

RAMSEY COUNTY
History
A Publication of the Ramsey County Historical Society

*Helping the Sun Shine
Brighter for Farmers*

Robert Freeman
on Mount Ramsey

Harlan Stoehr — page 14

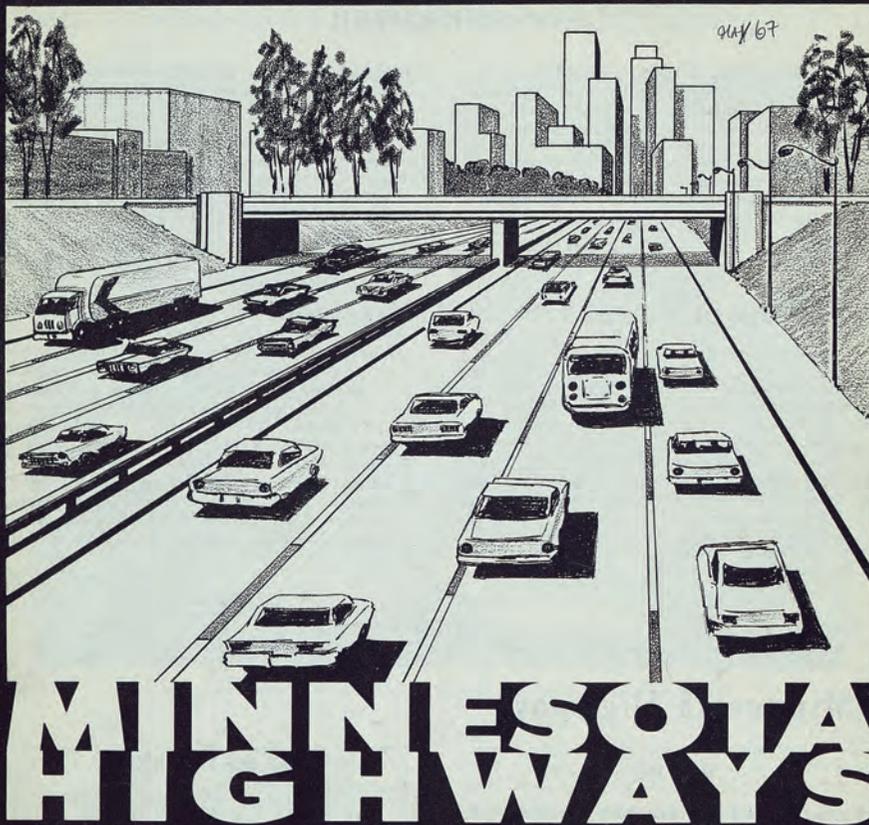
Winter 2013

Volume 47, Number 4

Preserving a “Fine Residential District”:

The Merriam Park Freeway Fight

Tom O’Connell and Tom Beer, page 3



DRIVE SAFELY

The front cover of the May 1967 issue of Minnesota Highways magazine, the official Minnesota Department of Highways employee newsletter between 1951 and 1976. At the time this cover illustration was drawn, the nation was in the midst of building the vast Interstate Highway system that was largely paid for with federal money. This illustration conveys an idealized view of how the new freeways would safely and efficiently transport automobiles and trucks into and out of a city. Plans that called for the construction of an interchange on I-94 in St. Paul at Prior Avenue produced plenty of controversy and called into question some of the underlying assumptions behind these new roadways. Image courtesy of the Minnesota Department of Transportation and the Minnesota Digital Library.

RAMSEY COUNTY HISTORY

Executive Director
John M. Lindley
Founding Editor (1964–2006)
Virginia Brainard Kunz
Editor
John M. Lindley

RAMSEY COUNTY
HISTORICAL SOCIETY

BOARD OF DIRECTORS

Paul A. Verret
President
Cheryl Dickson
First Vice President
William Frels
Second Vice President
Julie Brady
Secretary
Carolyn J. Brusseau
Treasurer
Thomas H. Boyd
Immediate Past President
Anne Cowie, Joanne A. Englund,
Thomas Fabel, Howard Guthmann,
Douglas Heidenreich, Richard B. Heydinger, Jr.,
John Holman, Kenneth H. Johnson,
Elizabeth M. Kiernat, David Kristal,
Carl Kuhmeyer, Father Kevin M. McDonough,
Nancy W. McKillips, Susan McNeely,
James Miller, Robert Muschewske,
Richard H. Nicholson, Jeffrey Slack,
Ralph Thrane.
Director Emeritus
W. Andrew Boss

EDITORIAL BOARD

Anne Cowie, chair, James B. Bell,
Thomas H. Boyd, John Diers,
Douglas Heidenreich, James Miller,
John Milton, Debra Mitts-Smith,
Laurie M. Murphy, Paul D. Nelson,
Richard H. Nicholson, Jay Pfaender,
David Riehle, Steve Trimble,
Paul A. Verret, Mary Lethert Wingerd.

HONORARY ADVISORY BOARD

William Fallon, William Finney, George
Latimer, Joseph S. Micallef, Marvin J. Pertzik,
James Reagan, Rosalie E. Wahl.

RAMSEY COUNTY COMMISSIONERS

Commissioner Rafael Ortega, chair
Commissioner Toni Carter
Commissioner Blake Huffman
Commissioner Jim McDonough
Commissioner Mary Jo McGuire
Commissioner Victoria Reinhardt
Commissioner Janice Rettman
Julie Kleinschmidt, manager,
Ramsey County

Ramsey County History is published quarterly
by the Ramsey County Historical Society, 323
Landmark Center, 75 W. Fifth Street, St. Paul, MN
55102 (651-222-0701). Printed in U.S.A. Copy-
right © 2013, Ramsey County Historical Society.
ISSN Number 0485-9758. All rights reserved.
No part of this publication may be reprinted
or otherwise reproduced without written
permission from the publisher. The Society
assumes no responsibility for statements made by
contributors. Fax 651-223-8539; e-mail address:
info@rchs.com; web site address: www.rchs.com

RAMSEY COUNTY
History

Volume 47, Number 4

Winter 2013

THE MISSION STATEMENT OF THE RAMSEY COUNTY HISTORICAL SOCIETY
ADOPTED BY THE BOARD OF DIRECTORS ON DECEMBER 20, 2007:

The Ramsey County Historical Society inspires current and future generations
to learn from and value their history by engaging in a diverse program
of presenting, publishing and preserving.

C O N T E N T S

- 3 *Preserving a “Fine Residential District”:
The Merriam Park Freeway Fight
Tom O’Connell and Tom Beer*
- 14 *Helping the Sun Shine Brighter for Farmers
Robert Freeman on Mount Ramsey
Harlan Stoehr*
- 22 *“Cold Blooded Fraud”:
The White Bear Lake Sewer Project of 1926–1935
James Lindner*

*Publication of Ramsey County History is supported in part by a gift from
Clara M. Claussen and Frieda H. Claussen in memory of Henry H. Cowie Jr.
and by a contribution from the late Reuel D. Harmon*

A Message from the Editorial Board

Ramsey County is changing every day—witness the new light rail cor-
ridor on University Avenue—a transportation line that we could not
have envisioned a few years ago. In this issue, we remember some earlier
changes. Harlan Stoehr recounts the professional life of Robert Freeman,
the longtime Ramsey County agricultural extension agent who began his
job in the 1920s, when the county contained over 1,000 farms, and su-
pervised that service through drought, grasshopper infestations, and fi-
nally, suburbanization. James Lindner reminds us that public works are
frequently political in his story of the construction of White Bear Lake’s
sewer system. And even freeways have stories: Tom O’Connell and Tom
Beer recount the Merriam Park neighborhood’s passionate opposition to a
Prior Avenue exit on Interstate 94. Hope you enjoy reading about how our
values—then, as now—have shaped our built environment.

Anne Cowie,
Chair, Editorial Board

“Cold Blooded Fraud”:

The White Bear Lake Sewer Project of 1926–1935

James Lindner

In the 1920s, White Bear Lake was a relatively remote part of Ramsey County. The original township was created the same day in 1858 that Minnesota joined the Union and the village of White Bear was founded by 1880. According to the city’s official website, the city was officially incorporated in 1921. Today White Bear Lake covers portions of Ramsey and Washington counties, but in the 1920s the city hugged the western shore of its namesake lake (whose waters lie in both counties). Railroads helped the village grow into a city, in part as a resort community for the wealthy of St. Paul and Minneapolis, but also because it was home to local farmers and nascent industry that served the nearby population, which over the decade had increased from 2,022 to 2,600 (29%) according to the 1930 U.S. Census.

With a growing population living in relatively close quarters, there came the need for sanitary considerations. By this time, health departments understood the importance of keeping disease in check and the advent of municipal sewer systems played an important role in this quest. For all the great technological advances of the nineteenth century, few served as many people as frequently as a municipal sewer system. Along with water, gas, electricity, and paved streets and sidewalks, sewers were part of the infrastructure that over time urban populations came to expect government to provide as villages gradually made the transition from rural to

urban communities. Because sewers are placed underground, most people rarely gave much thought to them except when the city levied an assessment for installation or repairs, or when the system failed. Sewers are largely taken for granted; they are a sign of a modern, vibrant community. But there was a time when the first sewer systems were being installed, when a city made that first leap from stinky, unhealthy cesspools to a functional sewer system capable of transferring waste far away from its point of origin.

Modern Sanitation

White Bear Lake in the early 1920s reached the conclusion that if the city was to succeed in the modern age, it would need a sewer system that promoted public health and supported the general welfare. But in order to have a sewer in place, the city discovered it needed more than just the will to install it, it needed engineering and a competent contractor who knew how to design and construct an entire system.

In March 1925, fresh off a reelection that returned him to office by just 15 votes, Mayor Earl Jackson faced public opinion that demanded a sewer system for the city. The *White Bear Press* ran a pro-sewer editorial just one week after the election. The White Bear Association,

the forerunner of the modern Chamber of Commerce, hosted a luncheon at which the *Press* editor W.A. Stickley inquired about public interest in a sewer project. Stickley subsequently wrote that he had “made many inquiries on the subject and was surprised to find none against it.” The *Press* editorial further explained how cesspools were expensive to construct and maintain, that they were unhealthy and unsanitary, that real estate investors would not purchase property without a public sewer system, that hotels and factories and apartment buildings could not function without a sewer, and that garages could not wash vehicles without a sewer. The editorial concluded with a challenge to the mayor and city council, “it is believed White Bear will experience a more rapid and substantial growth if a sewer system is installed.”¹

Listening not only to the newspaper but also the White Bear Association, the mayor and council moved toward addressing the need for a sewer. At the City Council meeting on April 22, 1925, the Public Affairs Committee of the White Bear Association presented to the council its report advocating that a sewer be constructed for White Bear Lake. One week later the city attorney provided a report on the legalities of installing a sewer. The first steps in what would prove to be a long, arduous journey had been taken.

On June 17, 1925, the city agreed to advertise for bids on engineering services. Several firms submitted bids including CE Van Kirk, Clausen and Carroll, Pillsbury Company, Druar and Milinowski, J.H.A. Brohtz, and Tolts [*sic*], King and Day.² Following the issue closely was the *White Bear Press*, which ran an editorial on the qualifications of each of the prospective bidders. But for a city without an engineer on staff, the question of who to hire quickly took on a political nature.



In 1924 when this photo of Clark Avenue was taken, the streets in the residential areas of White Bear Lake were typically wide and bordered by trees and shrubs. Usually these physical circumstances would make the installation of a city sewer system less difficult. Photo courtesy of the Minnesota Historical Society.

Political Bickering

At the July 21 council meeting, several motions and votes were taken, but City Manager Dale Merrick refused to approve the action. The *Press* reported “now the city manager withholds his approval, which is required by the charter, [and] the whole proceeding is up in the air.” The White Bear Association had tried to spur the decision by holding a luncheon where the firm of Clausen and Carroll, while not receiving a formal endorsement, had become the preferred firm. The *Press* added “there was strong sentiment in favor of” Clausen and Carroll as it had worked in the area before.³ In an editorial in the same edition of the *Press*, the editor quoted Merrick as believing “Clausen and Carroll were [not] the best firm to do the work.” The editor suggested, however, that if a supermajority of four councilmen voted for one firm, Merrick “might give his approval.” The *Press* added that Mayor Jackson had not declared his position on the question of which firm to hire, but “would not favor sewer construction without the approval of the people.” City Clerk L.M. Reif added that he did not believe the city had adequate funds to enter into a contract with any engineer. The *Press*, growing impatient with the process, concluded that “in the meantime the public will wait patiently—or otherwise—until the city fathers unscramble their eggs or toss the whole mess into the discard.”⁴



This sketch of Goose Lake from about 1885 shows just how swampy the lake had become once residents began pumping its water into White Bear Lake in the years preceding sewer construction. Photo courtesy of the White Bear Lake Area Historical Society.

This political bickering and indecisiveness continued into the fall. Yet another *Press* editorial in September quoted City Manager Merrick as willing to work with any engineering firm the council selected provided the vote was unanimous.⁵ The matter remained unresolved until the following February when the Council selected the Minneapolis-based Pillsbury Company because their proposal included the condition that White Bear Lake pay a \$1,000 fee to survey where a sewer was to be constructed, but no payment would be required if subsequent bonding failed or for any other reason the sewer might not be built. This satisfied the council, which voted 4–0 in favor of hiring Pillsbury.⁶ At least the city had overcome the first hurdle. It had only taken eight months since bids were first advertised. A time frame



One of the civic organizations that supported the construction of a sewer system in White Bear Lake in the mid-1920s was the members of the White Bear Association, the forerunner of today's Chamber of Commerce. Seen here in 1935 are, left to right, Fred Campbell, Al Podvin, Allen Warner, Captain W.A. Stickley, Charles Davies, Carl Magnuson, Sydney Henkel, Les Palmer, a Mr. Reed, and an unidentified station agent. Photo courtesy of the White Bear Lake Area Historical Society.

that would prove speedy when compared to future events.

While Pillsbury was conducting its survey on where to build the line, the city turned to legal matters relating to sewer construction. At the time, it did not even have enabling legislation on the books of how to assess real property or how to hire a construction firm to build a sewer. At a meeting on May 28, city officials drafted a resolution creating Sewer District Number One, which included the entire city save for Manitou Island, which is located in the adjacent lake. Even then the city realized the logistical challenges the island presented. The city also adopted Ordinance 147 for the construction of a city sewer system.⁷ Eager to see the project commence, the *Press* reported construction was anticipated to begin in the first part of July “and if all goes well, considerable [work] will be completed by late fall.” The only problem with the *Press*' timeline was that construction bids were not even due until July 27. All details aside, the *Press* continued by defining all the materials required for a complete sewer project. Ditches, tile, manholes, lifts, and the disposal plant “located in the swamp just off the southwest quarter of town” all would be needed to make the sewer work. The location of the treatment plant was near Goose Lake, where the city's Public Works Department was located until 2010. All of the legislation introduced at the May 28 Council Meeting passed unanimously.

Believing that all was finally in place for the construction of a successful sewer project, the City Council anxiously awaited the bid results. By July 1926, nine prospective firms had submitted bids and a date for a public meeting was set for Tuesday, July 13 at the Armory. Ever the advocate of the council's works, the *Press* commented on how it believed the councilmen were trying to do the right thing. They had studied all of the details of the plans and have “worked faithfully . . . to bring about the proper results.” The *Press* noted also that “it is exceptional that a council go so far to meet the people, in a common cause.”⁸

The *Press*' strong advocacy for the project paid off at the Armory meeting.

Two hundred fifty people were in attendance and the *Press* reported only three attendees voiced any concerns about the proposed plan. Most likely everyone knew the benefits to the public health and welfare that a sewer project represented, but there were those who were concerned about the cost and the sewer outlet. Mayor Jackson explained the state health department had approved using Goose Lake as the outlet, and he added the “final deposit [of treated sewer water] will be 95% pure.”⁹ Goose Lake in the 1920s was not the vibrant water body it is today, and adding clean sewer treatment water would actually benefit a lake that was primarily marshy bottomland.

The sewer would be paid in part from assessments and the average assessment for fifty feet of frontage on a city street would be \$87 spread over a ten-year period. Because there was insufficient gravity for proper flowage, two lifts were factored into the sewer’s scope. When the bids were opened, W.E. Kennedy of Fargo, North Dakota, was the lowest qualified bidder at \$167,544. When additional money for land acquisition, easements, advertising, and legal expenses was included, the entire project was projected to cost slightly more than \$198,000 (which equates to over \$2.5 million in 2012 dollars).¹⁰ The official award of the bid occurred at the July 20 council meeting, and Kennedy was awarded the contract by a 4–0 vote with Councilman Palmer abstaining. The only caveat the council added to the contract was that Kennedy was to employ as many local workers as possible, a condition Kennedy agreed to. He also agreed to live in town during the construction.¹¹



In 1935 when this highway map of White Bear Lake was made, the city’s downtown area was not as developed as it is today. The proximity of Goose Lake to its much larger neighboring lake is easy to see. In addition the heavy black line in the upper right-hand corner shows how much of the city of White Bear Lake was located within Ramsey County at the time the sewer system was installed. Photo courtesy of James Lindner.

Construction Begins

The *Press* was satisfied that the project it long supported was finally about to commence. It ran an editorial about an earlier sewer project that did not get done, in part due to a large number of people being against it. It added an account of five men from out of town who had wanted to build homes in the city, but they had refused when they learned there was no municipal sewer. The editorial concluded with a prediction of future growth and increased property values in large part because of the health benefits a sewer system provided.¹²

Believing the hard part was done, the *Press* settled in to report on the construction progress. But by August 1926,

the first of many challenges to the sewer project began. The St. Paul Automobile Club purchased property in the narrow spit of land between White Bear Lake and Goose Lake (the present-day Kowalski’s supermarket site). The Automobile Club sought to build a facility for its members and did not necessarily want the sewer disposal plant nearby where its smells and activities could be witnessed by the club’s dues-paying membership. The Auto Club and Ramaley Park resident Robert F. Wille enlisted County Commissioner Herbert Keller and sought an injunction to prevent the disposal plant from discharging into Goose Lake.

Eager to defend its cherished sewer project, the *Press* reported on the “ulterior motive in the action” on the part of Wille and the Auto Club. As early as June 1924, Ramsey County had sought to acquire Goose Lake for a wildlife refuge and the county had even proposed a canal to connect White Bear and Goose Lake. Much of Goose Lake’s water had been pumped into its larger neighbor and such a connection

would increase property values on Goose Lake.¹³ But construction on the sewer had already commenced, and the same day that the *Press* reported the story on Wille’s and the Auto Club’s challenge, Judge John Boerner denied the injunction. He set a hearing date for the following day.¹⁴

Nothing really came of this first challenge to the sewer project, and in the following weeks, the *Press* reported on the job’s progress. Four work crews were installing the sewer pipe while one additional crew was working on the disposal plant. Completion was estimated for the spring of 1927.¹⁵ Local residents became accustomed to the sounding of the fire bell which signaled to residents their

water would be temporarily shut off so crews could work around water mains.¹⁶

As construction progressed, so did opposition to the project. In October 1926, Cottage Park residents complained to the state health department about the use of Goose Lake as the discharge point. At the time, Cottage Park was still part of White Bear Township. Thus people living in the township had had no vote in the sewer construction. The *Press* seemed irritated that yet another challenge to the project was in the works, and it flippantly dismissed this latest challenge blaming over-eager lawyers. “The alarm on the part of those making complaint is undoubtedly

assumed, and increased, presumably by a combination of lawyers whose interest does not extend beyond their fees,” the *Press* concluded. The *Press* also questioned how the state health department could now declare a public nuisance when it had already approved the Goose Lake plant as part of the original design.¹⁷

Though the *Press* had already dismissed the legal challenges, the courts permitted them to continue. In early November 1926, the *Press* reported how two courts offered conflicting opinions regarding Goose Lake. One court gave its approval for the project to use Goose Lake while the other interpreted an 1881 law stating the project could not use Goose Lake for its disposal plant.¹⁸ If nothing else, the courts assured the project would take on a legal side that would eventually play an important role in how fast the sewer was constructed.

Opposition Mounts

While the *Press* continued to support the sewer project and report on its progress, by December 1926 local citizens voiced their first grumblings on the sewer’s actual progress. A citizen’s committee was created and though the *Press* reported it was “friendly to sewer construction,” it nevertheless began to raise important ques-



In this aerial photo from 1935 the wooden area adjacent to the rail yard separated the tracks from the place where quicksand supposedly hindered sewer installation. Photo courtesy of the White Bear Lake Area Historical Society.

tions on the Kennedy Company’s ability to complete the work.¹⁹ Unfazed by those circumstances outside of its control, the Kennedy Company pressed on with construction until the winter set in and work was suspended until the following spring.

Winter weather may have stalled actual construction, but the legal challenges were alive and well in the local court system. In January 1927 the *Press* reported that the Automobile Club’s injunction request had made it all the way to the Minnesota Supreme Court. The *Press* printed the city’s legal position in a detailed Respondent’s Brief. The City argued Goose Lake was not a public lake as it had dried up (from pumping its water out) and only had a small quantity of water in the very center. As such, Goose Lake was not capable of supporting any beneficial public use. It added that the St. Paul Automobile Club actually operated its own private sewer system and similarly emptied its discharge into Goose Lake. The City concluded that any change in sewer construction plans would add \$40,000 onto the cost of the project.

At issue was an 1881 state statute that was intended to prevent the lowering of lakes (in this case Goose Lake) by artificial means. The City argued the sewer disposal plant would in fact raise the lake level and

therefore the law could not be used to halt progress.²⁰ To a degree the City was correct and the law should have been invoked years before when pumping Goose Lake water into White Bear Lake first commenced. The court battles would continue, but so did the construction.

By February 1927 work crews returned to the job though the completion date was now pushed back to July 1, 1927. Kennedy’s work crews encountered problems on the west side of the Northern Pacific Railroad tracks. High ground water levels and what Kennedy defined as quicksand impeded work. Heavy freight trains caused cave-ins of sewer ditches and the result was a 10

mph speed limit for trains in White Bear Lake.²¹ Though it did not realize it at the time, the quicksand matter would become yet another challenge to the sewer project’s progress and ultimately end in Kennedy’s dismissal as the primary contractor.

While Kennedy was first dealing with quicksand, the Minnesota Supreme Court decided on the St. Paul Automobile Club’s injunction request. It upheld the lower court’s denial of the injunction. The City had acted within the powers spelled out in its charter when it (1) entered into a contract to construct a municipal sewer system and dump the effluent into Goose Lake; and (2) condemned the lands along Goose Lake to assure access for the disposal plant.²² Thus the City won the first of several cases involving the sewer project.

Quicksand and Quagmire

But the delays of the courts ultimately had an impact on Kennedy’s schedule. At its April 5, 1927 meeting, the City Council agreed to extend Kennedy’s contract to July 1 to account for delays brought about in part by the courts.²³ But Kennedy was having problems of his own, not the least of which was the high water and the presumed quicksand. For Kennedy the extended contract did not really solve the problems the firm was

facing. Little detail about Kennedy's construction plan or results exists in either the City Council minutes or in the newspaper, but by June 1927 Kennedy was ready to abandon the project.

At the June 21 council meeting, Mayor Jackson vetoed a resolution that had passed at the June 7 meeting authorizing the city to pay Kennedy the next scheduled installment under the sewer contract on account of Kennedy's lack of due diligence.²⁴ The discussion grew more heated. Some council members argued Kennedy was not acting in good faith. After much discussion, the council essentially fired Kennedy and ordered Kennedy's bonding agent, the Federal Surety Company of Kansas City, Missouri, to complete the job. At the July 7 council meeting, the council supported the mayor's claims and passed a resolution stating Kennedy had breached its contract. The vote was not unanimous, but the message was clear, Kennedy was out and the bond company was expected to fulfill its role and complete the project.²⁵ The problem with this plan was made clear by late July; the bonding company had no interest in completing the project, either.

The Surety Company agreed with Kennedy that quicksand was present in southwest White Bear Lake, a claim that if verified would have cost the city additional funds per the original contract. Naturally the city denied the quicksand claim and went to great lengths to support its position. It turned to the courts to make its case.²⁶ But while the legal battle lines were being drawn, work needed to continue. In early August, the Council adopted a resolution that declared Kennedy and the bonding company had breached their contracts, and two new construction companies were hired to complete the work. Louis B. Ryan's company was hired to complete the sewer lines while the Donovan Construction Company was hired to complete the disposal plant.

At the same time, the City was also working on a public relations campaign to demonstrate to the citizens how it was handling the sewer cases. In August it ran an open letter in the *Press* that put the delays squarely on Kennedy's shoulders because of "internal troubles" at Kennedy and the firm's "lim-



A headline and three photos on the front page of the January 10, 1936 issue of the White Bear Press reminded residents of the many problems the city encountered when its sewer system was installed. The photo on the left shows sewer pipes that were not laid straight, which caused them to leak at the joints. The middle photo shows pipes that were not joined at all. The final photo shows the pipes after they were relaid by city workers. Photo courtesy of the Minnesota Historical Society.

ited capital.” It also attempted to define quicksand to prove to the people it was looking out for their financial interests. Quicksand would cost an additional \$40,000 per the contract.²⁷

As the new contractors were working on the job, both Kennedy and the Federal Surety Company sought to force the City to pay them for the work they had done. In September Judge John B. Sanborn dismissed a restraining order that attempted to deny the city the right to pay for sewer work from its sewer fund.²⁸ White Bear Lake was in the clear to keep the project moving forward. But soon an even more startling discovery was made.

Shoddy Work

A front-page story in the September 29, 1927 *Press* described “Shoddy Work on Sewer” as City Manager Ambrose Fuller was shown the poor workmanship of Kennedy's crews. Kennedy's workers had left an unfinished manhole in the Getty block (present-day Third Street). The sewer also had an obstruction of some kind along Clark Avenue and a manhole on Clark Avenue had been completely omitted. In addition to these problems,

a sinkhole had developed at Third Street and Banning where two ends of sewer pipe had been left open and unconnected, a branch line at Ninth Street and Johnson had been left unconnected to the main, and a similar branch was unconnected at Tenth Street and Johnson.²⁹ In October, the *Press* reported an entire length of sewer pipe in the Getty block was full of sand. By December, when sewer work again was halted for the season, the project engineers determined an additional \$75,000 was now required for rework.³⁰

While the city was engaged in the latest round of court battles and contractor squabbles, the *Press* reported the City of North St. Paul had just completed its own municipal sewer project, for \$5,000 less than the original bid.³¹ White Bear residents could only imagine how a municipal sewer project *should* progress. The following March was a general election and Earl Jackson was soundly defeated in the mayor's race by Peter Fournelle. The *Press* acknowledged how a number of voters were “dissatisfied with the administration of the city's affairs, and especially in the manner in which the sewer project has been handled.”³² The *Press* had wanted the sewer, but it was not willing to support a mayor whom the people had blamed for the sewer's misfortunes. While details of the campaign are unclear, Fournelle likely promoted fiscal responsibility and civic responsibility to the taxpaying citizens, to which Jackson had limited defense based on the publicity the sewer project had received.

Fournelle saw the city's role in the sewer project as one of commitment to completion, but he also stressed public accountability. Shortly into his first term, Fournelle and the city council appointed City Manager Fuller to “straighten out our complications relating to the sewer system,” and granted him a budget of \$200 per month plus “reasonable and necessary disbursements.”³³ Work was suspended for much of 1928 while the city sorted out all the legal and financial matters related to the project. In June, the city once again prevailed in court against the Surety Company. Judge Sanborn denied the Kennedy and the Surety Company claim that quicksand existed on the west side of the railroad

tracks. The soil was wet, but that did not constitute quicksand. Expert witnesses convinced Judge Sanborn the soil was not quicksand. Kennedy and his bonding company were denied any further claims of payment.³⁴ By July the estimated cost for rework and completion of the project had risen to \$90,000.

By August, the city was considering hiring another engineering firm to assist the Pillsbury Company. The firm of L.P. Wolff was selected. By the end of August, Wolff was suggesting the entire system be torn up and re-laid. Roots had actually begun to grow in the uncemented pipes installed by Kennedy.³⁵ In September new bid documents were advertised and in early October two companies, Feyen Construction and William C. Fraser and Son were awarded contracts. A third assessment of homeowners was underway and on October 29, 1928, work that had been suspended since December 1927 finally resumed.³⁶ More details of Kennedy's poor work and quality control emerged as this latest round of construction began. The *Press* took up the cry of "cold blooded fraud" against Kennedy. It related notes from the inspectors that indicated pipes not jointed with cement, pipes that were separated by open gaps of 1–2 inches, and the general crookedness of how the pipes were laid end to end.³⁷

To the End

Construction continued throughout 1929 and so did the several court cases. Ryan sued the city for its own breach of contract claims, and the Surety Company case continued through the appeal process. The city eventually won every case it faced and by October, the sewer project was finally complete. Oddly enough, no mention of the project's completion is mentioned in the *Press*. Only in the City Council minutes of October 17, 1929 is it stated that Councilman Walter Fillebrown offered a resolution that "pursuant to the report of the Engineers after final inspection of the sewerage system . . . the City of White Bear Lake does hereby accept said sewerage system" even though minor portions of the system still awaited reconstruction.³⁸

Thus with nearly no fanfare, the project that had dragged on for three years and through numerous court battles was finally operational. For all of the *Press*'s promotions and advocating, the sewer was quietly accepted. Perhaps the general population had lost interest in the project that had gone on for so long and suffered through three separate assessment proceedings. Also, the City Council was moving on to other pressing issues, most notably securing fire fighting equipment for a city plagued by the constant threat of structure fires. The *Press*, too, moved

onto calling for fire apparatus. The sewer truly had become yesterday's news.

Though the project was finally complete, the court battles continued on well into the 1930s. In September 1931 the city won yet another appeal and in late 1935 the city attorney secured \$26,666 from the Surety Company for the city's bondholders (who had threatened to sue the city over lack of payment on their investment).³⁹ A final article documenting the mismanagement of the sewer project appeared on the front page of the January 10, 1936 *Press*. In that issue of the newspaper, photographs showed improperly installed sewer pipes, including un-jointed pipes and pipes with sand accumulation between them because workers had not correctly connected them. Although by that time the issue over the sewer system had faded into obscurity, building White Bear Lake's initial sewer system had taken over three years of actual construction plus another six years in court, cost one mayor his job, and had given rise to a taxpayer's league, but the city finally had a functional municipal sewer system.

James Lindner is a lifelong resident of Ramsey County who holds a M.A. in History. He is the author of a history of Gem Lake, Minnesota, and currently serves on the Vadnais Lake Area Water Management Organization Technical Commission.

Endnotes

1. *White Bear Press*, March 12, 1925, p. 4.

2. The *White Bear Press* printed many misspelled words during the period covered in this article. The author has maintained exact spelling as discovered during the research for this project.

3. *White Bear Press*, July 30, 1925, p. 1.

4. *Ibid.*, July 30, 1925, p. 4.

5. *Ibid.*, September 24, 1925, p. 4.

6. *Ibid.*, February 18, 1926, p. 1; White Bear City Council minutes, February 11, 1926.

7. *White Bear Press*, June 3, 1926, p. 1; White Bear City Council minutes, May 28, 1926.

8. *White Bear Press*, July 8, 1926, p. 6.

9. *Ibid.*, July 15, 1926, p. 1.

10. *Ibid.*, July 15, 1926, p. 1. Inflation calculator found at <http://inflationdata.com>

11. *White Bear Press*, July 22, 1926, p. 1; White Bear Lake City Council minutes, July 20, 1926.

12. *White Bear Press*, July 22, 1926, p. 1.

13. *Ibid.*, August 26, 1926, p. 1 and June 26, 1924, p. 1.

14. *Ibid.*, September 2, 1926, p. 1.

15. *Ibid.*, September 16, 1926, p. 1.

16. *Ibid.*, October 14, 1926, p. 1.

17. *Ibid.*, October 21, 1926, p. 1.

18. *Ibid.*, November 4, 1926, p. 1.

19. *Ibid.*, December 2, 1926, p. 1.

20. *Ibid.*, January 6, 1927, p. 2, and January 13, 1927, p. 4.

21. *Ibid.*, February 24, 1927, p. 1.

22. *Ibid.*, March 17, 1927, p. 1.

23. White Bear Lake City Council minutes, April 5, 1927.

24. White Bear Lake City Council minutes, June 21, 1927.

25. *White Bear Press*, June 23, 1927, p. 3, and July 7, 1927, p. 1.

26. *Ibid.*, July 21, 1927, p. 1.

27. *Ibid.*, August 18, 1927, p. 1.

28. *Ibid.*, September 22, 1927, p. 1.

29. *Ibid.*, September 29, 1927, p. 1.

30. *Ibid.*, October 20, 1927, p. 1 and December 22, 1927, p. 1.

31. *Ibid.*, January 19, 1928, p. 1.

32. *Ibid.*, March 8, 1928, p. 1.

33. *Ibid.*, April 12, 1928, p. 5.

34. *Ibid.*, June 28, 1928, p. 1 and July 5, 1928, pp. 1–4.

35. *Ibid.*, August 30, 1928, p. 1.

36. *Ibid.*, September 20, 1928, p. 1; October 4, 1928, p. 1; and November 1, 1928, p. 1.

37. *Ibid.*, November 22, 1928.

38. White Bear Lake City Council minutes, October 17, 1929.

39. *White Bear Press*, October 1, 1931 and November 8, 1935.

Published by the Ramsey County Historical Society
323 Landmark Center
75 West Fifth Street
Saint Paul, Minnesota 55102

NON-PROFIT
ORGANIZATION
U.S. Postage
PAID
Twin Cities, MN
Permit #3989

ADDRESS SERVICE REQUESTED



In this photo from the 1940s, Herman and Jeanette Zuettel pick beans on their farm in Rosetown (now Roseville). For more on market-garden farming and life in rural Ramsey County between 1920 and 1950, see page 14 for Harlan Stoehr's article on Robert Freeman and his work as the Ramsey County Agricultural Extension Agent in those years. Photo courtesy of the Roseville Historical Society.