparency and process efficiencies. Staff is recommending a modest increase of approximately 1.5% effective April 1, 2020. As with all Enterprise Funds, staff will review the Pioneer Manor Fund in more detail at the November 19 Work Session.

	Current Rents	Proposed Rents
1 Bedroom	$705.00	$715.00
1 Bedroom/Den	$755.00	$765.00
2 Bedroom	$825.00	$840.00
2 Bedroom Deluxe	$875.00	$890.00
Garage	$57.00	$58.00

Sports Center: A market review of ice rental fees charged by other rinks in the area revealed proposed ice rental fee increases are still below what the market dictates for this activity. Revenues raised from ice rentals support Sports Center operations and improvements.

Armory Facility: When food and beverages are added to an event with more than 100 attendees, a $175.00 cleaning fee is proposed to relieve the burden on part time staff who are often at the facility until 1 or 2 AM cleaning up after an event. This cleaning fee will be a pass

through to a third party contractor.

Sewer Rates

After multiple years without a sewer rate increase, the City began adjusting rates in 2016 to avoid a fund deficit. The increase did not alleviate the issue; therefore, the rates adjusted again in 2017 and the fund balance stabilized through a one-time contribution from the Non-Bonded Debt Service Fund. Minimal rate adjustments each year since that time allowed the Fund to reimburse the Non-bonded Debt Service Fund for its assistance, and offset operating expenditures to create a financial base for future years. The proposed rate increase incorporates funding for operating and capital expenditures and begins building a foundation to support future infrastructure maintenance. Again, as with all Enterprise Funds, more detail on this fund will be provide at the November 19 Work Session.

	2019 Rates	2020 Proposed
0 – 8 units	$33.45	34.45
Unit (750 gallons)	$4.15	$4.30

Water Rates

The Water Fund recorded operating losses over the four-year period from 2013-2016 causing a deficit in the fund balance. The City reversed this trend in 2017 by transferring the lake level litigations fees and legal costs to the Insurance Fund and a one-time contribution from the Non-Bonded Debt Fund. A water rate increase in 2018 should have stabilized the fund balance; however, significant costs to repair water main breaks during the year offset the additional revenue. The 2018 Revised Budget included a transfer in from the Non-Bonded Debt Fund to provide supplementary revenue to address the unanticipated expenditures. The 2019 Budget included a rate increase to build the fund balance and repay the Non-Bonded Debt Fund for the 2018 transfer. In reviewing 2019 year-to-date data, Council's efforts to maintain the fund balance at the 2018 level were successful. The 2020 Budget incorporates a recommended rate adjustment of approximately 3% to build on the success in creating financial sustainability in the Fund.

The following charts present current rates and the proposed rates used to prepare the 2020 Budget.

Residential Water Customers			Commercial / Institutional Water Customers			
0 - 8 units	$13.40 per quarter	$13.80 per quarter	0- 8 Units	$ 13.40 per quarter	$13.80 per quarter	January 2019
Winter quarter rate*	$1.60 per unit	$1.65 per unit	8 – 27 units*	$ 1.55 per unit	$1.60 per unit	January 2019
Non-winter quarter rate**	$1.95 per unit	$2.00 per unit	27 – 75 units*	$ 1.60 per unit	$1.65 per unit	January 2019
			Over 75 units*	$ 1.80 per unit	$1.85 per unit	January 2019
			Non-winter quarter rate**	$ 1.95 per unit	$2.00 per unit	January 2019

Refuse Rates

The City monitors the residential rates to ensure they provide sufficient revenue to offset contract costs and provide financial integrity to the fund. Outside of the administrative costs charged to this fund for contract management and billing, hauler contract fees, Ramsey Washington County

Recycling and Energy Center environmental fees, and recycling processing costs constitute the expenses. Per the City's collection contract, hauler fees will increase 10% in 2020. While this was anticipated, an 18% increase in disposal (tipping) fees at the Ramsey/Washington County Recycling and Energy Center require significant adjustments to the rates. Staff will provide additional background on the Refuse Fund and proposed 2020 rate adjustments at the November 12 City Council meeting for further discussion.

Below represents tipping charges at the Ramsey/Washington facility over the last three years:

Year	Cost per ton	County Rebate	Net Disposal	% increase
January 2018	77.00	12.00	65.00	12.07%
January 2019	79.00	10.00	69.00	6.15%
January 2020	82.00	0.00	82.00	18.84%

To compensate for hauling and disposal cost increases, as well as recycling market challenges, the following 2020 refuse/recycling rates are recommended:

Service	Current Rates	Proposed Rates
30 gallon (Senior)	$10.55	$12.09
30 gallon	$10.80	$12.36
60 gallon	$15.90	$17.84
90 gallon	$21.65	$24.02
Recycling processing fee		$ 0.75

RECOMMENDED COUNCIL ACTION

No action required. Second reading will be held on December 10, 2019, at which time Council will be asked to approve the attached fee schedule.

ATTACHMENTS

Proposed Fee Schedule

WHITE BEAR LAKE ANNUAL FEE SCHEDULE - 2020

I.	**ALCOHOLIC BEVERAGES** (RESOLUTION NO. 9538)		FEE	PROPOSED FEE	LAST ADJUSTED
	On and Off Sale Malt Liquor License Application & Investigation		100.00	No change	January 13, 2004
	On Sale Malt Liquor License	Class A:	175.00	No change	January 13, 2004
		Class B:	275.00	No change	January 13, 2004
	Off Sale Malt Liquor License	Class A:	75.00	No change	January 13, 2004
		Class B:	150.00	No change	January 13, 2004
	On Sale Wine License Application and Investigation Fee		250.00	No change	January 13, 2004
	On and Off Sale Liquor License Application and Investigation		500.00	No change	January 13, 2004
	On Sale Wine License	Class A:	250.00	No change	January 13, 2004
		Class B:	350.00	No change	January 13, 2004
	On Sale Liquor License		3200.00	No change	January 13, 2004
	Off Sale Liquor License		200.00	No change	January 13, 2004
	On Sale Sunday Liquor License		200.00	No change	January 13, 2004
	On Sale Temporary Liquor/Malt/Wine License		27.50	No change	January 13, 2004
	Club License		100.00	No change	January 13, 2004

II.	**AMUSEMENT & COMMERCIAL RECREATION**	FEE	PROPOSED FEE	LAST ADJUSTED
	Bowling Alley License (Res. No. 9538)	$25.00/alley	No change	January 13, 2004
	Shooting Gallery License (Res. No. 9538)	$35.00	No change	January 13, 2004
	Pool Hall License (Res. No. 9538)	$40.00/table	No change	January 13, 2004
	Roller Skating Rink License (Res. No. 9538)	$100.00	No change	January 13, 2004
	Coin Operated Amusement Devices License (Ord. 1105)	$25/location & $15/machine	No change	February 8, 2000
	Motion Picture Theater License (Ord. 1107)	$210.00	No change	January 13, 1981
	Public Dances and Dance Hall Permit (Ord. 1107)	$30.00	No change	January 13, 1981
	Charitable Gambling Premises License (Res. No 9538)	$225.00	No change	January 2017
	Charitable Gambling Regulatory Tax (Res. No. 12435)	0.2% of net profits	No change	August 31, 2019

III.	**BUSINESS AND ADMINISTRATION**		CURRENT FEES	PROPOSED FEES	LAST UPDATED
	Animals: Dog Kennel License (Ord. 701)	Annually	$ 50.00	No change	January 2017
	Animals: Dog License Male/Female (Ord. No. 701)	Every 2 years	$ 20.00	No change	January 2017
	Animals: Dog License Neutered/Spayed (Ord. No. 701)	Every 2 years	$ 15.00	No change	January 2017
	Animals: Dog License Late Fee (Ord. No. 701) / replacement license		$ 5.00	No change	January 2017
	Animals: Potentially dangerous dogs		$120.00		January 2018
	Animals: Dangerous dogs		$500.00		January 2018
	Animals: Impounding dogs (Ord. No. 752)		Actual cost of contractor	No change	January 2017
	Animals: Impounding/disposal of misc. animals		Actual cost of contractor	No change	January 2017
	Cigarette / Tobacco Products License (Res. No. 9538)	Class A:	$ 150.00	No change	January 2017
		Class B:	$ 200.00	No change	January 2017
	Gas Station License		$ 25.00 / nozzle	No change	January 2017
	Public Bench License (Res. No. 9538)		$ 25.00/application & $20.00/bench	No change	January 2017
	Copies: 1 to 100 pages (MN Statute, section 13.03)		$ 0.25 / page	No change	Aug. 1, 2005
	Copies: over 100 pages (MN Statute, section 13.03)		Actual cost of data collection and copies		
	Copies: Public Records Audio / Visual		$ 25.00	No change	January 2017
	Fax (Res. No. 9538)		$ 0.50 / sheet	No change	Jan. 13, 2004
	Farmer's Market Annual reservation/application fee		$120	No change	
	Farmer's Market Same day temporary permit		$10	No change	Feb. 23, 2010
	Refuse / Recycling Hauler License (Res. No. 9538)		$ 150.00	No change	January 2017
	Return Check Charge (Res. No. 9538)		$ 30.00	No change	Jan. 13, 2004
	Rubbish Hauler and Junk Dealer License (Res. No. 9538)		$50.00	No change	Jan. 13, 2004
	Slaughter and Packing House License (Ord. No. 116)		$60.00	No change	Jan. 13, 1981
	Solicitor/Peddler/Transient Merchant License (Res. No. 7033)		$50.00/up to 2 ppl, then $10 ea	No change	January 2019
	Taxi Cab Driver License (Ord. No. 1119)		$35.00	No change	Jan. 13, 1981
	Traveling Shows and Circuses License (Ord. No. 1120)		$310.00	No change	Jan. 13, 1981
	Arcades Licenses (Ord. No. 1122)		$100.00	No change	Dec. 14, 1982
	Massage Therapist License		$25.00	No change	Sept. 8, 2015
	Massage Therapist background		$25.00	$75.00	Sept. 8, 2015
	Adult Establishment License (Ord. 1124)		$2,000.00	No change	January 2017
	Application and background check for adult establishment	$500 unless out of state check, then actual costs not to exceed $1500			
	Pawnbroker and Precious Metal Dealer License (Ord. No. 1125)		$12,000.00	No change	January 2017

Sale of Fireworks License (Res. No. 9366)	$100.00/location	No change	January 2017
	$50.00/re-inspection	$100.00/+ re-inspections	2020
Christmas Tree Sales Lot License (Ord. 1103)	$35.00	No change	Jan.13, 1981
Launch Tags	$25.00/resident	No change	January 2017
	$45.00/non-resident	No change	January 2017
Moorings	$375.00/resident	No change	January 2017
	$500.00/non-resident	No change	January 2017
Skids	$55.00/resident	No change	January 2017
	$80.00/non-resident	No change	January 2017
Kayak / Canoe Rack	$45.00/resident	No change	January 2017
	$60.00/non-resident	No change	January 2017
Duplicate copies of licenses and permits	$1.00	No change	January 2017
Passport photo	$15.00	No change	January 2017
Elections Filing	$5.00	No change	1966

IV. **PUBLIC SAFETY**	CURRENT FEES	PROPOSED FEES	LAST UPDATED
A. FIRE RELATED			
Pumper Truck (Ord. No. 805)	Actual cost	No change	January 2017
Ladder Truck (Ord. No. 805)	Actual cost	No change	January 2017
Rescue Unit (Ord. No. 805)	Actual cost	No change	January 2017
Chief/Command Unit (Ord. No. 805)	Actual cost	No change	January 2017
Rescue Boat (Ord. No. 805)	Actual cost	No change	January 2017
Hazardous Material Unit (Ord. No. 805)	Actual cost	No change	January 2017
Certificate of Compliance Application	$6.00/unit (min $36, max $250 per building)	No change	January 2017
Biennial Inspection	50% of the original fee	No change	January 2017
Re-inspection if required	$15.00	No change	January 2017
Tent Permit (over 400 sq feet require fire safety inspection)	$50.00 per site visit		January 2019
Fire/EMS Standby Crew		$100.00/hr	January 2020
Vent Hood Inspection		$90.00	January 2020
Open Burning Permit (non-recreational fires)		$75.00	January 2020
False Alarms (malfunctions/annum): third / fourth / fifth+		$300 / $400 / $500	January 2020
Re-inspection fee (assessed each inspection after 1st re-inspection)		$100.00	January 2020

B. AMBULANCE FEES	CURRENT FEES	PROPOSED FEE	LAST UPDATED
Basic Life Support (BLS)	$1415.00	$1460.00	January 2019
Advanced Life Support (ALS1)	$1865.00	$1920.00	January 2019
Major Advanced Life Support (ALS2)	$2035.00	$2095.00	January 2019
Treatment – No transport	$475.00	$490.00	January 2019
Mileage	$30.00/mile	$31.00	January 2019

C. ADMINISTRATION	CURRENT FEES	PROPOSED FEE	LAST UPDATED
Accident Photo	$25.00/cd	No change	January 2017
Accident Report: 1 to 100 pages (MN Statutes 13.03)	$0.25/page	No change	
Accident Report: more than 100 pages	Actual cost of data collection and copies	No change	
Accident Data Review	$10.00/month	No change	
Transcripts	$3.00/page	$40.00/hr	
Finger Printing	Free/resident $20/non-resident	No change	
No parking signs	$50.00	No change	

V. **ADMINISTRATIVE OFFENSES**	CURRENT FEE	LAST UPDATED
A. Penalties for Alcohol and Tobacco Sales:		January 2013
Purchase, possession	$50.00	
Underage consumption	$50.00	
Lending ID to underage person	$100.00	
License holder, first offense	$150.00	
License holder, second offense within 12 months	$275.00	
License holder, third offense within 18 months	$500.00	
Other alcohol and tobacco related offenses	$100.00	
B. Animals:		January 2013
Vicious animal	$50.00	

Other animal violation	$25.00	
C. Parking:	CURRENT FEE	LAST UPDATED
Handicap zone	$50.00	January 2013
Fire lane	$25.00	
Snowbird	$25.00	
Blocking fire hydrant	$25.00	
Other illegal parking	$25.00	
D. Fires:		January 2013
Open fires	$25.00	
Fire Code violations	$100.00	
E. Noise complaints:		January 2013
Loud party	$25.00	
Loud party second offense in 2 months	$50.00	
Other complaints	$30.00	
F. Administrative penalties not otherwise called out in the fee schedule	$50.00	January 2019
Seat belts	$25.00	January 2013
Expired license plates/tabs	$20.00	January 2013
Subsequent administrative offenses within 12 months increased 25%		January 2013

VI. RENTALS

A. PIONEER MANOR (Apr 1, '20 – Mar 31, '21)	CURRENT FEE	PROPOSED FEE	LAST UPDATED
1 Bedroom	$705.00	$715.00	April 2019
1 Bedroom/Den	$755.00	$765.00	April 2019
2 Bedroom	$825.00	$840.00	April 2019
2 Bedroom Deluxe	$875.00	$890.00	April 2019
Garage	$57.00	$58.00	April 2019

B. BOATWORKS COMMONS — LAST ADJUSTED

City hosted and School District events – Gratis. Hosting agency responsible for set-up, clean-up and tear down — Dec. 12, 2017

	Civil/Non-Profit	**Proposed**	
Less than 20 attendees (group sets & cleans)	Gratis	No change	
Greater than 20 attendees	$50.00 flat fee + actual cleaning cost	No change	January 2019
Private sector up to 4 hrs (incl set & clean)	$500.00 minimum fee	No change	
Private sector additional hours (max 2)	$50/hour	No change	

C. PARK FACILITIES	**Resident**	**Non-Resident**	**For Profit & Corporate**	PROPOPSED FEE **Resident / Non-Res / Profit**	LAST ADJUSTED January 2019
Bossard, Ramaley, Rotary, Spruce and Jack Yost Parks	$ 50.00	$100.00	$ 125.00	No changes	
Podvin Park (pavilion only)	$ 50.00	$ 110.00	$ 175.00		
Podvin Park (kitchen & mtg rm)	$ 100.00	$ 150.00	$ 250.00		
Podvin Park (full facility)	$ 125.00	$ 225.00	$ 325.00		
Lakewood Hills (pavilion only)	$ 50.00	$ 110.00	$ 175.00		
Lakewood Hills (kitchen &pavilion)	$ 100.00	$ 150.00	$ 250.00		
Lakewood Hills (ballfields)	$100.00	$150.00	$ 250.00		
Matoska Park	$50.00 for two hours maximum				
Stellmacher Park	$ 50.00	$ 110.00	$ 175.00		
West Park	$ 50.00	$ 110.00	$ 175.00		

October 2010

Trash pick-up and disposal	**Community and Non-Profit**	**Profit/Co.**
Events over 100 people		$ 50.00
Events over 250 – 500 ppl	$ 50.00 flat fee	$ 75.00
Every additional 250 ppl		+ $ 25.00
Spray paint of any kind	$ 250.00	

D. WHITE BEAR LAKE SPORTS CENTER	TAX INCLUDED	NON-TAXABLE	PROPOSED FEE	LAST UPDATED
ICE RENTAL MARCH – AUGUST				January 1, 2017
Prime Time	$160.00/hr	$150.00/hr	$172.00/$160.00	
Non-Prime	$135.00/hr	$125.00/hr	$145.00/$135.00	
ICE RENTAL SEPTEMBER – FEBRUARY				
Prime Time	$203.50/hr	$190.00/hr	$215.00/$200.00	
Weekday, 8am – 3pm	$160.00/hr	$150.00/hr	$161.00/$150.00	
Non-Prime and after 9pm	$145.00/hr	$135.00/hr	No change	

	CURRENT FEES	PROPOSED FEES	LAST UPDATED
SKATING SCHOOL			
Group Lessons			January 2019
Weekly (Tot-PreAlpha & Power)	$11.00/wk + $7 fee session		
Weekly (Alpha – Delta & Adults)	$16.50/wk + $7 fee session		
Freestyle Levels	$21.00/wk + $7 fee session		
Contract (Open & Intermediate)	$12.00 per weeks in session		
Contract (High Level)	$13.00 per weeks in session		
Drop In	$15.00		
Morning	$7.00 before school		
Open Skate	$5.00		
Skate Rental	$4.00	$5.00	
Open Hockey	$6.00 per session		
Dead Ice	$7.00/hour		
SKATE SHOW			
Annual Skating Show	$125.00		
Additional Show Packages	$100.00		
Parent/Child Skate	$75.00		
COURT FEES			
Monthly	$50.00		
3 Month	$115.00		
6 Month	$205.00		
Wally Ball	$30.00 per 1.5 hours, $33 per 2hrs/court		
Racquetball	$8.00 per person per hour		
Dodgeball	$12.00 per court		
MISC. FEES AND CHARGES			January 2019
Meeting Room Rental	$15.00/hr		
Aerobic Room Rental	$20.00/hour		
Locker Room Rental	$5.00/month		

E. ARMORY FACILITY (Resolution No. 11844)	**Current Resident**	**Proposed Resident**	**Current Non-resident**	**Proposed Non-resident**	LAST ADJUSTED
Private Party					
Full Day with kitchen (including set up)	$650.00	No change	$900.00	No change	July 12, 2016
Kitchen	$100.00	No change	$150.00	No change	
Hourly rate (1-7 hours) Mon. – Thurs.	$80.00	No change	$90.00	No change	January 2019
Fri. – Sun.	$100.00	No change	$120.00	No change	
City staff is available for set-up per hour rate	Contract Rate	No change	Contract Rate	No change	
Security Contract Rate (refunded if re-rented)	$27.00/hr	Contract Rate	$27.00/hr	Contract Rate	
Cleaning for 100+ and food/beverages		$175.00		$175.00	
Down payment	$275.00	$300.00	$375.00	$400.00	
Damage deposit	$350.00	No change	$500.00	No change	
Hourly Activities					
Athletics/Special Events/Meeting Room	$25.00/hr	No change	$25.00/hr	No change	

	White Bear		**White Bear**		**Non-Resident**		
Daily Activities	**Non-Profit**	**Proposed**	**Groups/Clubs**	**Proposed**	**Non-Profit**	**Proposed**	LAST ADJUSTED
1 day	$0.00	No change	$90.00	No change	$135.00	No change	July 12, 2016
2 days	$50.00	No change	$160.00	No change	$245.00	No change	
3 days	$75.00	No change	$260.00	No change	$390.00	No change	
4 days	$100.00	No change	$355.00	No change	$510.00	No change	

VII. **PLANNING AND ZONING**	FEE	PROPOSED FEE	LAST ADJUSTED
Address List	$30.00	No change	January 13, 2004
Comprehensive Plan Amendment (Ord. No. 1301.010)	$500.00	No change	January 13, 2004
Conditional Use Permit: Fee (Ord. No. 1301.050)	$400.00	No change	January 13, 2004
Conditional Use Permit Amendment	$200.00	No change	January 13, 2004
Grading Plan Review (over .5 acre in size)	$250.00	No change	2010
Grading Plan Review (less than .5 acre in size)	$75.00	No change	2010
Home Occupation: Permit Fee (Ord. No. 1303)	$50.00/permitted, $100.00 special	No change	April 12, 1994
Excavation/Obstruction Fee/ROW Permit Fee (Ord. 18-2-3031)	$200.00	No Change	January 2019
Small Cell Wireless Facility Permit Fee	$500.00 up to 5 sites, $100 for each additional	– No change	January 2019

Rental Dwelling License (Ord. No. 508.020)	$50.00 plus $7.00/unit over 3 units	No change	Nov. 26, 1991
Late Fees	25% plus original fee/1-7 days past due		
	50% plus original fee/8 or more days past due		
	Legal procedures begin/30 days past due		
Re-inspection Fee	25% of license fee or $50.00 whichever is greater		
License Transfer (Ord. No. 508-090)	$50.00	No change	January 2017
Planned Unit Development (Ord. No. 1301.070)	$750.00	No change	January 2017
Rezoning: Application Fee (Ord. No. 1301.040)	$750.00	No change	January 2017
Subdivision: Preliminary Plat (Ord. No. 1407)	$500.00	No change	January 2017
Final Plat	$100.00	No change	January 2017
Subdivision: Minor Subdivision/Lot Split (Ord. No. 1407)	$250.00	No change	January 2017
Vacation (City Charter, Section 8.02)	$250.00	No change	January 2017
Variance Permit (Ord. No. 1407)	$250.00/residential	No change	January 2017
	$500.00/commercial & industrial	No change	January 2017
Administrative Variance (Ord. No. 1408)	$25.00	No change	January 13, 2004
Zoning Letter (Res. No. 9538)	$75.00	$75.00	January 2017
Sign Permit: Permanent (Ord. No. 1115)	$50.00/wall	No change	September 8, 1987
	$30.00/temporary banner, sign, or reface	No change	September 8, 1987
	$150.00/free standing and dynamic display	No change	January 2017
	$300.00/billboard	No change	September 8, 1987
	$200.00/administrative fee for erecting a sign before the permit is issued	No change	September 8, 1987
Park Dedication: Single Family Dwelling (Res. No. 9538A)	$1,200.00/unit	No change	January 2017
Park Dedication: Townhome, Condominium, Duplex, Dwelling (Res. 9538A)	$1,000/unit	No change	January 2017
Park Dedication: Apartment Dwelling (Res. No. 9538A) $500/1 bdrm, 100/each add bdrm		$750/$150 no change	January 2017
Park Dedication: Commercial & Industrial (Res. No. 9538A)	$3,500.00/acre	No change	January 13, 2004
Zoning Permit: Shed, Driveway, Fence, Detached Deck under 30", Hot Tub, Pigeons, Hens, Bees	$50.00/each	No change	January 2017
Time Extension for CUP	$50.00	No change	January 2017

VIII. UTILITIES

1. CONSUMPTION RATES:

A. WATER RATES:

		PROPOSED RES. FEES			PROPOSED FEES	LAST ADJUSTED
Residential Water Customers			Commercial / Institutional Water Customers			
0 - 8 units	$13.40 per quarter	$13.80 per quarter	0- 8 Units	$ 13.40 per quarter	$13.80 per quarter	January 2019
Winter quarter rate*	$1.60 per unit	$1.65 per unit	8 – 27 units*	$ 1.55 per unit	$1.60 per unit	January 2019
Non-winter quarter rate**	$1.95 per unit	$2.00 per unit	27 – 75 units*	$ 1.60 per unit	$1.65 per unit	January 2019
			Over 75 units*	$ 1.80 per unit	$1.85 per unit	January 2019
			Non-winter quarter rate**	$ 1.95 per unit	$2.00 per unit	January 2019

* Rate for consumption over 8 units in the winter quarter & "base" for the other three (3) quarterly billing cycles
**Rate for consumption above the winter quarter rate for the other three (3) quarterly billing cycles

LAKE LEVEL LITIGATION FEE*:	CURRENT RATES	PROPOSED RATES	LAST ADJUSTED
Residential	$4.00 quarterly	No change	February 2017
Commercial	$17.50 quarterly	No change	February 2017

*Imposed until legal fees are recovered and includes communities that purchase municipal water from the City

B. SEWER RATES:

	CURRENT FEES	PROPOSED RATES	LAST ADJUSTED
0 – 8 units	$33.45	$34.45 flat fee	January 2019
Unit (750 gallons)	$4.15	$4.30 per unit	January 2019

C. REFUSE / RECYCLING RATES

	CURRENT FEES	PROPOSED RATES	LAST ADJUSTED
30 Gallon Senior – monthly	$10.55/month ($31.65/quarter)	$12.81/month ($38.43/quarter)	January 2019
30 Gallon Service – monthly	$10.80/ month ($32.40/quarter)	$13.02/month ($39.06/quarter)	January 2019

60 Gallon Service – monthly	$15.90/month ($47.70/quarter)	$18.36/month ($55.08/quarter)	January 2019
90 Gallon Service – monthly	$21.65/month ($64.95/quarter)	$24.51/month ($73.53/quarter)	January 2019
Recycling processing fee		$0.75 per quarterly bill	January 2020

2. MISCELLANEOUS

A.

	CURRENT FEES	PROPOSED RATES	LAST ADJUSTED
Sewer Line Televising	$155.00		January 2019
Sewer Line Televising for Street Reconstruction	$77.00		January 2019
Temporary Shut Off / Turn On of Water for Non-Maintenance (snow birds, realtors, foreclosures):			
November 1st – March 31st	$130.00/event		January 2019
April 1st – October 31st	$80.00/event		January 2019

B. HYDRANT METER RENTAL:

	CURRENT FEES	PROPOSED FEES	
Cost of inspection, use and administration (not prorated)	$52.00/month		January 2019
Charge for water used based on either metered amount or 6 billing units per month, whichever is greater. Charges assessed at maximum summer consumption rate in effect on the date the hydrant meter is returned.			January 2017
Dec 1 – Apr 1, additional rental charge for extraordinary inspection (not prorated)	$32.00/month		January 2019
Applicants will be responsible for breakage or damage to hydrant, meter or other works at actual repair or replacement costs.			January 2017

IX. BUILDING DEPARTMENT LICENSES AND PERMITS

1. **BUILDING PERMIT FEES**: Building permit fees are either flat fee *or* based on current state valuation costs, plus Minnesota state surcharge. Permit fees not listed in the flat fee chart are based on valuation. See fee charts below.

A. RESIDENTIAL FLAT FEE BUILDING PERMITS

	Current Fees – Plus $1.00 State Surcharge	Proposed Fees	Last Adjusted
Building Moving (House)	$150.00		January 2017
Building Moving (Garage)	$60.00		January 2017
Demolition	Interior Only $60.00 / Accessory Structure $85.00 / Residential Structure $200.00		January 2017
Doors	1 Door $80.00 / 2 or More Doors $110.00	Commercial to valuation	January 2020
Egress Windows	1 Egress Window $80.00 / 2 or More Egress Windows $135.00	Commercial to valuation	January 2020
Garage Siding Only	$80.00		January 2017
Garage Roofing Only	$80.00		January 2017
Grading / Excavation	$90.00		January 2017
Roof Solar Panels	$175.00		January 2017
Roofing	Full Replacement $160.00 / Repair Only $80.00 / ~~Commercial $300.00~~	Commercial to valuation	January 2020
Siding	Full Replacement $160.00/ Repair Only $80.00 / ~~Commercial $300.00~~	Commercial to valuation	January 2020
Swimming Pools	Above Ground $75.00 / In Ground $125.00		January 2017
Windows	1 Window $80.00 / 2 or More Windows $135.00	Commercial to valuation	January 2020

B. COMMERCIAL FLAT FEE BUILDING PERMITS

	Current Fees – Plus $1.00 State Surcharge	Proposed Fees	Last Adjusted
Demolition	Interior Only $60.00 / Commercial Structure $350.00		January 2017
Grading	Site Under 2 Acres $350.00 / Site Over 2 Acres $450.00		January 2017
Parking Lot Replacement	$150.00		January 2017
Roof Solar Panels	$275.00		January 2017
Swimming Pools	Above Ground $75.00 / In Ground $125.00		January 2017

C. BUILDING PERMIT FEES BASED ON VALUATION (RESIDENTIAL OR COMMERICAL WHERE FLAT FEE DOES NOT APPLY)

Total Valuation			Fees – Plus State Surcharge Based on Valuation (see chart below)	Proposed Fees	Last Adjusted
$1.00	to	$500	$30.00		January 2017
$501	to	$2,000	$30.00 for the first $500.00 plus $3.50 for each additional $100.00 or fraction thereof, to and including $2,000.00		January 2017
$2,001	to	$25,000	$82.50 for the first $2,000.00 plus $16.10 for each additional $1,000.00 or fraction thereof, to and including $25,000.00		January 2017
$25,001	to	$50,000	$452.80 for the first $25,000.00 plus $11.65 for each additional $1,000.00 or fraction thereof, to and including $50,000.00		January 2017
$50,001	to	$100,000	$744.05 for the first $50,000.00 plus $8.15 for each additional $1,000.00 or fraction thereof, to and including $100,000.00		January 2017
$100,001	to	$500,000	$1,151.55 for the first $100,000.00 plus $6.50 for each additional $1,000.00 or fraction thereof, to and including $500,000.00		January 2017
$500,001	to	$1,000,000	$3,751.55 for the first $500,000.00 plus $5.60 for each addition $1,000.00 or fraction thereof, to and including $1,000,000.00		January 2017
$1,000,001	to	and up	$5,991.55 for the first $1,000,000.00 plus $4.00 for each additional $1,000.00 or fraction thereof		January 2017

D. STATE SURCHARGE FEES FOR BUILDING PERMITS BASED ON VALUATION

Valuation of Structure, Addition or Alteration			State Surcharge Computation	Proposed Fees	Last Adjusted
$ 0	to	$ 1,000,000	.0005 x valuation (minimum $0.50)		State Fee
$ 1,000,001	to	$ 2,000,000	$ 500 + .0004 x (value - $1,000,000)		State Fee
$ 2,000,001	to	$ 3,000,000	$ 900 + .0003 x (value - $2,000,000)		State Fee
$ 3,000,001	to	$ 4,000,000	$ 1,200 + .0002 x (value - $3,000,000)		State Fee
$ 4,000,001	to	$ 5,000,000	$ 1,400 + .0001 x (value - $4,000,000)		State Fee
$ 5,000,001		or greater	$ 1,500 + .0005 x (value - $5,000,000)		State Fee

E. OTHER BUILDING FEES

	Current Fees	Proposed Fees	Last Adjusted
Appeal Fee	$150.00 (refunded if appeal granted)		January 2017
Certificate of Occupancy	$20.00		January 2017
License Fee – Commercial General Contractor	$120.00 / Prorated to $75.00 after 7/1		January 2017
License Fee – Mechanical/Tree Trimmer	$45.00 / Prorated to $35.00 after 7/1		January 2017
Other Inspections & Fees: • Inspections outside business hours • Re-inspection fees • Inspection which no fee is specifically indicated (30 minute min) • Additional plan review: changes, additions or revisions to plans (30 minute min)	$62.00 per hour or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages & fringe benefits of employees involved.		January 2017
Outside Consultants for Plan Checking & Inspections or Both	Actual costs including administrative & overhead costs		January 2017
Plan Review Fee (Residential)	50% of Permit Fee		Pre 2017
Plan Review Fee (Commercial)	65% of Permit Fee		Pre 2017

2. <u>SEWER AND WATER PERMIT FEES</u>: Sewer & Water permits are based on fees below, plus $1.00 state surcharge.

A. SEWER & WATER PERMIT FEES

	Current Fees – Plus $1.00 State Surcharge	Proposed Fees	Last Adjusted
Water Line Install or Repair	$ 57.00	NEW	January 2020
Sewer Line Install or Repair	$ 57.00	NEW	January 2020
Water Disconnect	$42.00		January 2019
Sewer Disconnect	$42.00		January 2019
Water Tap (Each)	$27.00		January 2019
Sewer Tap (Each)	$27.00		January 2019
Storm Sewer	$42.00		January 2019
Hydrostatic and Conductivity Test (Each)	$57.00		January 2019
Street Excavation & Street Deposit	$32.00 / $1550.00		January 2019
Individual Sewage Treatment System – New Installation or Replacement of existing system	$ 206.00		January 2019

Individual Sewage Treatment System - Repair or Alteration of existing system	$103.00		January 2019
Individual Sewage Treatment System Abandonment	$ 52.00		January 2019
~~Sewer and Water Disconnect~~	~~$ 73.00~~	REMOVE	January 2019
~~Water Line Install or Repair (Residential)~~	~~$ 42.00~~	REMOVE	January 2019
~~Sewer Line Install or Repair (Residential)~~	~~$ 42.00~~	REMOVE	January 2019
~~Water Line Install or Repair (Commercial)~~	~~$ 57.00~~	REMOVE	January 2019
~~Sewer Line Install or Repair (Commercial)~~	~~$ 57.00~~	REMOVE	January 2019

3. **SEWER AND WATER CONNECTION FEES:** Buildings or dwellings existing or constructed in the City of White Bear Lake must connect to the municipal water and sanitary sewer system so long as it is reasonably available. Metropolitan Council Sewer Access Charge (SAC) units and fees are established by the Metropolitan Council per state statute MN 473.517. Prior to connecting to public utilities, the owner or representative must pay the following fees:

A. SEWER CONNECTION FEES

	Current Fees	Proposed Fees	Last Adjusted
Single Family Dwellings	$670.00 per Dwelling		January 2019
Two Family Dwellings	$1,340.00 per Dwelling		January 2019
Multiple Dwellings	$415.00 per Unit	$670.00/unit	January 2020
Commercial and Industrial ~~(minimum of 1 unit charged)~~	$1,030.00 per acre or $670 per unit for each 100,000 gallons of estimated annual flow	$670.00/unit	January 2020

B. WATER CONNECTION FEES

	Current Fees	Proposed Fees	Last Adjusted
Single Family Dwellings	$670.00 per Dwelling		January 2019
Two Family Dwellings	$1,340.00 per Dwelling		January 2019
Multiple Dwellings	$415.00 per Unit	$670.00/unit	January 2020
Commercial and Industrial ~~(minimum of 1 unit charged)~~	$1,030.00 per acre or $670 per unit for each 100,000 gallons of estimated annual flow	$670.00/unit	January 2020

4. **PLUMBING PERMIT FEES**: Plumbing Permits are based on fees listed below, plus $1.00 state surcharge.

A. PLUMBING PERMIT FEES

	Current Fees – Plus $1.00 State Surcharge	Proposed Fees	Last Adjusted
Plumbing Minimum Fee	$50.00	NEW	January 2020
~~Residential fee (minimum permit fee)~~	~~$ 40.00~~	REMOVE	January 2017
~~Commercial fee (minimum permit fee)~~	~~$ 50.00~~	REMOVE	January 2017
For Each Fixture or Fixture Opening	$ 15.00/per fixture		January 2017
Water Heater - New Install or Replace	$ 50.00		January 2017
Water Softener – New Install or Replace	$ 25.00		January 2017
Gas Piping	$ 30.00		January 2017
Water Piping / Drain / Waste / Vent Alteration or Repair	$ 50.00		January 2017
Plumbing General Repair	$ 50.00		January 2017
New backflow Prevention Device (Permit Required)	$ 25.00		January 2017
Backflow Prevention Annual Testing Per Device	$ 20.00		January 2017

5. **MECHANICAL PERMIT FEES**: Mechanical permit fees are based on 1% of job valuation or the minimum fee, whichever is greater, plus the state surcharge of .0005% of job valuation. For review of mechanical plans and other data, the fee is equal to 25% of the permit fee or the minimum, whichever is greater.

A. MECHANICAL PERMIT FEES

	Minimum Fees (or 1% of job valuation, whichever is greater, plus state surcharge of .0005% of job valuation)	Proposed Fees	Last Adjusted
Heating System	$70.00		January 2017
Air Conditioning	$40.00		January 2017
Heating & Air Conditioning	$100.00		January 2017
HVAC for new residential construction	$175.00		January 2017
Ductwork	$30.00		January 2017
Fireplace	$50.00		January 2017

Process piping	$40.00		January 2017
Miscellaneous appliance or equipment regulated by code	$40.00		January 2017
Repair - Heating and/or AC	$30.00		January 2017

6. **FIRE SUPPRESSION / STORAGE TANK PERMIT FEES**: Fire Suppression/Storage Tank Permits are based on fees listed below, plus $1.00 state surcharge. For review of Fire Suppression plans and other data, the fee is equal to 25% of the permit fee.

A. FIRE SUPPRESSION / STORAGE TANK PERMIT FEES

	Current Fees – Plus $1.00 State Surcharge	Proposed Fees	Last Adjusted
Automatic Fire Suppression System 1-10 Heads/Risers	$75.00		January 2019
Each Additional 10 Heads or Fraction Thereof	$5.00		January 2017
Each Fire Alarm (New, Addition, Upgrade)	$75.00		January 2019
Each Miscellaneous Fire Related Permit	$75.00		January 2019
Each Chemical/Ansul Hood Extinguisher System	$75.00		January 2019
Each Fuel Storage Tank Installed or Removed - Under 1000 gallons	$75.00 per tank		January 2019
Each Fuel Storage Tank Installed or Removed – Over 1000 gallons	$225.00 per tank		January 2019
Miscellaneous Fire Suppression Permit	$ 75.00		January 2019
Fire Permit Plan Review	50% of the Permit Fee		January 2019

7. **ELECTRICAL PERMIT FEES**: Electrical fees are based on fees listed below, plus $1.00 state surcharge. Fees are set by Tokle Inspections. The City of White Bear Lake contracts with Tokle Inspections, electrical contractor for the State of Minnesota Department of Labor and Industry. Website: www.tokleinspections.com

A. ELECTRICAL PERMIT FEES

	Current Fees – Plus $1.00 State Surcharge		Last Adjusted
Residential Panel Replacement	$110.00		January 2020
Residential Sub Panel Replacement	$45.00		January 2020
New Service or Power Supply:			
0-300 Amp	$55.00		January 2020
400 Amp	$71.00		January 2020
500 Amp	$87.00		January 2020
600 Amp	$103.00		January 2020
800 Amp	$135.00		January 2020
1000 Amp	$167.00		January 2020
Each Additional 100 Amps	$16.00/each		January 2020
Circuits and Feeders:			
0-100 Amp	$9.00		January 2020
101-200 Amp	$15.00		January 2020
201-300 Amp	$21.00		January 2020
301-400 Amp	$27.00		January 2020
401-500 Amp	$33.00		January 2020
501-600 Amp	$39.00		January 2020
Each additional 100 Amps	$6.00/each		January 2020
Minimum fee for 1 inspection only	$45.00		January 2020
Minimum fee for 2 inspections (rough in & final)	$90.00		January 2020
Maximum fee for single-family dwelling or townhouse not over 200 Amps (No max if service is over 200 Amps). Max of 2 rough-ins and 1 final inspection	$190.00		January 2020
Failed inspections per visit	$45.00		January 2020
Apartment Buildings – Fee per unit of an apartment or condominium complex. This does not cover service, unit feeders or house panels	$80.00/unit		January 2020
Swimming pools & hot tubs (includes 2 inspections).	$90.00 plus ckts @ $9/each		January 2020
Additions, remodels or basement finishes (includes 2 inspections)	$90.00 (includes up to 10 ckts)		January 2020
Residential accessory structures	The greater of $55.00 for panel + $9.00 per ckt OR $90.00 for 2 inspections		January 2020
Traffic signals	$8.00 per each standard		January 2020
Street & parking lot lights	$5.00 per each standard		January 2020

Transformers & generators	$5.00 – 0 to 10kva $40.00 – 11kva to 74kva $60.00 – 75kva to 299kva $165.00 - over 299kva		January 2020
Retrofit lightening	$0.85 cents per fixture		January 2020
Sign transformer or driver	$9.00 per transformer		January 2020
Low voltage fire alarm, low voltage heating & air conditioning control wiring	$0.85 cents per device		January 2020
Re-inspection fee in addition to all other fees	$45.00		January 2020
Hourly rate for carnivals	$90.00		January 2020
Solar fees:			
0kw – 5kw	$90.00		January 2020
5.1kw – 10kw	$150.00		January 2020
10.1kw – 20kw	$225.00		January 2020
20.1 to 30kw	$300.00		January 2020
301.1kw – 40kw	$375.00		January 2020
401 kw and larger	$375.00 + $25 each additional 10kw		January 2020
Electronic inspection fee for these items only: furnace, air conditioning, bath fan, fireplace or receptacle for water heater vent ** Must be pre-approved by Electrical Inspector **	$40.00		January 2020
*Permit fee is doubled if work starts before permit issued			
*Refunds must be requested in writing. No refunds on minimum fee permits, expired permits or state surcharge fee. Refunds are minus a city handling fee of 20%.			

City of White Bear Lake
City Manager's Office

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: Kara Coustry, City Clerk

Date: November 5, 2019

Subject: **Use of Podvin Park skate rink on January 11 & 12, 2020**

SUMMARY / BACKGROUND
The Hockey Association submitted a special event application requesting use of the Podvin Park pavilion and ice rink January 11 & 12, 2020 for an Outdoor Hockey Jamboree. The school district provides warming house attendants and maintains the restrooms throughout the winter months. The District supports the Hockey Association's request, provided the Association assumes these responsibilities for the weekend. The Association has also agreed to maintain the rink as needed before, during and following the event.

The Hockey Association is also seeking the ability to sell beer during the event. If approved by Council, the Association would be required to supply wristbands for those of legal drinking age and restrict consumption to a defined area monitored by assigned security.

The Hockey Association is a non-profit that has been in existence for at least three years, which qualifies them for a temporary liquor license. If alcohol service is approved for this event, an approved liquor control plan and liquor liability insurance would be required prior to permit issuance.

RECOMMENDED COUNCIL ACTION
Attached is a resolution authorizing use of Podvin Park by the White Bear Lake Hockey Association on January 11 & 12, 2020 for an Outdoor Hockey Jamboree, to include a temporary liquor license permit for beer service.

ATTACHMENT
Resolution

RESOLUTION NO.

A RESOLUTION AUTHORIZING USE OF PODVIN PARK PAVILION AND ICE RINK FOR OUTDOOR HOCKEY JAMBOREE AND APPROVAL OF A TEMPORARY LIQUOR LICENSE

WHEREAS, an application was submitted by the Hockey Association to host a hockey jamboree at Podvin Park ice rink on January 11 & 12, 2020; and

WHEREAS, the Hockey Association would assume full rink maintenance and pavilion cleaning, including restrooms, for the requested weekend; and

WHEREAS, the Hockey Association is seeking authorization to sell beer on both days, a permit for which the non-profit is qualified.

NOW THEREFORE, **BE IT RESOLVED** by the City Council of the City of White Bear Lake hereby authorizes use of Podvin Park pavilion and ice rink for an Outdoor Hockey Jamboree and the sale of beer during this event on January 11 & 12, 2020, subject to the following conditions:

1. The Hockey Association agrees to adhere to the standard Park Rules and Guidelines

2. The Hockey Association maintains Podvin Park ice rink and pavilion for the duration of the event, and pays for the actual cost of trash collection by Republic Services

3. Liquor control plan approved by the White Bear Lake Police Department

4. General liability insurance and liquor liability insurance

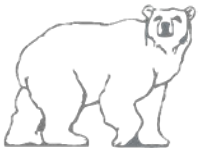
The foregoing resolution, offered by Councilmember _____, and supported by Councilmember ____, was declared and carried on the following vote:

Ayes:
Nays:
Passed:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk



White Bear Lake Public Works
3950 Hoffman Road
White Bear Lake, MN 55110

Park Rules and Guidelines

Parks Permits

Your park receipt serves as your park permit and authorizes use of White Bear Lake park property as described and for the period of time listed on your receipt. Any other use of the facility must receive prior written approval by the City. Please carry your permit (receipt) with you at all times when using the area or facility to serve as proof of rental. A receipt must be shown to authorities at the site upon request. The permittee listed on the receipt must be present on the premises throughout the duration of the park use. The permittee shall not sublet all or any portion of the premises to an unknown party. Permittees of park permits shall be bound by Chapter 905 governing Parks and Open Space of the White Bear Lake Code of Ordinances.

Clean-Up Duties

- Clean kitchen and equipment (if applicable)
- Wipe down picnic tables, sweep and mop if food and beverages were spilled
- Put all trash and recyclables in dumpsters and/or containers provided, or place nearby if containers are full

Rules

- Park hours are 6:00 a.m. – 10:00 p.m.
- No driving or parking on grass, and no stakes (use sandbags due to irrigation)
- Dogs must be leashed at all times and owners must dispose of pet waste
- No glass, no nails in trees, no recreational fires, no alcohol (see section on Alcohol)
- Portable space heaters are strictly prohibited

Keys

Facilities that require a key are **Lakewood Hills Serving Room** (not the pavilion) and **Podvin Park Meeting Room** (not the pavilion) Keys may be picked-up and returned to the Public Safety Building, 4701 Highway 61, with proof of rental (receipt/permit) and a picture I.D. Staff is readily available M-F from 7:30 a.m. – 10:00 p.m., otherwise use the lobby phone to request a key from dispatch. **Note:** Return keys promptly upon event conclusion for the next renter (key dropbox is available).

Restrooms

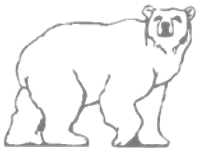
In the event restrooms are locked, contact Dispatch non-emergency at (651) 429-8511 to request a Community Service Officer to unlock them. All restrooms will be locked at 10:00 p.m. by officers and patrons will be asked to vacate park property at this time.

Alcohol

No person shall transport, posses, offer for sale, consume or be under the influence of intoxicating beverages at any City park site except with a special City Council permit. Outdoor events with alcohol require fencing and other controls in addition to liquor liability insurance prior to Council approval. Complete the City's Special Event application to initiate the process for consideration.

Cancellations / Refunds

Park reservations may be canceled with 14 days' advance notice for a full refund. Refunds are not issued for cancellations within 14 days', or for acts of nature such as inclement weather.



White Bear Lake Public Works
3950 Hoffman Road
White Bear Lake, MN 55110

Matoska Gazebo

Matoska Park is a passive park containing a gazebo, which may be rented in short 2-hour increments for small, short duration events and ceremonies. In addition to the standard park rules previously outlined, Matoska Park has the following site-specific requirements:

- Limited 2-hour time slots only (including set-up / take-down)
- No decorations on the gazebo structure
- Chairs, tents and music can be walked in (no driving on grass)
- On-street parking only – no parking is permitted in adjacent boat trailer lot

There is an electrical outlet with standard household current in the light fixture of the gazebo. If you overload the breaker, it will not be reset.

Bounce House / Inflatables / Games

Authorization for utilization of bounce houses, inflatables, generators and other yard games is only granted when a park permittee secures the required Comprehensive General Liability in the minimum amount of $1,500,000 per occurrence and names the *"City of White Bear Lake, 4701 Highway 61, White Bear Lake, MN 55110, its officials, agents, employees and volunteers as additional insured."* Failure to produce evidence of valid insurance upon request will result in the unit being shut down and/or removed from the premises.

Indemnification

Permittee shall defend, indemnify and hold harmless the City, its elected and appointed officials, employees, volunteers, contractors, and agents against all actions, claims, demands, liabilities, injuries and damages, whether to persons or property or both, which may be imposed upon or incurred by the City as a consequence of, or arising out of, any act, default or omission on the part of the Permittee in connection with the activity which the Permittee is conducting.

Compliance Agreement & Damages

The facility must be left by the permittee in the same condition, subject to normal wear and usage, as when first occupied (see clean-up duties). If damage has occurred or Rules and Guidelines are not followed, the City will determine whether to invoice permittee for non-compliance. This can include, but is not limited to: 1) damage to City property; 2) additional cleanup costs; 3) repairs or added expenses due to misuse of City facilities; or 4) misrepresenting the event, including event attendance and features. Permittee is also responsible for attorney's fees and costs incurred by the City to collect for damages, losses, expenses, or cleanup, as necessary, including any and all costs related to a legal action filed by the City against the permittee, which may occur in small claims court or district court.

Park Rental Assistance / Enforcement

General park facilities remain open to the public, but for assistance in enforcing specific provisions of your park permit, please contact the following:

- Monday – Friday, 7:00 a.m. – 3:30 p.m., dial Public Works (651) 747-3650
- After hours and weekends, dial Police non-emergency (651) 429-8511
- Emergency situations, dial 9-1-1

City of White Bear Lake
Community Development Department

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: Anne Kane, Community Development Director

Date: November 6, 2019 for the November 12, 2019 City Council Meeting

Subject: **RUSH LINE BRT – FTA Advanced Station Area Planning Grant Letter of Support and In-Kind Contribution**

REQUEST
Authorization to send a letter of support for the Rush Line FTA Advanced Station Area Planning Grant Application and, if awarded, authorize staff's time as an in-kind contribution, at an estimated cost of $25,000 over the 18-month planning process.

SUMMARY
Ramsey County is seeking grant funds from the Federal Transit Administration (FTA) to support Advanced Station Area Planning along the Rush Line bus rapid transit corridor. If successful, small area plans would be prepared for the areas within one-half mile of the stations along the corridor, including: Buerkle Road, County Road E, Cedar Avenue, Marina Triangle, and Downtown White Bear Lake station areas. The plans would examine ways to enhance economic development and ridership, foster multi-model connectivity and accessibility, improve transit access for pedestrian and bicycle traffic, and identify infrastructure needs in and around the station areas.

The total federal grant request is approximately $1,250,000, with Ramsey County providing a local match of $312,500. In order to increase competitiveness, the County is also requesting that corridor communities provide in-kind contributions through dedication of staff's time, which is estimated to be $25,000 over the 18-month planning process. Staff believes it is important for the City to remain engaged in the station planning process moving forward to ensure the City's desired vision, scale and types of development are reflected in the final plan along the corridor within White Bear Lake. Staff has also drafted a letter of support for the County's grant application.

RECOMMENDED COUNCIL ACTION
Approval of the attached Resolution.

ATTACHMENTS
Resolution of Approval
Draft Letter of Support

RESOLUTION NO.

RESOLUTION AUTHORIZING IN-KIND CONTRIBUTION AND A LETTER OF SUPPORT TO THE FEDERAL TRANSIT ADMINSTRATION FOR THE TRANSIT-ORIENTED DEVELOPMENT PLANNING GRANT APPLICATION FOR RUSH LINE BRT ADVANCED STATION AREA PLANNING PROCESS

WHEREAS, Ramsey County is pursuing grant funds from the Federal Transit Administration for transit-oriented development (TOD) planning efforts along the Rush Line Corridor; and

WHEREAS, if awarded, the funds would support the preparation of small area plans for the areas within one-half mile of stations along the corridor; and

WHEREAS, the City of White Bear Lake will be served by five stations along the corridor: Buerkle Road, County Road E, Cedar Avenue, Marina Triangle and Downtown White Bear Lake; and

WHEREAS, the City Council finds it is importation for the City to remain engaged in the station area planning process moving forward to ensure the City's desired vision, scale and types of development are reflected in the final plan for the corridor; and

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of White Bear Lake, Minnesota, that it hereby authorizes the Mayor to send the letter of support dated November 12, 2019 and supports the dedication of staff time and talent to provide in-kind contribution estimated to be $25,000 over the 18-month planning process.

The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

November 15, 2019

Federal Transit Administration
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington D.C. 20590

To Whom It May Concern:

On behalf of the City Council, that has land use authority for the City of White Bear Lake, I am writing to support the FTA Pilot Program for Transit-Oriented Development Planning grant application for Rush Line BRT Project Advanced Station Area Planning. With this letter of intent, the City of White Bear Lake commits to working with the Metropolitan Council/Metro Transit, Ramsey County, and other municipalities along the Rush Line BRT corridor, as well as regional and private partners, on the Rush Line BRT Advanced Station Area Plans as defined in the Partnership Roles and Responsibilities document. With this letter, the City of White Bear Lake commits $25,000 in contributions of in-kind time and talent during the planning process.

The Metropolitan Council/Metro Transit, Ramsey County, and the municipalities along the Rush Line BRT corridor have been working together to plan the project alignment and station locations. The project partners engaged the public in preliminary station area planning efforts in 2018, which focused on identification of station locations. City staff, elected and appointed officials and policymakers representing the City of White Bear Lake participate in the Rush Line BRT Technical, Policy and Community Advisory Committees, as well as issue resolutions teams. We are committed to working together to complete Advanced Station Area Planning efforts with our partners.

The City of White Bear Lake encourages your favorable support. Thank you for your consideration.

Sincerely,

CITY OF WHITE BEAR LAKE

Jo Emerson, Mayor

City of White Bear Lake
City Engineer's Office

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: Connie Taillon, Environmental Specialist

Date: November 7, 2019

Subject: **Organics Collection Enclosure**

BACKGROUND/SUMMARY

More than 30% of what goes into the trash is food scraps and other organic waste. To meet state and county goals to minimize disposal of waste, the Ramsey County Solid Waste Management Master Plan identifies strategies to divert food and other compostable materials such as non-recyclable paper from the waste stream through an organics recycling program. Ramsey County expanded services offered at their seven yard waste sites by adding drop off organics collection in 2015. Ramsey County residents can drop off bagged food scraps and other compostable materials in the organics recycling dumpster located at each of the yard waste sites. The closest yard waste/organics collection site to the City of White Bear Lake is on the west side of 35E in White Bear Township (5900 Sherwood Road). The organic waste is transported to commercial composting facilities where it is converted into a compost that can be used as a soil amendment. Ramsey County is expanding its successful organics recycling program by offering to co-develop and fund organics collection enclosures in each community. To date, Maplewood, New Brighton, Roseville, Saint Anthony, Vadnais Heights, and Saint Paul all have one or more drop off organics collection locations.

Based on strong support from the Environmental Advisory Commission and residents, staff worked with Ramsey County to identify an organics collection site in White Bear Lake. The Public Works facility was chosen as the preferred site due in part to its central location in the City. The enclosure is planned to be constructed in the northwest corner of the property (see attached proposed location map), which allows for 24/7 access and does not affect parking.

Staff is seeking authorization to enter into an agreement with Ramsey County for ongoing organics collection enclosures. Costs to the City are minimal, including staff time to promote the collection site, keep the site serviceable, and have compostable bags readily available. Ramsey County will cover the cost of construction, weekly collections, signage, and compostable bags.

RECOMMENDED COUNCIL ACTION

Authorize the Mayor and City Manager to enter into an agreement with Ramsey County for an organics collection enclosure at the City of White Bear Lake Public Works facility.

ATTACHMENTS

Resolution
Proposed location map
EAC letter of support

RESOLUTION NO.

RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT WITH RAMSEY COUNTY PUBLIC HEALTH, ENVIRONMENTAL HEALTH DIVISION FOR ONGOING ORGANICS COLLECTION ENCLOSURES

WHEREAS, Ramsey County is expanding its organics recycling program by offering to co-develop and fund organics collection enclosures; and

WHEREAS, City staff worked with Ramsey County to identify the northwest corner of the Public Works facility as an organics collection site in White Bear Lake; and

WHEREAS, per the agreement, Ramsey County shall construct a source separated organics collection site that will serve as a public drop off location; and

WHEREAS, Ramsey County and the City will have ongoing responsibilities related to the maintenance and performance of the organics recycling program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the Mayor and City Manager are hereby authorized to execute an organics collection enclosures agreement with Ramsey County.

The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

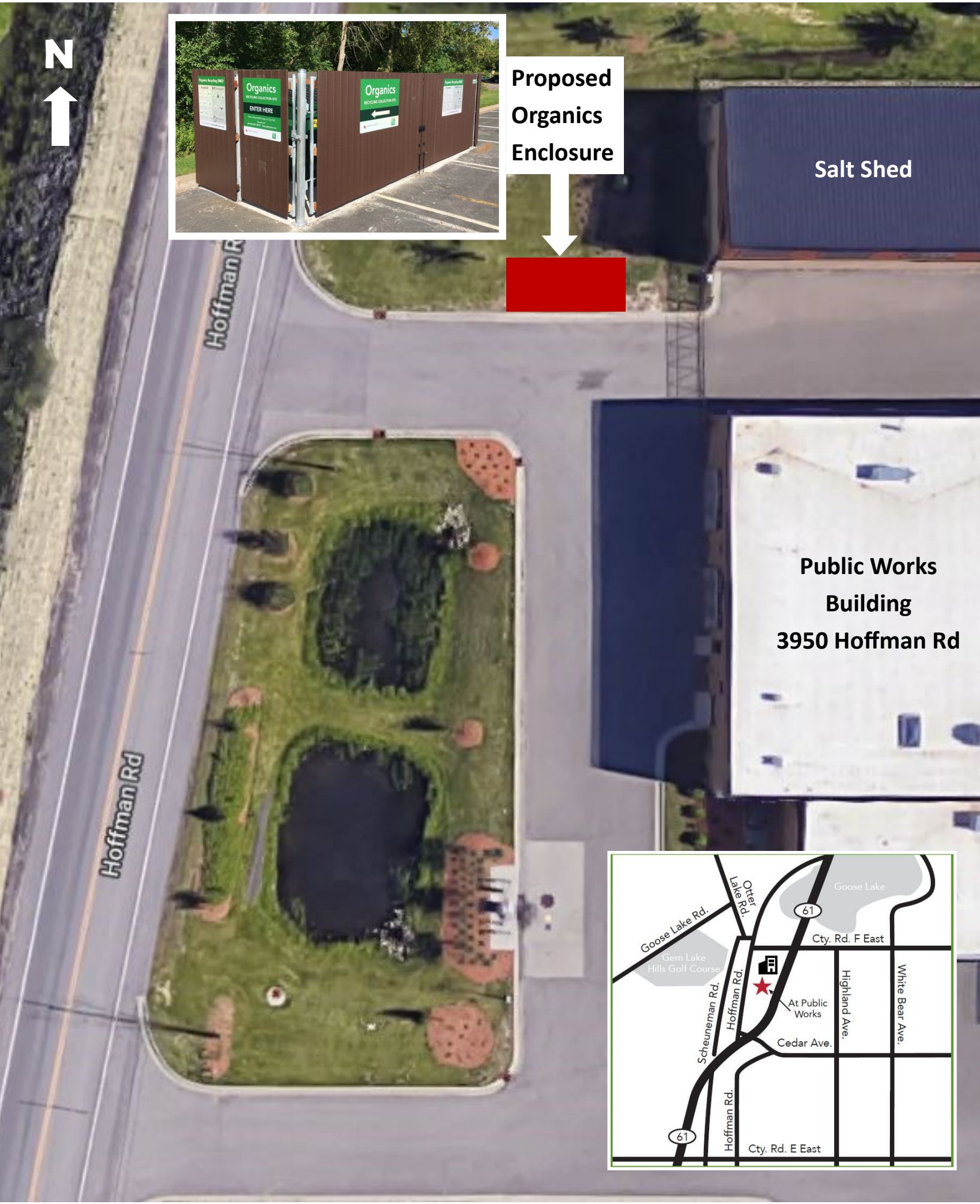
Ayes:
Nays:
Passed:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

Exhibit 1—WBL Public Works Proposed Organics Collection Enclosure



Mayor Jo Emerson
White Bear Lake City Council Members
City of White Bear Lake
4701 Highway 61
White Bear Lake, MN 55110

Re: Organics Recycling

Dear Mayor Emerson and City Council Members

Over the past several years members of the White Bear Lake Environmental Advisory Commission have been discussing promoting organics recycling in the city. Finding a satisfactory location in the city for collecting this material has been the main issue. Recent discussions with Ramsey County and City staff have identified the city's Public Works facility as a favorable location to install the organics recycling containers and enclosure.

The purpose of this letter is to inform you of the Environmental Advisory Commission's unanimous support for installing the organics recycling unit at the city's Public Works facility. Organics recycling diverts food waste from landfills, reduces greenhouse gas emissions and the organic materials can be turned in to compost, a nutrient rich soil amendment.

We appreciate your consideration of this recommendation and support for the environment.

Sincerely,

Gary Schroeher
Environmental Advisory Commission Chairperson

City of White Bear Lake
City Manager's Office

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: Rick Juba, Assistant City Manager

Date: November 1, 2019

Subject: **Professional Services contract for electrical inspections**

BACKGROUND/SUMMARY
The City's current electrical inspector is retiring at the end of 2019. In considering a replacement for this work, staff surveyed neighboring cities and solicited feedback from local contractors who applied for electrical permits. City's essentially have three options for electrical inspections:

1) Contract with the State of Minnesota
2) Employ an electrical inspector
3) Contract with a private electrical inspector

The City has historically contracted with a private inspector and staff recommends continuing this practice. Ben Eggan, the City's Building Official, compared services and fees of metropolitan electrical inspectors and determined Tokle Inspections Inc. was the best, most responsive option. They currently provide electrical inspection services to Little Canada, Hugo, North St. Paul, North Oaks, Vadnais Heights, Shoreview and Roseville, among others. Tokle employs three inspectors and an office administrator, which will improve related communications to property owners.

The proposed 2020 Fee Schedule includes a new fee structure for electrical permits, which is comparable to neighboring cities and more easily interpreted by contractors. Tokle's fee to the City is the same as the previous contractor, which is 80% of all electrical permit fees.

Upon Council's approval, the term of the agreement would become effective on January 1, 2020 and continue until either party terminates the agreement with 45-day written notice.

RECOMMENDED COUNCIL ACTION
Staff recommends the City Council adopt the attached resolution establishing a professional services contract for electric inspections.

ATTACHMENTS
Resolution

RESOLUTION NO.

RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT FOR ELECTRICAL INSPECTIONS WITH TOKLE INSPECATIONS INC.

WHEREAS, the City of White Bear Lake depends on a consultant to perform electrical inspections in accordance with the Minnesota State Building Code; and

WHEREAS, the City's current electrical inspector is retiring at the end of 2019; and

WHEREAS, staff solicited recommendations for electrical inspectors from neighboring cities and contractors; and

WHEREAS, upon comparing capacity, fees and service levels, the Building Official determined Tokle Inspections Inc. would be the best, most responsive option for the City of White Bear Lake; and

WHEREAS, the term of the professional services agreement would become effective on January 1, 2020, and remain in effect until either party terminates with 45-day written notice.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of White Bear Lake that the Mayor and City Manager are hereby authorized to execute the professional services agreement with Tokle Inspections Inc.

The foregoing resolution offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

City of White Bear Lake
City Manager's Office

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: Kara Coustry, City Clerk

Date: November 6, 2019

Subject: **Canvassing 2019 General Election results**

BACKGROUND
In accordance to Minnesota Statutes regulating the conduct of Municipal Elections, the City Council serves as the Canvassing Board for all Municipal Elections; the State Canvassing Board, which is comprised of five members, (Secretary of State, two Supreme Court Justices and two District Court Justices), canvasses all statewide elections.

SUMMARY
Attached are the results of the Municipal Election held on Tuesday, November 5, 2019. The results include the absentee ballot totals tabulated at Ramsey County, which were combined with the results taken directly from the tapes printed out from the ballot counters following closing of the polls on election night; all results were reviewed and certified by election judges representing both major political parties.

The attached resolution declares Bill Walsh as Councilmember-elect representing Ward 1, Dan Jones as Councilmember-elect representing Ward 3 and Steven Engstran as Councilmember-elect representing Ward 5.

RECOMMENDED COUNCIL ACTION
Staff recommends Council adopt the attached resolution canvassing the votes for the 2019 General Election.

ATTACHMENTS
Resolution
Results by Precinct

RESOLUTION NO.

A RESOLUTION CANVASSING RESULTS OF GENERAL ELECTION 2019

WHEREAS, the City Charter has provided for a City General Election on the first Tuesday after the first Monday in November; and

WHEREAS, the City General Election was duly held on November 5, 2019; and

WHEREAS, the City Council canvasses the vote totals in accordance with State Statutes; and

WHEREAS, the canvassed votes are as follows:

OFFICE	VOTES
Councilmember Ward 1	
Bill Walsh	
Jeff Brown	
Write-In	
Councilmember Ward 3	
Dan Jones	
Write-In	
Councilmember Ward 5	
Steven Engstran	
Jim Berry	
Write-In	

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota:

1. That, as a result of this General Election, the following persons are hereby declared elected to the office for the term of January 2020 to January 2024:

OFFICE	ELECTED
Councilmember Ward 1	Bill Walsh
Councilmember Ward 3	Dan Jones
Councilmember Ward 5	Steven Engstran

2. That the City Clerk is hereby authorized and directed to file a certified copy of this resolution with the County Auditor.

The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

Abstract of Votes Cast
In the Precincts of the City of White Bear Lake
State of Minnesota
at the Municipal and School District General Election
Held Tuesday, November 5, 2019

as compiled from the official returns.

Summary of Totals
City of White Bear Lake
Tuesday, November 5, 2019 Municipal and School District General Election

Number of persons registered as of 7 a.m.	9046
Number of persons registered on Election Day	105
Number of accepted regular, military, and overseas absentee ballots and mail ballots	402
Number of federal office only absentee ballots	0
Number of presidential absentee ballots	0
Total number of persons voting	3024

Summary of Totals
City of White Bear Lake
Tuesday, November 5, 2019 Municipal and School District General Election

KEY TO PARTY ABBREVIATIONS

NP - Nonpartisan

Council Member Ward 1 (White Bear Lake)

NP	WI
Bill Walsh	WRITE-IN**
637	38

Council Member Ward 3 (White Bear Lake)

NP	WI
Dan Jones	WRITE-IN**
799	22

Council Member Ward 5 (White Bear Lake)

NP	NP	WI
Steven Engstran	Jim Berry	WRITE-IN**
479	406	11

Detail of Election Results
City of White Bear Lake
Tuesday, November 5, 2019 Municipal and School District General Election

Precinct	Persons Registered as of 7 A.M.	Persons Registered on Election Day	Total Number of Persons Voting
62 1740 : WHITE BEAR LAKE W-1 P-1	2854	47	857
62 1760 : WHITE BEAR LAKE W-3 P-1	2585	29	914
62 1765 : WHITE BEAR LAKE W-3 P-2	385	5	154
62 1780 : WHITE BEAR LAKE W-5 P-1	3222	24	1099
City of White Bear Lake Total:	9046	105	3024

Detail of Election Results
City of White Bear Lake
Tuesday, November 5, 2019 Municipal and School District General Election

Office Title: Council Member Ward 1 (White Bear Lake)

Precinct	NP Bill Walsh	WI WRITE-IN**
62 1740 : WHITE BEAR LAKE W-1 P-1	637	38
Total:	**637**	**38**

Office Title: Council Member Ward 3 (White Bear Lake)

Precinct	NP Dan Jones	WI WRITE-IN**
62 1760 : WHITE BEAR LAKE W-3 P-1	703	11
62 1765 : WHITE BEAR LAKE W-3 P-2	96	11
Total:	**799**	**22**

Office Title: Council Member Ward 5 (White Bear Lake)

Precinct	NP Steven Engstran	NP Jim Berry	WI WRITE-IN**
62 1780 : WHITE BEAR LAKE W-5 P-1	479	406	11
Total:	**479**	**406**	**11**

We, the legally constituted county canvassing board, certify that we have herein specified the names of the persons receiving votes and the number of votes received by each office voted on, and have specified the number of votes for and against each question voted on, at the Municipal and School District General Election held on Tuesday, November 5, 2019

As appears by the returns of the election precincts voting in this election, duly returned to, filed, opened, and canvassed, and now remaining on file in the office of the City of White Bear Lake Clerk. Witness our official signature at _____ in _____ County this _____ day of _____, 2019.

_____
Member of canvassing board

_____
Member of canvassing board

_____
Member of canvassing board

_____
Member of canvassing board

_____
Member of canvassing board

_____
Member of canvassing board

_____
Member of canvassing board

State of Minnesota
City of White Bear Lake

I, _____, Clerk of the City of White Bear Lake do hereby certify the within and foregoing _____ pages to be a full and correct copy of the original abstract and return of the votes cast in the City of White Bear Lake Municipal and School District General Election held on Tuesday, November 5, 2019.

Witness my hand and official seal of office this _____ day of _____, 2019.

_____

Precincts Reporting in Municipality: 100% 4 of 4 | Last Updated: 11/06/19 1:15 PM | Voters Registered at 7AM: 9046

Results for Selected Contests in 69970 - White Bear Lake

Council Member Ward 1 (White Bear Lake) Results By Precinct — 1 precincts in contest. 1 of 1 precincts reported in municipality.

Party	Candidate	Totals	Pct	Graph
Nonpartisan	Bill Walsh	637	94.37%	
WRITE-IN**	WRITE-IN**	38	5.63%	

Council Member Ward 3 (White Bear Lake) Results By Precinct — 2 precincts in contest. 2 of 2 precincts reported in municipality.

Party	Candidate	Totals	Pct	Graph
Nonpartisan	Dan Jones	799	97.32%	
WRITE-IN**	WRITE-IN**	22	2.68%	

Council Member Ward 5 (White Bear Lake) Results By Precinct — 1 precincts in contest. 1 of 1 precincts reported in municipality.

Party	Candidate	Totals	Pct	Graph
Nonpartisan	Steven Engstran	479	53.46%	
Nonpartisan	Jim Berry	406	45.31%	
WRITE-IN**	WRITE-IN**	11	1.23%	

City of White Bear Lake Environmental Advisory Commission

MINUTES

Date: September 18, 2019	Time: 6:30pm	Location: WBL City Hall
COMMISSION MEMBERS PRESENT	Sheryl Bolstad, Chris Greene, Gary Schroeher (Chair), Robert Winkler	
COMMISSION MEMBERS ABSENT	Pam Enz, Bonnie Greenleaf, Rick Johnston	
STAFF PRESENT	Connie Taillon, Environmental Specialist	
VISITORS	None	
NOTETAKER	Connie Taillon	

1. CALL TO ORDER

The meeting was called to order at 6:41 pm.

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and added prairie planting to item 7d Commission member updates. Staff added storm drain cleaning to item 7c Staff updates. Commissioner Bolstad moved, seconded by Commissioner Greene, to approve the agenda as amended. Motion carried, vote 4/0.

3. APPROVAL OF MINUTES

a) August 21, 2019 regular meeting

The commission members reviewed the August 21, 2019 draft minutes and had no changes. Commissioner Winkler moved, seconded by Commissioner Greene, to approve the minutes of the August 21, 2019 meeting as presented. Motion carried, vote 4/0.

4. VISITORS & PRESENTATIONS

None

5. UNFINISHED BUSINESS

a) 2020 Work Plan

Commission members continued to brainstorm possible goals for 2020. Commissioner Greene is interested promoting electric lawn equipment at the Environmental Resource Expo next year. Commissioner Bolstad would like to add renewable energy as a priority goal for 2020. Salt management education was also added to the list of goals. Commission members will continue to discuss priority goals for 2020 at the October meeting.

6. NEW BUSINESS

None

7. DISCUSSION

a) Topics of discussion for Council Member Edberg

Commission members compiled a list of questions for Council Member Edberg at the October 16th meeting: 1) what did you learn in Germany, 2) what are the barriers to approving rooftop solar on City buildings, 3) what environmental issues are City Council concerned about, and 4) questions regarding Water Gremlin. Chair Schroeher will email the questions to Council Member Edberg in advance of the meeting.

b) Topics of discussion for joint Parks Commission meeting
The commission members brainstormed topics of discussion for the joint meeting with the Parks Department in November. Topics of discussion include current goals and projects for each commission, and possible future joint projects such as pollinator plantings, converting landscape maintenance gas engines to electric, public space recycling, rain sensors, alternative lawns, and minimizing grass areas.

c) Staff updates
- Turf Talk, September 25
  The City is hosting a VLAWMO workshop on turf research and alternatives to traditional turf grasses. Dan Sandor from the U of M Center for Turfgrass Science is giving the presentation. The workshop will be held in the City Hall Council Chamber on September 25th at 7pm.

- Organics dumpster enclosure
  Staff reported that there are concerns with constructing a dumpster at Podvin Park so a new site may need to be determined. Commissioner Greenleaf is very interested in the City moving forward with this project. Staff will set up a meeting with Public Works to discuss possible locations.

- Storm drain cleaning – October 18, 19, 20
  VLAWMO is organizing a stormdrain cleaning event in the Goose Lake subwatershed the weekend of October 18th. Bagged leaves from this event can be dropped off at Public Works and Lakeaires Elementary. The City's Public Works staff will pick up the bags of leaves after the event and bring them to a yard waste facility.

d) Commission member updates
- Climate steering committee meeting
  Chair Schroeher gave an update on the Climate Smart Steering Committee meeting held at City Hall on September 11th. Staff presented data about existing CO2 emissions in the City and showed examples of goals from other Climate Action Plans. Members of the steering committee then met in small groups to brainstorm overall goals for the City.

- Prairie Planting
  Chair Schroeher reported that Saint Anthony Village is adding pollinator plantings to public, residential, and commercial properties. As part of this initiative, an interactive map was created that shows the location of each pollinator planting along with a photo of the site. Chair Schroeher asked staff to show the map at the October meeting and include a pollinator map in the work plan as a proposed goal for 2020.

Commission member left at 8:21pm

e) Do-outs
Commission members and staff discussed items on the current do-out list and added the following:
- Staff to send Chair Schroeher the questions for Council Member Edberg
- Show the St Anthony pollinator map at the October meeting
- Show the WBLHS winning video at a future meeting

f) October agenda
Add the County E and Bellaire testing update and joint Parks Commission meeting discussion on the October agenda.

8. ADJOURNMENT

The next meeting will be held at City Hall on October 16, 2019 at 6:30pm. Commissioner Bolstad moved, seconded by Commissioner Winkler, to adjourn the meeting at 8:25 pm. Motion carried, vote 3/0.

Park Advisory Commission Meeting Minutes

SEPTEMBER 19, 2019 6:30 P.M. STELLMACHER PARK

MEMBERS PRESENT	Bryan Belisle, Victoria Biehn, Mark Cermak, Ginny Mae Davis, Mike Shepard
MEMBERS ABSENT	Anastacia Davis, Bill Ganzlin,
STAFF PRESENT	Mark Meyer, Paul Kauppi and Andy Wietecki
VISITORS	
NOTE TAKER	Mark Meyer

1. **CALL TO ORDER**

   The meeting was called to order at 6:30 pm at Bossard Park.

2. **APPROVAL OF MINUTES**

   Approval of the minutes from August 18, 2019 was moved by Mark Cermak and seconded by Ginny Mae Davis.

3. **APPROVAL OF AGENDA**

   Approval of the September 19, 2019 agenda was moved by Mike Shepard and seconded by Victoria Biehn. Motion carried.

4. **UNFINISHED BUSINESS**

   The Lions made the donation for the split log fence at the Lions Park and just need to find the available time to start the project.

5. **NEW BUSINESS**

   a) **Fustal Court**

   Joe from the White Bear Lake Soccer came to the commission meeting to reopen the discussion on a Futsal court that the soccer club would like to have at one of the parks. Futsal courts are hard surfaces like asphalt or concrete with lines painted on them. They use a heavier soccer ball and play five on five. The Futsal court is used for training and agility. We currently don't have any type of hard surface to allow for the court. It was suggested that the hockey rink at Podvin Park would be a good location. However, there a large cost involved with installing concrete or asphalt in the rink area. At this time there is no funding for this type of project. The soccer club would have to pay for the cost of the hard surface if this is something they would like to pursue. The Park Commission will have more discussion on this topic.

   b) **Summer Park Tours – Bossard Park**

   The Park Advisory Commission walked through Bossard Park for their September park tour. The 15.95 acre large open space includes a pavilion, picnic tables, restrooms, play equipment, and baseball field. Unfortunately there is no parking lot

which limits the uses of the Park. Due to the secluded nature of the park, the bathrooms are vandalized continuously so they remain locked most of the time. The playground and the large mowed open space looked great. The Park Commission will have further talks about the future of what this park could bring to the City.

c) Joint Meeting with the Environmental Advisory Commission

The Environmental Advisory Commission would like to have a joint meeting at the November's meeting.

6. OTHER STAFF REPORTS

None.

7. COMMISSION REPORTS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The next meeting will be held on October 17, 2019 at 6:30 p.m at City Hall.

There being no further business to come before the Park Commission, the meeting was adjourned. Moved by Ginny Mae Davis and seconded by Mark Cermak.

REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 pm White Bear Lake City Hall
Minutes of September 17, 2019

APPROVAL DATE: ~~Not approved~~ 10/19

1. **CALL TO ORDER the** September 17,, 2019 meeting of the White Bear Lake Conservation District was called to order by Chair Bryan DeSmet at 7:00 pm in the White Bear Lake City Hall Council Chambers.
2. **ROLL CALL** Present were: Chair Bryan DeSmet, Vice Chair Mark Ganz Directors: Scott Costello, Mike Parenteau, Geoff Ratte, Cameron Sigecon, Marty Rathmanner Absent was Sec/Tres Diane Longville and Director Susie Mahoney A quorum was present.
3. **AGENDA** – Chair DeSmet asked any changes or additions- none
4. **APPROVAL OF MINUTES OF** – August 20, 2019 board meeting Motion (DeSmet/Second) Moved to approve with changes (formatting) all aye passed.
5. **PUBLIC COMMENT TIME** – none
6. **NEW BUSINESS** – None
7. **Unfinished Business** - Continuation of buoys discussion. Alan met with Water Patrols and spoke to Sheriff Departments. The buoys are to be permitted by the county sheriff's department so that they have record of buoys numbers. They regulate all buoy permits. If a multi user buoy they will still require a permit from WBLCD in addition to the County. We will put a link on our website to the County application for buoys.
   We will add to our ordinance language stating all buoys must be licensed by the county. In the future any complaints we might receive in regards to buoys are to be referred to the sheriff's office. Scott will write the changes and give to Alan for review.
8. **REPORTS/ACTION ITEMS**
   Executive Committee – Bryan DeSmet
   Met **with Ramsey County Water Patrol**
   Alan is continuing talks with the Water Patrol agencies. Washington County just has a roaming officer that will answer a call if needed, Ramsey County has officers that are patrolling on the lake at different times as well as answering calls. All hours they are on the lake are paid by WBLCD. They have given us a report of hours spent on the lake, will include in next month's board packet. Keep in mind to review next spring before we sign new contract if we need to increase the amount we pay for additional patrol.
   Status report to White Bear Lake City Council – Scott Costello and Mike Parenteau
   Presented year end data to council. Majority of questions were in regards to the assessment amounts. Reminded them that in 2018 we did not collect any assessment funds. Discussed timing of City letters in regards to parking for commercial bay can be done by January 1st. Later spoke with Ellen Hiniker City Manager and was told all was good.
   Kim has prepared letter of talking points for each board member reflecting their community's numbers, so that each can meet with their City Council Representative to check in and see if there is anything they would like us to do or change.

9. **Lake Quality Committee – Mike Parenteau**
    - Lake level – 925.07 has stayed at this level all summer
    - Lake temperature – 72 degrees
    - Survey/Treatment – We will be receiving our bid for phragmites treatment we have a permit from DNR for 6 acres should cost about $3,000 motion (Parenteau/Second) to have treatment not exceed $7,750 the amount budgeted all aye Passed. DNR is using our guideline and is using it with the University of Minnesota to show them our treatment and reports.
10. **Lake Utilization Committee** – Mark Ganz -nothing
11. **Lake Education – Scott Costello** - nothing
12. **Treasurer's Report** – Motion (DeSmet/Second) approval of September 17, 2019 Treasurer's report and payment of check numbers 4594-4599 All Aye passed.
13. **Board Counsel** – nothing
14. **Announcements** – Kim Johnson
    Status of letting permit holders know of filing deadlines and new late fees. Have emailed all commercial bay owner/operators, week later mailed them a detailed letter of deadline being October 15 and new late fee. Week later mailed letter to all non commercial bay permit holders with link to website to get new forms and a copy of new fee schedule
15. **Adjournment** – Motion (DeSmet/Second) Move to adjourn. All aye Passed.
    Meeting adjourned

ATTEST:

Kim Johnson: *Kim Johnson*
Executive Administrative Secretary
Date:

Bryan: DeSmet: *Bryan DeSmet*
Board Chair
Date: 10-15-19

MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
OCTOBER 28, 2019

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, October 28, 2019, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61, White Bear Lake, Minnesota by Chair Ken Baltzer.

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Ken Baltzer, Jim Berry, Mary Alice Divine, Mark Lynch, and Peter Reis.

MEMBERS EXCUSED: Erich Reinhardt.

MEMBERS UNEXCUSED: None.

STAFF PRESENT: Anne Kane, Community Development Director, Samantha Crosby, Planning & Zoning Coordinator, and Ashton Miller, Planning Technician.

OTHERS PRESENT: Ron Folgor, Donovan Kostron, Heidi Holste, Dave Keller, Anthony & Jennifer Lightfoot, Wendy Lulavy, Ryan Eckdahl, Eric Bacon, Jon Skoog, Dave Chapman, Jerry Dressen, Beth Hill, Karl Johnson, Stacie Moore, Doug Hill, Ben Haster, Dave Haster, B.F. Myers, Dale Grambush, Dave Larrive, Gary Schulz, and Howard Lee.

2. APPROVAL OF THE OCTOBER 28, 2019 AGENDA:

Member Lynch moved for approval of the agenda, adding elections for chair and vice chair under discussion as item 5.C. Member Reis seconded the motion, and the agenda was approved (5-0).

3. APPROVAL OF THE SEPTEMBER 30, 2019 PLANNING COMMISSION MEETING MINUTES:

Member Lynch moved for approval of the minutes. Member Berry seconded the motion, and the minutes were approved (5-0).

4. CASE ITEMS:

A. **Case No. 19-2-LS:** A request by the **Lightfoot and Larrive Families** for a recombination subdivision to convey 4,206 square feet of land from 4701 Bald Eagle Avenue to 1985 Birch Lake Avenue, per Code Section 1407.040.

Miller discussed the case. Staff recommended approval of the request.

Member Lynch commented on how great it is that neighbors can work together.

Anthony Lightfoot, applicant, 1985 Birch Lake, he and his family are grateful to their neighbors for offering them the opportunity to expand their property. With grandma and ice cream so close to the house, they are happy they will be able to stay in the neighborhood.

Member Reis moved to recommend approval of Case No. 19-2-LS. Member Lynch seconded the motion. The motion passed by a vote of 5-0.

B. **Case No. 19-9-V:** A request by **Bruggeman Builders LLC** for a five foot variance from the 15 foot side yard setback requirement, per Code Section 1303.080, Subd.5.c.2.b, in order to build a triplex 10 feet from the west property line on the portion of the property located north of County Road D at 2687 County Road D.

Kane discussed the case. Staff recommended approval with a number of conditions laid out in the staff report.

In response to a question from Member Divine regarding driveways, Kane reported that each unit will have a separate twenty foot wide driveway accessing County Road D.

Member Reis asked how the wetland boundary is determined. Kane explained it is the Ordinary High Water Level (OHWL).

Member Lynch wondered if anything could be built on the property to the west. Kane stated that easements prohibit development of the area.

Member Baltzer opened the public hearing.

Gary Schultz, 3151 Hidden Lake Pointe Drive, he commented that the site is just a little piece of land with not enough room for a quad or a triplex. The setback requirements are there to protect surrounding neighbors. He has been told that the triplex will reduce home values by possibly 20 thousand dollars, which will hurt him significantly. He is not opposed to a duplex on the site, but higher density homes are west of the lake, not on the east. He asked the Planning Commission to deny the variance.

Dave Chapman, 3149 Hidden Lake Pointe Drive, he stated that one of the fundamental assumptions that staff bases their recommendation of approval on is that the neighbors will not be affected. Their homes will lose value. He thought when the property was rezoned, a fifteen-foot setback was guaranteed. Kane replied that monetary value is not the only aspect staff looks at when determining effect on neighbors. She added that by right four to six multiple family units would be allowed here, and a fifteen foot setback was only for anything larger than a duplex.

Chapman conveyed that there are probably over one hundred trees greater than four inches that will be lost with the construction of this building. He bought his townhome for the view. This will have an adverse effect on the surrounding properties in terms of money and greenery.

Member Lynch clarified that the variance request was on the west and asked if fifteen feet would be required if it was denied. Kane confirmed fifteen feet is the setback for triplexes, but the applicant could build a duplex, which only requires a ten-foot setback.

Paul Bruggeman, applicant, he suggested that the density of his project is probably less than at the neighboring Hidden Lake Pointe and that those townhomes only exist because variances were granted for the side and rear yards. He is preserving the space by maintaining a fifteen-foot

setback on the east side. He does not know why a triplex would reduce home values and thinks this project will benefit the neighborhood.

Member Baltzer closed the public hearing.

Member Divine stated that she does not like the garage doors across the front. She wondered how far the building is from the curb and if there will be landscaping. Kane explained that side loading is not an option because of the width of the lot and that there will be landscaping based on the number of trees that will need to be replaced.

Member Berry asked if the Hidden Lake Pointe development was granted variances. Kane gave a history of the Planned Unit Development that was approved in 2001 and included flexibility from the code for rear and side yard setbacks.

Member Reis questioned what condition four regarding tree preservation entails. Kane explained that tree preservation requirements are very specific, so staff does not have discretion in the review. She provided the commissioners with the required replacement values.

Member Lynch asked how far back the trees will be removed. Kane pointed on a map roughly how far back the building will be and confirmed that the construction will not clear-cut all the trees on the property. Member Lynch added that he originally thought the proposed construction was going to be a lot denser than a triplex. He indicated that he is leaning towards voting for approval of the variance.

Member Baltzer remarked that the property does not belong to the townhomes, so they cannot dictate the development that occurs on it. He noted that if the association wanted it to stay the same, they should have bought the land. He agrees with Member Lynch that there could be a lot more on this property.

Member Lynch moved to recommend approval of Case No. 19-9-V. Member Reis seconded the motion. The motion passed by a vote of 4-1. Member Berry opposed.

C. **Case No. 19-6-Z & 19-5-CUP:** A request by **Lotus Recovery** for a text amendment to Code Section 1302.140, "Day Care and Group Care Facilities" to allow a Group Care Facility with more than six, but not more than sixteen individuals, as a Conditional Use in residential zoning districts, and a Conditional Use Permit, per the amended code, to operate a 16-bed residential treatment center for chemically dependent individuals at the property located at 3561 White Bear Avenue.

Crosby discussed the case. Staff recommended approval of the text amendment and approval of the conditional use permit with a number of conditions laid out in the staff report. She noted that a condition will be added between now and the City Council meeting that the fence needs to be replaced.

Member Divine asked who would enforce the rules and if there is a state agency that has oversight of treatment centers. Crosby replied that the Department of Human Services (DHS) regulates group homes, but does not enforce local regulations. A number of staff members will be in charge of enforcing the conditions.

Member Divine sought clarification on whether the text amendment and conditional use permit are together. Crosby explained that because the rezoning requires two readings, the conditional use permit will have to wait another month to be heard by the City Council.

Member Berry commented that when the residence was being used in 2013, there were issues with vehicle overcrowding. He asked if the residents would be allowed vehicles. The road has one way in, one way out access, which will increase congestion. He also wondered why sixteen was the chosen number of people for the text amendment and if it is solely based on economies of scale. Crosby confirmed that only staff and visitors, not residents, will have vehicles on site.

Member Lynch asked for a definition of major collector roads and if the reported calls at the other treatment centers are only police. Crosby could not provide an exact definition for road classifications, but offered to find a map of the road designations and that the call count included police, fire and EMS.

Member Lynch followed up with the question of whether staff would separate out police calls. Crosby confirmed they would and read the definition for which calls would count towards the three-strike rental license policy. Member Lynch then asked about overflow parking. Crosby replied that, as proposed, the parking is sufficient, but staff is trying to foresee issues and find alternatives if parking becomes problematic.

Member Lynch noted that he had questions he hoped the applicants would address relating to resident travel and the nature of voluntary admittance to the program.

Member Baltzer opened the public hearing.

Ryan Eckdahl and Eric Bacon, applicants, Lotus Recovery, they expressed appreciation for staff's and the Planning Commission's time. Eckdahl described how they have founded or launched eight agencies in relation to this population. They are working to respond to misconceptions surrounding addiction. He stated that residents will be voluntary, be qualified for residential treatment and have no sexual offenses. The organization will conduct a background check on all potential residents and will reserve the right to deny people. There will be 24-hour supervision of the facility and transportation will be provided for all activities that occur outside of the home. No one, resident or visitor, can enter or exit without first talking to staff. Eckdahl commented that everyone is on a journey to bring freedom to themselves. It is in their interest to continue and move out of this facility.

Bacon reiterated that there will be no mandated clientele. He broke down the daily routine stating that the clinical hours will be from 9 am to 5 pm, dinner from 5 to 6 pm, activities from 6 to 8 pm, quiet time from 8 to 9 pm and then down time at 10:30 pm. He assured that in response to neighbor concerns, loud noises in the back yard would not be permitted.

Bacon noted that they have reached out to other residential treatment centers to see how their communities have been affected. They reported minimal issues. He cited that four to five hundred thousand people in Minnesota have been affected by addiction and Lotus Recovery is just trying to help.

Member Lynch asked what kind of addiction they will treat and how long the program will be. Bacon stated that treatment will be for both alcohol and drugs and that it will be a 90-day program or whenever the resident opts to leave.

John Skoog, 3695 County Road 11, Independence, stated that he has worked with Lotus Recovery in the past and they are great and make the process easy with their communication skills. This epidemic needs to be addressed and this population needs someone to speak up for them, which is why he supports the request.

Heidi Holste, Executive Director of Northeast Residence, 2539 County Road E East, she explained that her organization is the current owner of the property, but due to changes in state legislation, they can no longer use the property for their program. The organization has operated twenty-nine programs, many of which are in White Bear Lake. She described how they used to operate a day program for nine individuals in the proposed recovery center. She stated that when they ran the program, parking was often an issue because parents were dropping off and picking up at the same time of day, which is not the case for Lotus Recovery. She also admitted that the garage was used for storage rather than parking.

Holste commented on the size of the house and that she is very pleased that someone has come forward since her organization cannot use the property. She expressed concern about the policy on number of police calls, as she would not want to tell staff to limit the number of phone calls. Things happens and sometimes the police are required to come. Finally, she stated that she knows a number of people who have benefitted from treatment programs, which are in short supply, so she supports the proposal.

Doug Hill, 3564 Jerry Street, he stated that the applicants paint a rosy picture of treatment, when in reality, it is not a good place. In his experience, residential treatment centers are a place of drug deals, prostitution, assault and fighting. These places are not safe. He stated that he will not be able to continue living in his home with his son if the treatment center is allowed.

Beth Hill, 3564 Jerry Street, expressed concern that there will be parties in the backyard, and that the residents will gather to smoke, which is unacceptable for her family. The fence will not be enough to keep people from looking into her house. She does not think a treatment center should be in a residential area. She provided a copy of a petition from surrounding neighbors that are all against the proposed recovery center. She indicated they would have collected more signatures if they had more time.

Karl Johnson, 3550 Jerry Street, spoke on how this house is three times bigger than anything else in the neighborhood. It has been snowballing due to the number of conditional use permits and variances the City Council has granted over the years. Because of this, the building has a limited use. He asked if the conditional use permit would go away if the text amendment were denied. Member Baltzer confirmed that was true.

Don Kostron, representing his mother at 3576 Jerry Street, pointed out that there is a liquor store right next door. He finds sixteen to be a lot of people for one home. He described how the recovery center residents are going to want to leave the property, which means they will be walking around the neighborhood. This facility will bring more people, traffic, and foot traffic to the area. Even if the center is run perfectly, the impression of the center will have a negative impact on the neighborhood.

Wendy Lulavy, 2000 County Road E, owner, she described that she is empathetic, but there are many issues that come with this clientele. People falter and she does not want to dangle the liquor store in front of the residents. There is currently a large vacant space in the shopping center, and the treatment center will impact her ability to find someone willing to lease it. She stated that parking has always been an issue and that the shopping center has not and will not allow overflow parking from the house. The spaces are there for her customers and they need to be used in that capacity. She is concerned about safety and believes that residential neighborhoods are not the appropriate place for treatment centers.

Howard Lee, 3551 White Bear Avenue, has lived in his home since 1971. He explained that a lot of people on the block have lived in their homes for many years and are getting older. He had a number of questions about the program, including what the recovery program entailed, what is meant by the term voluntary, what mental state the residents would be in when they entered the program, what the reasoning was for the increase from nine to sixteen residents, if it would be all men, whether they would be local, and how the staff would be comprised. He is concerned with safety, thinks that fights will break out, and that traffic will be an issue since it is on a busy road. The treatment center does not fit in the neighborhood.

Ron Folgor, representing mother-in-law, 3563 Jerry Street, who has lived in her home since 1947. He referenced a statistic that sixty percent of all drug addicts fail thirty days after treatment. He does not want addicts around his mother-in-law and is concerned that they may break into the neighboring homes for drugs. The treatment facility will lower the property values in the neighborhood. He stated that voluntary is basically mandated by the court when the judge offers a choice between jail and treatment. He wondered if profits were the motivation for the number of beds and felt that the owners would be the only ones benefitting from this.

Dale Grambush, 2415 Gisella Boulevard, he is concerned whenever the city puts a text amendment with a request tied to a property. He thinks that the text amendment is a big change. He does not like the idea of changing the code for one property, since there are not many homes in the city with the number of bedrooms that would be required for sixteen residents. He stated that he does not think the parking standards are sufficient. The text amendment should include parking requirements for group care facilities, so there is a standard for all proposals.

Grambush mentioned the one-mile standard for similar residences. He stated that, based on the wording of the proposed text amendment, because there is another chemical dependency facility within one mile of the property, this facility would not be allowed. He explained that realtors would probably report that this facility would limit the pool of buyers, which will lower property values. He thinks the text amendment will alter the character of the city.

Dave Haster, 3558 Jerry Street, noted that his neighbors made valid points. He thinks the Planning Commission will be doing a great disservice to the neighborhood and to the people in the facility who will experience overcrowding if they recommend approval the request.

Member Baltzer requested that the applicants answer some of the Planning Commissioners questions.

Member Divine asked the applicants if they are for or nonprofit and what their history is with recovery. They are for-profit, so they pay taxes. Bacon stated he has over 20 years of experience

with this population working in different treatment centers, is a licensed counselor, and has worked with the State of Minnesota reviewing other treatment programs. Eckdahl explained that he cofounded a program in Hennepin County and founded one in Ramsey County working with the homeless population.

Member Divine asked where they anticipate most of their residents will come from and whether they would have access to cell phones once admitted to the program. Bacon replied that they would most likely be referrals from Ramsey County Chemical Health Department or other social service agency and that cell phones would not be allowed.

Member Berry asked how many facilities of this size the applicants have owned or operated in the past. Eckdahl responded that they only have the sixteen person outpatient facility in Saint Paul.

Member Reis asked if residents would be allowed to go for a walk in the neighborhood. Bacon explained that staff would bring them to a park and they would always be supervised. Member Reis then asked if residents leave without supervision, do they exit the program. Bacon confirmed that is the policy.

Member Lynch asked about the process of recovery. Bacon replied that recovery is getting back to a healthy state of being, free of drugs and alcohol. The center will provide education on addiction, therapy, and relapse prevention. He posited that there will always be troubled people, regardless of the treatment center being there or not. There are over 50 residential treatment centers in Minnesota. The proximity of the liquor store should not affect where the treatment center is allowed, because an alcoholic is going to drink if they want, regardless of location.

Eckdahl added that the program will not utilize a single model; rather it will be tailored to the individual.

Member Lynch asked if they believe they will be at full capacity all of the time and what the staff make up would be. Bacon suggested that ten residents would probably be the average and that they would have a nurse and two mental health professionals available for the residents.

Member Lynch then asked how guest parking would be handled since there are only six parking stalls for staff and if residents would be allowed to walk to the convenience store. Eckdahl replied that guests will be required to pre-register, so they can track the number of people coming. He acknowledged that they may need to decline visitors on any given day and schedule them for the next available visitation time. Bacon added that residents would be driven to the store if they needed, but not allowed to walk there.

Howard Lee asked how conditions will be monitored besides looking at the police and fire calls. Member Baltzer explained that the workers at the treatment center would be in charge 24 hours of the day**.**

Member Baltzer closed the public hearing.

Member Baltzer asked which parts of the house the applicants are proposing to remodel and if there are windows in each of the bedrooms. Crosby replied that they are adding one bedroom and a bathroom and the building official would have noted if there were not enough windows.

Member Lynch suggested that the text amendment and conditional use permit should be separate. He thinks people should be given the chance to be in the forty percent success rate and is more worried about the people who are not in recovery yet. He does not know if this is the right location for a treatment center and thinks the text amendment could use reworking.

Member Divine stated this is a difficult discussion since we all want recovery. She has looked at the building, and she is not sure if that is the right use of the property. She thinks sixteen people is too many. She would not want to be in the neighborhood with sixteen people in a recovery house.

Member Berry prefaced that he respects what the applicants are doing, as he has personal experience surrounding addiction with family. He has found that the smaller centers seem to work better for addiction. He does not support the text amendment. He thinks it will negatively affect too many areas of the city and agrees sixteen people is too many.

Member Reis commented that he is concerned with the proposed number of people. He thinks sixteen people may be too many, but he does not know what the number should be. Facilities like this are needed, but not in a solely residential area. White Bear Avenue is busy, so is a good buffer, but he would feel better if the proposal was for a halfway house where people have already completed treatment.

Member Lynch remarked that he would like to send the text amendment back to staff to do more research.

Member Reis moved to recommend disapproval of Case No. 19-6-Z &19-5-CUP. Member Divine seconded the motion. The motion passed by a vote of 5-0.

D. **Case No. 19-7-Z:** A **City-initiated** text amendment to Sign Code Section 1202.040, Subd.2, to allow Drive-Thru Signs to utilize dynamic display style sign faces.

Kane discussed the case. Staff recommended approval of the text amendment.

Member Divine asked how this would affect the downtown business district. Kane replied that menu boards are specifically prohibited in the B-5: Central Business District.

Member Berry asked why the signs do not have to meet the dynamic display criteria regarding resolution. Kane replied that it is a different technology. The signs do not use the large pixels, rather they will be LED.

Member Lynch asked if animation would be allowed. Kane answered no, they will only change once per day for the breakfast and dinner menus.

Member Baltzer opened the public hearing.

Dale Grambush, Downtown Business Group, he noted that when the group looked at trying to install dynamic display, they were not allowed to use 100 percent of the space of the sign. He questioned why static space is required and asked if all monument signs could be held to the same standard as menu boards. Kane described how the downtown area sign is meant to promote sales,

while menu boards are meant to give detailed information about nutrition and pricing. The City will be looking at allowing offsite signs in the future.

Member Baltzer closed the public hearing.

Member Lynch moved to recommend approval of Case No. 19-7-Z. Member Reis seconded the motion. The motion passed by a vote of 5-0.

5. DISCUSSION ITEMS:

A. City Council Meeting Minutes of October 8, 2019.

No discussion

B. Park Advisory Commission Meeting Minutes of August 15, 2019.

No discussion

C. Election of Chair and Vice-Chair.

Member Reis moved to nominate Ken Baltzer as chair, seconded by Member Lynch. Member Baltzer accepted the nomination and the vote was unanimous. Member Berry moved to nominate Mary Alice Divine as vice-chair, seconded by Member Reis. Member Divine accepted the nomination and the vote was unanimous.

6. ADJOURNMENT:

Member Reis moved to adjourn, seconded by Member Lynch. The motion passed unanimously (5-0), and the October 28, 2019 Planning Commission meeting was adjourned at 9:30 p.m.

City of White Bear Lake
City Engineer's Office

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: Connie Taillon, Environmental Specialist

Date: November 6, 2019

Subject: **Ramsey County SCORE grant application**

BACKGROUND

Under Minnesota state law, proceeds from tax collected on solid waste hauling charges are, in part, made available to local units of government to conduct recycling and waste reduction programs. Each year the State makes a block grant available to Ramsey County, who in turn appropriates a portion to municipalities on a per-capita basis.

The expected 2020 funding allocation to the City of White Bear Lake is $60,445. These monies are used to help offset the City's recycling program and collection costs.

In addition to the base funding allocation, municipalities are eligible to receive up to two optional incentive payments. Comparable to base funding, incentive payments are determined on a per capita basis. To receive one incentive payment, the City must implement one activity from a list of incentive options. To receive two incentive payments, the City must implement two incentive options from the list. The maximum incentive payment in 2020 for a single project is $5,756.50. Examples of activities on the approved incentive option list include recycling bulky waste, engaging small businesses in curbside recycling services, promoting BizRecycling, and co-sponsoring an organics drop-off site. Staff has not yet determined if resources will be available to pursue an incentive activity in 2020, but the City cannot participate if we do not include the option in this process. There is no penalty for including the incentive programs in this grant application but not pursuing them in 2020.

RECOMMENDED COUNCIL ACTION

Staff recommends the City Council adopt the attached resolution that requests the annual SCORE funding allocation, authorizes the City Manager to submit the grant application to Ramsey County, and authorizes the City Manager to participate in the optional incentive program and apply for the incentive program allocation(s).

ATTACHMENTS

Resolution

RESOLUTION NO.

A RESOLUTION REQUESTING THE SCORE FUNDING ALLOCATION AND AUTHORIZING THE CITY MANAGER TO SUBMIT THE GRANT APPLICATION

WHEREAS, the State of Minnesota collects a tax on the waste hauling charges from each resident in the State; and

WHEREAS, the State of Minnesota has distributed said tax monies to each associated county; and

WHEREAS, Ramsey County Board of Commissioners approved the distribution of SCORE funds to municipalities for use in residential recycling program; and

WHEREAS, the City of White Bear Lake's per capita share of the distribution is $60,445; and

WHEREAS, the City of White Bear Lake has the option of participating in an incentive program for an additional allocation of up to two payments of $5,756.50 each.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that:

1. The City requests the SCORE funding allocation and authorizes the City Manager to submit the grant application to the Ramsey County Board of Commissioners for approval.

2. The City Manager is authorized to participate in the optional incentive program and apply for the incentive program allocation(s).

The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

City of White Bear Lake
City Manager's Office

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: Rick Juba, Assistant City Manager

Date: November 1, 2019

Subject: **Accepting Donation of Pontoon**

SUMMARY
The Public Works Department utilizes boats for setting and removing mooring buoys, swimming buoys and some marina repairs. Significant repairs for lake/marina operations require a contractor with a barge/crane setup. The Public Works Department's boat fleet is currently comprised of the SS Minnow and a 14' flat bottom boat.

A lake property homeowner has offered to donate a 1994 25' pontoon to the City, which would be better suited for much of the marina work. The pontoon includes a motor in very good condition and could be outfitted with a crane to replace the need to hire a contractor for larger marina repair jobs. The pontoon will also be a safer option for work done by the Public Works crew who have been relying on the SS Minnow. Lastly, the pontoon would be utilized to set up the July 4th Fireworks display.

White Bear Boat Works has been maintaining this pontoon for the current owner, and is confident in its structural integrity and the condition of its motor.

RECOMMENDED COUNCIL ACTION
Staff recommends adoption of the attached resolution authorizing acceptance of the donation of a pontoon and its motor valued at approximately $6,000.

ATTACHMENTS
Resolution

RESOLUTION NO.

A RESOLUTION ACCEPTING A DONATION OF A PONTOON FROM ROBERT ELSHOLTZ

WHEREAS, the City of White Bear Lake is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts; and

WHEREAS, the City learned of an opportunity to accept a donated pontoon from Dellwood resident Robert Elsholtz; and

WHEREAS, the pontoon could be outfitted with a small crane and would be beneficial for dock repairs and other maintenance items on the lake; and

WHEREAS, the pontoon will be safer for City employees to work from than the current boats that are owned by the City; and

WHEREAS, additionally, the pontoon could be used for the 4th of July fireworks display; and

WHEREAS, all such donations have been contributed to the city for the benefit of its citizens, as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donation offered.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake hereby accepts the pontoon donation from Robert Elsholtz valued at approximately $6,000.

The foregoing resolution, offered by Councilmember _____, and supported by

Councilmember ____, was declared and carried on the following vote:

Ayes:
Nays:
Passed:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk

City of White Bear Lake
City Manager's Office

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: Kerri Kindsvater, Finance Director

Date: November 7, 2019

Subject: **Special Assessment**

BACKGROUND
The City helps property owners pay for unexpected water, sewer and property maintenance costs by assessing the project costs to their property taxes when there is a financial hardship. Listed below is an assessment request the City received from a property owner in October 2019.

Special Assessment for 1818 Birch Lake Avenue:
The property owner at 1818 Birch Lake Avenue experienced a leaking water service line between the building connection for her home and the main in the street. Per the City's Ordinances, the property owner must pay the fees to repair the issue. The resident asked to have the total repair costs assessed to her property taxes due to a financial hardship at this time. The total project costs are $8,750.00.

The City has previously allowed similar assessments to property owners for improvements and agreed to this assessment based on the following information:

1. Resident agreed to a 10-year assessment.
2. Resident agreed to pay interest at 2% above the City's true interest rate set at the recent bond issue, which is 2.41%. Therefore, the interest rate will be 4.41%
3. Resident waves all rights to a public hearing regarding the final assessment.

RECOMMENDED COUNCIL ACTION
Staff recommends Council approve the attached resolution authorizing the assessment.

ATTACHMENTS
Resolution

RESOLUTION NO.

RESOLUTION CERTIFYING MISCELLANEOUS PRIVATE PROPERTY ASSESSMENT FOR RECOVERY OF CITY EXPENSES

WHEREAS, Minnesota Statues §429.101 allows the City to certify special charges associated with servicing property as special assessments with the County Auditor; and

WHEREAS, the following White Bear Lake, MN private property owner, signed an assessment agreement waiving all rights to a public hearing regarding the following assessment:

Property Owner 1818 Birch Lake Avenue White Bear Lake, MN	Repair of leaking water service line **Total Assessment:**	$8,750.00 **$8,750.00**

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota, that charges associated with maintaining private property within the City are certified to the County Auditor for collection as special assessments.

BE IT FURTHER RESOLVED, by the City Council of the City of White Bear Lake that assessment total listed above shall be payable over ten (10) years at an annual interest rate of 4.41%

The foregoing resolution, offered by Councilmember _____**,** and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

_____
Jo Emerson, Mayor

ATTEST:

_____
Kara Coustry, City Clerk