

***CITY OF WHITE BEAR LAKE***  
***ENGINEERING DEPARTMENT***

**FEASIBILITY REPORT**  
for the  
**2019 STREET RECONSTRUCTION PROJECT**

**February 7, 2019**



**Streets included in the 2019 Street Reconstruction Project:**

Fourth Street / Fifth Street / Sixth Street / Seventh Street / Morehead  
Avenue / Johnson Avenue / Various Alleys / Garden Lane

**CITY PROJECT NOS. 19-01 & 06**



**FEASIBILITY REPORT**  
**for the**  
**2019 STREET RECONSTRUCTION PROJECT**

**CITY PROJECT NO. 19-01**  
Fourth Street / Fifth Street / Sixth Street / Seventh Street /  
Morehead Avenue / Johnson Avenue / Various Alleys

**CITY PROJECT NO. 19-06**  
Garden Lane

I hereby certify that this feasibility report was prepared by me or under my direct supervision and I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.



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Paul Kauppi, P.E.  
License No. 41291

*February 7, 2019*

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Date

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## I. INTRODUCTION

The City’s Engineering Department has proposed streets in the north eastern portion of the City, generally between Stewart Avenue and Lake Avenue North, from Lake Avenue North to Seventh Street (City Project 19-01) and Garden Lane from Lemire Lane to Bald Eagle Avenue (City Project 19-06) for inclusion in the 2019 Street Reconstruction Project. On December 11, 2018 the City Council adopted Resolution No. 12314 ordering preparation of this Feasibility Report. A copy of the memo and resolution ordering the feasibility report is included in **Appendix A**.

Since 1990, the City of White Bear Lake has undertaken an initiative to upgrade all of its streets with new concrete curb and gutter, new bituminous pavements, improved drainage and surface water treatment systems, and utility infrastructure. To date, over 78 miles of City-owned streets (about 92%) have been reconstructed with new bituminous pavements, concrete curb and gutter, and improvements to the underground utilities. The map in **Exhibit 1** shows the current pavement status of all City streets. As indicated on this map, the focus over the next 2 years is intended to remain in the north eastern portion of the City on the streets in poor condition (colored in red). Due to past reconstruction efforts, nearly all of the streets south of South Shore Boulevard have been constructed to current engineering standards. In 2019 the Street Reconstruction Program will mainly continue in the north half of the City. These streets while sometimes significantly older have provided good service and remained in reasonable condition due to superior, mostly sandy subgrade soils.

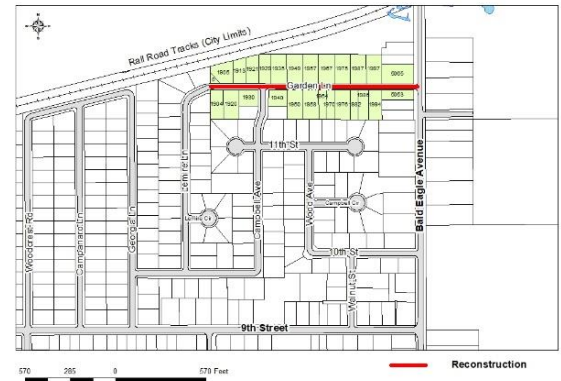
The streets proposed for reconstruction in 2019 have deteriorating bituminous pavements, poor drainage characteristics and public utility facilities which need upgrading. The underground gas utilities are also in need of upgrading and will be replaced by Xcel Energy. All of the public and private infrastructure elements proposed for reconstruction, replacement or upgrading are important to the continuing vitality of the neighborhoods in this portion of the City and are necessary improvements to the City’s street and utility systems.

The Engineering and Public Works Departments have evaluated the streets proposed in the 2019 Street Reconstruction Project and will recommend in this Feasibility Report that the City Council include all streets described in the 19-01 and 19-06 areas.

2019 Street Reconstruction Project 19-01



2019 Street Reconstruction Project 19-06



The streets proposed for inclusion in the **2019 Street Reconstruction Project** as shown in **Exhibits 2 and 3**, respectfully are:

City Project No. 19-01

- Fourth Street (Stewart Avenue to Johnson Avenue)
- Fifth Street (Stewart Avenue to Lake Avenue N)
- Sixth Street (Stewart Avenue to Lake Avenue N)
- Seventh Street (Stewart Avenue to Lake Avenue N)
- Morehead Avenue (Lake Avenue N to Seventh Street)
- Johnson Avenue (Fourth Street to Seventh Street)
- Various Alleys

City Project No. 19-06

- Garden Lane (Lemire Lane to Bald Eagle Avenue)

The streets, which are included in the proposed 2019 project, have been identified due to poor pavement condition, inadequate stormwater drainage and treatment facilities, and the need for sanitary sewer and water main upgrades. Through evaluation of these infrastructure components and input from property owners, the Engineering Department is recommending these improvements to the City Council.

If the Council decides to proceed with these utility and street improvements, the next step in the public improvement process (**Appendix B**) would be to conduct a formal public improvement hearing. A public hearing could be conducted on March 12, 2019, if the City Council were to order the hearing at its February 12, 2019 meeting.

## **II. PROJECT SCOPE**

The scope of this report is to analyze the proposed streets indicated above and to determine the engineering and fiscal feasibility of providing the necessary improvements. In addition, existing sanitary sewer, watermain, and storm sewer systems will be evaluated and necessary improvements proposed. The study will discuss the existing conditions, proposed improvements, estimated construction costs, and overhead costs (i.e. administration, engineering, fiscal, and legal expenses). Current public improvement policies adopted by the White Bear Lake City Council will be used as a guideline to discuss financing methods for the proposed improvements.

## **III. EXISTING CONDITIONS**

The streets included in the proposed 2019 Street Reconstruction Project are deteriorating and in need of both pavement rehabilitation as well as utility (water, sanitary sewer and storm sewer) upgrades. The current condition of the infrastructure is outlined as follows:

### **A. Watermain**

The watermains in these areas of the city were installed between the 1920s – 1965. The majority of the watermain is cast iron pipe and is in good condition. There have been a total of three watermain breaks in the project areas since the Public Works Department began tracking this history in 1991. This is likely due to the shifting of the soils in the area. Cast iron watermain pipe should have a useful life of 100 to 150 years and while it is more brittle (thus more susceptible to cracking) than ductile iron pipe used today, it is recommended that the existing pipe remain in service and that occasional breaks due to ground movement be repaired as needed.

### **B. Sanitary Sewer**

The sanitary sewer mains in this part of the city were installed between the 1920s - 1965. The majority of this clay pipe is in good condition. The City's Public Works Department has performed a television inspection of all of the existing sewer mains and has identified segments where the pipe is cracked, a joint is out of alignment, or where the pipe has been damaged by tree root intrusion or other factors. The proposed project will repair the problem areas identified by the television inspection by replacing short segments of pipe that are cracked or where pieces of the pipe have broken away. With these "spot repairs", the sanitary sewer mains will be in good condition. The City will also undertake sanitary sewer pipe lining projects under a separate contract to improve the serviceability and life of older sanitary sewer mains.

### **C. Storm Sewer**

The existing storm sewer drainage system is in fair to poor condition. Some stormwater conveyance systems will need to be upgraded to address drainage issues. Existing Storm sewer stubs from past street reconstruction projects will be utilized. Stormwater treatment facilities necessary to meet current MPCA, watershed district requirements, and the City's Stormwater Ordinance and Engineering Design Standards (Ordinance No. 15-05-2000, **Appendix C3**), will also need to be installed throughout the project area, as determined through the engineering design process.

The proposed projects fall entirely within the Rice Creek Watershed District (RCWD).

All of the 19-01 project's stormwater flows to White Bear Lake via storm sewer. The 19-06 project's stormwater flows via storm sewer and ditch system to a wetland north of Garden Lane, and ultimately Bald Eagle Lake.

A map indicating the watershed district boundaries within the city is included in **Exhibit 4**.

#### **D. Street & Alley Pavements**

The bituminous street and alley pavements in the proposed project were constructed when these portions of the City were newly developed. In the City Project 19-01 area, some of the roads are just a collection of thin patching and seal coats. The pavements have been maintained by the City through a regular patching and seal coating program, but the pavements are now near the end of their useful life. The proposed projects will replace the bituminous pavement and the gravel base and correct any sub-grade soil conditions which could affect the performance of the new streets and alleys. Concrete curb and gutter is proposed to control drainage and protect the edge of the pavement on the streets.

### **IV. PROPOSED IMPROVEMENTS**

The proposed improvements for the 2019 Street Reconstruction Project include street, alley, sanitary sewer, watermain, and storm sewer conveyance and treatment system construction. A detailed description of each proposed improvement is provided below.

#### **A. Watermain Improvements**

The majority of the watermain included in the 2019 Street Reconstruction Project areas are in good condition. These watermains have experienced only a few breaks since their construction due to the freeze-thaw cycles experienced in the winter and spring. A map of the watermain breaks (3) in these areas of the City from 1991 to 2018 is shown in **Exhibits 5 & 6**. Careful consideration has been given to the possible need to replace watermain pipe. The soil borings indicate a silty/sand material which should be a reasonable bedding material for watermains, but can experience some movement during temperature fluctuations. After examination of the geotechnical report, the Engineering Department believes that movement of these soils is the primary cause of breaks, and not poor condition of the pipe. With certain soil conditions, watermain constructed of cast iron pipe should have a useful life of 100 to 150 years or more, and this pipe is still in good condition.

If warranted, complete replacement of the watermains and service lines could include new watermain pipe, new service connections for each property and installation of a temporary water supply system during construction and would likely cost in excess of \$65 per linear foot, or approximately \$1,000,000 for the entire project. Historically, the City has experienced an average of 17 watermain breaks city-wide each year (over the last 11 years), costing approximately \$5,000 each. Using these averages, the annual cost of repairing watermain breaks is \$85,000 for the entire City. On an annual basis, this \$85,000 would replace less than 1,400 feet of watermain and services while there is over 126 miles of watermain pipe throughout the city.

Due to the occasional movement of the soils in the area, it is unlikely that replacement of the pipe will remedy the problem. Therefore, it is recommended to leave the existing watermain in place. Minor repairs and adjustments to gate valves, hydrants and curb stop valves should be the extent of watermain work necessary at this point in time.

New watermain and fire hydrants will be added on Seventh Street between Morehead Avenue and Johnson Avenue, and Morehead Avenue, between Fifth and Sixth Street. Homes on these streets currently utilize excessively long water services in order to reach the nearest watermain on Johnson Avenue. These services are up to 300 feet in length, whereas a typical water service is approximately 30 feet long. This segment of new watermain will improve service, and will allow for shorter water services. In most cases the new water services will be readily connected to the existing service. There may be extraordinary situations in which a new water service will be stubbed for future use, but not connected. In certain situations we might require the property owner to undertake the work with a plumbing contractor.

The engineering department was also made aware of residents on Fifth Street, between Johnson Avenue and Lake Avenue complaining of “rusty water”. In one case the resident at 4779 Lake Avenue wrote the City a letter. (**Appendix D**) It would be a good time to do an exploratory dig during the proposed road reconstruction to see if the issue is with the City watermain or the property owner’s service line. The city will then attempt to correct the issue.

The watermain improvements will be funded by the City’s Water Utility Fund.

## **B. Private Water Services**

The water services of City Project 19-06 are copper and the watermain was placed in 1965. Copper is a good material for water services, so this area is not a concern.

The water service material on City Project 19-01 varies from either lead or galvanized steel, placed in the 1920s & 1930s to brand new copper or pex lines that are installed today. The lead and galvanized steel water services are a concern. Lead water services present health risks and are always removed. Lead water services should always be replaced when encountered within the public right of way. Lead pipe was commonly used for water services until the late 1920’s (and again for a short period during World War II) when galvanized steel became the preferred material. Galvanized steel pipes are preferably to lead pipe for water services, but they were found to corrode relatively quickly. Due to corrosion, galvanized water services become brittle and lose their durability. By 1960, with soft copper readily available, galvanized steel became outdated and fell out of use. A typical galvanized steel water service (placed in the 1920s and 1930s) will have become quite brittle in 2019 and should not be reasonably expected to withstand the vibration associated with street construction.

To date, approximately ten properties are assumed to have a shared water service line. Per State of Minnesota Plumbing Code, all homes need to have an individual water service line. We intend to correct these code discrepancies during the project by extending new services from the water main, and by adding watermain on Seventh Street and Morehead Avenue. If correcting the discrepancy requires work on private property, we will work with the property owner and attempt to make the new service connection. There may be situations where a new connection cannot be completed without extraordinary costs. In that type of situation the property owner will need to agree to bear the additional costs or undertake the work independent of the public project.

City staff recommends a special assessment rate to assist property owners with replacement of lead or galvanized water services. In response to durability and public health concerns, we propose to replace the lead or galvanized pipe with copper under the road, between the watermain and the curbstop. Similar to last year, the City will share the cost of water service upgrades with property owners. Property owners' cost will be capped at \$1,200 for the portion of work from the watermain to the curb stop. At the curbstop, City staff will evaluate the private water service on the other side of the curbstop. If a galvanized or lead water service is observed entering the house, we will encourage the property owner to consider replacing with copper. If other problems are discovered during replacing the water service line, the property owner might have the option to have this work (between the curb stop and the house) performed by the City's contractor on a time and materials basis, at the property owner's expense.

### **C. Sanitary Sewer Improvements**

The sanitary sewer mains along the streets on the 2019 Street Reconstruction Project are in generally good condition. The Public Works Department has performed a television inspection of all of the existing sanitary sewer mains and has identified segments where the pipe is cracked, broken, or out of alignment or has been damaged by tree root intrusion or other factors. These segments will be repaired during construction by removing and replacing the damaged sections with new PVC pipe.

The television inspection of the sanitary sewer mains has revealed minor deterioration of the pipe and occasional root intrusion in certain areas with spot repairs recommended on Morehead Avenue. The proposed repair locations are shown in **Exhibit 7**. Some repair work in the manholes is needed and castings will be adjusted and replaced as necessary. Pipe liners have previously been installed on Johnson Avenue in 2014, and an Easement between Fifth & Seventh Streets / Johnson & Lake Avenue and another Easement between Fourth & Fifth Streets / Johnson & Lake Avenue in 2008. Additional lining in this area may be proposed, but would be undertaken as a separate project. Installation of a liner is more cost effective than replacing the entire existing line with new pipe and it eliminates all joints and significantly reduces the risk of root intrusion.

However, through our television inspection of these pipe segments and past history, we have found that lining will only eliminate root intrusion on joints in the sewer main. This

does not prevent roots from growing into the main through services. Once a liner is installed, it typically will require only minimal maintenance involving occasional jetting. The presence of roots, however, can require a “root saw” to remove. The root saw is essentially short pieces of steel chain spinning at high velocity to cut the roots. This abrasive technique could damage a lined sewer main and is not recommended. Therefore, it has become more important than ever to encourage property owners to have their sanitary sewer services inspected and repaired if necessary. The Engineering and Public Works Departments will continue to evaluate new technologies, construction techniques and maintenance procedures to manage root intrusion.

The sanitary sewer improvements proposed for this project will be funded by the City Sewer Utility Fund.

#### **D. Private Sanitary Sewer Services**

The television inspection of the city sanitary sewer mains also identified private sanitary sewer services with tree root intrusion. The Engineering Department has notified these property owners of the problem and provided recommendations for repair. This is especially important to determine because property owners are responsible for maintenance of their sewer line from their home until it reaches the sanitary sewer main in the street including the connection “wye”. Where root intrusion is discovered at the service connections, the Engineering Department has strongly recommended that the property owner have their service televised to see if there are any additional problems along the entire length of the service.

The City’s Public Works Department has sewer televising equipment that allows Sewer Division personnel to feed a camera down a residential sanitary sewer service to investigate problems. The televising allows City personnel to see if the line is blocked with tree roots, collapsed or blocked with some other obstruction and can determine exactly where the blockage is occurring. The cost to the property owners in the City of White Bear Lake is normally \$150.00. This cost is reduced to \$75.00 for properties along the street reconstruction project. The ability to televise a sanitary sewer service line has proven invaluable in helping residents determine which corrective action will work best, saving the homeowner and the City time and expense.

An ongoing concern that has become more prevalent is the presence of tree roots in private sanitary sewer services. In response to this concern, the City Council adopted a policy in 2008 to assist property owners with replacement of failing sanitary sewer service connections. This Residential Sanitary Sewer Wye Replacement Program provides that when requested by property owners on the street reconstruction project areas, the City will coordinate sanitary sewer service connection repairs with its contractor.

- In 2012 the City Council had set the cost to each property owner at a maximum of \$900 per service. In 2012, the average cost of each wye repair was \$1806, so the



- \$900 cap was reached. At the completion of the 2013 reconstruction project, the total cost of all wye replacements was tallied and found to cost an average of \$1700 for each of the 65 wyes replaced. Using the 50% cost participation ensured by the program, the cost to each property owner was \$850 and therefore they were given a credit of \$50. In 2017, the average cost of each wye repair was \$2100, so the \$900 cap was reached. The cap was set at \$1000 in 2018 to anticipate increased costs due to the deeper depths of the sanitary sewer lines we would be repairing. The average cost of each wye was \$2575 so the \$1000 cap was reached.
- City staff recommends a 2019 cap of \$1300 because the actual construction costs will not be known upfront. If the final construction costs for this work are lower than projected, each participating property owner will be refunded the appropriate amount.
  - In the past six years of implementing this program, the percentage of property owners participating in this program has ranged from 5% to 40% (42 wyes in 2012, 65 wyes in 2013, 89 wyes in 2014, 53 wyes in 2015, 3 wyes in 2017, and 10 wyes in 2018). It is anticipated that participation will be similar for most street reconstruction projects in this portion of the city as the neighborhoods and soil conditions are of similar characteristics. Due to the high cost of this work, further changes may be necessary for the program to remain fiscally sound, and not further burden the City's Sewer fund. Details on the Residential Sanitary Sewer Wye Replacement Program are included in **Appendices E1 & E2**.
  - To date over 490 residents have participated in the program.

If problems are discovered during the televising that require repair beyond the sewer wye and clay pipe (typically less than 10 feet) covered under the Residential Sanitary Sewer Wye Replacement Program, the property owner might have the option to have this work performed by the City's contractor on a time and materials basis, at the property owner's expense.

To date, two properties were discovered to have a shared sanitary sewer service. Per State of Minnesota Building Code, all homes need to have an individual sanitary sewer service line. Our Building Department and Engineering Department have discussed these violations. Consideration was given to compel the property owners to undertake corrective action prior to the construction project. In that scenario, each property owner would have needed to independently hire a plumbing contractor. Deep excavation within the right of way would have necessitated significant removal and restorations expense. Property owners on shared services would need to carefully coordinate with one another to solve relatively complex utility problems.

After consideration, a letter will be sent out to these property owners explaining a better approach in which we will work to correct their code violations during the project. Completing the work during road reconstruction will result in significant savings for the affected parties as road removal and restoration costs are borne as project costs. After all

of the work is complete, the City will divide the cost of the work evenly amongst the properties that received a separate service. This work shall be paid for by the property owners.

#### **E. Storm Sewer Drainage Improvements**

The storm sewer drainage improvements proposed for the 2019 Street Reconstruction Project will include the extension of storm sewer on segments of Johnson Avenue, Morehead Avenue, Fourth Street, Fifth Street, Sixth Street and Seventh Street. Additional catch basins will be installed to shorten the length of time stormwater remains on the road surface and to reduce localized flooding during intense rainfall events. Standing water on streets can be a significant cause of pavement deterioration. The project also includes replacement of deteriorating storm sewer structures and installation of sump catch basins to capture sediments contained in the stormwater before it is directed to downstream water bodies.

Currently Garden Lane has drainage pipes, culverts, and ditches that will need to be modified.

The storm sewer enhancements and repairs will be funded with City funds and storm sewer assessments to property owners.

#### **F. Stormwater Treatment Improvements**

To meet the increasing and continuously evolving stormwater quality standards being adopted by federal, state and local agencies, the City will continue to design and construct systems to improve the quality of stormwater runoff before it enters our water bodies. Since the City is fully developed with existing storm sewer systems in place, the opportunity for the application of certain methods is more limited. Soil conditions, which vary from sandy in the north to silty-clay in the south, will affect the use of certain infiltration methods. Groundwater elevations will also be a factor in determining what types of treatment systems will be successful.

As the City considers options for stormwater treatment systems, it will be wise to look forward to future needs as well as requirements for current projects. Since there are many factors which limit the application of various stormwater treatment techniques, it is in the City's best interest to take a "regional" approach and consider construction of larger treatment systems where and when applicable. Such large systems are beneficial because they can be more effective at treating stormwater and can be maintained more efficiently.

The proposed 2019 Street Improvement Projects will be constructed in the Rice Creek Watershed District (RCWD). VLAWMO rules require stormwater quality treatment equal to 0.5" over all reconstructed impervious surfaces. RCWD rules now classify public linear projects as exempt to treatment requirements. The City's Stormwater

Ordinance (Ordinance No. 15-05-2000, **Appendix C3**), requires us to treat 0.75-inches over all reconstructed impervious surfaces. Stormwater quality treatment comes in the form of a variety of infiltration practices which collect water diverted from the storm sewer systems and allow it to percolate into the ground rather than being transported downstream through the storm drainage system. As stormwater infiltrates into the ground, natural processes in the soil break down contaminants in the runoff and help to recharge the groundwater table, all of this reducing the volume of runoff flowing directly (by means of piping) to downstream water bodies.

The stormwater volume reduction on these projects will be accomplished by construction of the following:

- Underground Infiltration Systems on Fourth, Fifth, Sixth and Seventh Streets. These infiltration systems will be constructed using 24 and 36 inch diameter perforated pipe surrounded by aggregate and geotextile fabric.
- Underground Infiltration Trenches on Garden Lane. These infiltration systems will be constructed using amended soil and aggregate surrounded by geotextile fabric in the existing ditch system.
- Voluntary Rain Garden installation on all projects.
- Use of Volume Reduction Credits from past projects.

The 2019 project proposes to utilize the RCWD rules for spending stormwater credits. The RCWD allowed, in the past, the City to build excess storm water treatment capacity in more desirable locations within the watershed (in addition to that which is required for a given project) and “bank” that capacity for future projects where infiltration may not be as feasible. This is the benefit of having constructed these large “regional” systems on past projects.

The City has taken advantage in the past of building these systems in what open space the City owns. In 2008 the City built an infiltration system in West Park/Memorial Beach. This year the City planned to take advantage of the Alternative Compliance Sequencing rules that the Watershed Districts have/had. The City exceeded RCWD volume reduction goals on the 2018 project. In short, the systems we have built in the past will allow us to use Volume Reduction Credits in years that these large systems aren’t feasible to build.

The City exceeded RCWD volume reduction goals on the 2018 project.

We will continue to encourage property owners to install raingardens where feasible and to coordinate with the watershed districts for design and funding assistance.

The stormwater treatment improvements will be funded by the City Surface Water Pollution Prevention Fund and special assessments to property owners.

**G. Street Improvements**

The proposed street reconstruction consists of removal and replacement of the existing deteriorated pavements and construction of new bituminous pavements with concrete curb and gutter. The streets included in the 2019 Street Reconstruction Project are generally residential in nature and have low volumes and speeds. The proposed new pavements will be constructed to the width as shown in **Table 1**. Typical street cross sections are shown on **Exhibits 8 & 9**.

**TABLE 1  
 EXISTING AND PROPOSED STREET WIDTHS**

<b>STREET</b>	<b>SEGMENT</b>	<b>EXISTING WIDTH</b>	<b>PROPOSED WIDTH</b>
Johnson Avenue	Fourth Street to Seventh Street	30 feet	30 feet
Morehead Avenue	Lake Avenue N to Fourth Street	26 feet	26 feet
Morehead Avenue	Fourth Street to Seventh Street	22 – 25 feet	30 feet
4 <sup>th</sup> Street	Stewart Avenue to Lake Avenue N	30 feet	30 feet
5 <sup>th</sup> Street	Stewart Avenue to Lake Avenue N	22 - 30 feet	30 feet
6 <sup>th</sup> Street	Highway 61 to Stewart Avenue	24 - 32 feet	30 feet
7 <sup>th</sup> Street	Stewart Ave to Alley East	30 feet	30 feet
Various Alleys	Between 4 <sup>th</sup> Street & 7 <sup>th</sup> Street, Cook Avenue & Lake Avenue N	8-12 feet	10-12 feet
Garden Lane	Lemire Lane to Bald Eagle Avenue	23 - 26 feet	24 feet

**1. 19-01 Project Area**

All of the streets in the 19-01 area will be reconstructed to 26-30 feet wide (Table 1) with concrete curb and gutter and storm sewer improvements. A standard urban street cross section with B-618 curb and gutter will be constructed everywhere possible.

The west ends of Fourth Street and Seventh Street currently have B-618 curb and gutter and roadways that were constructed in 1993. These segments from Stewart Avenue to approximately 75-125 feet east are in fair condition and we propose to mill and overlay the top 2-inches of the pavement surface.

**2. 19-06 Project Area**

Garden Lane (project 19-06) was constructed to 23-26 feet wide in 1966. The road was originally built with a rural section (no curb and a ditch section). The bituminous

pavements on these streets are in poor condition and will be removed, the gravel base regraded and new bituminous pavements constructed. A standard urban street cross section with B-618 curb and gutter will be constructed everywhere possible. Garden Lane will be reconstructed to 24 feet wide.

The street reconstruction portion of this project will be funded with City Funds, State Aid Funds and special assessments to property owners.

Parking conditions are proposed to remain as they currently are as shown below in **Table 2**.

**TABLE 2  
 CURRENT PARKING RESTRICTIONS IN 2019 PROJECT AREAS**

STREET	SEGMENT	PARKING RESTRICTION
Fourth Street	Stewart Avenue to Lake Avenue North	No Parking Boat Trailers (South Side)
Fifth Street	Stewart Avenue to Lake Avenue North	No Parking Boat Trailers (South Side)
Sixth Street	Stewart Avenue to Lake Avenue North	No Parking Boat Trailers (North Side)
Seventh Street	Stewart Avenue to Lake Avenue North	No Parking Boat Trailers (North Side)
Morehead Avenue	Fourth Street to Seventh Street	No Parking Boat Trailers (West Side)
Johnson Avenue	Fourth Street to Seventh Street	No Parking Boat Trailers (West Side)
Garden Lane	Lemire Lane to Bald Eagle Avenue	No Restrictions

**H. Current Parking Restrictions**

Parking conditions are proposed to remain as they currently are as shown above in **Table 2**.

**I. Sidewalk Improvements**

City’s 2030 Comprehensive Plan contains a map of existing and proposed sidewalks and trails (**Exhibit 10**). The intent of the proposed routes indicated on this map is to connect

to places of pedestrian activity such as parks and schools. It is important to build facilities not only for today, but for the future of our community.

As part of the 2019 Street Reconstruction Project, consideration has been given to the addition of one sidewalk. The proposed sidewalk is along Morehead Avenue from Lake Avenue North to Seventh Street. This proposed sidewalk would connect the existing trail along Lake Avenue North to the existing sidewalk on Seventh Street.

Staff is looking for guidance from the City Council. The addition of a new sidewalk could be constructed at this time or at a later date, but is most economical and practical if constructed as part of this project.

If the sidewalk were to be constructed it would be most feasible on the east side of Morehead Avenue. This sidewalk configuration is shown in **Exhibit 11**.

Note: The Garden Lane sidewalk is also on the 2030 Comprehensive Plan Map. This sidewalk is discussed in detail in the Feasibility Report for the 2019 Mill and Overlay Project, and configuration is shown in **Exhibit 12**.

#### **J. Private Driveway Improvements**

The City will continue the private driveway replacement program which provides property owners with the opportunity to have their driveway reconstructed during the 2018 Street Reconstruction Project. For those property owners who choose, their private driveway would be reconstructed by the City contractor during the construction project. This option is made available as a benefit and potential cost savings due to a single contractor performing a higher volume of work. The City's Driveway Replacement/Reconstruction Program is included in **Appendix F**.

The Engineering Department will evaluate all driveways proposed for reconstruction. If driveways are found to have poor drainage and the new driveway would have a grade of 1% or less, the Engineering Department will recommend replacing the driveway with concrete rather than asphalt to improve the drainage characteristics on these flat surfaces.

#### **K. Private Utility Improvements**

The underground gas utilities were replaced on Garden Lane during the 2018 construction season. Significant gas utilities that are in need of upgrading on City Project 19-01, are planned to be replaced by Xcel Energy as part of this project. Other private utilities including electric, cable, and phone are primarily carried on overhead lines and will likely remain unaffected, with the exception of some power poles that will have to be relocated.

## V. PERMITS

Several permits will be required prior to construction of the proposed improvements. The Engineering Department has been working closely with Rice Creek Watershed District (RCWD) in determining the feasibility of the proposed stormwater quality improvements. Required permits include, but are not limited to, the following: (See **Table 3**)

**TABLE 3**

<b>AGENCY</b>	<b>PURPOSE</b>
Minnesota Pollution Control Agency (MPCA)	Phase II NPDES – General Stormwater Permit for Construction Activities
Minnesota Department of Health	New Watermain Installation
Minnesota Department of Natural Resources	Work on White Bear Lake
Rice Creek Watershed District	Plan Review
Vadnais Lake Area Water Management Organization	Plan Review
Ramsey County	Work in County Rights-of-Way

## VI. PUBLIC INFORMATIONAL MEETING

The Engineering Department has conducted an initial public information meeting. On November 7, 2018, the City discussed proposed projects 19-01 & 19-06. A copy of the letter announcing this meeting and the outline from the meeting are included in **Appendices G1 & G2**. Over 40 people were in attendance. Issues of concern were raised by residents and these comments have been incorporated into the designs. Resident concerns will continue to be heard through the remainder of the Public Involvement process. The next public meeting proposed is the Public Hearing to discuss the project on March 12, 2019.

## VII. ESTIMATED PROJECT COSTS

The estimated costs for the proposed improvements are summarized in **Table 4**. The estimated total project improvement cost is **\$3,312,000**. Based on past experiences on similar projects in the City, the overhead costs have been estimated at 18% of the total construction cost. The overhead costs include engineering, project administration, fiscal and legal costs. The project will be financed through a combination of City funds and special assessments to the benefited properties.



**TABLE 4  
PROJECT COST ESTIMATE**

Street Improvements	\$1,621,000
Watermain Improvements	\$ 276,000
Sanitary Sewer Improvements	\$ 161,000
Storm Sewer Drainage Improvements	\$ 231,000
Stormwater Treatment Improvements	\$ 152,000
*Sidewalk	\$ 50,000
Alley Improvements	\$ 96,000
10% Contingency	\$ 259,000
Engineering, Legal, Fiscal	<u>\$ 466,000</u>
<b>Total Project Improvement Cost</b>	<b>\$3,312,000</b>

\*This additional work to be decided by the City Council

## **VIII. FINANCING AND ASSESSMENTS**

The improvements discussed in this report for the 2019 Street Reconstruction Project are proposed to be financed through a combination of special assessments to benefited properties (according to the City's Assessment Policy), City utility funds and street reconstruction funds. A summary of the total project cost is provided in **Appendix H**, with a spreadsheet indicating how the total costs could be allocated through both City funds and special assessments. The proposed cost allocation by item is as follows:

1. The improvements to existing watermains will be funded by the City Water Improvement Fund.
2. The improvements to existing sanitary sewer mains will be funded by the City Sewer Improvement Fund.
3. The improvements to storm sewer facilities and stormwater treatment systems will be funded by the City Surface Water Pollution Prevention Fund and special assessments to property owners. The maximum assessed per property is \$0.12 per square foot for residential property and \$0.24 per square foot for commercial property. Some of the properties in both project areas have been assessed a portion of this amount in various

storm sewer assessments in the past. A credit will be given in the amount paid to date and is shown as the “Previous Storm Sewer Assessment” column on the Proposed Assessment Roll.

4. The street reconstruction improvements will be funded by a combination of the City Interim Construction Fund and special assessments to property owners. The City is proposed to raise the rate 3% in 2019 to account for increases in construction prices.

Assessment rates for full street reconstruction are proposed to be set at \$39.34 per assessable foot for residential properties, \$51.73 for apartment and townhome properties and \$62.78 for commercial properties. Assessment rates for partial street reconstruction are proposed to be set at \$21.51 per assessable foot for residential properties, \$27.95 for apartment and townhome properties and \$34.28 for commercial properties. Assessment rates for alley replacement are proposed to be set at \$2,266.00 each.

All of the property owners who would receive benefits from the proposed improvements and who would be assessed for all or a portion of the improvements are listed on the Proposed Assessment Rolls in **Appendix I** of this report. The assessment spreadsheets indicate the owner, the address of the property, the assessable footage of the property and the amount of the proposed assessment.

The City’s Assessment Policy for public improvements allows for the distribution of the proposed assessments for residential properties over a 10 year period. In 2009, the City Council chose to have the project assessed over 15 years in order to provide financial assistance to property owners in a difficult economic time. It is proposed that the assessment to residential properties included in this project again be spread over a 15 year period and that the assessments to commercial and apartment properties are spread over a 20 year period due to the higher cost. A sample breakdown of the annual payments on assessments for several assessment amounts based on an interest rate of five percent (5.0%) is included in **Appendix J**.

The City’s Assessment Policy also allows for deferred payment of special assessments for qualified property owners 65 years of age or older. There may be some property owners who would like to take advantage of this City policy. The City Assessment Policy is included in **Appendix K**.

## **IX. PROJECT SCHEDULE**

The proposed project schedule is as follows:

### **PROPOSED PROJECT SCHEDULE**

City Council receives Feasibility Report City Council sets date for Public Improvement Hearing	February 12, 2019
City Council holds Public Improvement Hearing City Council orders Project	March 12, 2019
City Council approves Plans and Specifications City Council authorizes Advertisement for Bids	March 12, 2019
Bids Opened City Council awards Bid	April 3, 2019 April 9, 2019
Begin Construction Construction Substantially Complete	April 22, 2019 September 13, 2019
City Council sets date for Assessment Hearing City Council holds Assessment Hearing	August 27, 2019 September 24, 2019

## **X. FEASIBILITY, NECESSITY AND COST-EFFECTIVENESS**

The proposed improvements included in the 2019 Street Reconstruction Project consisting of watermain, sanitary sewer, storm sewer, street, alley and sidewalk reconstruction are feasible from an engineering standpoint, necessary, and cost effective if constructed under a single project as proposed. These improvements would greatly improve the level of public service to the residents of these areas, enhance the safety and appearance of the neighborhoods and improve the quality of the stormwater runoff. The improvements can most effectively and economically be constructed if undertaken through a coordinated contract that would cause the improvements to be installed in the proper sequence.

## **XI. CONCLUSION**

Our recommendation to the City Council is that if improvements are to be constructed, that the watermain, sanitary sewer, storm sewer, street, alley and sidewalk be installed as proposed in this feasibility report. The estimated cost of these improvements, including the proposed assessments, is reasonable and comparable with similar improvements being constructed in other cities in the metropolitan area.

## **APPENDIX A**

### **MEMO and CITY COUNCIL RESOLUTION NO. 12314 ORDERING FEASIBILITY REPORT**



**City of White Bear Lake**  
City Engineer's Office

# MEMORANDUM

**To:** Ellen Hiniker, City Manager

**From:** Paul Kauppi, Public Works Director/City Engineer

**Date:** December 5, 2018

**Subject:** **Feasibility Report for Proposed 2019 Street Reconstruction and 2019 Mill & Overlay Projects**  
**City Project Nos. 19-01, 19-04, 19-06, 19-13**

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## **BACKGROUND / SUMMARY**

The City of White Bear Lake has been reconstructing streets since the mid-1980's, replacing deteriorated streets with new engineered gravel bases, concrete curb and gutter and bituminous pavements. Street reconstruction projects also include improvements to the storm sewer system and installation of storm water treatment facilities. The reconstruction program is ongoing and with completion of the 2019 street reconstruction project, the City has reconstructed over 92% of its streets (78 miles) which leaves 7 miles remaining to be improved to current engineering standards.

Each year the City Council selects streets for inclusion in the City's Street Reconstruction Program. The Council receives recommendations for reconstruction projects from the Engineering and Public Works Departments based upon pavement conditions among other factors. The proposed 2019 Street Reconstruction is highlighted in the color red on the Proposed Street Reconstruction Project Map included with this memo.

Based upon our analysis, the following streets are recommended to the City Council for inclusion in a Feasibility Report for the 2019 Street Reconstruction:

### **19-01 Streets being considered:**

**Morehead Avenue**  
(Lake Avenue to Seventh Street)

**Johnson Avenue**  
(Fourth Street to Seventh Street)

**Fourth Street**  
(Stewart Avenue to Lake Avenue)

**Fifth Street**  
(Stewart Avenue to Lake Avenue)

**Sixth Street**  
(Stewart Avenue to Lake Avenue)

**Seventh Street**  
(Stewart Avenue to Lake Avenue)

**Alleys**  
(Various Alleys throughout the project area)

**19-04 Streets being considered:**

**Glen Oaks Avenue**  
(County Road D to Sumac Ridge)

**Aspen Court**  
(Glen Oaks Avenue to Cul-de-sac)

**Sumac Court**  
(Glen Oaks Avenue to Cul-de-sac)

**Sumac Ridge**  
(Glen Oaks Avenue to Cul-de-sac)

**19-06 Streets being considered:**

**Garden Lane**  
(Lemire Lane to Bald Eagle Avenue)

Once streets have been reconstructed to current engineering standards, they can be maintained by routine maintenance techniques such as crack sealing, sealcoating and minor patching. These maintenance techniques should keep bituminous pavements in good condition for approximately 25 years before another major rehabilitation technique such as milling and overlaying is necessary. The life of the pavements between major rehabilitation techniques depends largely on traffic types and volumes. Streets which carry larger vehicles with heavy loads and higher daily volumes of traffic wear out faster than low volume residential streets.

There are streets in the City in which the wearing course (top surface of pavement) is deteriorating to the point where routine patching is no longer able to maintain the street in an acceptable driving condition, making milling and overlaying necessary. Milling and overlaying is a process where the upper 1-1/2" to 2" of asphalt is "milled" (removed with a large grinding machine) and then a new bituminous wearing course is placed, creating a new road surface. Use of this pavement maintenance technique is necessary to ensure the preservation of our street pavements. This type of project extends the length of time required between street reconstructions. As reconstructed pavements age, the City will need to increase the number of mill and overlay projects in order to maintain the serviceability of its pavement infrastructure.

The City has reached a point in its pavement management program where the implementation of a mill and overlay program is necessary to preserve the investment it has made in its street infrastructure. The City incorporated a mill and overlay component into its overall Pavement Management Program for the first time in 2011. The mill and overlay program is a technique by which streets will be rehabilitated in the future when total reconstruction of the roadway is not necessary but just pavement rehabilitation. The mill & overlay program is starting now even though we have not yet completed the street reconstruction program (approximately 8% or 7 miles

of streets remain). The City will be challenged as it works to complete the street reconstruction program while undertaking mill and overlay projects at the same time to maintain streets reconstructed 20 – 30 plus years ago. We anticipate that the two programs could overlap for 5 to 7 years before the street reconstruction program is completed and we are just undertaking mill and overlay projects.

Similar to the Street Reconstruction Program, each year the City Council will need to select streets for inclusion in the City's Mill & Overlay Program. The Council receives recommendations for mill and overlay projects from the Engineering and Public Works Departments based upon pavement conditions among other factors. The proposed 2019 Mill & Overlay Project is highlighted in the color blue on the Proposed Mill & Overlay Program Map included with this memo.

Based upon our analysis, the following streets are recommended to the City Council for inclusion in a Feasibility Report for the 2019 Mill & Overlay Project:

**19-13 Streets being considered:**

**Campbell Avenue**  
(Tenth Street to Eleventh Street)

**Campbell Circle**  
(Campbell Avenue to End Cul-de-sac)

**Debra Lane**  
(Ninth Street to Parking Lot)

**Eleventh Street**  
(End Cul-de-sac to End Cul-de-sac)

**Lemire Circle**  
(Lemire Lane to End Cul-de-sac)

**Lemire Lane**  
(Tenth Street to Garden Lane)

**Tenth Street**  
(Georgia Lane to Wood Avenue)

**Tenth Street**  
(Campbell Avenue to Bald Eagle Avenue)

**Thury Court**  
(Debra Lane to End Cul-de-sac)

**Walnut Street**  
(Ninth Street to Tenth Street)

**Chicago Avenue**  
(Stewart Avenue to Morehead Avenue)

**Morehead Avenue**  
(State 96 to Chicago Avenue)

**Stewart Avenue**  
(State 96 to Chicago Avenue)

**Alley**  
(Chicago Avenue to South)

**Alley**  
(Chicago Avenue to North)

Also included in the 2019 Mill & Overlay Project, the City will be reconstructing trail segments as part of a Ramsey County Cooperative Project. The trail segments included in the cooperative project are on Hwy 96 (from White Bear Parkway to Speedway) and on White Bear Avenue (from



Highway 61 to South Shore Boulevard). No assessments are anticipated as the part of this trail reconstruction.

The next step in the improvement process is the preparation of a Feasibility Report to determine if the projects are advisable from an engineering standpoint and how they could best be constructed and funded.

A portion of the project cost will be assessed to benefitting properties in accordance with the City's Special Assessment Policy. The assessment rates for 2019 will be reviewed in consultation with the City's appraisal consultant and presented in the Feasibility Report.

The proposed assessment roll is being reviewed by the appraisal firm of Dahlen, Dwyer, Foley and Tinker, Inc. to ensure the proposed assessments are fair, uniform and provide benefit in the amount of the proposed assessments. We have asked the appraiser to specifically look at the large and irregular shaped parcels. Copies of the appraisal reports will be provided to the City Council when it is complete.

#### **RECOMMENDED COUNCIL ACTION**

Staff recommends that the Council adopt the resolution and order preparation of a Feasibility Report for the 2019 Street Reconstruction Project and the 2019 Mill & Overlay Project.

#### **ATTACHMENTS**

Resolution

Proposed Street Reconstruction Project Maps

Proposed Mill & Overlay Project Maps

**RESOLUTION NO.: 12314**

**RESOLUTION ORDERING PREPARATION OF A FEASIBILITY REPORT  
FOR THE 2019 STREET RECONSTRUCTION PROJECT  
AND THE 2019 MILL & OVERLAY PROJECT**

**CITY PROJECT NOs. 19-01, 19-04, 19-06 & 19-13**

WHEREAS, the City has made a commitment to improving and preserving its bituminous pavement street system by reconstructing deteriorated streets and undertaking maintenance programs such as patching, crack sealing, sealcoating, and milling & overlaying; and

WHEREAS, streets which have been reconstructed and maintained with routine maintenance techniques still require periodic major rehabilitation to maintain a smooth driving surface and protect the integrity of the structural components of the road; and

WHEREAS, it is proposed to improve Morehead Avenue (from Lake Avenue to Seventh Street), Johnson Avenue (from Fourth Street to Seventh Street), Fourth Street (from Stewart Avenue to Lake Avenue), Fifth Street (from Stewart Avenue to Lake Avenue), Sixth Street (from Stewart Avenue to Lake Avenue), Seventh Street (from Stewart Avenue to Lake Avenue), Alleys (Various alleys throughout the project area), Glen Oaks Avenue (from County Road D to Sumac Ridge), Aspen Court (from Glen Oaks Avenue to Cul-de-sac), Sumac Court (from Glen Oaks Avenue to Cul-de-sac), Sumac Ridge (from Glen Oaks Avenue to Cul-de-sac) and Garden Lane (from Lemire Lane to Bald Eagle Avenue) by installation of utility, storm sewer improvements and street reconstruction, and to assess the benefited properties for all or a portion of the cost of the improvements, pursuant to Minnesota Statutes, Chapter 429; and

WHEREAS, it is proposed to improve Campbell Avenue (from Tenth Street to Eleventh Street), Campbell Circle (from Campbell Avenue to End Cul-de-sac), Debra Lane (from Ninth Street to Parking Lot), Eleventh Street (from End Cul-de-sac to End Cul-de-sac), Lemire Circle (from Lemire Lane to End Cul-de-sac), Lemire Lane (from Tenth Street to Garden Lane), Tenth Street (from Georgia Lane to Wood Avenue), Tenth Street (from Campbell Avenue to Bald Eagle Avenue), Thury Court (from Debra Lane to End Cul-de-sac), Walnut Street (from Ninth Street to Tenth Street), Chicago Avenue (from Stewart Avenue to Morehead Avenue), Morehead Avenue (from State 96 to Chicago Avenue), Alley (from Chicago Avenue to South) and Alley (from Chicago Avenue to North) by milling and overlaying the bituminous pavement, and to assess the benefited properties for all or a portion of the cost of the improvements, pursuant to Minnesota Statutes, Chapter 429.

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

The proposed improvements be referred to the City Engineer for study and that he is instructed to report to the City Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvements are feasible and as to whether they should best be made as proposed or in connection with some other improvements, and the estimated cost of the improvements as recommended.

**RESOLUTION NO.: 12314**

The foregoing resolution offered by Councilmember **Walsh** and supported by Councilmember **Edberg**, was declared carried on the following

vote:

Ayes: Biehn, Edberg, Engstran, Jones, Walsh  
Nays: None  
Passed: December 11, 2018

  
Jo Emerson, Mayor

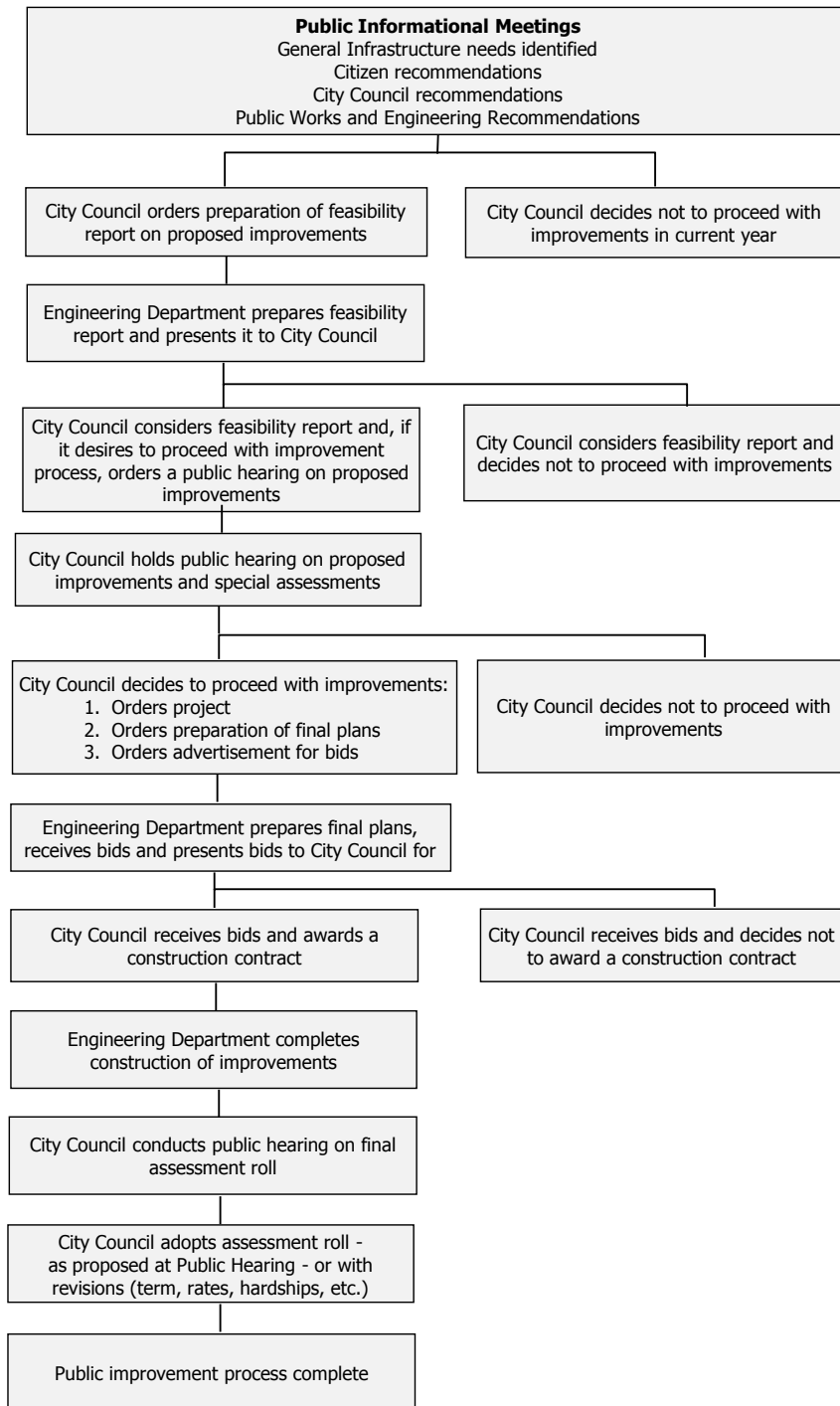
ATTEST:

  
Kara Coustry, City Clerk

## **APPENDIX B**

### **PUBLIC IMPROVEMENT PROCESS FLOW CHART**

# City of White Bear Lake Public Improvement Process



## **APPENDIX C1**

### **CHAPTER 406 (STORMWATER) OF WHITE BEAR LAKE MUNICIPAL CODE**

## 406. Stormwater

**§406.010 AUTHORIZATION, FINDINGS, PURPOSE AND SCOPE.**

Subd. 1. Statutory Authorization. This ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes Chapters 103B and 462, Minnesota Rules, Parts 6120.2500-6120.3900, and Minnesota Rules Chapters 8410, 8420 and 7050.0210, and to be consistent with regional watershed organization rules.

Subd. 2. Findings. The City of White Bear Lake finds that stormwater runoff and erosion from land development and land disturbing activity can have significant adverse impacts upon local and regional water resources diminishing the quality of public health, safety, public and private property and natural resources of the City. Specifically, land development and land disturbing activity can:

- a) Threaten public health, safety, property, and general welfare by increasing runoff volumes and peak flood flows and overburdening storm sewers, drainage ways and other storm drainage systems;
- b) Diminish the capacity of lakes and streams to support fish, aquatic life, recreational and water supply uses by increasing pollutant loadings of sediment, suspended solids, nutrients, heavy metals, bacteria, pathogens and other urban pollutants;
- c) Degrade physical stream habitat by increasing stream bank erosion, increasing stream bed scour, diminishing groundwater recharge, diminishing stream base flows and increasing stream temperatures;
- d) Undermine floodplain management efforts by increasing the incidence and levels of flooding;
- e) Alter wetland communities by changing wetland hydrology and increasing pollutant loading; and
- f) Generate airborne particulate concentrations that are health threatening or may cause other damage to property or the environment.

Subd. 3. Purpose. The purpose of this ordinance is to promote, preserve, and enhance the natural resources within the City and protect them from adverse effects by activities that would have an adverse and potentially irreversible impact on water quality. This ordinance will set forth minimum requirements for stormwater management that will diminish threats to public health, safety, public and private property and natural resources within the City by:

- a) Protecting life and property from dangers associated with flooding;
- b) Protecting public and private property and the natural resources from damage resulting from runoff and erosion;
- c) Ensuring site design minimizes the generation of stormwater runoff and maximizes pervious areas for stormwater treatment;
- d) Promoting regional stormwater management;
- e) Providing a single, consistent set of performance standards that apply to all developments;
- f) Protecting water quality from nutrients, pathogens, toxics, debris, and thermal stress;
- g) Promoting infiltration and groundwater recharge;
- h) Providing vegetated corridors (buffers) to protect water resources from degradation;



- i) Protecting functional values of all types of natural waterbodies (e.g., rivers, streams, wetlands, lakes, seasonal ponds);
- j) Complying with requirements of the Minnesota Pollution Control Agency (MPCA) Municipal Separate Storm Sewer System (MS4) Permit and General Permit for Construction Activities; and
- k) Meeting requirements set forth by the Ramsey-Washington Metro Watershed District (RWMWD), Rice Creek Watershed District (RCWD), Vadnais Lake Area Water Management Organization (VLAWMO), or Valley Branch Watershed District (VBWD) depending on the appropriate boundaries.

Subd. 4. Scope.

- a) The City's Municipal Stormwater Management System consists of lift stations, catch basins and manholes, collection piping, forcemain, ditches, ponds, lakes, structural BMPs (Best Management Practices), and associated appurtenances located within public right-of-way and applicable easements;
- b) No person, firm or corporation shall disturb any land for residential, commercial, industrial, or institutional uses without having provided stormwater management measures as required by the City's Engineering Design Standards. No person, firm or corporation shall connect any drainage system to the municipal stormwater management system or make use of any drainage system extension connected to the municipal stormwater management system except in a manner provided in this chapter.

Subd. 5. Permits.

- a) Persons undertaking land disturbance activity and/or desiring a connection to the municipal stormwater system shall apply to the City for a permit;
- b) The applications shall be accompanied by plans, specifications, and other required information, complying with the City's Zoning Code, Subdivision Code, and Engineering Design Standards, as amended from time to time;
- c) The fee for each permit shall be as determined by the City Council. All costs and expenses associated with the installation and connection shall be borne by the owner and installer. The owner and installer shall indemnify the City for any loss or damage that may, directly or indirectly, be occasioned by the installation of the stormwater system connection, including restoring streets and street surfaces.

Subd. 6. Right of Entry and Inspection.

- a) The issuance of a permit constitutes a right-of-entry for the City or its contractor to enter upon the construction site. The applicant shall allow the City and their authorized representatives, upon presentation of credentials to:
  - 1. Enter upon the permitted site for the purpose of obtaining information, examination of records, conducting investigations or surveys.
  - 2. Bring such equipment upon the permitted site as is necessary to conduct such surveys and investigations.
  - 3. Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of the permitted site.
  - 4. Inspect the stormwater pollution control measures.

- 5. Sample and monitor any items or activities pertaining to stormwater pollution control measures.
- 6. Correcting deficiencies in stormwater and erosion and sediment control measures.

Subd. 6. Severability.

- a) The provisions of this ordinance are severable, and if any provision of this ordinance, or application of any provision of this ordinance to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this ordinance must not be affected thereby.

**§406.020. ILLICIT DISCHARGE DETECTION AND ELIMINATION**

Subd. 1. Findings. The City Council hereby finds that nonstormwater discharges to the City's municipal separate storm sewer system are subject to higher levels of pollutants that enter into receiving water bodies adversely affecting the public health, safety and general welfare by impacting water quality, creating nuisances, impairing other beneficial uses of environmental resources and hindering the ability of the City to provide adequate water, sewage, flood control and other community services.

Subd. 2. Purpose. The purpose of the ordinance is to promote, preserve and enhance the natural resources within the City and protect them from adverse effects occasioned by nonstormwater discharges by regulating discharges that would have an adverse and potentially irreversible impact on water quality and environmentally sensitive land. In addition to requirements relative to the City's sanitary sewer system, this article establishes methods for controlling the introduction of pollutants into the City's municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process and for controlling the introduction. The objectives of this ordinance are:

- a) To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by stormwater discharges by any user.
- b) To prohibit illicit connections and discharges to the municipal separate storm sewer system, and
- c) To establish legal authority to carry out all inspection, surveillance, enforcement, and monitoring procedures necessary to ensure compliance with this ordinance.
- d) This Section is adopted pursuant to the authorization and policies contained in Minnesota Statutes Chapters 103B and 462; Minnesota Rules, Parts 6120.2500-6120.3900, Minnesota Rules Chapters 8410, 8420 and 70510.0210.

Subd. 3. Definitions. The following words, terms and phrases, when used in this article shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

- a) *Best management practice or BMP*. Erosion and sediment control and water quality management practices that are the most effective and practicable means of controlling, preventing, and minimizing degradation of surface water, including construction-phasing, minimizing the length of time soil areas are exposed, prohibitions, and other management practices published by state or designated area-wide planning agencies.
- b) *Discharge*. Adding, introducing, releasing, leaking, spilling, casting, throwing, or emitting any pollutant, or placing any pollutant in a location where it is likely to pollute public waters.
- c) *Erosion*. The process by which ground surface is worn away by action of wind, water, ice, or gravity.
- d) *Groundwater*. Water contained below the surface of the earth in the saturated zone including, without limitation, all waters whether under confined, unconfined, or perched conditions, in near surface unconsolidated sediment or in rock formations deeper underground.
- e) *Hazardous materials*. Any material including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- f) *Illicit connection*. Either of the following:
  - 1) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system (including any nonstormwater discharge) including sewage, process wastewater, and wash water and any connections to the storm drain system from indoor drains and sinks, regardless of whether the drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
  - 2) Any drain or conveyance connected from a residential, commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the City.
- g) *Illicit discharge*. Any direct or indirect nonstormwater discharge to the storm sewer system, except as exempted in Subd. 7. of this article.
- h) *Industrial activity*. Activities subject to NPDES Industrial Stormwater Permits as defined in 40 CFR, Section 122.26 (b)(14).
- i) *MPCA*. The Minnesota Pollution Control Agency.

- j) *Municipal separate storm sewer system or MS4.* The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catchbasins, curbs, gutters, ditches, manmade channels, or storm drains) owned and operated by the City and designed or used for collecting or conveying stormwater, and which is not used for collecting or conveying sewage.
- k) *NPDES.* The National Pollutant Discharge Elimination System, which is the program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits under the Clean Water Act (Section 301, 318, 402, and 405) and United States Code of Federal Regulations Title 33, Section 1317, 1328, 1342, and 1345 authorizing the discharge of pollutants to water of the United States.
- l) *Person.* Any individual, firm, corporation, partnership, franchise, association, or government entity.
- m) *Pollutant.* Any substance which, when discharged has potential to or does any of the following:
- 1) Interferes with state designated water uses;
  - 2) Obstructs or causes damage to public waters;
  - 3) Changes water color, odor, or usability as a drinking water source through causes not attributable to natural stream processes affecting surface water or subsurface processes affecting groundwater;
  - 4) Adds an unnatural surface film on the water;
  - 5) Adversely changes other chemical, biological, thermal, or physical condition, in any surface water or stream channel;
  - 6) Degrades the quality of ground water; or
  - 7) Harms human life, aquatic life, or terrestrial plant and wildlife.
  - 8) Includes but is not limited to dredged soil, solid waste, incinerator residue, garbage, wastewater sludge, chemical waste, biological materials, radioactive materials, rock, sand, dust, industrial waste, sediment, nutrients, toxic substance, pesticide, herbicide, trace metal, automotive fluid, petroleum-based substance, and oxygen-demanding material.
- n) *Pollute.* To discharge pollutants into public waters.
- o) *Pollution.* The direct or indirect distribution of pollutants into public waters.
- p) *Public waters.* Waters of the state, as defined in Minn. Stat. §103G.055(15).
- q) *Storm sewer system.* A conveyance or system of conveyances that is owned and operated by the City or other entity and designed or used for collecting or conveying stormwater.

- r) *Stormwater*. Defined under Minnesota Rule 7077.0105, subpart 41(b), and means precipitation runoff, stormwater runoff, snow melt runoff and any other surface runoff and drainage.
- s) *Surface waters*. All public waters other than ground waters, which include ponds, lakes, rivers, streams, tidal and nontidal wetlands, public ditches, tax ditches, and public drainage systems except those designed and used to collect, convey, or dispose of sanitary sewage.

Subd. 4. Compatibility with Other Regulations. This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or

imposes higher protective standards for human health or the environment shall control.

Subd. 5. Illegal Disposal and Dumping.

- a) No person shall throw, deposit, place, leave, maintain, or keep any substance upon any street, alley, sidewalk, storm drain, inlet, catchbasin conduit or drainage structure, business, or upon any public or private land, so that the same might be or become a pollutant, unless the substance is in containers, recycling bags, or any other lawfully established waste disposal device.
- b) No person shall intentionally dispose of grass, leaves, dirt, or landscape material into a water resource, buffer, street, road, alley, catchbasin, culvert, curb, gutter, inlet, ditch, natural watercourse, flood control channel, canal, storm drain or any fabricated natural conveyance.

Subd. 6. Illicit Discharges.

- a) *Provisions.* No person shall cause any illicit discharge to enter the storm sewer system or any surface water.
- b) *Exemptions.* The following discharges are exempt from this section:
- 1) Nonstormwater that is authorized by an NPDES point source permit obtained from the MPCA;
  - 2) Firefighting activities or other activities necessary to protect public health and safety;
  - 3) Dye testing for which the City has been provided a verbal notification prior to the time of the test;
  - 4) Water line flushing or other potable water sources;
  - 5) Landscape irrigation or lawn watering;
  - 6) Diverted stream flows;
  - 7) Rising ground water;
  - 8) Ground water infiltration to storm drains;
  - 9) Uncontaminated pumped ground water;
  - 10) Foundation or footing drains (not including active groundwater dewatering systems);
  - 11) Crawl space pumps;
  - 12) Air conditioning condensation;
  - 13) Natural springs;
  - 14) Noncommercial washing of vehicles;
  - 15) Natural riparian habitat or wetland flows;
  - 16) Dechlorinated swimming pools (for pools to be considered "dechlorinated," water must be allowed to sit seven (7) days without the addition of chlorine to allow for chlorine to evaporate before discharging. **It is recommended that the dechlorinated water be discharged to the ground surface to encourage infiltration, however, it may be discharged in an area where drainage to streets or storm sewer systems occurs**); or
  - 17) Any other water source not containing a pollutant.

Subd. 7. Illicit Connections. No person shall construct, use, or maintain any illicit connection to intentionally convey nonstormwater to the City's storm sewer system. This prohibition expressly includes, without limitation, illicit connections made in the past regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. A person is considered to be in violation of this article if the person connects a line conveying sewage to the storm sewer system, or allows such a connection to continue.

Subd. 8. General Provisions. All owners or occupants of property shall comply with the following general requirements:

- a) *Septic systems*. No person shall leave, deposit, discharge, dump, or otherwise expose any chemical or septic waste in an area where discharge to streets or storm sewer system may occur. This section shall apply to both actual and potential discharges.
  - 1) Individual septic systems must be maintained to prevent failure, which has the potential to pollute surface water.
  - 2) No part of any individual septic system requiring on-land or in-ground disposal of waste shall be located closer than 150 feet from the ordinary high water level in the case of DNR protected waters, or the wetland boundary in the case of all other water bodies, unless it is proven by the applicant that no effluent will immediately or gradually reach the water bodies because of existing physical characteristics of the site or the system.
  - 3) Recreational vehicle sewage shall be disposed to a proper sanitary waste facility. Waste shall not be discharged in an area where drainage to streets or storm sewer systems may occur.
- b) *Water runoff*. Runoff of water from residential property shall be minimized to the maximum extent practicable. Runoff of water from the washing down of equipment, vehicles, and paved areas in commercial or industrial property shall be conducted in a manner so as to not directly discharge wastewater where drainage to streets or storm sewer system may occur, unless necessary for health or safety purposes and not in violation of any other provisions of the City code.
- c) *Mobile washing businesses*. Business that use significant amounts of water at various locations in the city, such as, but not limited to mobile vehicle washing and carpet cleaning, shall dispose of wastewater into the sanitary sewer at a location permitted by the City. Wastewater must not be discharged where drainage to streets or storm sewer system may occur.
- d) *Motor vehicle repair and maintenance*. Storage of materials, machinery and equipment for motor vehicle repair and maintenance must comply with the following requirements:
  - 1) Motor vehicle parts containing grease, oil or other hazardous substances and unsealed receptacles containing hazardous materials shall not be stored in areas susceptible to runoff.

- 2) Any machinery or equipment that is to be repaired or maintained in areas susceptible to runoff shall be placed in a confined area to contain leaks, spills, or discharges.
- e) *Parking lots and private streets.* Debris such as grass, leaves, dirt, and landscape material shall be removed from impervious surfaces such as parking lots and private streets to the maximum extent practicable and at least twice a year in the spring and fall. Such debris shall be collected and properly disposed.
- f) *Watercourse Protection.* Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse
- g) *Other.* Fuel and chemical residue or other types of potentially harmful material, such as animal waste, garbage or batteries shall be removed as soon as possible and disposed of properly. Household hazardous waste may be disposed of through the county collection program or at any other appropriate disposal site and shall not be placed in a trash container.

Subd. 9. Industrial Activity Discharges. Any person subject to an industrial activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with the permit may be required in a form acceptable to the City prior to the allowing of discharges to the storm sewer system. Any person responsible for a facility that has stormwater discharges associated with industrial activity, who is or may be the source of an illicit discharge, may be required to implement, at the person's expense, additional structural and nonstructural BMPs to prevent the further discharge of pollutants to the storm sewer system. These BMPs shall be part of a stormwater pollution prevention plan as necessary for compliance with requirements of the NPDES permit.

Subd. 10. Notification of Spills. Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the storm sewer system, or public water the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of nonhazardous materials, the person shall notify the City no later than the next business day.

Subd. 11. Inspection and Sampling. The City shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance.

- a) If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the City.



- b) Facility operators shall allow the City ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an MPCA NPDES Industrial General Permit, and the performance of any additional duties as defined by state and federal law.
- c) The City shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the City to conduct monitoring and/or sampling of the facility's storm water discharge.
- d) The City has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure storm water flow and quality shall be calibrated to ensure their accuracy.
- e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the City and shall not be replaced. The costs of clearing such access shall be borne by the operator.

Subd. 12. Access. If the City has been refused access to any part of the premises from which stormwater is discharged, and is able to demonstrate probable cause to believe that there may be a violation of this section or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this article or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the City may seek an administrative search warrant from any court of competent jurisdiction.

Subd. 13. Enforcement.

- a) When the City finds that any person has violated, or continues to violate, any provision of this ordinance, or any order issued hereunder and that the violation(s) has (have) caused or contributed to an actual or threatened discharge to the stormwater management system or waters of the state which reasonably appears to present an imminent and substantial endangerment to the environment, or to the health or welfare of persons, the City may issue and order to the violator to immediately cease and desist all violations.
- b) *Suspension due to the detection of illicit discharge*. All persons discharging to the storm sewer system in violation of this article may have their storm sewer system access terminated if such termination serves to abate or reduce an illicit discharge. It is a violation of this section to reinstate storm sewer system access to premises that have been terminated pursuant to this section without the prior approval of the City.
- c) If the violator fails to comply with a suspension order issued, the City may take such steps as deemed necessary to prevent or minimize damage to the stormwater management system or public waters, or to minimize danger to persons. If the violation is not immediately abated, action may be initiated by the City and all

reasonable costs of abatement shall be assessed against the property and collected along with ordinary taxes by the City.

Subd. 14. Notice of Violation.

- a) Whenever the City finds that a person has violated a prohibition or failed to meet a requirement of this ordinance, the City may order compliance by written notice of violation to the responsible person. The Notice of Violation shall contain:
  - 1) The nature of the violation and associated fine;
  - 2) The performance of monitoring, analysis, and reporting;
  - 3) The implementation of source control or treatment BMPs;
  - 4) Any other requirement deemed necessary.
- b) In the event the violator fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within 7 days, or such greater period as the City shall deem appropriate, after the City has taken one or more of the actions described above, the City may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

Subd. 15. Remedies not exclusive. The remedies lists in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the City to seek cumulative remedies.

Subd. 16. Severability. The provisions of this ordinance are hereby declared to be severable. If any provision of this ordinance or application thereof to any person, establishment, or circumstance, is held invalid, such invalidity shall not affect the other provisions or applications of this ordinance. (Ref. Ord. 15-05-2001, 5/12/15).

## **APPENDIX C2**

### **ENGINEERING DESIGN STANDARDS**

## 8. STORMWATER TREATMENT PLAN DESIGN CRITERIA

Proposed Stormwater Management Plans must incorporate Volume Control, Water Quality Control, and Rate Control as the basis for stormwater management in the proposed development plan. The City of White Bear Lake, as a permitted MS4, requires for new development projects to have a no net increase from pre-project conditions of total volume, TSS, and TP; in addition, for redevelopment projects within the city, it is required to have a net reduction from pre-project conditions of total volume, TSS and TP.

### 8.1 Volume Control Requirements

Volume control measures are required on projects to meet the water quality criteria of the White Bear Lake City Code, the MS4 Permit, and NPDES Construction General Permit. Volume control shall be required for proposed new impervious areas greater than 10,000 square feet or redevelopment of impervious areas greater than 10,000 square feet. If an applicant can demonstrate that the volume control standard has been met, then the water quality sizing criteria shall be considered satisfied.

Volume control may be waived by the City for sites with impermeable soil, where the seasonally high groundwater table is less than three feet, bedrock depth is less than three feet, in a stormwater hot spot, or is in an area where groundwater has a high vulnerability for contamination. If the applicant claims that infiltration is not feasible on site, the applicant must provide supporting documentation to the City. If the City agrees that infiltration is not feasible, the applicant shall design alternative stormwater runoff treatment methods meeting the requirements as established in Section 8.3.

### 8.2 Volume Control Calculations

Any applicant for a permit resulting in site disturbance that will require volume control must meet all of the following stormwater performance goals:

- a) *New Development/Redevelopment Volume Control.* For nonlinear developments that create and/or fully reconstruct more than 10,000 square feet of impervious surface on sites, stormwater runoff volumes will be controlled and the post-construction runoff volume shall be retained on site for 1.1 inches of runoff from all impervious surfaces on the site.
- b) *Linear Development Volume Control.* Linear projects on sites that create 10,000 square feet or greater of new and/or fully reconstructed impervious surfaces, shall capture and retain 0.75 inches of runoff from the new and fully reconstructed impervious surfaces on the site.

## Engineering Design Standards

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Mill and overlay and other resurfacing activities are not considered fully reconstructed, and are exempt from the volume control requirements.

The use of infiltration techniques shall be restricted and subject to additional City review where the infiltration BMP will be constructed in any of the following areas:

- Where industrial facilities are not authorized to infiltrate industrial stormwater under and NPDES/SDS Industrial Stormwater Permit issued by the MPCA.
- Where vehicle fueling and maintenance occur.
- With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of the bedrock.
- Where high levels of contaminant in soil or groundwater will be mobilized by the infiltrating stormwater.
- Soils are predominately Hydrologic Soil Group D (clay) soils.
- Drinking Water Supply Management Areas are present, as defined by Minn. R. 4720.51000, subp. 13, unless precluded by a local unit of government with an MS4 permit.
- Soil infiltration rates are more than 8.3 inches per hour unless soils are amended to flow the infiltration rate below 8.3 inches per hour.

Where the site factors listed above limit the construction of infiltration systems, the project proposer shall provide appropriate documentation to the City regarding the limitations. If the City determines that infiltration is restricted or prohibited onsite, the applicant will follow the flexible treatment options outlined in the Minimal Impact Design Standards (MIDS) sequencing guidance.

For linear projects with lack of right-of-way, easements or other permissions from property owners to install treatments systems that are capable of treating the total water quality volume on site, the project must maximize treatment through other methods or combination of methods before runoff is released to nearby surface waters. Alternative treatment options include: grassed swales, filtration systems, smaller ponds, or grit chambers. In all circumstances, a reasonable attempt must be made to obtain right-of-way during the project planning and all attempts of infeasibility must be recorded.

### **8.3 Water Quality Control**

The water quality control standard shall be considered satisfied if the volume control standard has been satisfied. In the event that it is infeasible to meet the volume control standard due to contaminated soils, site constraints, etc., the proposed STP will need to maintain the TSS and TP loading to satisfy the water quality standards using the MIDS

## **APPENDIX C3**

### **STORMWATER ORDINANCE 15-05-2000**

ORDINANCE NO. 15-05-2000

AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE  
MUNICIPAL ZONING CODE, SECTION 1302,  
AS IT RELATES TO DRAINAGE AND STORMWATER

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 Zoning  
Code Section 1302 "General Provisions" as follows:

**§1302.030 GENERAL BUILDING AND PERFORMANCE REQUIREMENTS.**

**Subd. 5. Drainage.**

- a) No land shall be developed and no use shall be permitted that results in additional water runoff, causing flooding or erosion on adjacent properties. Such runoff shall be properly channeled into a storm drain, water course, ponding area, or other public facility. All new developments shall provide for curbs and gutters along public streets. All site plans shall be designed in accordance to the City's Engineering Design Standards and be reviewed and subject to the approval of the City Engineer relative to storm water runoff, based on the following fees:
- i) 1) Review of new grading and/or drainage plans for parcels of a half acre in size or greater shall be subject to an Engineering review fee of two hundred and fifty (\$250) dollars. (Ref. Ord. 08-01-1047, 1/8/08.)
  - ii) 2) Review of amendments to existing grading and/or drainage plans and new grading/drainage plans for parcels less than a half acre in size shall be subject to an Engineering review fee of seventy-five (\$75) dollars. (Ref. Ord. 08-01-1047, 1/8/08)
  - iii) 3) Grading plans for individual single family parcels shall be exempt from Engineering fees. (Ref. Ord. No. 08-01-1047, 1/8/08)
- b) In the case of all residential subdivisions, multiple family, business and industrial developments, the drainage plans shall be submitted to the City Engineer for his review and the final drainage plan shall be subject to his written approval. In the case of such uses, no modification in grade and drainage flow through fill, erection of retaining walls or other such actions shall be permitted until such plans have been reviewed and received written approval from the City Engineer. Approval from a Watershed District may also be required.
- c) Except for written authorization of the City Engineer, the top of the foundation and garage floor of all structures shall be eighteen (18) inches above the grade of the crown of the street.
- d) All new single-family subdivisions greater than 3 lots that rely on common drainage facilities for stormwater management, and all multiple-family residential, commercial, mixed-use and industrial developments that create or re-create 10,000 square feet or more of impervious area shall have stormwater facilities designed and constructed in accordance with the City's Engineering Design Standards, where These stormwater

~~improvements facilities will requiring future maintenance (as determined by the City Engineer), and as such, these developments shall enter into a Stormwater Operation and Maintenance Agreement (SOMA) with the City in order to insure that the stormwater facilities provided are appropriately maintained. Said agreement shall meet the requirements of the City's Engineering Design Standards and be recorded at the County Recorder's Office for all properties associated with the referenced drainage facilities. (Ref. Ord. 10-1-1062, 1/12/10)~~

Subd. 6. Fences: no changes

Subd. 7. Required Fencing, Screening, and Landscaping.

- a) Fencing and Screening. Where any business or industrial use (i.e., structure, parking or storage) abuts property zoned for residential use, that business or industry shall provide screening along the boundary of the residential property. Screening shall also be provided where a business or industry is across the street from a residential zone, but not on that side of a business or industry considered to be the front (as determined by the Building Official). All the fencing and screening specifically required by this Code shall be subject to Section 1302.030, Subd. 8 and shall consist of either a fence or a green belt planting strip as provided for below:
- 1) A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen. This planting strip shall be designed to provide complete visual screening to a minimum height of six (6) feet. Earth mounding or berms may be used, but shall not be used to achieve more than three (3) feet of the required screen. The planting plan and type of plantings shall require the approval of the City Council.
  - 2) A required screening fence shall be constructed of masonry, brick, wood or metal. Such fence shall provide a solid screening effect six (6) feet in height. The design and materials used in constructing a required screening fence shall be subject to the approval of the City Council. Fences in excess of six (6) feet in height shall require approval of the Zoning Administrator and Building Official.
- b) Landscaping, General Residential. The lot area remaining after providing for off-street parking, off-street loading, sidewalks, driveways, building site and/or other requirements shall be landscaped using ornamental grass, shrubs, trees or other acceptable vegetation or treatment generally used in landscaping within one (1) year following the date of building occupancy. Fences or trees placed upon utility easements are subject to removal if required for the maintenance or improvement of the utility. Landscape treatment within boulevard areas may be required to be removed for public works activities at no expense to the City. The City will not be responsible for damage to landscape treatments resulting from public works activity. (Ref. Ord. 913, 9/14/94, 01-03-983, 3/13/01)
- c) Landscaping, New Residential Subdivisions, Semi-Public and All Income-Producing Property Uses. (Excluding residential structures containing less than four [4] dwelling units). Prior to approval of a building permit, all above referenced uses shall be subject to mandatory landscape plan and specification requirements. Said landscape plan (2 copies) shall include the following information:
1. General: Name and address of developer/owner, name and address of architect/designer, date of plan preparation, date and description of all revisions, name of project or development, scale of plan, north point indication.



2. Site Analysis: Boundary lines of property line with dimensions based upon certified survey, name and alignment of proposed and existing adjacent on-site streets, location of all proposed utility easements and right-of-way, location of existing and proposed buildings, topographic contours at two (2) foot contour intervals, location of parking areas, water bodies, proposed sidewalks, and percent of site not covered by structures.
  3. Landscape Data: A planting schedule table shall contain the following information including symbols, quantities, common names, botanical names, size of plant materials, root specifications, and special planting instructions.
  4. Typical sections and details of fences, tywalls, planting boxes, retaining walls, totlots, picnic areas, berms and other landscape improvements.
  5. Typical sections of landscape islands and planter beds with identification of materials used.
  6. Details of planting beds and foundation plantings.
  7. Delineation of both sodded and seeded areas indicated in square footage.
  8. Where landscape or manmade materials are used to provide required screening from adjacent and neighboring properties, a cross section shall be provided at a legible scale illustrating the prospective of the site from the neighboring property and property line elevation.
- d) All landscaping incorporated in said plan shall conform to the following standards and criteria:

1. Minimum Size of Plantings:
  - a. Over story deciduous -- 2-1/2 inch caliper.
  - b. Coniferous -- 6 feet in height.
  - c. Shrubs -- 24 inch (pot)
  - d. Ornamental trees -- 1-1/2 inch caliper.
2. Method of Installation: All deciduous and coniferous trees shall be ball and burlap and staked and guyed per National Nurserymen's Standards. All shrubs and ornamental trees shall be potted. Bare root materials may be used with approval of the City Planner.
3. Sodding and Ground Cover: All areas of any site not occupied by building, parking, or storage, shall be sodded. Exceptions to this are as follows:
  - a. Seeding of future expansion areas as shown on approved plans.
  - b. Undisturbed areas containing existing natural vegetation which can be maintained free to foreign and noxious materials.
  - c. Areas designated as open space for future expansion area properly planted and maintained with grass.
4. Slopes and Berms:

- a. Final slope grade steeper than the ratio of 3:1 will not be permitted without special approval or treatment, such as terracing or retaining walls.
  - b. Berming used to provide required screening of parking lots and other open areas shall not have a slope to exceed 3:1.
5. Use of Landscaping for Screening: Where natural materials, such as trees or hedges are approved in lieu of the required screening by means of walls or fences, density and species of planting shall be such to achieve ninety percent (90%) opaqueness year round.
6. Maintenance Policy: It is the responsibility of the property owner to insure that the landscaping is maintained in an attractive condition. The owner shall replace any damaged or dead trees, shrubs, ground covers, and sodding.
7. Erosion Control: All open disturbed areas of any site shall be seeded stabilized as an erosion control measure in accordance with the provisions of Section 33.16 the City's Engineering Design Standards. (Ref. Ord: 724, 8/12/86)
8. Spacing:
- a. Plant material shall not be planted to conflict with public plantings, based on the judgement judgment of the City staff.
  - b. Where plant materials are planted in two or more rows, plantings shall be staggered in rows unless otherwise approved by the City staff.
  - c. Deciduous trees shall be planted not more than forty (40) feet apart.
  - d. Where massing of plants or screening is intended, large deciduous shrubs shall not be planted more than four (4) feet on center, and/or, evergreen shrubs shall not be planted more than three (3) feet on center.
9. Prohibited Trees: It shall be unlawful to plant any of the following trees within the City of White Bear Lake:

<u>Genus</u>	<u>Species</u>	<u>Common Name</u>
Ginkgo	Biloba	Ginkgo (Maidenhair tree female only)
Acer		Negundo Boxelder (ash-leaved maple)
Populus	Deltoides	Eastern Cottonwood
Populus	Nigra Italica	Lombardy Poplar

10. Design Standards:
- a. The landscape plan must show some form of designed site amenities (i.e., composition of plant materials, and/or creative grading, decorative lighting, exterior sculpture, etc., which are largely intended for aesthetic purposes).
  - b. All areas within the property lines (or beyond, if site grading extends beyond) shall be treated. All exterior areas not paved or designated as roads, parking, or storage must be planted into ornamental vegetation (lawns, ground covers, or shrubs) unless otherwise approved by the Zoning Administrator.

- c. All ground areas under the building roof overhang must be treated with a decorative mulch and/or foundation planting.
- d. All buildings must have an exterior water spigot to insure that landscape maintenance can be accomplished.

11. Landscape Guarantee:

- a. The City Planner/Zoning Administrator may require a surety bond, irrevocable letter of credit, cash escrow, certificate of deposit, securities, or cash deposit prior to approval of the landscaping plan or initiation of work on the proposed improvement or development. Said security shall guarantee conformance and compliance with the provisions of this section, and where applicable, the conditions of the Conditional Use Permit.
- b. The security shall be in an amount to be determined by the Zoning Administrator, but no less than one hundred twenty-five (125) percent of the cost of construction and materials to guarantee the completion of the required landscaping and to insure proper planting and growth.

12. Existing Trees: With respect to existing trees in new developments, trees on the site shall be preserved and replaced in accordance to §1302.075 of this code. (Ref. Ord. 724, 8/12/86; 876, 8-92)

**§1302.070 LAND ALTERATION AND MINING** (Ref. Ord. 778, 1/10/89)

Subd. 1. Land Alteration Purpose. The purpose of this ordinance is to promote, preserve, and enhance the natural resources within the City and protect them from adverse effects by activities that would have an adverse and potentially irreversible impact on water quality.

Subd. 2. Definitions.

- a) Land alteration, shall be interpreted as ~~the grading or depositing of fill on the same property from which it was excavated or importation of fill on any lands within the City. Land alteration shall be allowed only upon written approval of the City Engineer.~~
- b) Mining. The extraction and removal of sand, gravel, or other material from any lands in the City in an amount exceeding four hundred (400) cubic yards.

Subd. 3. Provisions.

~~The Engineer's approval shall include, as a condition thereof, a finished grade plan which has determined that the alteration will not adversely affect the adjacent land, and as conditions thereof, shall regulate: the type of fill permitted; program for rodent control; program for regulation of vehicular ingress and egress; control of material disbursed from wind or hauling of material; program for erosion control and turf restoration.~~

- a) No development, utility or street construction will be allowed and no permits will be issued unless the development is in full compliance with the requirements of this Ordinance.
- b) All land disturbing activities within the City that will result in more than 6,000 square feet of disturbed area or will result in more than 100 cubic yards of cut or fill are required to follow the Erosion and Sediment Control standards set within the City's Engineering Design

Standards.

c) Projects that meet either of the following criteria are required to develop both a Stormwater Management Plan and Erosion and Sediment Control Plan as specified by the City's Engineering Design Standards and the MPCA Construction General Permit:

- 1) Create 4 10,000 or more acres square feet of new impervious surface or fully reconstruct 4 10,000 or more acres square feet of impervious surface.
- 2) Single-family subdivisions greater than 3 lots that rely on common drainage facilities for stormwater management, and all multiple family residential, commercial, mix-use and industrial developments.

d) The conduct of mining shall be permitted only upon issuance of a conditional use permit. Such permit shall include, as a condition thereof, a plan for a finished grade and land reclamation which will not adversely affect the surrounding land or the development of the site on which the mining is being conducted, and the route of trucks moving to and from the site.

Subd. 4. Inspection. The Permittee must inspect the construction project as detailed in the City's Engineering Design Standards. The City may conduct inspections as needed to ensure that both Erosion and Sediment Control and Stormwater Management measures are properly installed and maintained prior to construction, during construction, and at the completion of the project. The Applicant shall notify the City a minimum of seventy-two (72) hours prior to the following required City inspections:

- a) Initial Inspection - When all Erosion and Sediment Control BMPs are installed. This inspection must be completed before a Building Permit can be issued.
- b) Project Complete Inspection - When the project is complete including, but not limited to, Final Grading, installation of all Stormwater Management Facilities, and Final Stabilization measures are complete.

Subd. 5. Site Maintenance. All site maintenance activities shall be performed to the requirements within the City's Engineering Design Standards.

Subd. 6. Final Stabilization. The Permittee(s) must ensure Final Stabilization of the site after the completion of construction activities and prior to the termination of the permit. Final Stabilization is not complete until all of the requirements within the City's Engineering Design Standards are complete that are intended to prevent discharge of pollutants associated with stormwater discharges from the project.

Subd. 7. Enforcement. Any person, firm or corporation violating any provision of this ordinance shall be fined for each offence, and a separate offence shall be deemed committed on each day during or on which a violation occurs or continues, in accordance with Zoning Code, §1301.090.

- a) Restoration of Lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the City may take necessary corrective action, the cost of which may, after notice and opportunity for hearing, be specially assessed against the property and collected along with the ordinary taxes by the City.

## §1302.150 PLAN REVIEW

Subd. 1. Purpose. The purpose of this Section is to establish a formal plan review procedure and provide regulations pertaining to the enforcement of site design and construction standards as agreed to by the contractor through his officially submitted plan documents.

Subd. 2. Plans Required. In addition to other plan requirements outlined in this Code, site and construction plans will be required and shall be submitted to and approved by the Building Official prior to the issuance of any building permit.

Subd. 3. Plan Agreements. All site and construction plans officially submitted to the City shall be treated as a formal agreement between the Building Contractor and the City. Once approved, no changes, modifications, or alterations shall be made to any plan detail, standard or specification without prior submission of a plan modification request to the Building Official for his review and approval.

Subd. 4. Erosion and Sediment Control Plan. Every applicant for a building permit, grading permit, or any other permit that allows land disturbing activities that will result in more than 6,000 square feet of disturbed area or 100 cubic yards of cut or fill must submit an Erosion and Sediment Control Plan in accordance with the City's Engineering Design Standards.

Subd. 5. Stormwater Management Plan. Every applicant for a building permit, grading permit, or any other permit that creates or fully reconstructs one 10,000 or more acres square feet of impervious surface, including all single family subdivisions greater than 3 lots, multiple family residential developments, commercial developments, mixed-use developments, or industrial developments is required to submit a Stormwater Management Plan in accordance with the City's Engineering Design Standards as well as obtain a separate NPDES Construction Site Permit. A copy of the NPDES permit shall be submitted to the City. All projects that require a Stormwater Management Plan shall also submit an Erosion and Sediment Control Plan as outlined in Subd. 4 above.

Subd. 6. Maintenance Agreement. All projects that require permanent stormwater facilities must enter into a Maintenance Agreement with acceptable to the City. The Stormwater Operation and Maintenance Agreement (SOMA) shall be in accordance with the City's Engineering Design Standards.

Subd. 47. Enforcement. The Building Official shall have the authority to order the stopping of any and all site improvement activities, when and where a violation of the provisions of this Section has been officially documented by the Building Official.

(Ref. Ord. 10-1-1062, 1/12/10)

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: April 14, 2015

Initial Publication: April 29, 2015

Second Reading: May 12, 2015

Final Publication: May 27, 2015

Codified: May 2015

Posted on web: June 5, 2015

KC.  
City Clerk Initials

Jo Emerson  
Jo Emerson, Mayor

ATTEST:

Ellen Richter  
Ellen Richter, City Clerk

## **APPENDIX D**

### **COMPLAINT LETTER REGARDING RUSTY WATER ON 5<sup>TH</sup> STREET**

November 5, 2018

Brian Hanson  
Jean Kreger  
4779 Lake Ave.  
White Bear Lake, MN 55110-3031  
651-653-0334

To:  
Ms. Ellen Hiniker, City Manager  
Mr. Jesse Farrell, Assist. City Engineer  
City of White Bear Lake  
4701 Highway 61  
White Bear Lake, MN 55110

**Re: Rusty water main problem on 5<sup>th</sup> Street  
Request to replace water main with the roadway replacement project**

Dear Ms. Hiniker & Mr. Farrell,

Rusty water has been a continual problem in our home for the past 28 years! We bought our home in 1990 and when moving in, we removed an old 48-inch high iron filter, thinking it should not be needed. Wrong. Unbeknownst to us we had rusty water. This is an example of how long rusty water has been a problem. To rectify the problem, we added 3 sediment water filters located immediately after the meter in our home, and have had to replace all of them monthly ever since! Regardless, the rusty water still stains our clothes, fixtures and washing machine ruining them.

Ten years ago, Nancy with your Public Works Department, replaced our water meter thinking it might be the solution. It did not help and we still have rusty water. We brought this situation to Mark Burch's attention several times, sending him letters and rusty filters. He suggested that the problem was with the water line leading to our house. It is not. We verified to him that we have copper pipe from the meter to the shut-off valve in the boulevard and also have copper pipe throughout our house. Nothing was done by the city.

Our neighbors across the street, located at 2355-5<sup>th</sup> Street, installed a new tap into the main in 2016 when building their new home. They too have rusty water, staining their bathroom shower tile and grout, illustrating that this is a systemic problem. Neighbors at 5<sup>th</sup> Street and Lake, 4807 Lake and other neighbors also have rusty water. WE NEED THE WATER MAIN REPLACED IN 5<sup>th</sup> STREET.

We are requesting that the water main be replaced during the pavement replacement. I'm attaching a used sample filter to show you how rusty our water is continually. Over 28 years, WBL City has done little to fix this systemic problem. This is an opportune time to rectify this situation by replacing the water main. Action is needed by the city! Thank you.

Sincerely,  
Brian Hanson and Jean Kreger

Cc: Mark & Mary Westra, neighbors



## **APPENDIX E1**

### **RESIDENTIAL SANITARY SEWER WYE REPLACEMENT PROGRAM INFORMATION**

# Residential Sanitary Sewer Wye Replacement Program FLOWCHART

**START: City televises sanitary main and evaluates individual service connections**

Sewer service connection at City's main appears to be in good condition, repair not necessary

Service 'wye' connection at City main appears to have *root intrusion*

**Not recommended!**

TAKE NO ACTION: Higher potential for sewer backup and increased cost of repair

**OPTIONAL**

Homeowner calls City to Schedule televising of service from inside house \$75 (not assessable)

Homeowner *unable* to locate or open cover of cleanout (Call a plumber or friendly neighbor for help)

Homeowner *locates and opens* access cover to sewer service cleanout

City televises sewer service with homeowner present >



Video of televising sent to homeowner

Sewer service appears to be in good condition, repair not necessary

'Wye' replacement is *recommended*

TAKE NO ACTION: Higher potential for sewer backup and increased cost of repair

**Not recommended!**

Homeowner calls City to sign up for Sanitary 'Wye' Replacement

**ASSESS:** Submit completed form to have cost assessed along with project assessments

**OR**

**PAY NOW:** Submit check or cash to City by deadline



Your service cleanout will look similar to this...

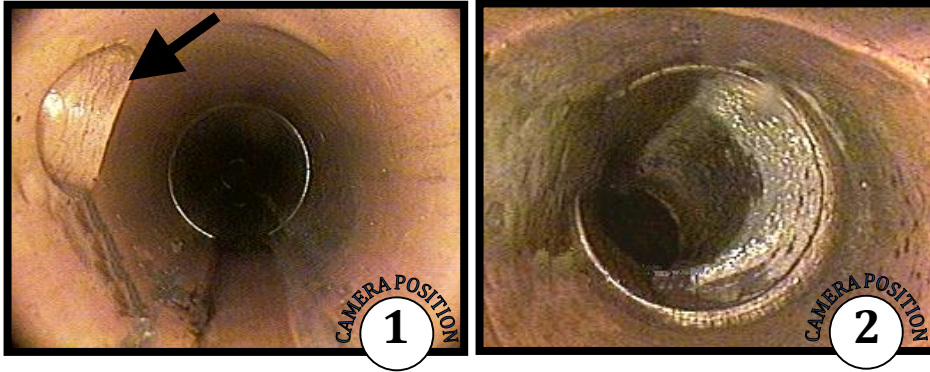


Service 'wye' connection and up to 10 feet of service pipe are replaced during Upcoming construction project

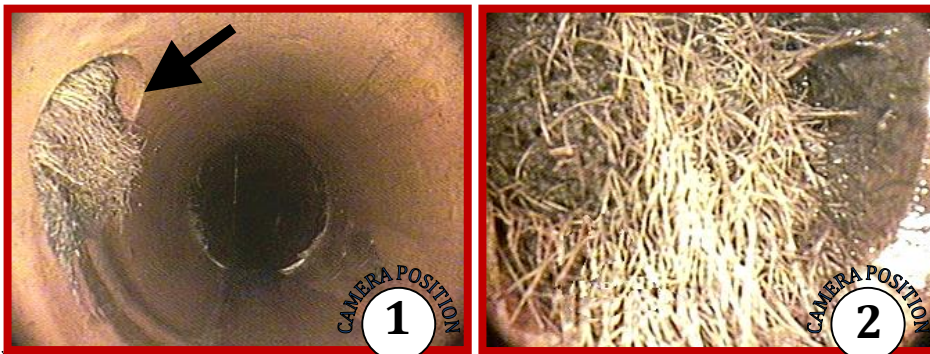


# Sanitary Sewer Televising DIAGRAM

Service "A" None (ideal)

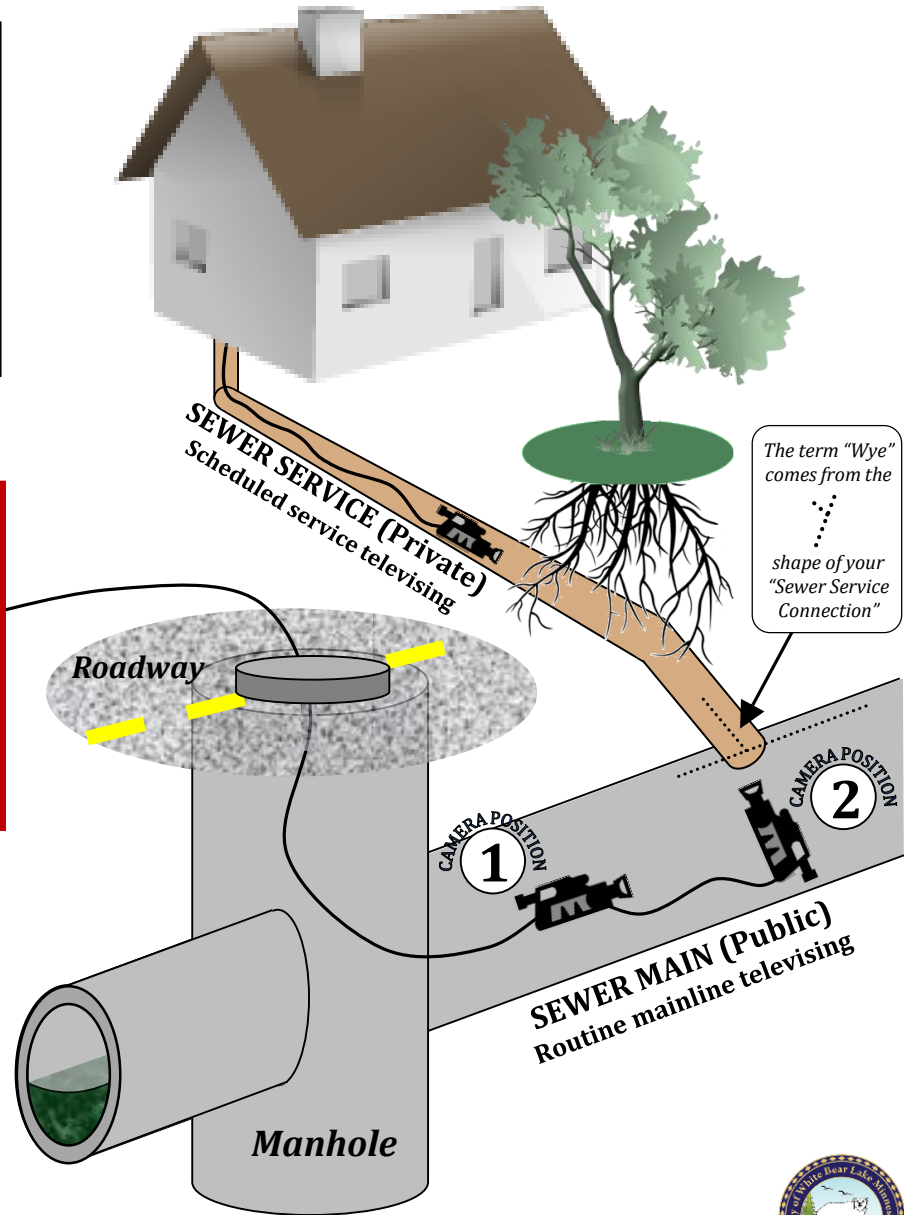


Service "B" Severe roots



Where does your service rate?

The severity of roots in your sanitary service is described as either *none*, *light*, *moderate*, or *severe*. These conditions vary from connection to connection. In fact, these two services are located 100 feet apart on the same mainline. Also, having a tree in your front yard doesn't guarantee you will or will not have root damage.



## **APPENDIX E2**

### **LETTER REGARDING RESIDENTIAL SANITARY SEWER WYE REPLACEMENT PROGRAM**





## 2019 STREET RECONSTRUCTION PROJECT

November 7, 2018

RE: City Project Nos.: 19-01 /19-06  
**Residential Sanitary Sewer Wye Replacement Program**

Dear White Bear Lake Resident,

As we prepare for the 2019 Street Reconstruction Project, one of the first steps is reviewing and investigating the condition of underground utilities (sanitary sewer, watermain, and storm sewer infrastructure). Prior to each year's Street Reconstruction Project, the City performs a television inspection of all of the existing City sanitary sewer mains on that year's project. That inspection can reveal problems where the pipe is damaged or is experiencing tree root intrusion. For anyone who was able to attend the Public Information Meeting, you may recall hearing about the **Residential Sanitary Sewer Wye Replacement Program** and seeing pictures of this inspection and the problems roots can cause.

As pipes age, they tend to become more brittle and are more susceptible to cracking as the ground shifts around them. In many cases, there are not mechanical fittings holding sections of pipe together, rather it is the soil compacted around these pipes that holds them in place. Minor shifts in soils over time may cause these joints to separate slightly. Both cases of cracking and joint separation can create an opening in a pipe that becomes attractive for tree roots seeking water. It may begin as a hairline root, but these grow and multiply, causing the crack in the pipe to become larger. Soon, a large mass of roots can develop inside a sanitary sewer pipe. The roots grow so tightly together that they can significantly block the flow of water in a pipe, creating the potential for a backup. This can happen in a service pipe as well as a City main and while the City keeps the mains clean and flowing, it is the responsibility of individual property owners to keep their service line clean.

*Do you know what happens to wastewater once it goes down your drain?*

- All of the drain pipes in your house are connected to one central sanitary sewer drain that goes through the foundation and out to the City main in the street.
- The pipe coming out of your house is generally referred to as a "service" and is the responsibility of the property owner from the house to where it connects with a larger "main" under the street.
- Typically the main is the responsibility of the City or Metropolitan Council. The City and Metropolitan Council maintain a vast network of underground sanitary sewer pipes to convey wastewater to regional treatment plants.



## HOW DO I KNOW IF I HAVE A PROBLEM?

Problems tend to occur at the point of connection where the individual service meets the main. This connection is commonly referred to as a “wye”. In the past few years, an increasing concern has become the presence of tree roots in private sanitary services. Recognizing this concern, the City developed the **Residential Sanitary Sewer Wye Replacement Program** to assist property owners with replacement of their sanitary sewer wye connections in conjunction with the street reconstruction program.

The **enclosed DIAGRAM** illustrates the televising of the City sanitary sewer mains. During the televising of the sewer mains, the camera is also able to turn to provide a picture of the service connection, but does not allow us to see the whole length of the service all the way to the house. This diagram includes an example of an *ideal* service connection (Service A) and one that contains *severe* roots (Service B). These pictures were captured on the same segment of sewer main, only about 100 feet apart. As we have described previously, roots like those seen in Service B can potentially cause serious problems. **Enclosed with this letter is a picture of YOUR individual service connection.** You can see where your service ranks compared to the examples, with a rating indicated from *none* to *severe*.

\*\* Please note that the Residential Sanitary Sewer Wye Replacement Program is **VOLUNTARY** and you are not required to participate.

## TELEVISIONING YOUR PRIVATE SERVICE (FOLLOW THE ENCLOSED FLOWCHART)

1. In order to determine if problems exist beyond this connection point, you may wish to have your entire sanitary sewer service televised. If you have experienced problems in the past or your service has roots (see attached picture), we recommend having your service televised. This televising can be performed by the City’s Public Works Department for **\$75**, or can be done by a private plumber. You **MUST** have your service televised in order to participate in the **Residential Sanitary Sewer Wye Replacement Program**.



2. If you are interested in having your service televised, contact the Engineering Department to set up an appointment. Prior to this appointment, you must locate and open the access cover to your sewer service *cleanout*. If you are unable to open the cap, a plumber (or friendly neighbor) should be called to assist with this. A picture of what this cleanout might look like can be seen in the enclosed **FLOWCHART**.

3. The Public Works crew will then arrive at your home for the scheduled appointment and televise the service from inside the house out towards the street. They will discuss their observations and recommendations with you on site, and provide you with a video for your records.



## **HOW DO I PARTICIPATE?**

Deadlines for participation in the Sanitary Sewer Wye Replacement Program are below. *Requests received after the specified deadlines will not be accepted due to scheduling requirements.*

If you are interested in having your sewer service line televised, please contact the **Engineering Department** at **651-429-8531** or email us at **cvermeersch@whitebearlake.org**. Please let us know that you are part of the street reconstruction project. All televising requests need to be made by **FRIDAY, NOVEMBER 30, 2018**.



Appointments will be scheduled between 7:30 AM and 3 PM, Monday – Friday from December 3 to December 21, 2018.

**NOTE:** Please notify the City **as soon as possible if you would like your service televised**. This will allow sufficient time for City staff to accommodate televising requests as personnel and resources are also being used on regular City maintenance during this time.

## **CONSTRUCTION AND REPAIR OF THE WYE**

If repairs to your service pipe and wye are needed, the failing portion of the pipe should be replaced by digging it up.

- It is highly advantageous to repair damaged sanitary sewer service wye during Street Reconstruction Projects when it can be coordinated with other work thereby reducing the mobilization and restoration cost and disruption of performing such repairs.
- Having your private sanitary sewer wye replaced during the project allows you to avoid paying the street restoration costs, which can range from \$3,000 - \$5,000 if the repair is done outside of a reconstruction project.

Once construction is underway, there is little more you need to do. While working on your service, the contractor will request that you not use any water. This is typically a short duration, usually less than two hours.



## **HOW MUCH DOES IT COST?**

If your property is within the Street Reconstruction Project area you can have your sanitary sewer service connection and a portion of your sanitary sewer service replaced. The City Council has adopted a policy to assist property owners with replacement of failing sanitary sewer service connections and **up to 10 feet of service pipe**. **The City will assist with funding the individual residential sanitary sewer service connection repairs so that residential property owners pay 50 percent of the cost, in an amount not to exceed \$1,300**. The remaining cost will be paid by the City.

You have two payment options:

BY CHECK

Please make checks payable to:  
City of White Bear Lake  
4701 Highway 61  
White Bear Lake, MN 55110

**\$1,300** payment must be  
received by **FRIDAY,**  
**JANUARY 11, 2019.**

BY ASSESSMENT

You may also have the **\$1,300** cost assessed against your property. A letter requesting this assessment must be signed by the same date, **FRIDAY, JANUARY 11, 2019.** The Engineering Department has form letters available for anyone interested in this payment method.

If you have any questions or concerns regarding this letter, please contact the Engineering Department at (651) 429-8531.

Sincerely,



Jesse Farrell, P.E.  
Assistant City Engineer

Attachments



## **APPENDIX F**

### **RESIDENTIAL DRIVEWAY REPLACEMENT PROGRAM**

# Private Driveway Specifications



## Bituminous Driveways

Bituminous driveways will be replaced with MnDOT Bituminous Mix 2360 wear. Thickness after compaction shall be a minimum of 2 inches. Base material shall meet MnDOT Standards for Class 5 aggregate and shall be a minimum of 6 inches thick.



## Concrete Driveways

Concrete driveways will be replaced in accordance with MnDOT Specification 2531 at a minimum thickness of 6 inches. Base material shall be MnDOT Class 5 aggregate and shall be a minimum of 6 inches thick.



All questions regarding the Driveway Replacement Program can be directed to the City of White Bear Lake Engineering Department at **651-429-8531**.



# DRIVEWAY REPLACEMENT PROGRAM

White Bear Lake residents who live on streets scheduled for reconstruction may take advantage of a unique opportunity to replace their driveways during the street construction process.

If your driveway connects with one of the reconstructed streets, you can have it replaced (in blacktop or concrete) as part of the project.

During street reconstruction, a portion of every driveway will be removed and replaced to properly conform to the new construction (shown here). The removal limits (typically 5-15 feet) are based on the grade of your existing driveway, surrounding yard and other factors that vary for each driveway. The City of White Bear Lake pays to replace that portion of your driveway (also referred to as the “City’s portion”).



Property owners will have the opportunity to have their driveways replaced during the construction process by the General Contractor responsible for the entire project. **The City will notify all property owners of the driveway reconstruction program schedule with specific deadlines.** All property owners desiring to replace their driveways must notify the City by the specified deadline. Requests after the specified deadline **will not** be processed.

## **PRIVATE DRIVEWAY REPLACEMENT DONE BY CITY CONTRACTOR**

Cost estimates for the optional complete driveway replacement are based on the unit prices for driveway work outlined in the street reconstruction contract. Estimates will be based on either 6-inch thick concrete pavement or 2-inch thick asphalt pavement. Both the standard asphalt and concrete will include 6 inches of compacted aggregate base. The costs available through this program may or may not be a savings from hiring your own contractor. Therefore, if you are considering this program, you are strongly encouraged to seek private competitive bids.

At the property owner's request, the Engineering Department will measure the area of a private driveway to be replaced and provide a written quote based on the contract unit price. This quote will delineate the areas to be paid by the property owner and the areas paid for by the City. Property owners desiring to proceed with construction of a new driveway will be required to return a signed authorization form and payment for the full amount of the driveway improvement to the City's Engineering Department by the specified deadline. Driveway replacement costs cannot be put on your assessment.

**A driveway construction permit will be required for driveways constructed through this program, but there will be no fee charged due to City supervision of construction of the driveway. This permit will be given to you for signature as part of the paperwork you receive.**

*Requests received after the specified deadline will not be processed and will be returned.*

### **Provision for Driveways with Poor Drainage**

The Engineering Department will evaluate all driveways proposed for reconstruction. If driveways are found to have poor drainage and the new driveway would have a grade of 1% or less, the Engineering Department will recommend replacing the driveway with concrete rather than asphalt to improve the drainage characteristics on these flat surfaces. If this situation pertains to you, City staff will discuss options with you on an individual basis.

### **Other Provisions**

Property owners desiring an upgrade of materials for their driveway and/or apron (i.e. bituminous to concrete) will be given credit for the cost differential on the City portion of the driveway. For example, if the entire driveway was upgraded from bituminous to concrete, the City would credit the property owner for the cost of replacing the City portion in bituminous.

### **Other Provisions (con't)**

Property owners desiring to widen their driveway will be billed for 100 percent of all construction beyond what existed prior to the project. There will be no charge to property owners for widening of curb openings of driveways for future expansion if work is coordinated with street curb replacement by calling our office or speaking to a City representative in the field. By City Code, residential curb openings are limited to a maximum width of 24 feet.

## **SOD RESTORATION**

The quoted price **DOES NOT** include restoration of sod disturbed during the driveway reconstruction work. The Contractor makes every effort to minimize the disturbance to the surrounding yard, however it is likely that some restoration may be required. Restoration will vary for each driveway, but averages about 4 feet wide on each side of the driveway. Restoration costs are quoted by the square foot and consist of 4" of graded topsoil and sod placed along the edges of the driveway. Residents can choose to either add this cost to their total estimate or forego this restoration and complete the work on their own.

## **PRIVATE DRIVEWAY REPLACEMENT DONE BY OTHER PRIVATE CONTRACTORS**

If property owners desire to have another contractor replace their driveway, that contractor will need to coordinate the work schedule with the City's contractor. **A driveway replacement permit and fee of \$30.00 will be applicable.** The permit will require that the driveway cannot be removed or replaced until after the new curb has been placed and cured. In addition, the permit will need to be obtained by the same specified deadline as those driveways being reconstructed by the City contractor. No credit will be given for the portion of the driveway that would have otherwise been replaced by the City.

## **PAYMENT FOR PRIVATE DRIVEWAY WORK**

**Payment in full (check or cash only) for requested driveway improvements shall be made to the City of White Bear Lake by the specified deadline. REPLACEMENT OF DRIVEWAYS CANNOT BE PUT ON YOUR ASSESSMENTS.**

## **APPENDIX G1**

### **LETTER ANNOUNCING NOVEMBER 7<sup>TH</sup> INFORMATIONAL MEETING**



WHITE BEAR LAKE *a City of Lakes & Legends*  
MINNESOTA

## 2019 RECONSTRUCTION PROJECT

October 19, 2018

RE: Informational Meeting – November 7, 2018 at 6:30 p.m.  
Proposed 2019 Reconstruction Project  
City Project Nos. 19-01 and 19-06

Dear Property Owners:

During the 2019 construction season, the City of White Bear Lake is considering street rehabilitation projects consisting of reconstructing the street pavements on:

- Morehead Avenue (from Lake Avenue to 7<sup>th</sup> Street)
- Johnson Avenue (from 4<sup>th</sup> Street to 7<sup>th</sup> Street)
- Fourth Street (from Stewart Avenue to Lake Avenue)
- Fifth Street (from Stewart Avenue to Lake Avenue)
- Sixth Street (from Stewart Avenue to Lake Avenue)
- Seventh Street (from Stewart Avenue to Lake Avenue)
- Various Alleys
- Garden Lane (from Lemire Lane to Bald Eagle Avenue)

This project would be undertaken in the summer of 2019 if approved by the City Council. We are conducting an informational meeting on November 7th to review the project and answer questions.

The Street Reconstruction Program emphasizes rebuilding existing roads that are at the end of their useful life, expensive to maintain and are not providing good service. Through 2018, over 77 miles (about 91%) of our streets have been improved, including construction of new bituminous pavements with concrete curb and gutter. When streets are reconstructed, other City-owned infrastructure facilities (alleys, watermains, sanitary sewers, storm sewers and stormwater treatment facilities) are also examined and improved as necessary. Private utilities in the street right-of-way are also reviewed by the appropriate companies (electric, gas, telephone and cable TV) for maintenance activities which can be coordinated with a street reconstruction project.

In order to prepare plans and estimate construction costs, the Engineering Department has been performing survey work in your neighborhood. We also had a soil boring contractor take soil samples to assist with our design work. You will notice paint markings on various infrastructure components (manholes, gate valves, property irons, etc.) that the survey crew locates and needs to identify. If you have any questions about the work, please ask our engineering technicians in the field or call our office at (651) 429-8531 for more information.

As the City prepares to reconstruct the streets and public infrastructure in your neighborhood, it is good opportunity for property owners to evaluate their private driveways and water and

sanitary sewer services. If you are experiencing problems with your water or sanitary sewer services, it will be a good time to have them repaired while the streets are under construction. If you think you might have a problem, call us and we will help you evaluate your particular service.

The informational meeting on **Wednesday, November 7th at 6:30 p.m. in the Council Chambers at City Hall** will provide you with information on the proposed improvements, how they may impact your property, and how street rehabilitation projects are funded and financed in the City. We would like to receive comments regarding the project from residents and will provide further information on possible driveway and utility service repairs and upgrades.

The City pays for street rehabilitation projects with a combination of City funds and assessments to property owners. At this meeting, the proposed projects will be discussed in detail, including the formal legal process which the City follows when assessing a portion of the cost of the improvements to adjacent property owners. We will have a preliminary assessment roll detailing the projected amount to be assessed to each parcel, provided the street reconstruction project is approved by the City Council. We will discuss the City's assessment policy in detail and answer everyone's questions at the November 7th informational meeting.

We look forward to discussing the City's street reconstruction project at the informational meeting on **Wednesday, November 7th at 6:30 p.m. at City Hall**. If you cannot attend the meeting, but would like additional information or have comments to share, there are several ways to do this:

- contact our Engineering Department via phone at (651) 429-8531
- send an email to [cvermeersch@whitebearlake.org](mailto:cvermeersch@whitebearlake.org)
- mail written correspondence to 4701 Highway 61

The Engineering Department staff will be available to answer your questions or meet with you to review any portion of the proposed project. In addition, the information presented at the meeting—as well as ongoing project news—will be posted on the City's website for your review ([www.whitebearlake.org](http://www.whitebearlake.org) → click on “**Your Government**” and then “**Engineering**”).

We look forward to meeting with you on November 7th.

Sincerely,



Jesse Farrell, P.E.  
Assistant City Engineer

cc: Mayor Jo Emerson  
City Council Members

## **APPENDIX G2**

### **CITY PROJECT NOS. 19-01 & 19-06 PUBLIC MEETING OUTLINE**





# City of White Bear Lake

City Project No.: 19-01/19-06  
Public Informational Meeting  
for 2019 Street Reconstruction Projects



November 7, 2018  
6:30 p.m.  
City Hall Council Chambers



# CITY PROJECT NOS.: 19-01/19-06

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## I. OVERVIEW

Annual reconstruction program proceeding to improve all City streets to a standard which includes concrete curb and gutter, bituminous pavements, stormwater collection and treatment facilities.

- Approximately 2-3 miles per year (over 77 miles reconstructed thru 2018 = 91%)
- Reconstruction and mill/overlay

Prioritization by rating system (pavement condition, drainage problems, etc), area, special projects and/or request of property owners.

Process includes public informational meetings, preliminary engineering design and estimates, soil borings, TV inspections of sanitary sewers, evaluation of water infrastructure, preparation of plans and preliminary assessment rolls.

Provide feasibility report to City Council on February 12<sup>th</sup>. A public improvement hearing could be held by City Council on March 12, 2019 at 7:00 p.m. Notification procedures are adhered to via newspaper, website updates, e-mail notifications, and letters. If project proceeds, the next steps will be final design, plans and specifications, advertisement for bids and award of contract by City Council.

Construction takes place during the summer, followed by a final assessment hearing in the fall of 2019. Assessments will be payable in October 2019 or put on real estate taxes for 15 years for residential property and 20 years for commercial properties starting in 2020.

- Deadlines
  - Legal Notice – Watch Mailbox

### **Communication:**

- Construction updates via newsletters on regular basis. Please provide your e-mail address.
- City website at [www.whitebearlake.org](http://www.whitebearlake.org). Click on YOUR GOVERNMENT tab found on the top right of the home page and then click on ENGINEERING under the Departments heading.
- E-mail the Engineering Department at [cvermeersch@whitebearlake.org](mailto:cvermeersch@whitebearlake.org).
- Call the Engineering Department at 651-429-8531.

## II. PROPOSED 2019 STREET IMPROVEMENT PROJECT

### *City Project No. 19-01*

- **Morehead Avenue** (Lake Avenue to Seventh Street)
- **Johnson Avenue** (Fourth Street to Seventh Street)
- **Fourth Street** (Stewart Avenue to Lake Avenue)
- **Fifth Street** (Stewart Avenue to Lake Avenue)
- **Sixth Street** (Stewart Avenue to Lake Avenue)
- **Seventh Street** (Stewart Avenue to Lake Avenue)
- **Alleys** (Various Alleys throughout the project area)

**City Project No. 19-06**

- **Garden Lane** (Lemire Lane to Bald Eagle Avenue)

### **III. GENERAL INFORMATION**

- Reconstruction projects include utility improvements (water, sanitary sewer, storm sewer as well as gas, electric, telephone and CATV), in addition to the street reconstruction.
- Ask property owners if they are aware of any problems (water – frozen lines), sanitary sewer (sewer backups), surface drainage problems, etc.
- Vibration from compactors will translate to shaky walls – make sure hanging items are secure or removed.
- Talk to staff **after meeting** about specific problems regarding:
  - Water service
  - Sanitary sewer service/backups (televise sewer services)
  - Drainage problems
  - Tree trimming of branches over streets
  - Other utilities
  - Specific events (weddings, graduations, etc., garage sales not included)
  - Special medical problems/hardships
  - Driveway problems (drainage, etc.)

**Property owners responsible for relocating and/or replacing private improvements on public right-of-way:**

- Landscaping, fences, irrigation systems, invisible dog fences, sump drains, decorative mailboxes, decorative sidewalks, decorative driveways, etc.

Improvements MAY include:

- **Watermain** repair of gate valves and hydrants
- **Water service** repair / replacement
- **Sanitary sewer** main repair
- **Sanitary sewer** service wye repair
- **Storm sewer** new catch basins and leads, storm water treatment structures as well as sump catch basins
- New concrete **curb and gutter**
- New **street**
- New **sidewalk**
- **Gas** main replacement (Xcel Energy)
- **Electric** line upgrades (Xcel Energy)
- **Telephone** and **CATV** by private companies

Construction Scheduling/Staging/Communication

- **Construction** will be staged in segments as much as possible to minimize impacts to residents and businesses, early completion deadlines and incentives to be used strategically.
- **Communication** – newsletters, City website, e-mail, telephone, on-site Engineering staff, etc.
- **Construction schedules** are impacted by weather here and elsewhere

**Driveway Replacement Program:**

- Driveway permit fee waived if driveways are reconstructed by City contractor during the project. Permit fee for driveways (concrete or asphalt) reconstructed by non-City contractor or not inspected by Engineering Department during project is \$50.00.
- Driveways will be evaluated by the Engineering Department. If driveways have poor drainage, we might recommend concrete over asphalt to improve drainage characteristics of new driveway.
- The cost of new private driveways **cannot** be put on your assessment.

**Residential Sanitary Sewer Wye Replacement Program:**

- Sanitary Sewer Main televising reports will be reviewed by the Engineering Department. Pictures of each individual sewer wye connection are available tonight or will be mailed to property owners with an evaluation of its condition.
- If property owners are interested in participating in the program, we require that the entire sewer service be televised from the house out towards the street.
- Property owners can then decide if they wish to participate in the program at a maximum cost of \$1,300.

**Residential Water Service Replacement Program (NEW):**

- Water services which are not constructed with copper pipe will be replaced. Services installed generally before the 1960’s used galvanized pipe which corrodes and becomes brittle increasing risk of leaks and eventual failure.
- City will share cost of water service upgrades with property owners. Property owners cost is estimated to be \$1,200.

**IV. PROJECT FUNDING/ASSESSMENT POLICY**

**Funding:**

Water System Improvements	Water Improvement Fund
Water Service Replacement	Special Assessment / Water Improvement Fund
Sanitary Sewer System Improvements	Sewer Improvement Fund
Sanitary Sewer Service Replacement	Special Assessment / Sewer Improvement Fund
Sidewalk	Interim Construction Fund
Storm Sewer and Stormwater Treatment Systems	Special Assessments and Surface Water Pollution Prevention Fund
Street and Curb & Gutter	Special Assessments, Municipal State Aid (MSA) (the City’s share of gas taxes collected by the State) and the City’s Infrastructure Reinvestment Fund.
Alley Improvements	Special Assessment

- Funding for private utilities (gas, electric, phone, CATV) by utility company.

#### **Assessments:**

- Special Assessment Process Overview
  - Chapter 429 and City Assessment Policy
  - Uniform, fair and benefits the property
  - Appraisal report to verify benefit
- Assessment Policy has special considerations for large lots, irregular shaped lots, corner lots, etc. to keep assessments fair and uniform. Assessment must also benefit the property by amount assessed. Assessment rates for 2019 will be determined by the City Council. We are estimating a 3% increase to \$39.34. (2018 rate was \$38.19 per assessable foot)
- Storm sewer is assessed on an area basis. (The present maximum rate is \$0.12 per square foot for residential and \$0.24 for commercial. Properties that have paid previous storm sewer assessments are credited with those amounts).
- Alley assessment is estimated to be \$2,200 per lot.
- Senior deferments/hardship circumstances.
- Updated property owner's list (Ramsey County records are used).
- Assessments may be tax deductible (law revised in 2004). Please refer to IRS Publication 530.

## **V. CONSTRUCTION PROCESS**

- Private Utility Work
- Tree Removal (if necessary)
- Pavement Removal
- Underground Utility Work
- Subgrade Compaction and Gravel Base Placement
- Install Curb and Gutter
- Install New Concrete Driveways and Aprons
- Pave First Lift of Bituminous Pavement
- Install New Bituminous Driveways and Aprons
- Sold Installation/Restoration
- Final Life of Bituminous Pavement

## **VI. RAINGARDEN OPPORTUNITY**

- Cost share grants are available for property owners interested in a rain garden.
- As part of the street reconstruction, the City will provide a curb-cut for the raingarden at no cost.

## **VII. NEXT STEPS**

- Order Feasibility Report on December 11, 2018
- Feasibility Report to City Council on February 12, 2019
- Public Hearing on Tuesday, March 12, 2019
- Construction approximately May – September of 2019

## **VIII. COMMENTS**

- Design ideas
- Questions?

## **APPENDIX H**

### **PROJECT FINANCING SUMMARY**

# 2019 STREET RECONSTRUCTION PROJECT

## City Projects 19-01 & 19-06

### PROJECT FINANCING SUMMARY

#### **IMPROVEMENT COSTS:**

	CONSTRUCTION COST
Street Reconstruction	\$ 1,621,000
Watermain	\$ 276,000
Sanitary Sewer	\$ 161,000
Storm Sewer	\$ 231,000
Stormwater Treatment	\$ 152,000
Sidewalk	\$ 50,000
Alley Reconstruction	\$ 96,000
<hr/>	
Construction Cost	\$ 2,587,000
10% Contingency	\$ 259,000
18% Engineering, Legal, Fiscal	\$ 466,000
<hr/>	
<b>Total Estimated Improvement Costs:</b>	<b>\$ 3,312,000</b>

#### **FUNDING SUMMARY:**

##### **ASSESSMENTS:**

Street Assessment	\$ 392,000
Storm Assessment	\$ 133,000
Alley Assessment	\$ 109,000
<hr/>	
<b>Special Assessments</b>	<b>\$ 634,000</b>

##### **CITY FUNDS:** (Costs Include 18% Engineering, Legal, & Fiscal Costs)

Municipal State Aid	\$ 725,000
Community Reinvestment	\$ 105,000
Interest	\$ 40,000
Bonding	\$ 1,808,000
<hr/>	
<b>Estimated City Funds:</b>	<b>\$ 2,678,000</b>

#### **TOTAL PROJECT FUNDING:**

Estimated Special Assessments	\$ 634,000	(19%)
Estimated Other Resources	\$ 2,678,000	(81%)
<b>TOTAL</b>	<b>\$ 3,312,000</b>	

# **APPENDIX I**

## **PRELIMINARY ASSESSMENT ROLLS**





**PROPOSED ASSESSMENT ROLL  
STREET IMPROVEMENTS  
CITY PROJECT NO. 19-01**

**CITY OF WHITE BEAR LAKE  
2019 STREET RECONSTRUCTION PROJECT  
CITY PROJECT NO. 19-01**

CREATED: 10/9/2018  
UPDATED: 2/4/2019

County Data Current 9/5/18

ASSESSMENT CODE 93201901

PIN	NO *	PROPERTY ADDRESS	STREET ASSESSMENT CALCULATIONS			STREET ASSESSMENT	LOT AREA	STORM SEWER ASSESSMENT CALCULATIONS		PREVIOUS STORM SEWER ASSESSMENT	ALLEY ASSESSMENT CALCULATIONS	ALLEY ASSESSMENT	SEWER WYE ASSESSMENT	WATER SERVICE ASSESSMENT	TOTAL ASSESSMENT
			FRONT FOOTAGE	ASSESSABLE FOOTAGE	ASSESSMENT			ASSESSABLE AREA	STORM SEWER ASSESSMENT						
60	13302230112	2338 6th St	90.00	90.00	\$3,540.60	13413.29	13413.29	\$1,669.69	\$2,266.00	\$2,266.00	\$7,415.20	60			
61	13302230113	2348 6th St	50.00	50.00	\$1,967.00	6035.56	6035.56	\$724.27	\$0.00	\$0.00	\$4,957.27	61			
62	13302230116	4871 Lake Ave	161.50	80.75	\$2,692.42	18278.70	1278.17	\$1,533.88	\$0.00	\$0.00	\$2,692.42	62			
63	13302230117	2290 7th St	176.84	126.42	\$4,973.36	7384.53	7384.53	\$856.14	\$856.14	\$856.14	\$5,859.51	63			
64	13302230118	2292 7th St	74.80	74.80	\$2,942.63	7462.76	7462.76	\$841.01	\$841.01	\$841.01	\$3,833.16	64			
65	13302230121	4825 Morehead Ave	191.68	121.05	\$4,762.11	7008.42	7008.42	\$841.01	\$841.01	\$841.01	\$5,091.19	65			
66	13302230122	4830 Morehead Ave	50.43	50.43	\$1,983.92	7010.64	7010.64	\$841.01	\$1,407.17	\$1,407.17	\$9,857.47	66			
67	13302230125	2327 6th St	230.00	150.00	\$5,384.40	11226.44	11226.44	\$0.00	\$1,454.24	\$1,454.24	\$6,867.44	67			
68	13302230126	4779 Lake Ave	80.00	80.00	\$3,147.20	12118.70	12118.70	\$0.00	\$0.00	\$0.00	\$2,692.42	68			
69	133022302001	2330 5th St	150.00	75.00	\$2,692.42	9566.31	9566.31	\$566.31	\$566.31	\$566.31	\$6,957.53	69			
70	133022302002	2322 5th St	121.35	100.00	\$3,934.00	6312.77	6312.77	\$757.53	\$0.00	\$0.00	\$6,957.53	70			
71	133022302003	2322 5th St	0.00	40.00	\$1,573.60	5082.20	5082.20	\$609.86	\$609.86	\$609.86	\$4,449.46	71			
72	133022302007	4763 Lake Ave	180.80	87.20	\$2,692.42	20362.25	17426.16	\$2,091.14	\$0.00	\$0.00	\$2,692.42	72			
73	133022302008	4780 Johnson Ave	63.00	63.00	\$2,478.42	4602.19	4602.19	\$552.28	\$552.28	\$552.28	\$3,030.68	73			
74	133022302009	4790 Johnson Ave	101.75	100.00	\$3,934.00	7579.86	7579.86	\$969.58	\$969.58	\$969.58	\$7,109.58	74			
75	133022302010	4798 Johnson Ave	135.00	75.00	\$2,950.50	4274.55	4274.55	\$512.95	\$512.95	\$512.95	\$5,729.45	75			
76	133022302011	4799 Johnson Ave	167.37	85.00	\$3,343.90	8596.17	8596.17	\$791.54	\$791.54	\$791.54	\$4,135.44	76			
77	133022302012	2902 5th St	65.00	65.00	\$2,957.10	5209.17	5209.17	\$625.10	\$625.10	\$625.10	\$3,182.20	77			
78	133022302013	4791 Johnson Ave	82.37	75.00	\$3,240.44	11957.73	11957.73	\$1,434.93	\$1,434.93	\$1,434.93	\$4,675.36	78			
79	133022302014	2298 5th St	75.00	75.00	\$2,950.50	12095.71	12095.71	\$1,451.49	\$1,451.49	\$1,451.49	\$4,401.99	79			
80	133022302015	2290 5th St	239.75	157.37	\$5,384.40	12547.76	12547.76	\$1,505.73	\$1,505.73	\$1,505.73	\$6,890.13	80			
81	133022302016	2297 4th St	239.75	157.37	\$5,384.40	13236.75	13236.75	\$1,588.41	\$1,588.41	\$1,588.41	\$6,972.81	81			
82	133022302017	2297 4th St	75.00	75.00	\$2,950.50	12417.14	12417.14	\$1,490.06	\$1,490.06	\$1,490.06	\$4,440.56	82			
83	133022302018	2303 4th St	75.00	75.00	\$2,950.50	12596.44	12596.44	\$1,511.57	\$1,511.57	\$1,511.57	\$4,462.07	83			
84	133022302019	2209 4th St	239.75	157.37	\$5,384.40	12198.77	12198.77	\$1,463.85	\$1,463.85	\$1,463.85	\$6,846.25	84			
85	133022302020	4799 Morehead Ave	274.75	164.75	\$5,384.40	18095.41	18095.41	\$2,171.45	\$2,171.45	\$2,171.45	\$7,555.85	85			
86	133022302021	2270 5th St	115.00	100.00	\$3,934.00	18786.63	18786.63	\$2,254.40	\$2,254.40	\$2,254.40	\$6,183.40	86			
87	133022302022	4790 Stewart Ave	159.75	42.38	\$1,667.23	6375.00	6375.00	\$733.13	\$733.13	\$733.13	\$1,667.23	87			
88	133022302023	2269 4th St	239.75	0.00	\$0.00	6375.00	6375.00	\$0.00	\$0.00	\$0.00	\$0.00	88			
89	133022302024	2275 4th St	75.00	75.00	\$2,692.42	12375.00	12375.00	\$733.13	\$733.13	\$733.13	\$2,692.42	89			
90	133022302025	2281 4th St	75.00	75.00	\$2,950.50	12263.97	12263.97	\$1,423.13	\$1,423.13	\$1,423.13	\$4,422.18	90			
91	133022302026	2281 4th St	75.00	75.00	\$2,950.50	12545.34	12545.34	\$0.00	\$0.00	\$0.00	\$4,422.18	91			
92	133022302027	2287 4th St	239.75	157.38	\$5,384.40	12321.95	12321.95	\$1,478.63	\$1,478.63	\$1,478.63	\$2,787.24	92			
93	133022302030	4753 Lake Ave	141.70	70.85	\$2,787.24	14360.63	14360.63	\$0.00	\$0.00	\$0.00	\$2,787.24	93			
94	133022302031	4743 Lake Ave	124.00	62.00	\$2,439.08	14154.16	14154.16	\$0.00	\$0.00	\$0.00	\$2,439.08	94			
95	133022302032	4735 Lake Ave	113.50	98.62	\$3,879.71	14985.21	14985.21	\$0.00	\$0.00	\$0.00	\$2,439.08	95			
96	133022302033	2286 4th St	214.75	132.37	\$5,207.44	8213.94	8213.94	\$985.67	\$985.67	\$985.67	\$6,193.11	96			
97	133022302034	2284 4th St	50.00	50.00	\$1,967.00	8702.36	8702.36	\$0.00	\$0.00	\$0.00	\$3,879.71	97			
98	133022302035	2280 4th St	65.00	65.00	\$2,557.10	10440.64	10440.64	\$1,252.88	\$1,252.88	\$1,252.88	\$3,011.28	98			
99	133022302036	2278 4th St	60.00	60.00	\$2,360.40	7320.84	7320.84	\$878.50	\$878.50	\$878.50	\$3,238.90	99			
100	133022302037	2268 4th St	185.00	60.00	\$2,360.40	8838.30	8838.30	\$1,060.50	\$1,060.50	\$1,060.50	\$3,421.00	100			
101	133022302044	4725 Lake Ave	150.00	75.00	\$2,692.42	30197.19	30197.19	\$3,838.50	\$3,838.50	\$3,838.50	\$2,692.42	101			
102	133022302050	4767 Lake Ave	150.00	0.00	\$0.00	15041.73	15041.73	\$0.00	\$0.00	\$0.00	\$2,266.00	102			
103	143022140028	4861 Stewart Ave	191.22	0.00	\$0.00	7056.27	7056.27	\$0.00	\$0.00	\$0.00	\$2,266.00	103			
104	143022140029	4853 Stewart Ave	50.50	0.00	\$0.00	7281.36	7281.36	\$0.00	\$0.00	\$0.00	\$2,266.00	104			
105	143022140030	4847 Stewart Ave	50.50	0.00	\$0.00	7599.77	7599.77	\$0.00	\$0.00	\$0.00	\$2,266.00	105			
106	143022140031	4843 Stewart Ave	75.75	0.00	\$0.00	11065.91	11065.91	\$0.00	\$0.00	\$0.00	\$2,266.00	106			
107	143022140032	4833 Stewart Ave	216.58	0.00	\$0.00	10831.83	10831.83	\$0.00	\$0.00	\$0.00	\$2,266.00	107			
108	143022140033	2245 6th St	65.40	0.00	\$0.00	10132.85	10132.85	\$0.00	\$0.00	\$0.00	\$2,266.00	108			
109	143022140036	4848 Cook Ave	50.35	0.00	\$0.00	7007.81	7007.81	\$0.00	\$0.00	\$0.00	\$2,266.00	109			
110	143022140037	4854 Cook Ave	50.35	0.00	\$0.00	7151.95	7151.95	\$0.00	\$0.00	\$0.00	\$2,266.00	110			
111	143022140038	4860 Cook Ave	191.07	0.00	\$0.00	7079.47	7079.47	\$0.00	\$0.00	\$0.00	\$2,266.00	111			
														\$502,128.43	
														\$66,762.65	
														\$108,768.00	
														\$306,597.78	

Assessments for Commercial owned parcels being reviewed.  
2019 Proposed Water Wye Assessments will be a 50/50 split with the City, capped at \$1,300.00  
2019 Proposed Street Assessments will be a 50/50 split with the City, capped at \$1,200.00

1	Residential street assessment	\$	39.34
1	Corner lot		

**PROPOSED ASSESSMENT ROLL  
STREET IMPROVEMENTS  
CITY PROJECT NO. 19-01**

**CITY OF WHITE BEAR LAKE  
2019 STREET RECONSTRUCTION PROJECT  
CITY PROJECT NO. 19-01**

CREATED: 10/9/2018  
UPDATED: 2/4/2019

County Data Current 9/5/18

ASSESSMENT CODE 93201901

PIN	NO	PROPERTY ADDRESS	STREET ASSESSMENT CALCULATIONS		STREET ASSESSMENT	LOT AREA	STORM SEWER ASSESSMENT CALCULATIONS		STORM SEWER ASSESSMENT	ALLEY ASSESSMENT CALCULATIONS	ALLEY ASSESSMENT	SEWER WYE ASSESSMENT	WATER SERVICE ASSESSMENT	TOTAL ASSESSMENT
			FRONT FOOTAGE	ASSESSABLE FOOTAGE			ASSESSABLE AREA	PREVIOUS ASSESSMENT						
	2	Bound by streets on 3 or all sides			\$ 3,934.00									
	3	Interior lot 100 ft maximum			\$ 5,384.40									
	4	Maximum residential corner lot assessment			\$ 2,692.42									
	5	1/2 maximum residential corner lot assessment			\$ 62.78									
	6	Commercial lot per front foot assessment			\$ 51.73									
	7	Apartment/townhome per foot assessment												
	8	Lot splits in future to be assessed at future rate per front foot												
	9	Lot split in future will be assessed at future rate per sq ft												
	10	Cul de sac lot												
	11	Residential irregular interior lot												
	12	Lot has been assessed maximum storm sewer rate			\$ 2,266.00									
	13	Alley Assessment (Each)			\$ 0.12									
	14	Residential storm sewer rate			\$ 0.24									
	15	Commercial storm sewer rate			\$ 0.06									
	16	Park & public storm sewer rate			varies on repairs									
	17	Sanitary sewer service repair												
	18	Assessment in lieu of charges												
	19	Residential Street Mill & Overlay Rate			\$ 13.79									
	20	Apartment/Town Home Mill & Overlay Rate			\$ 18.04									
	21	Commercial Mill and Overlay Rate			\$ 21.96									
	22	Appraiser's Opinion												

ASSESSMENT PERIOD: 15 YEARS FOR RESIDENTIAL - 20 YEARS FOR APARTMENTS AND COMMERCIAL  
INTEREST RATE (2018) - 5.23%  
RAMSEY COUNTY ADMINISTRATIVE FEE (\$2.50 PER YEAR FOR 15 YEARS = \$37.50)  
RAMSEY COUNTY ADMINISTRATIVE FEE (\$2.50 PER YEAR FOR 20 YEARS = \$50.00)

NON-RESIDENT PROPERTY	
NO	ADDRESS
1	15945 37th Ave N, Plymouth MN 55446-3212
5	12314 Everton Cir N, Saint Paul, MN 55110-5992
14	13435 White Pine Ln, Hayward WI 54843-2231
25	52 Nord Circle, North Oaks, MN 55127
31	4890 Johnson Ave, WBL MN 55110
32	6303 Saint Croix Trl N, Stillwater MN 55082-6935
36	4379 Lenox Blvd, Venice FL 34295-3816
59	4685 Lake Ave, WBL MN 55110-2627
64	2661 S Shore Blvd, WBL MN 55110-3943
79	133022320014
84	9310 White Hickory Ln, Fort Myers FL 33912-6856
95	PO Box 10543, WBL MN 55110-0543
96	4686 Banning Ave, WBL MN 55110-2870
108	143022140053
	1407 Mound Trl, Centerville MN 55038-9722

**PROPOSED ASSESSMENT ROLL  
STREET IMPROVEMENTS  
CITY PROJECT NO. 19-06**

Garden Lane (Lemire Lane - Bald Eagle Avenue)

**CITY OF WHITE BEAR LAKE  
2019 Street Reconstruction Project  
CITY PROJECT NO. 19-06**

CREATED: 9/26/2017  
UPDATED: 2/4/2019

County Data Current 9/5/18

ASSESSMENT CODE 93201906

PIN	NO	PROPERTY ADDRESS	STREET ASSESSMENT CALCULATIONS			STORM SEWER ASSESSMENT CALCULATIONS			STORM ASSESSMENT	SANITARY WYE ASSESSMENT	TOTAL ASSESSMENT
			FRONT FOOTAGE	ASSESSABLE FOOTAGE	STREET ASSESSMENT	LOT AREA	ASSESSABLE AREA	PREVIOUS STORM SEWER ASSESSMENT			
1	1,5,25	5065 Bald Eagle Ave	323.32	100.00	\$2,692.42	24963.77	24963.77	\$0.00	\$1,497.83	\$4,190.25	
2	1,19,25	1997 Garden Ln	100.00	100.00	\$3,934.00	18564.97	18564.97	\$0.00	\$1,112.94	\$5,047.26	
3	1,19,25	1987 Garden Ln	100.00	100.00	\$3,934.00	18548.97	18548.97	\$0.00	\$1,112.94	\$5,046.94	
4	1,19,25	1975 Garden Ln	100.00	100.00	\$3,934.00	18543.99	18543.99	\$0.00	\$1,112.29	\$5,046.62	
5	1,19,25	1967 Garden Ln	100.00	100.00	\$3,934.00	18538.21	18538.21	\$0.00	\$1,111.97	\$5,045.97	
6	1,19,25	1957 Garden Ln	100.00	100.00	\$3,934.00	18532.82	18532.82	\$0.00	\$1,111.64	\$5,045.64	
7	1,19,25	1949 Garden Ln	100.00	100.00	\$3,934.00	18527.36	18527.36	\$0.00	\$1,111.32	\$5,045.32	
8	1,19,25	1935 Garden Ln	100.00	100.00	\$3,147.20	14161.90	14161.90	\$0.00	\$849.68	\$3,996.88	
9	1,19,25	1929 Garden Ln	80.00	80.00	\$3,147.20	14029.89	14029.89	\$0.00	\$841.79	\$3,996.99	
10	1,19,25	1921 Garden Ln	80.00	80.00	\$3,147.20	12907.13	12907.13	\$0.00	\$750.43	\$3,897.63	
11	1,19,25	1913 Garden Ln	80.00	80.00	\$3,334.00	15788.78	15788.78	\$0.00	\$947.33	\$4,881.33	
12	3	1905 Garden Ln	100.00	100.00	\$3,334.00	1988.57	1988.57	\$0.00	\$119.31	\$4,061.47	
13	1,19,25	0 Garden Ln	0.00	0.00	\$0.00	14909.98	14909.98	\$0.00	\$894.60	\$5,045.13	
14	1,19,25	1904 Garden Ln	80.50	80.50	\$3,166.87	13578.89	13578.89	\$0.00	\$1,111.13	\$5,045.13	
15	1,19,25	1920 Garden Ln	100.00	100.00	\$3,934.00	12007.90	12007.90	\$910.55	\$0.00	\$3,187.80	
16	1,19,25	1930 Garden Ln	220.00	120.00	\$3,187.80	11870.41	11870.41	\$0.00	\$712.22	\$3,900.02	
17	1,19,25	1940 Garden Ln	220.00	120.00	\$3,187.80	18498.03	18498.03	\$0.00	\$1,109.88	\$5,043.88	
18	1,19,25	1950 Garden Ln	100.00	100.00	\$3,934.00	18614.06	18614.06	\$0.00	\$1,116.84	\$5,050.84	
19	1,19,25	1958 Garden Ln	100.00	100.00	\$1,967.00	9022.84	9022.84	\$0.00	\$541.37	\$2,508.37	
20	1,19,25	1964 Garden Ln	50.00	50.00	\$1,967.00	9367.79	9367.79	\$0.00	\$562.07	\$2,529.07	
21	1,19,25	1970 Garden Ln	50.00	50.00	\$3,934.00	18489.99	18489.99	\$0.00	\$1,109.40	\$5,043.40	
22	1,19,25	1976 Garden Ln	100.00	100.00	\$1,967.00	9249.20	9249.20	\$0.00	\$554.95	\$2,521.95	
23	1,19,25	1982 Garden Ln	50.00	50.00	\$1,967.00	12024.03	12024.03	\$0.00	\$721.44	\$3,278.54	
24	1,19,25	1986 Garden Ln	65.00	65.00	\$2,557.10	15723.73	15723.73	\$0.00	\$943.42	\$4,287.32	
25	1,19,25	1994 Garden Ln	85.00	85.00	\$3,343.90	12378.60	12378.60	\$0.00	\$742.72	\$3,435.14	
26	1,19,25	5053 Bald Eagle Ave	261.66	80.83	\$2,692.42				\$22,912.46	\$106,291.37	

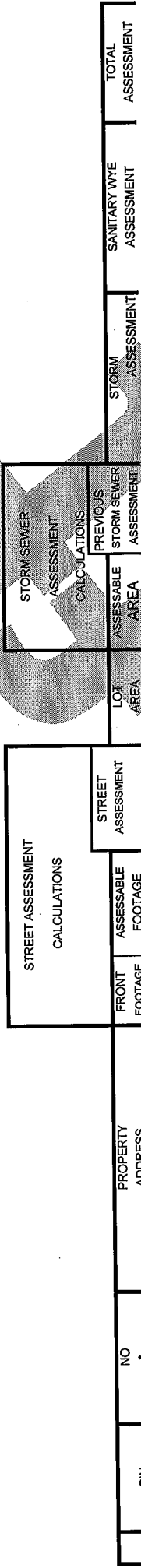
**PROPOSED ASSESSMENT ROLL  
STREET IMPROVEMENTS  
CITY PROJECT NO. 19-06**

Garden Lane (Lemire Lane - Bald Eagle Avenue)

**CITY OF WHITE BEAR LAKE  
2019 Street Reconstruction Project  
CITY PROJECT NO. 19-06**

CREATED: 9/26/2017  
UPDATED: 2/4/2019  
County Data Current 9/5/18

ASSESSMENT CODE 93201906



Assessments for Commercial owned parcels being reviewed.  
2019 Proposed Sewer Wye Assessments will be a 50/50 split with the City, capped at \$1,300.00

NO.	PROPERTY ADDRESS	FRONT FOOTAGE	STREET ASSESSMENT CALCULATIONS	LOT AREA	STORM SEWER ASSESSMENT CALCULATIONS	PREVIOUS STORM SEWER ASSESSMENT	STORM ASSESSMENT	SANITARY WYE ASSESSMENT	TOTAL ASSESSMENT
1	Residential street assessment		\$ 39.34						
2	Corner lot								
3	Bound by streets on 3 or all sides								
4	Interior lot 100 ft maximum		\$ 3,934.00						
5	Maximum residential corner lot assessment		\$ 5,384.40						
6	1/2 maximum residential corner lot assessment		\$ 2,692.42						
7	Commercial lot per front foot assessment		\$ 62.78						
8	Apartment/Townhome per foot assessment		\$ 51.73						
9	Lot splits in future to be assessed at future rate per front foot								
10	Lot split in future will be assessed at future rate per sq ft								
11	Cul de sac lot								
12	Residential irregular interior lot								
13	Lot has been assessed maximum storm sewer rate		\$ 2,200.00						
14	Alley Assessment		\$ 0.06						
15	Residential storm sewer rate		\$ 0.24						
16	Commercial storm sewer rate		\$ 0.06						
17	Park & public storm sewer rate								
18	Sanitary sewer service repair								
19	Assessment in lieu of charges								
20	Residential Street Mill & Overlay Rate		\$ 13.79						
21	Apartment/Town Home Mill & Overlay Rate		\$ 18.04						
22	Commercial Mill and Overlay Rate		\$ 21.96						
23	Apartment Total Pavement Replacement Rate		\$ 27.58						
24	Commercial Total Pavement Replacement Rate		\$ 35.85						
25	Appraiser's Opinion		\$ 44.14						

ASSESSMENT PERIOD - 15 YEARS FOR RESIDENTIAL - 20 YEARS FOR APARTMENTS AND COMMERCIAL  
INTEREST RATE (2019) - 5.25%  
RAMSEY COUNTY ADMINISTRATIVE FEE (\$2.50 PER YEAR FOR 15 YEARS = \$37.50)  
RAMSEY COUNTY ADMINISTRATIVE FEE (\$2.50 PER YEAR FOR 20 YEARS = \$50.00)

NON-RESIDENT PROPERTY ADDRESS
18 113022340056 1905 Garden Ln, WBL MN 55110
22 1130222340060 1717 Main St Ste 2000, Dallas TX 75201-4657
27 113022340065 23833 Jensen Ave N, Forest Lake MN 55025-8564
45 143022210027 3951 Stockdale Dr, Vadnais Heights MN 55127-7519
70 143022210097 262 Bruening Ct, Mahtomedi MN 55115-6811
92 143022210124 5842 Hobbe Ln, WBT MN 55110-6477

## **APPENDIX J**

### **SAMPLE ASSESSMENT BREAKDOWNS**

**SAMPLE** Assessment Breakdown

(based on 10 years with an **assumed** interest rate of 5.0%)

ASSESSMENT AMOUNT	<b>\$500.00</b>		ASSESSMENT AMOUNT	<b>\$1,000.00</b>	
COUNTY FEE \$2.50/15YR	<b>\$37.50</b>		COUNTY FEE \$2.50/15YR	<b>\$37.50</b>	
TOTAL ASSESSMENT	<b>\$537.50</b>		TOTAL ASSESSMENT	<b>\$1,037.50</b>	
PRINCIPAL PER YEAR	\$53.75		PRINCIPAL PER YEAR	\$103.75	
ASSUMED INTEREST RATE	5.0%		ASSUMED INTEREST RATE	5.0%	
	ANNUAL	PRINCIPAL		ANNUAL	PRINCIPAL
YEAR	PAYMENT	BALANCE	YEAR	PAYMENT	BALANCE
		\$537.50			\$1,037.50
1	\$87.34	\$483.75	1	\$168.59	\$933.75
2	\$77.94	\$430.00	2	\$150.44	\$830.00
3	\$75.25	\$376.25	3	\$145.25	\$726.25
4	\$72.56	\$322.50	4	\$140.06	\$622.50
5	\$69.88	\$268.75	5	\$134.88	\$518.75
6	\$67.19	\$215.00	6	\$129.69	\$415.00
7	\$64.50	\$161.25	7	\$124.50	\$311.25
8	\$61.81	\$107.50	8	\$119.31	\$207.50
9	\$59.13	\$53.75	9	\$114.13	\$103.75
10	\$56.44	\$0.00	10	\$108.94	\$0.00
ASSESSMENT AMOUNT	<b>\$1,500.00</b>		ASSESSMENT AMOUNT	<b>\$2,000.00</b>	
COUNTY FEE \$2.50/15YR	<b>\$37.50</b>		COUNTY FEE \$2.50/15YR	<b>\$37.50</b>	
TOTAL ASSESSMENT	<b>\$1,537.50</b>		TOTAL ASSESSMENT	<b>\$2,037.50</b>	
PRINCIPAL PER YEAR	\$153.75		PRINCIPAL PER YEAR	\$203.75	
ASSUMED INTEREST RATE	5.0%		ASSUMED INTEREST RATE	5.0%	
	ANNUAL	PRINCIPAL		ANNUAL	PRINCIPAL
YEAR	PAYMENT	BALANCE	YEAR	PAYMENT	BALANCE
		\$1,537.50			\$2,037.50
1	\$249.84	\$1,383.75	1	\$331.09	\$1,833.75
2	\$222.94	\$1,230.00	2	\$295.44	\$1,630.00
3	\$215.25	\$1,076.25	3	\$285.25	\$1,426.25
4	\$207.56	\$922.50	4	\$275.06	\$1,222.50
5	\$199.88	\$768.75	5	\$264.88	\$1,018.75
6	\$192.19	\$615.00	6	\$254.69	\$815.00
7	\$184.50	\$461.25	7	\$244.50	\$611.25
8	\$176.81	\$307.50	8	\$234.31	\$407.50
9	\$169.13	\$153.75	9	\$224.13	\$203.75
10	\$161.44	\$0.00	10	\$213.94	\$0.00
ASSESSMENT AMOUNT	<b>\$3,000.00</b>		ASSESSMENT AMOUNT	<b>\$4,000.00</b>	
COUNTY FEE \$2.50/15YR	<b>\$37.50</b>		COUNTY FEE \$2.50/15YR	<b>\$37.50</b>	
TOTAL ASSESSMENT	<b>\$3,037.50</b>		TOTAL ASSESSMENT	<b>\$4,037.50</b>	
PRINCIPAL PER YEAR	\$303.75		PRINCIPAL PER YEAR	\$403.75	
ASSUMED INTEREST RATE	5.0%		ASSUMED INTEREST RATE	5.0%	
	ANNUAL	PRINCIPAL		ANNUAL	PRINCIPAL
YEAR	PAYMENT	BALANCE	YEAR	PAYMENT	BALANCE
		\$3,037.50			\$4,037.50
1	\$493.59	\$2,733.75	1	\$656.09	\$3,633.75
2	\$440.44	\$2,430.00	2	\$585.44	\$3,230.00
3	\$425.25	\$2,126.25	3	\$565.25	\$2,826.25
4	\$410.06	\$1,822.50	4	\$545.06	\$2,422.50
5	\$394.88	\$1,518.75	5	\$524.88	\$2,018.75
6	\$379.69	\$1,215.00	6	\$504.69	\$1,615.00
7	\$364.50	\$911.25	7	\$484.50	\$1,211.25
8	\$349.31	\$607.50	8	\$464.31	\$807.50
9	\$334.13	\$303.75	9	\$444.13	\$403.75
10	\$318.94	\$0.00	10	\$423.94	\$0.00

## **APPENDIX K**

### **LOCAL IMPROVEMENT GUIDE (CITY ASSESSMENT POLICY)**

# City of White Bear Lake

## LOCAL IMPROVEMENT GUIDE

Adopted by the City Council  
April 1983

REVISED  
January 22, 2008

REVISED  
April 26, 2011





# Policies for Public Improvements

## INTRODUCTION

The City Charter of the City of White Bear Lake assigns to the City Council the responsibility for making public improvements. It has been and will continue to be the policy of the City Council of White Bear Lake that when such improvements are made which are of benefit to certain areas, special assessments will be levied not to exceed benefits received. The procedures used by the City are those specified for Minnesota Statutes, Chapter 429, which provide that all, or part, of the cost of improvements may be assessed against benefiting properties in accordance up to the benefits received. The statute, however, provides no statutory guide as to how these benefits are measured or how the costs are to be apportioned. Those actual assessment apportionments must be made in accordance with policies adopted by the City Council. The purpose of this general policy is to establish a consistent standard for the apportionment of special assessments, and to provide the public with basic information on the improvement process and financing procedures. Therefore, it is understood the following shall constitute a statement of the policy of the City Council regarding improvements and assessments. It is also intended that the policies shall be applicable to all land within the City, platted or unplatted, and shall be complimentary to the City Subdivision Regulations, City Code Sections 1101-1105 and Ordinance No. 438, as amended.

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# 1 GENERAL POLICIES

## 1.1 Types of Improvements

This policy shall relate only to those public improvements allowable under Chapter 429, Minnesota Statutes. These public improvements may include the following:

- a) Sanitary sewer utility system improvements
- b) Water utility system improvements
- c) Storm sewer, holding pond and drainage systems
- d) Streets, curb and gutters, grading, graveling
- e) Pedestrian ways
- f) Tree trimming, care and removal
- g) Abatement of nuisances
- h) Public malls, plazas and courtyards
- i) Service charges which are unpaid for the cost of rubbish removal from sidewalks, weed elimination, and the elimination of public health or safety hazards, upon passage of appropriate ordinances (M.S.A. 429.101).

## 1.2 Definitions

*Special Assessment* – A charge against a property which benefits from the existence of a public capital improvement, the amount of which may reach the value of the benefit.

*Project Cost* – The cost of actually constructing the improvement, and to include, but not limited to, the following: Engineering, Legal, Administrative, Land or Easement Acquisition, Fiscal, Capitalized Interest, Data Processing, and Publication Fees.

*Assessable Cost* – Up to the value of the benefit received by properties affected by the improvement, which may or may not equal the project cost.

*Assessment Rate* – A charge per property (or per property dimension) which is determined by dividing the total dollars to be assessed by all properties (or by the sum of a particular property dimension) benefiting from the improvement on a uniform basis.

*Connection Charge* – A lump-sum charge collected at the time a property connects to the sewer or water system, the proceeds of which go to finance system-wide improvements not readily identifiable to particular properties.

*Operating Revenue* – A fee for consumption of the water utility’s product of the sanitary sewer utility’s service paid by the user.

### **1.3 Initiation of Public Improvement Project**

The public improvement project may be initiated by petition of affected property owners or by direct action of the City Council. Petitions for public improvement should be received by the City Council until the first day of February each year for action in that year. Petitions for public improvement submitted after that date may be received and acted upon during that year only by special consent of the Council, or may be received and considered the following year. The annual improvement calendar below is incorporated into this policy, and applies to both petitioned and Council initiated improvements.

#### CONSTRUCTION IMPROVEMENT PROGRAM TIME SCHEDULE

1.	Deadline for Petition Submittal	February 1
2.	Petition Review with the City Council and Council Authorization of Feasibility Report	February Council Meeting
3.	Completion of Engineer’s Feasibility Report	March 1
4.	City Council Receipt of Engineer’s Report and Ordering of Improvement Hearing	March Council Meeting
5.	Preparation for Improvement Hearing	Last two weeks of March and first week of April
6.	Improvement Hearing	April Council Meeting
7.	Preparation of Plans and Specifications, Advertisement for Bids, Taking of Bids	Month of April
8.	Opening of Bids	Late May
9.	Award of Bids	June Council Meeting
10.	Construction Begins and Proceeds	July 1 through August 1 (following year: 14 month construction)
11.	Assessment Hearing Process	August 1 through September 10 (year following initiation of construction)
12.	Certification of Assessment Roll to County	October 10 (year following initiation of construction)

### **1.4 Developer’s Agreements**

Private property owners may elect to construct certain public improvements themselves without participation in the City's improvement process. Such improvements shall only be constructed upon execution of a developer's agreement between the City and the private party. This developer's agreement shall be in a form prescribed by the City Attorney, but shall include sections on City review and approval of construction plans, and City inspection and approval of the construction process. The agreement shall also provide for a fee to the private party in the amount of five (5) percent of the estimated construction cost as reimbursement for these services.

## 2 GUIDELINES FOR DETERMINING ASSESSABLE AMOUNT

### 2.1 General Statement

When an improvement is constructed which benefits properties within a definable area, the City Council intends that special assessments be levied against the benefiting properties within that area. The total of all special assessments levied shall not exceed the value of the benefit to all assessed properties. The base for determining the value of benefit received shall be the cost of providing the improvement, namely, the project cost. This base may be adjusted by consideration of other available revenues or a determination that the benefit of the project extends beyond the immediate project area.

### 2.2 Determination of Project Cost

The project cost of an improvement shall be the actual cost of construction plus associated costs as listed below. Associated costs shall be determined either on an actual cost basis or as a percentage of construction cost. As a general rule, the project cost shall be calculated as follows:

1.	Final Construction Contract	\$ _____
2.	Engineering Consultant _____ In-House _____	_____
3.	Project Administration (1% of line 1)	_____
4.	Bonding Cost (Fiscal and Legal)	_____
5.	Land and Easement Acquisition	_____
6.	Legal Cost	_____
7.	Capitalized Interest (1% on bonds)	_____
8.	Miscellaneous Costs	_____
	TOTAL PROJECT COST	\$ _____

### 2.3 Determination of Assessable Cost

The project cost shall form the basis for determining the benefit and then the assessable cost. The value of the benefit received related directly to the cost of providing the benefit, while the benefit may greatly exceed the project costs. However, improvements may occur which provide a benefit to an area extending beyond the immediate project area. In such cases, the City shall pursue other funding options and, where available, the assessable cost shall be reduced below the project cost to a point equaling but not exceeding the benefit received. When other funding options are not available, the City shall determine advisability of constructing the project as originally designed or consult with property owners in the project area as to the value of the benefit they place on the improvement.

The City has available a number of funding options, each of which is limited as to both, and applicability to certain types of improvements and the monies available to participate in project financing. Generally, these options reduce the overall assessable cost, while, as a general rule, increase the benefit to the affected property.

a) General Property Taxation: If an improvement extends a benefit to all property owners in the City, the Council could supplement assessable cost with property taxation. By Chapter 429, the City must assess at least 20 percent of the project cost, leaving a maximum of 80 percent to be otherwise funded. Also, this option would not be allowable for utility system improvements. A tax levy affects all property owners, and not all property owners benefit from these public utilities. This option must be carefully considered because, first, few improvements proved City-wide benefit and, secondly, increasing controls by the State of tax levies may cause a reduction in basic services if this source is used for improvement cost participation.

b) Utility Connection Funds: Connection charges as previously defined are lump sum fees paid by property owners at the time the property connects to the utility system. The purpose of these funds is two-fold: First, to provide funding for improvements which enhance the operation of the entire system "looping"; and, second, to provide a contingency reserve for immediate financing of improvements where non-anticipated or accidental loss of the system has occurred. In the former case, smaller scale improvements are here defined as looping of a utility system, which causes properties to abut a utility system which would not have otherwise abutted the utility system had not the looping proved necessary. In such cases, the utility connection fund would contribute to financing the project cost either in the full amount of the assessments on relevant abutting properties, or in the amount of the incremental increase in project cost necessitated by the looping with all abutting properties being assessed a basic benefit.

c) Utility Operating Revenues: Once individuals are connected to the utility systems, their usage of the water product or sewer service is charged per unit of consumption. These fees are primarily dedicated to meet operational expenditures. The utility system requires certain public improvements to be made which benefit all users of the system, i.e., water towers, treatment plants, sewer lift stations. Minnesota Statutes, Chapter 444, provide the City with the authority to issue bonds for such improvements and use the proceeds of user fee to retire the bonds. Utility operating revenues, therefore, shall not be used to reduce the assessable cost below the project cost for improvements constructed under the Improvement Guide.

d) Minnesota State Aid Road Funds (MSA): The City is eligible for and annually receives funds from the State for the construction of roadways and related systems which are designed to specific standards. The State Aid procedures do not dictate how the City expends its annual appropriation, but rather it approves proposed City expenditures for eligible projects. Therefore, the City has the latitude to define how much MSA funding could be used in a given project. Stated differently, the City has the ability to define a project's assessable cost, and if the assessable cost is below the project cost, fund the difference with MSA monies. This policy shall provide for two standards of defining assessable costs for MSA eligible roadways; one of which is for residential, and one of which is for commercial/industrial roadways. The assessable cost for residential roadways shall be the project cost of providing a 5 ton, 32 feet in width, street surface with associated concrete curb and gutter. The assessable cost for commercial/industrial roadways shall be the project cost of providing a 7 or 9 ton, 36 feet in width, street surface with associated concrete curb and gutter. The project costs for improvements providing more than those basic benefits shall be funded by MSA financing for that portion which is not assessable cost. Properties abutting any road improvements shall be assessed according to the present zoning of property (see Section 3.B.i.). Generally, State Aid funds will reduce the cost on assessable property while increasing and not reducing the benefit to said property.

### 3 METHOD OF ASSESSMENT AND APPORTIONMENT

#### 3.1 Method of Assessment by Type of Improvement

The nature of an improvement lends itself to a particular manner in determining the apportionment of the assessable cost to benefiting properties. Besides the nature of the improvement, consideration of the apportionment of assessable cost must be given to both an equitable treatment of properties and an efficient manner of administration. This policy employs three bases for apportionment of assessable cost to benefiting properties. The front footage basis divides the assessable cost by the total front footage of all benefiting properties at a distance of 30 feet from the public right-of-way to determine the assessment rate. The area basis divides the assessable cost by the total square footage of all benefiting properties to determine the assessment rate. The unit basis divides the assessable cost by the total number of units benefiting, urban lots or urban lot equivalent for unplatted areas, to determine the assessment rate. These methods shall define the standard situation; however, particular cases are defined in Part B of this section. In no case shall benefiting properties be defined as extending beyond the existent jurisdictional limits of the City.

Improvements provided for in this policy, Section 1-A, the following methods of apportionment shall be used:

1. Sanitary sewer utility system improvements:
  - a. New and replacement mains and services – front footage basis or unit basis
2. Main oversizing – area basis
  - a) Water utility system improvements:

- i. New and replacement mains and services – front footage basis or unit basis
  - ii. Main oversizing – area basis
- b) Storm sewer systems – area basis and/or tax district
- c) Street systems:
  - i. Streets – front footage or unit basis
  - ii. Curb and Gutter – front footage or unit basis
- d) Pedestrian ways (sidewalks) – front footage and/or area basis and/or tax district
- e) Tree trimming – unit basis
- f) Abatement of nuisances – unit basis
- g) Public malls, plazas – individual situation
- h) Service charges – unit basis

Certain improvements allow the Council discretion as to the method of apportionment used. Also, in the cases of tree trimming, abatement of nuisances, and service charges, the assessable cost is attributable to individual properties and, therefore, the unit should normally be on an individual parcel.

### **3.2 Apportionment of Non-Standard and Public Parcels**

The character of this City is such that many parcels are of irregular configuration or have particular circumstances. This section establishes a policy for apportionment of assessments to these properties in conjunction with standard parcels.

a) For rectangular corner lots: The “frontage” shall be equal to the dimension of the smaller of the two sides of the lot abutting the improvement. If both sides of the lot are improved, the “frontage” shall be the dimension of the smaller of the two sides of the lot plus one-half of the dimension of the larger of the two sides provided, however, that in no case shall the sum of the two dimensions exceed the long side dimension of the lot. When a corner lot has the abutting streets improved in different years, the total assessable footage is determined and one half (1/2) assessed with each project.

b) For irregular shaped interior lots: (non-cul de sac parcels): The “frontage” shall be equal to the average width of the lot measured in at least two locations preferably along the front lot line and the rear lot line. Cul-de-sac lots shall be assessed 80 feet of assessable footage. For platted interior lots with frontage less than 80 feet and rear lot dimensions greater than 80 feet so that when assessment policy rules are applied for irregular shaped lots the assessable footage would be greater than



80 feet; such lots shall be assessed as standard 80 foot lots for street reconstruction assessments.

c) For irregular shaped corner lots: The “frontage” shall be equal to the average width of the lot as determined in “b” above plus one-half of the average length of the lot as determined in “be” above, provided, however, that the total “frontage” shall not exceed the dimension of the average length of the long side as determined in “b” above.

d) For interior lots less than 220 feet in depth, which abut two parallel improvements: The ‘frontage’ shall be equal to the lot width abutting the street, plus one-half of the lot width abutting the other street. Where the two lot widths are not equal, the full width of the smaller of the two shall be added to one-half of the other width.

e) For end lots less than 220 feet in depth, which abut three improvements: The “frontage” for a given type of surface improvement shall be calculated on the same basis as if such lot were a corner lot abutting the improvement on two sides only.

f) For lots greater than 220 feet in depth, which abut two parallel improvements: The “frontage” for improvements shall be calculated independently for each “frontage” unless other City regulations prohibit the use of the lot for anything but a single-family residence, in which case the average width is the total “frontage”.

g) In the above cases, a, c, e and f, the assessment practices noted in such sections shall apply in the event that improvements do not occur simultaneously. The assessment of a replacement improvement shall be determined using the same dimensions as the original improvement which would be replaced.

h) City properties with the exception of street rights-of-way shall not be considered as part of the project area in cases where the total relevant physical dimension of such properties do not exceed 25 percent of the total project’s relevant physical dimension. In such cases where City properties exceed 25 percent, the City shall participate in calculation of projected area.

i) In cases where the improvement installed is designed to satisfy a particular land use, the assessment shall be based on the current zoning of the property or where a specially permitted use exists at that use.

j) Improvements benefiting unplatted properties where necessary shall be assessed on the basis of equivalent platted lots with minimum lot area as defined by the zoning ordinances.

k) Properties abutting street system improvements shall have a basic benefit for special assessment purposes. Properties having a residential zoning use shall have a basic benefit defined as a 5 ton, 32 feet wide street surface with associated concrete curb and gutter. Properties having a commercial-industrial zoning use shall have a basic benefit defined as a 7 to 9 ton, 36 feet wide street surface with associated concrete curb and gutter.

#### 4 DESIGN STANDARDS

#### **4.1 Surface Improvements**

Surface improvements shall include grading and base construction, sidewalks, curb and gutter, surfacing, resurfacing, and ornamental street lighting in the downtown business district area.

a.) Standards for surface improvements – In all streets prior to street construction and surfacing, or prior to resurfacing, all utilities and utility service lines (including sanitary sewer, water lines, storm sewers, gas and electric service) shall be installed to serve each known or assumed building location. No surface improvements to less than both sides of a full block of street shall be approved except as necessary to finish the improvement of a block which has previously been partially completed. Concrete curbing or curb and gutter shall be installed at the same time as the street surfacing except that where a permanent “rural” street design is approved by the City Council, concrete curb or curb and gutter will not be required. In this instance, no curb or a lesser type curb may be installed for “rural” streets at the City Council direction.

b.) Arterial Streets – shall be of “9 ton” design of adequate width to accommodate projected 20-year traffic volumes. Sidewalks shall be provided on at least one side of all arterial streets unless specifically omitted by the City Council, and the sidewalk shall be at least 5 feet in width unless otherwise approved by the City Council. Arterial streets shall be resurfaced at or near their expected service life depending upon existing conditions.

c.) Collector Streets (including commercial and industrial access streets) – shall be of “7 ton” design based on anticipated usage and traffic, and shall normally be 44 feet in width measured between faces of curbs unless permanent parking restrictions are imposed on the roadway or the roadway is a limited access industrial roadway, in which case the roadway width shall be reduced in width to 36 feet. Sidewalks may be installed when required by the City Council on collector streets and shall be at least 5 feet in width unless otherwise approved by the City Council. Wherever feasible a boulevard at least 5 feet in width shall be provided measured from the street face of curb to the street face of the sidewalk, or the property line. Collector streets shall be resurfaced at or near their expected service life or at such time as the Council determines it is necessary to raise the structure value of the street.

d.) Residential Streets – shall be of “5 ton” design, 32 feet in width measured between faces of curb unless specifically required by the Council. Sidewalks shall not be provided on residential streets. Residential streets shall be resurfaced at or near their expected service life depending upon existing conditions.

e.) Alleys – Residential areas shall be constructed of sufficient design based on the anticipated usage of the alley. Alleys which are surfaced shall be resurfaced at or near their expected service life depending upon existing conditions.

f.) Ornamental Street Lighting – When installed shall be installed in accordance with the most recent standards as established by the Illuminating Engineers Society.

#### **4.2 Subsurface Improvements**

Subsurface improvements shall include water distribution lines, sanitary sewer lines and storm sewer lines.

a.) Standards – Subsurface improvement shall be made to serve current and projected land use based upon current zoning. All installations shall conform to the minimum standards as established by those State or Federal agencies having jurisdiction over the proposed installations. All installations shall also comply, to the maximum extent feasible, to such quasi-official nationally recognized standards as those of the American Insurance Association (formerly National Board of Fire Underwriters). Service lines to every known or assumed location should be installed in conjunction with the construction of the mains and assessed in a manner similar to the mains. This service line construction shall, to the maximum extent feasible, be completed prior to the installation of planned surface improvements. Minimum standard for residential utility main service shall be an 8" main for water and a 9" main for sanitary sewer.

## 5 STORM SEWER ASSESSMENT

Storm sewer improvements present particular problems for assessment in terms of defining project area, drainage coefficients, and contributing drainage area. The particular problem of defining the project area is aggravated by the fact that often times a number of individual project are required to solve one drainage problem.

### 5.1 Project Area

The project area shall be defined as either a specific improvement or a series of improvements coordinated to solve one drainage problem.

### 5.2 Specific Land Use

In recognition of the fact that different land uses contribute separate drainage problems, the assessment rates for specific land uses shall be weighted according to such contributions. The weighting factors to be applied are as follows:

- a.) Commercial, multiple and industrial land uses – 2.0
- b.) Residential uses including property zoned R1, R2, R3, R4, and public property including schools and churches -1.0
- c.) Open space including parks, golf courses and other public open areas -0.5

This weighted area computation shall apply to all properties including platted property and all unplatted parcels according to the current property zoning (see Section 3.B.i.)

## 6 CONDITIONS OF PAYMENT OF ASSESSMENT

Minnesota Statutes, Chapter 429, provide the City with considerable discretion in establishing the terms and conditions of payment of special assessment by property owners. Chapter 429 does establish two precise requirements regarding payment. First, the property owner has 30 days from the date of adoption of the assessment roll to

pay the assessment in full without interest charge (429.061, subd. 3). Second, all assessments shall be payable in equal annual installments extending over a period not exceeding 30 years from the date of adoption of the assessment roll (429.061, subd. 2). The conditions of payment established in this section follow the requirements of Chapter 429 and seek to balance the burden of payment of the property owner with the financing requirements imposed by debt issuance.

### **6.1 Term of Assessment**

The City shall collect payment of special assessments in equal annual installments of principal for the period of years indicated from the year of adoption of the assessment roll by the following types of improvements:

- a) Sanitary sewer system improvements – 10 years\*
- b) Water system improvements – 10 years\*
- c) Storm sewer systems – 10 years\*
- d) Street systems: Street, alley, curb and gutter – 10 years\*
- e) Pedestrian ways – 10 years\*
- f) Tree trimming and removal – 1 year
- g) Abatement of nuisance – 1 year
- h) Public malls, plazas – up to 30 years
- i) Service charges, delinquent utilities – 1 year

\* Or a term coincident with the duration of the debt issued to finance the improvement.

### **6.2 Interest Rate**

The City most often finds itself required to issue debt in order to finance improvements. Such debt requires that the City pay an interest cost to the holders of the debt with such interest cost varying on the timing, bond rating, size and type of bond issue. In addition, the city experiences problems with delinquencies in payment of assessment by property owners or the inability to invest prepayments of assessments at an interest rate sufficient to meet the interest cost of the debt. These situations create immediate cash flow problems in the timing and ability to make scheduled bond payments. Therefore, for all projects financed by debt issuance, the interest rate charged on assessments shall be 2.0 percent greater than the rate allowable on the bond issue as determined by the State Commissioner of Finance (M.S.A. 475.55, Subd. 1 and 4). This interest rate shall be defined as the current rate for all improvements assessed in that year.

The assessment of certain improvements, such as tree trimming and removal, abatement of nuisances, and service charges, to include delinquent utilities, does not

usually require debt issuance. However, the City is making expenditures in one year and not receiving payment until the following year for improvements having a benefit to a specific property owner. In such cases, the City is not able to earn interest on the amount of the expenditures. State Statute provides the interest rate charge on such improvements shall not exceed eight (8) percent

### **6.3 Connection Charge in Lieu of Assessment (Ordinance 638)**

At various times properties request to join the City utility system which have no record of ever being specially assessed for a public improvement abutting the property. The parcel is receiving a benefit from the existence of the improvement. Properties in such cases shall be charged a connection charge in lieu of assessment. The amount of this connection charge shall be the current assessment rate for that type of improvement discounted to allow for depreciation of the improvement. In the case of utility systems, the useful life is defined as 40 years with the discount allowed on a straight-line depreciation method for the years of useful life expended. The term of the assessment here shall be 10 years. The interest rate charged shall be the current rate.

### **6.4 Deferment of Current Payment of Special Assessment**

Deferment of Current Payment of Special Assessment: State law permits property owners to be deferred from the current payment of special assessment in three cases: agricultural uses "green acres", senior citizens, and disabled retired persons. Green acres is administered by the County and is beyond the control of the City. Senior citizen deferments are at the jurisdiction of the City, and this City has adopted such policy in Ordinance 612. Disabled, retired persons are provided deferments under conditions established in Resolution 4131. The City at times has gone beyond State law to grant deferments in other cases. The two present policies regarding deferments shall continue; first, that all existent deferments and any future deferments would be subject to an interest charge payable with the amount of the deferment equal to the current rate on the assessment roll, and that the payment term of deferment plus accumulated interest charges would coincide with the debt service schedule of the original financing. However, in no case would the term exceed 30 years from the date of assessment adoption. Furthermore, with the exception of senior citizen deferments, this policy provides that for any deferment granted after the adoption of this document, the term of such deferment shall not exceed five years.

### **6.5 Assessment of Connection Charges**

Assessment of Connection Charges: The City has adopted a policy (Resolution 3958) which allows the special assessment of the one-time fee for connection to the City sewer and water utilities. To be eligible for such assessment, the property owner must demonstrate a financial hardship in the immediate payment. The following conditions must be met in order for a hardship to exist: one, the applicant must satisfy be a resident of the City and reside at the affected property; two, applicant must satisfy the income requirements for eligibility under the Minnesota Housing Finance Agency guidelines as witnessed by Federal Income Tax return; three, the applicant must agree to the conditions of assessment. Application is made to the City Finance Director. The term of assessment under this provision is two years. State Statute provides that the interest rate shall not exceed eight (8) percent.

## 7 RELATED ISSUES

### 7.1 Connection to Utility System

This policy provides that all properties abutting the City utility system, whether such system is new or a replacement shall connect to such system within one year from date of availability. All such properties not so connecting shall be connected by the City with the costs of such connection being assessed against the property over a one-year term at the current rate. The sole exception to this provision is properties which abut a utility system as a result of system-wide looping requirements, which shall have five years to make such connections.

### 7.2 Payment of Connection Fees

This policy provides that each property connecting to the utility system, whether such system is new or a replacement, shall be charged a connect fee for water and for sewer, if said property has not previously paid such a connection fee or if the improvement replaces a system which has completed its useful life. The useful life of a sewer or water lateral system is here defined as 40 years.

Payment of connection fees shall not be affected by existent or anticipated area assessments for sewer and water utilities. No reduction in the amount charged for these fees shall occur as a result of an area assessment because the present dedicated use of each financing method is independent of the other.

### 7.3 Replacement of Previously Constructed Improvements

The need may arise to rebuild a previously constructed public improvement before the conclusion of its intended service life. If such replacement is caused by actions of a contractor, the City shall make every effort to finance such replacement by actions on the contractor. If financing by the responsible contractor is not found possible, the replacement project shall be treated in a manner similar to any other project with related financing following the policies in the relevant sections of this guide.

## 8 AMENDMENTS

### 8.1 Resolution Updating the City's Special Assessment Policy – January 22, 2008 (see Appendix C)

**APPENDIX A**

Ordinance Allowing Deferment of the Payment of Special Assessments for Local Improvements on Certain Homestead Property

**APPENDIX B**

Resolution Establishing Guidelines for Senior Citizen or Disabled Retiree Hardship Deferral

**APPENDIX C**

Resolution Updating the City's Special Assessment Policy – January 22, 2008

**APPENDIX D**

Resolution Amending the City's Assessment Policy – April 26, 2011

AN ORDINANCE ALLOWING DEFERMENT OF THE PAYMENT OF SPECIAL ASSESSMENTS FOR LOCAL IMPROVEMENTS ON CERTAIN HOMESTEAD PROPERTY.

The Council of the City of White Bear Lake does ordain:

1. That the Municipal Code of the City of White Bear Lake be and is hereby amended so as to add a new section thereto to read as follows:

Deferred Assessments; Senior Citizens.

Pursuant to the authority granted by Minnesota Statutes, Section 435.193, any person 65 years of age or older owning and homesteading property, which property is subject to the levying of a special assessment after the effective date of this ordinance, and which person meets the qualifications of hardship as defined herein, may apply for and receive deferred payment of special assessments so levied by making application therefor to the Department of Property Taxation, Ramsey County, Minnesota in accordance with Minnesota Statutes, Section 435.194. A hardship shall be deemed to exist when the average annual payment for all assessments levied against the subject property exceeds one percent of the adjusted gross income of the applicant as evidenced by the applicant's most recent Federal Income Tax return.

Deferred assessments shall be subject to interest at the rate of 8% per annum on the remaining unpaid balance. The option to defer payment of special assessments shall terminate and all amounts accumulated, including accrued interest, shall become due upon the occurrence of any of the following events:



- (a) the death of the owner, provided that the spouse is otherwise not eligible for the benefits hereunder;
- (b) the sale, transfer or subdivision of the property or any part thereof; or
- (c) if the property should for any reason lose its homestead status.

2. This Ordinance shall take effect and be in force after its passage, approval and publication.

Passed by the City Council of the City of White Bear Lake, Minnesota this 13th day of June, 1978.

  
Robert J. Hansen, Mayor

ATTEST:

  
Raymond R. Siebenaler, City Clerk

RESOLUTION ESTABLISHING GUIDELINES FOR SENIOR CITIZEN  
OR DISABLED RETIREE HARDSHIP DEFERRAL

APPENDIX B

WHEREAS, Minnesota Statutes 435.193 through 435.195 provides that deferment of a special assessment may be granted to a senior citizen or a person retired because of a permanent and total disability;

WHEREAS, the Statutes provide that this privilege of deferment shall be extended only to those for whom it would be a hardship to pay the special assessment;

WHEREAS, it is the responsibility of the City to specify the terms;

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

1. A hardship may be granted only on the homestead property of a person at least 65 years of age or a person retired because of a permanent and total disability.

2. A hardship shall be deemed to exist if at the time of application the sum of all annual installments levied against the homestead property exceeds one percent (1%) of the adjusted gross income of the property owner(s). Evidence of adjusted gross income will be as shown on the most recent Federal or State Income Tax return.

3. Interest shall accrue on the unpaid principal amount deferred from the date of the deferment until December 31st of the year when the deferment shall cease. The interest rate shall be as specified in the resolution originally adopting the assessment.

4. The deferment shall cease when any one of the following occurs:

(a) Death of the property owner provided the spouse is not eligible.

(b) The sale, transfer or subdivision of the property.

(c) If the property should for any reason lose its homestead status.

5. Nothing in this resolution shall be construed to prohibit the determination of hardship on the basis of exceptional and unusual circumstance not covered by the above guidelines.

6. This resolution shall supersede all earlier resolutions or ordinances.

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

Ayes: Auger, Rask, Chesebrough, Ditzrich, McCarty

Nays: None

Passed: October 13, 1981

  
Brad Stanis, Mayor

ATTEST:

  
Raymond R. Siebenaler, City Clerk


An owner may appeal an assessment to District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Clerk of the City within thirty (30) days after the adoption of the assessment and filing such notice with the District Court within ten (10) days after service upon the Mayor or Clerk; however, no appeal may be taken as to the amount of any individual assessment unless a written objection signed by the affected property owner is filed with the City Clerk prior to the assessment hearing or presented to the presiding officer at the hearing.

Pursuant to the authority granted by Minnesota Statutes, Section 435.193, any person 65 years of age or older owning and homesteading property, and which person meets the qualifications of hardship as defined herein, may apply for and receive deferred payment of special assessments so levied by making application therefor to the City of White Bear Lake, Minnesota in accordance with Minnesota Statutes 435.194. A hardship shall be deemed to exist when the average annual payment for all assessments levied against the subject property exceeds one percent of the adjusted gross income of the applicant as evidenced by the applicant's most recent Federal Income Tax return. Deferred assessments shall be subject to interest at the rate of 8.28 percent per annum of the remaining unpaid balance. The option to defer payment of special assessments shall terminate and all amounts accumulated, including accrued interest, shall become due upon the occurrence of any of the following events:

- (a) The death of the owner, provided that the spouse is otherwise not eligible for the benefits hereunder;
- (b) The sale, transfer or subdivision of the property or any part thereof;  
or,
- (c) If the property should for any reason lose its homestead status.

If you have any questions regarding the proposed assessment, please contact Diana Miller, Assessment Clerk at 429-8565 or Steve Duff, Engineering Technician at 429-8531.

Sincerely,

  
Sharon Legg  
Finance Director

SL/el  
Attachments

RESOLUTION NO.: 10261

RESOLUTION UPDATING THE CITY'S SPECIAL ASSESSMENT POLICY

WHEREAS, the City Council desires to use special assessments to fund a portion of certain infrastructure improvement projects as provided for in Minnesota State Statutes; Chapter 429; and

WHEREAS, the City has adopted a Special Assessment Policy which specifies how special assessments are levied against various parcels; and

WHEREAS, the City's Special Assessment Policy was last updated in 1983; and


WHEREAS, the Council desires to formally update the City's Assessment Policy to incorporate revisions which have been made to accommodate non-standard parcels.

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


- 1. The City's Assessment Policy is hereby updated as of January, 2008.

The foregoing resolution offered by Council Member BELISLE, and supported by Council Member JONES, was declared carried on the following vote:

Ayes: BELISLE, FRAZER, JOHNSON, JONES, TESSIER  
Nays: NONE  
Passed: JANUARY 22, 2008

  
Paul L. Auger, Mayor

ATTEST:

  
Cory L. Vadnais, City Clerk

**RESOLUTION NO.: 10836**

**RESOLUTION AMENDING THE CITY’S SPECIAL ASSESSMENT POLICY**

WHEREAS, the City Council desires to use special assessments to fund a portion of certain infrastructure improvement projects as provided for in Minnesota State Statutes; Chapter 429; and

WHEREAS, the City has adopted a Special Assessment Policy which specifies how special assessments are levied against various parcels; and

WHEREAS, the City’s Special Assessment Policy was last updated in 2008; and

WHEREAS, a residential street built to current engineering standards is expected to have a useful life of 25 years before a mill and overlay may be required; and

WHEREAS, the Council desires to maintain a uniform and fair assessment policy for property owners on Mill & Overlay projects and believes the best method for doing such is to adjust the assessment rates for streets which are milled and overlaid at different ages (length of time since total reconstruction); and

WHEREAS, the Council desires to formally amend the City’s Assessment Policy to incorporate revisions which have been made regarding assessing mill and overlay projects.

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

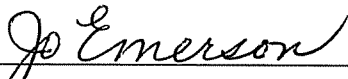
1. The City’s Assessment Policy is hereby updated as of April 26, 2011.
2. This resolution is incorporated into the Assessment Policy as Appendix “D”.
3. The Mill & Overlay assessment rate is proposed to be based on assessing 33% of the total improvement project cost at the 25 year mark to benefitting properties, with the assessment rate established by the City Council each year.
4. If in the opinion of the City Engineer a street requires milling and overlaying prior to 25 years since its construction to current engineering standards, the assessment rates shall be adjusted based on the following table:

**Mill & Overlay Assessment Adjustment Table**

<u>Pavement Life (Years)</u>	<u>% of Full Mill &amp; Overlay rate assessed</u>
0-9	0%
10	5%
11	11.4%
12	17.8%
13	24.2%
14	30.6%
15	37%
16	43.4%
17	49.8%
18	56.2%
19	62.6%
20	69%
21	75.4%
22	81.8%
23	88.2%
24	94.6%
25	100%

The foregoing resolution offered by Council Member Belisle and supported by Council Member Tessier, was declared carried on the following vote:

Ayes: BELISLE, BIEHN, EDBERG, JONES, TESSIER  
Nays: NONE  
Passed: APRIL 26, 2011

  
Jo Emerson, Mayor

ATTEST:

  
Ellen Richter, City Clerk

## **EXHIBITS**

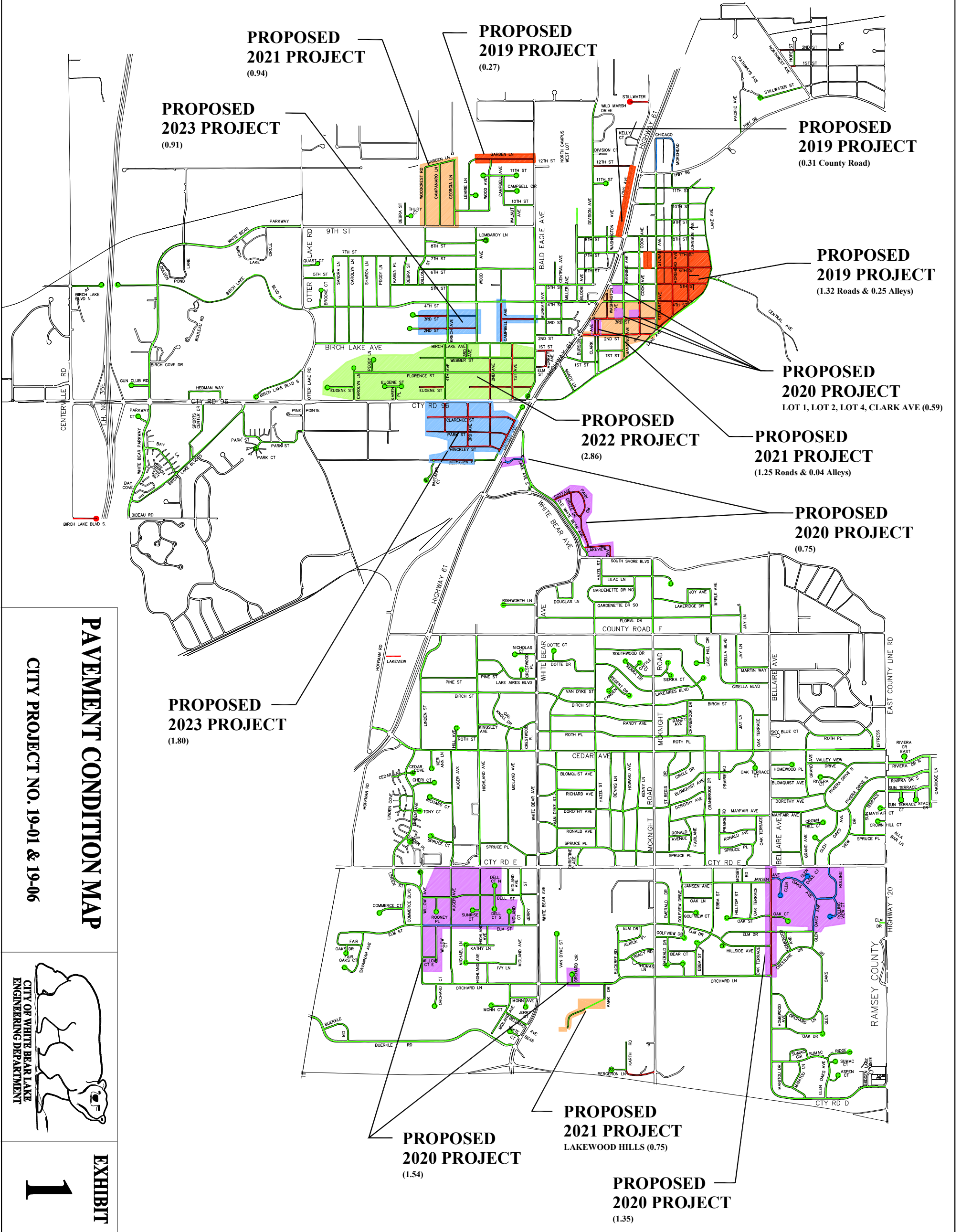
<b>EXHIBIT 1</b>	<b>2019 PAVEMENT CONDITION MAP</b>
<b>EXHIBIT 2</b>	<b>STREET RECONSTRUCTION MAP – CITY PROJECT 19-01</b>
<b>EXHIBIT 3</b>	<b>STREET RECONSTRUCTION MAP – CITY PROJECT 19-06</b>
<b>EXHIBIT 4</b>	<b>WATERSHED DISTRICT BOUNDARY MAP</b>
<b>EXHIBIT 5</b>	<b>MAP OF HISTORICAL WATERMAIN BREAKS – CITY PROJECT 19-01</b>
<b>EXHIBIT 6</b>	<b>MAP OF HISTORICAL WATERMAIN BREAKS – CITY PROJECT 19-06</b>
<b>EXHIBIT 7</b>	<b>SANITARY SEWER REPAIR MAP</b>
<b>EXHIBIT 8A</b>	<b>TYPICAL STREET CROSS SECTIONS CITY PROJECT 19-01</b>
<b>EXHIBIT 8B</b>	<b>TYPICAL STREET CROSS SECTIONS CITY PROJECT 19-01</b>
<b>EXHIBIT 8C</b>	<b>TYPICAL STREET CROSS SECTIONS CITY PROJECT 19-01</b>
<b>EXHIBIT 8D</b>	<b>TYPICAL STREET CROSS SECTIONS CITY PROJECT 19-01</b>

- |                   |  |
|-------------------|--|
| <b>EXHIBIT 9</b>  | <b>TYPICAL STREET CROSS SECTIONS<br/>CITY PROJECT 19-06</b>                            |
| <b>EXHIBIT 10</b> | <b>2030 COMPREHENSIVE PLAN MAP<br/>“PLAN FOR BICYCLES,<br/>PEDESTRIANS AND TRAILS“</b> |
| <b>EXHIBIT 11</b> | <b>PROPOSED MOREHEAD AVENUE<br/>SIDEWALK</b>   |
| <b>EXHIBIT 12</b> | <b>PROPOSED GARDEN LANE<br/>SIDEWALK</b>   |



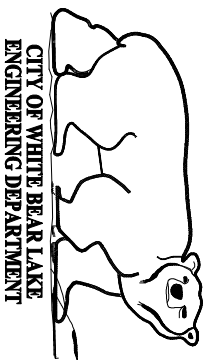
# CITY OF WHITE BEAR LAKE PROPOSED STREET RECONSTRUCTION PROGRAM 2019-2023

- PAVEMENT CONDITION**
- LEVEL 1** █  
(RECONSTRUCTED TO CURRENT ENGINEERING STANDARDS)
  - LEVEL 2** █  
(DEVELOPER-BUILT STREETS WITH CONCRETE CURB & GUTTER)
  - LEVEL 3** █  
(BITUMINOUS STREETS)



## PAVEMENT CONDITION MAP

CITY PROJECT NO. 19-01 & 19-06



1

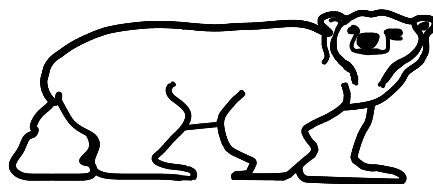
EXHIBIT

# CITY PROJECT 19-01



## STREET RECONSTRUCTION PROJECT MAP

CITY PROJECT NO. 19-01



CITY OF WHITE BEAR LAKE  
ENGINEERING DEPARTMENT

EXHIBIT

2

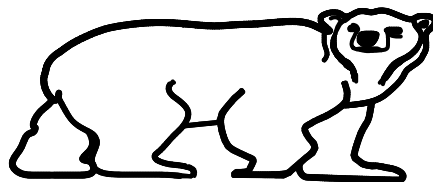
# CITY PROJECT 19-06

City Limits



## STREET RECONSTRUCTION PROJECT MAP

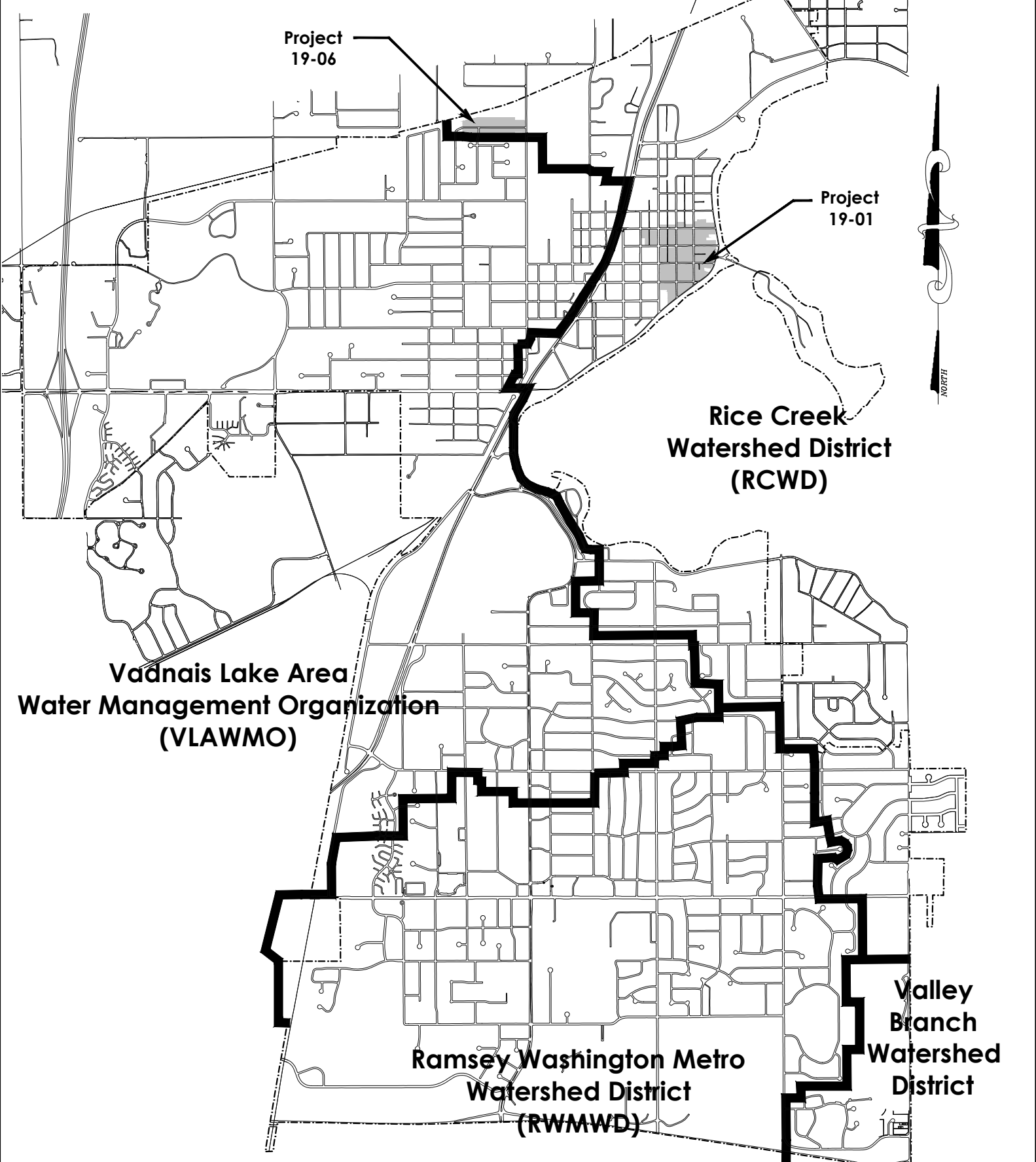
CITY PROJECT NO. 19-06



CITY OF WHITE BEAR LAKE  
ENGINEERING DEPARTMENT

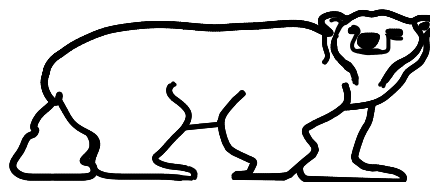
EXHIBIT

3



**WATERSHED DISTRICT  
BOUNDARY MAP**

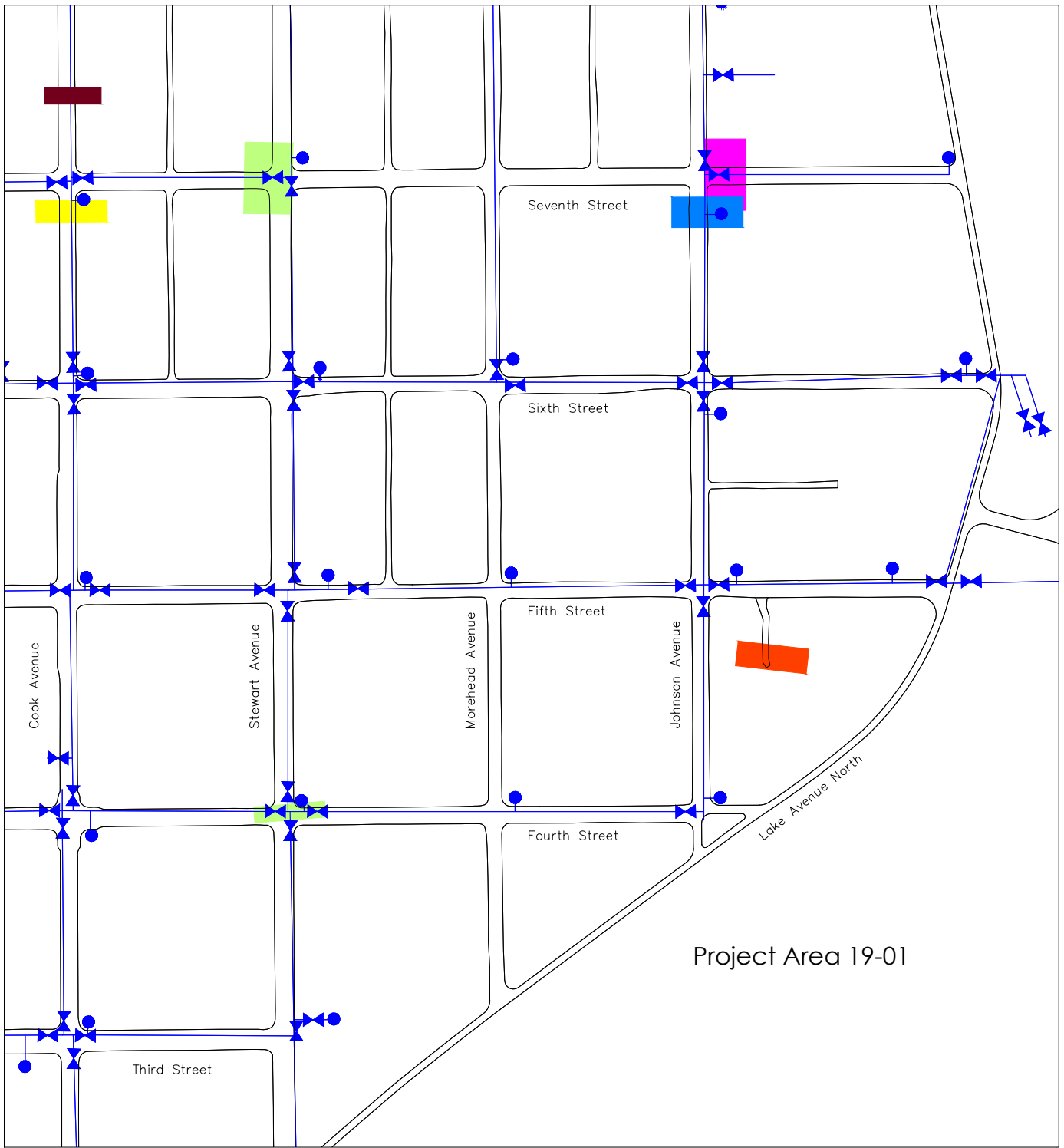
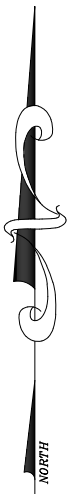
CITY PROJECT NO. 19-01/19-06



CITY OF WHITE BEAR LAKE  
ENGINEERING DEPARTMENT

EXHIBIT

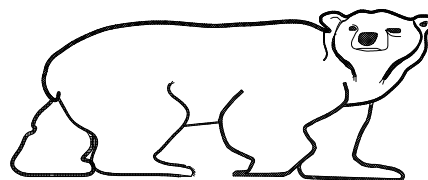
4



1991-2003 BREAKS		2007 BREAKS		2011 BREAKS		2015 BREAKS	
2004 BREAKS		2008 BREAKS		2012 BREAKS		2016 BREAKS	
2005 BREAKS		2009 BREAKS		2013 BREAKS		2017 BREAKS	
2006 BREAKS		2010 BREAKS		2014 BREAKS		2018 BREAKS	

# HISTORICAL WATERMAIN BREAKS PROJECT MAP

CITY PROJECT NO. 19-01

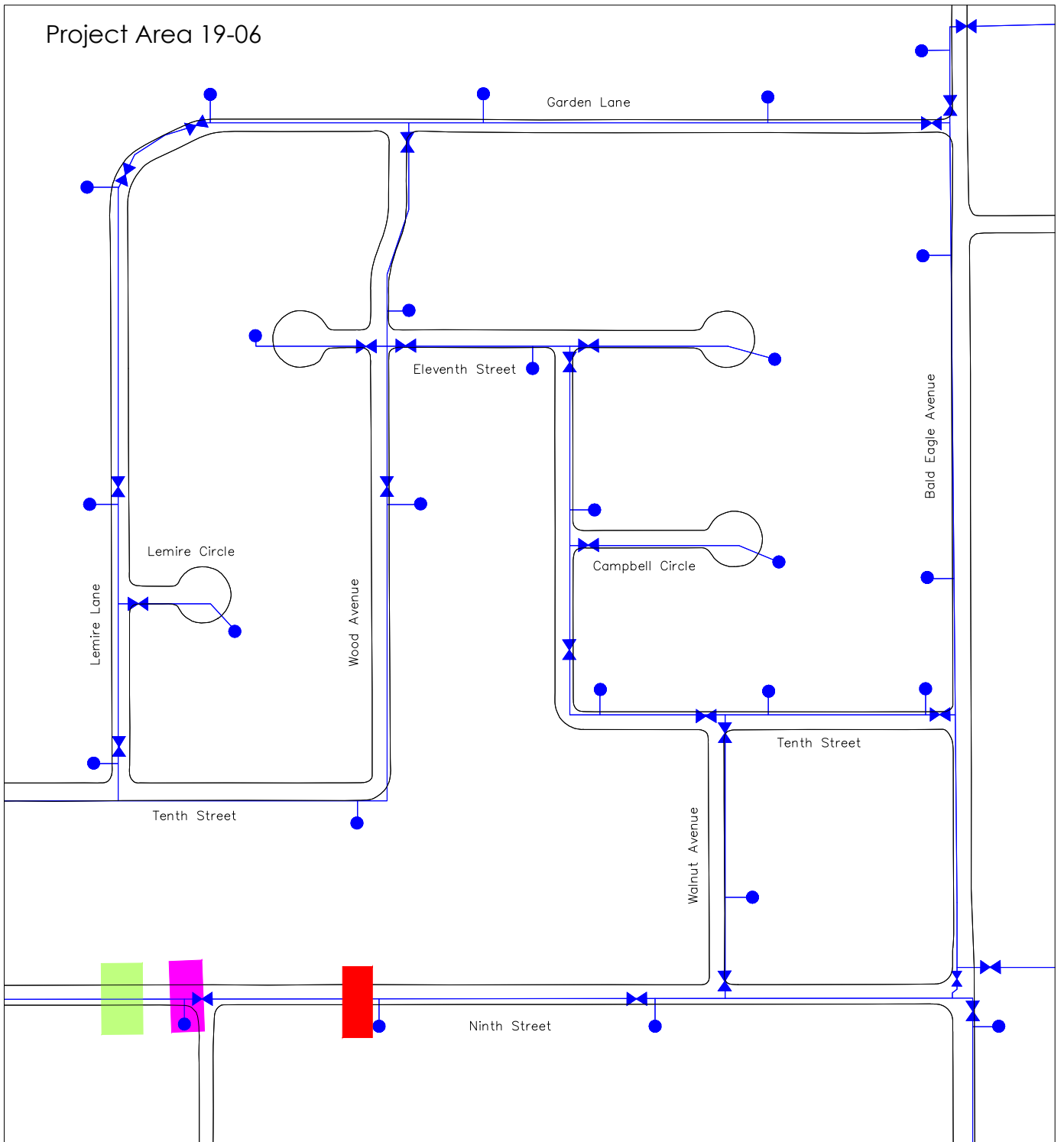


CITY OF WHITE BEAR LAKE  
ENGINEERING DEPARTMENT

EXHIBIT

5

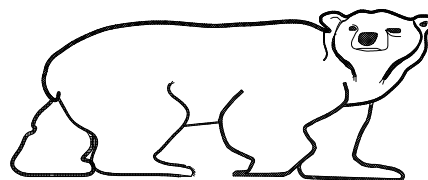
Project Area 19-06



1991-2003 BREAKS		2007 BREAKS		2011 BREAKS		2015 BREAKS	
2004 BREAKS		2008 BREAKS		2012 BREAKS		2016 BREAKS	
2005 BREAKS		2009 BREAKS		2013 BREAKS		2017 BREAKS	
2006 BREAKS		2010 BREAKS		2014 BREAKS		2018 BREAKS	

# HISTORICAL WATERMAIN BREAKS PROJECT MAP

CITY PROJECT NO. 19-06

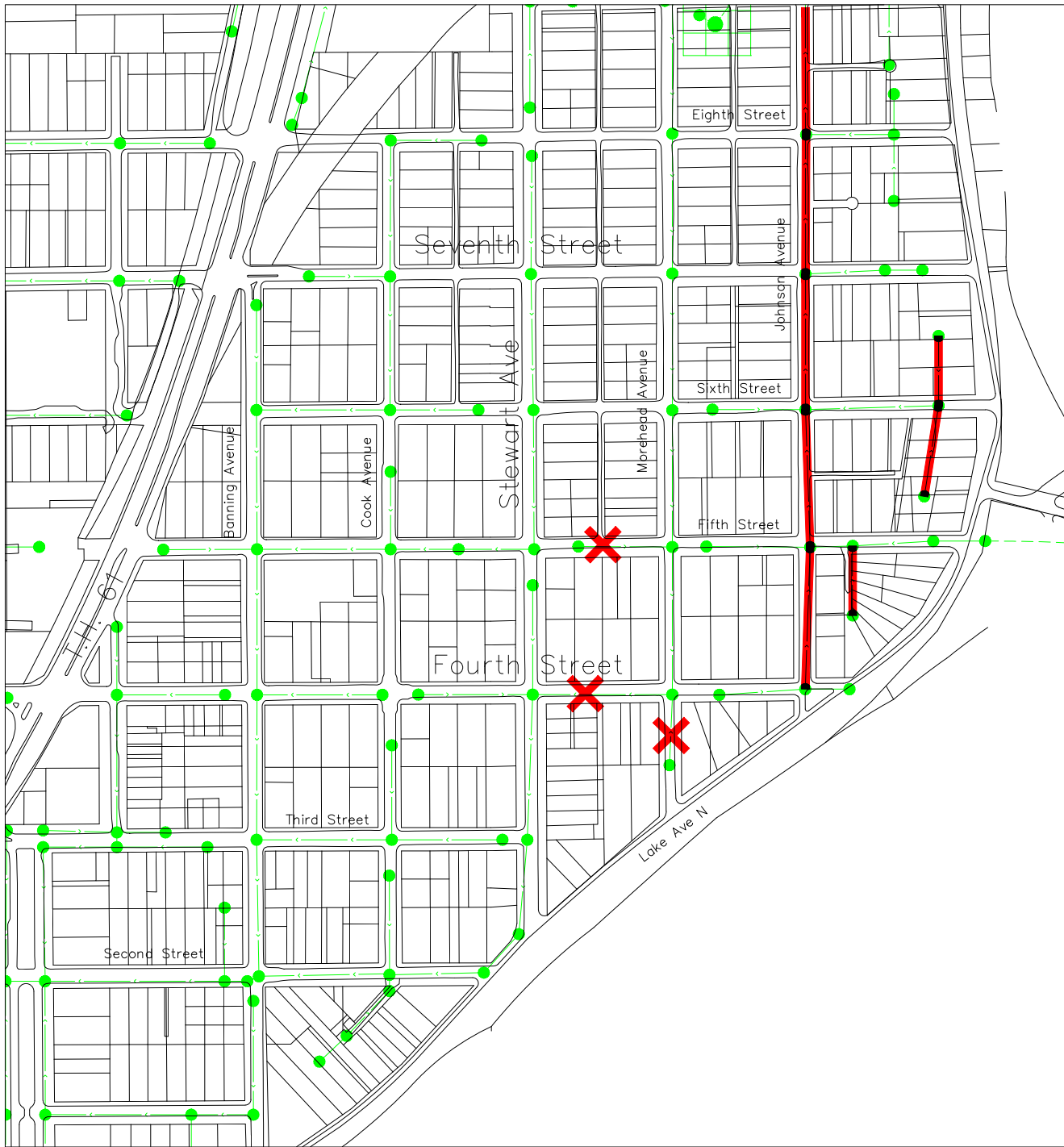



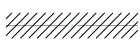


CITY OF WHITE BEAR LAKE  
ENGINEERING DEPARTMENT

EXHIBIT

6

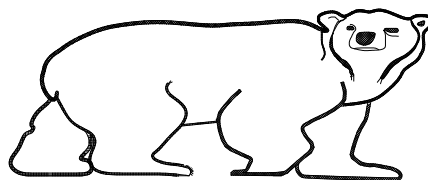
Project Area 19-01



CITY SANITARY SEWER   
MCES SANITARY SEWER   
PROPOSED STRUCTURE REPAIR   
PREVIOUSLY LINED 

# SANITARY SEWER REPAIR PROJECT MAP

CITY PROJECT NO. 19-01



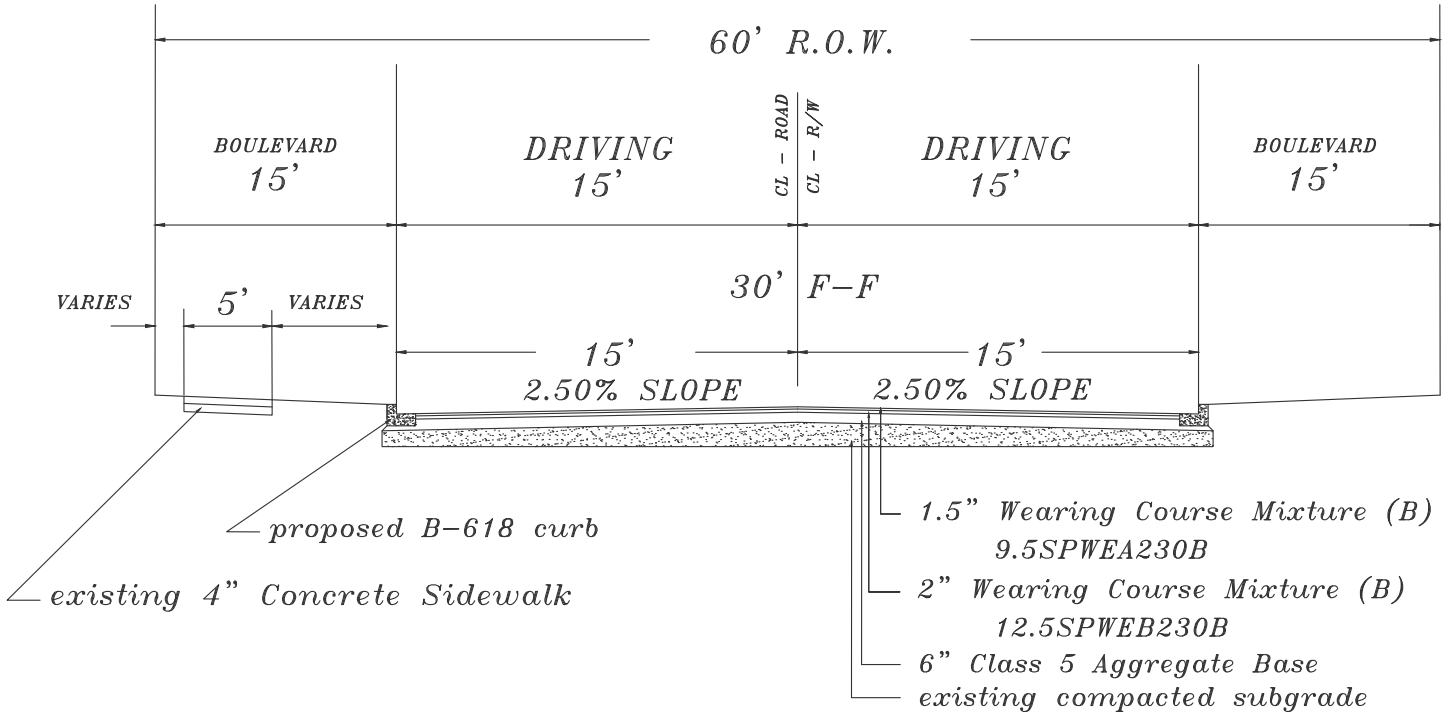
CITY OF WHITE BEAR LAKE  
ENGINEERING DEPARTMENT

EXHIBIT

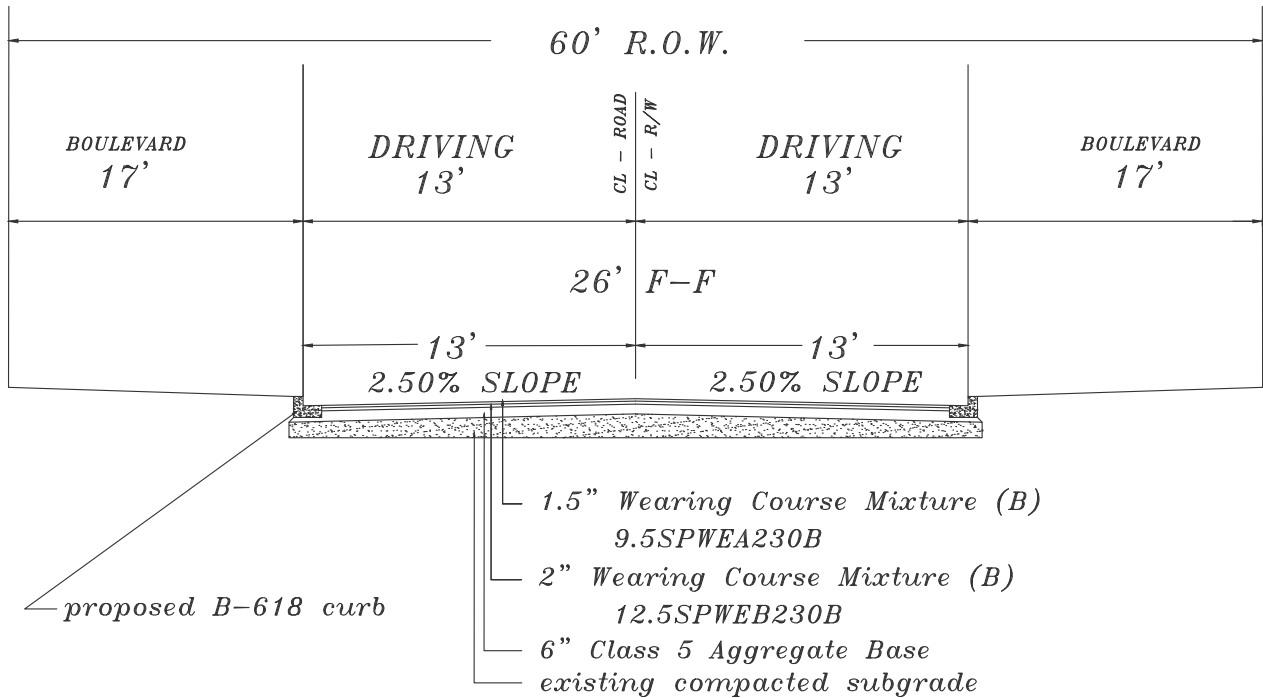
7



**JOHNSON AVENUE**  
**4TH STREET TO 7TH STREET**  
**30' FACE TO FACE**

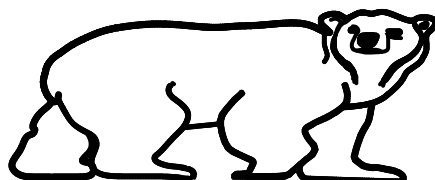


**MOREHEAD AVENUE**  
**LAKE AVENUE TO FOURTH STREET**  
**26' FACE TO FACE**



**TYPICAL STREET  
 CROSS SECTIONS**

CITY PROJECT NO. 19-01



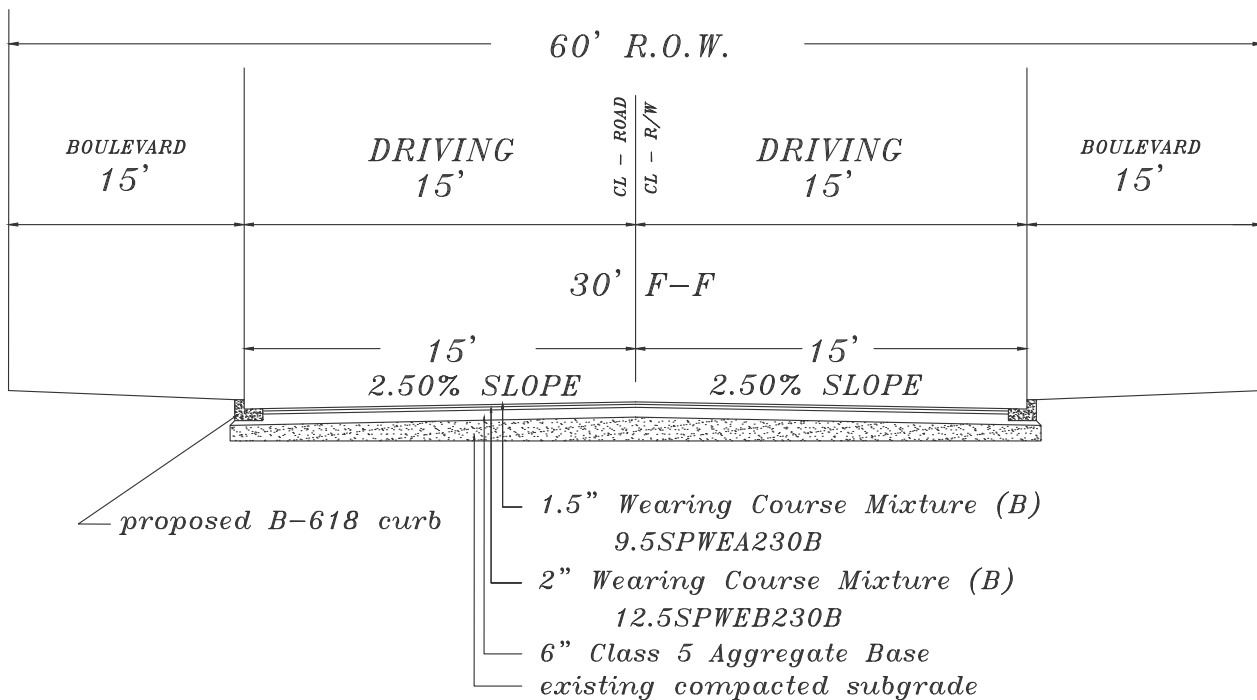
CITY OF WHITE BEAR LAKE  
 ENGINEERING DEPARTMENT

EXHIBIT

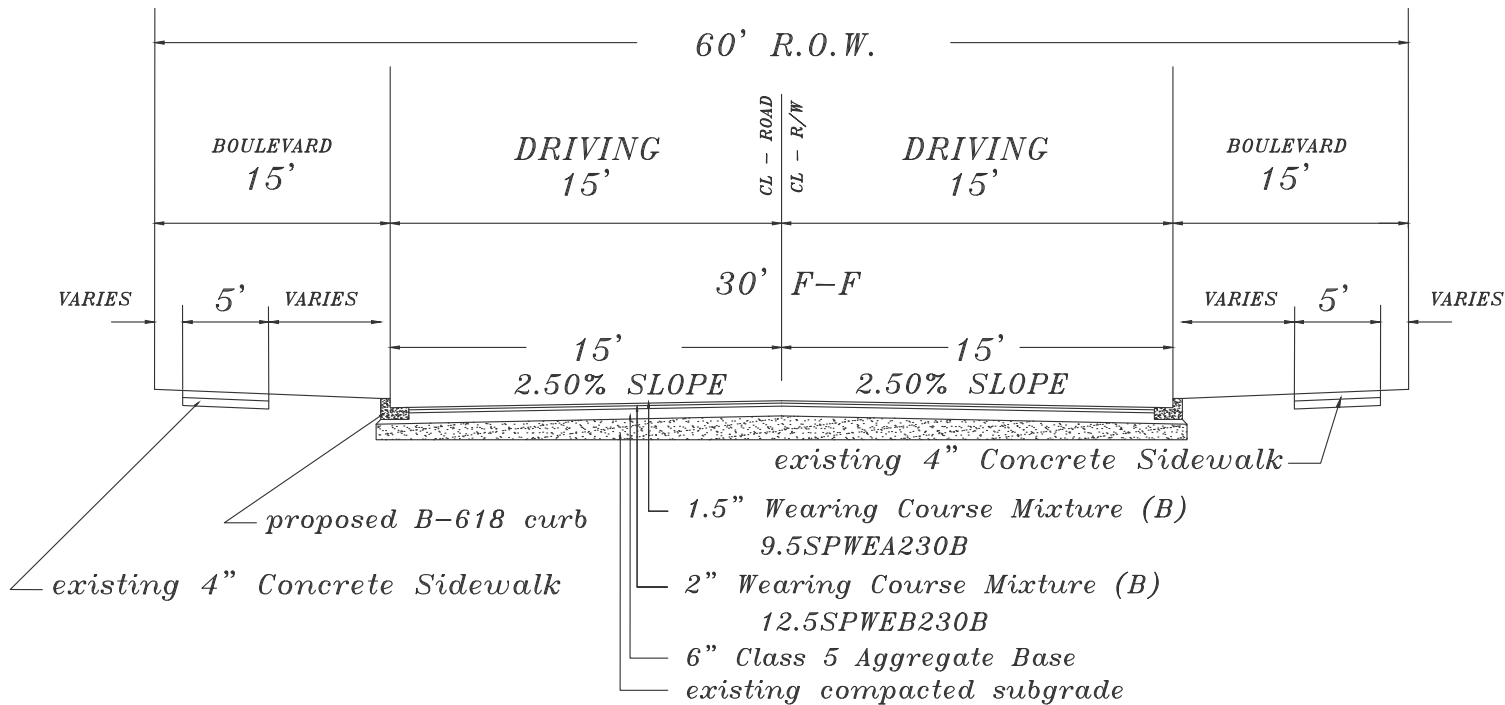
**8A**



**MOREHEAD AVENUE**  
**FOURTH STREET TO SEVENTH STREET**  
**30' FACE TO FACE**



**FOURTH STREET**  
**STEWART AVENUE TO JOHNSON AVENUE**  
**30' FACE TO FACE**



**TYPICAL STREET  
 CROSS SECTIONS**

CITY PROJECT NO. 19-01



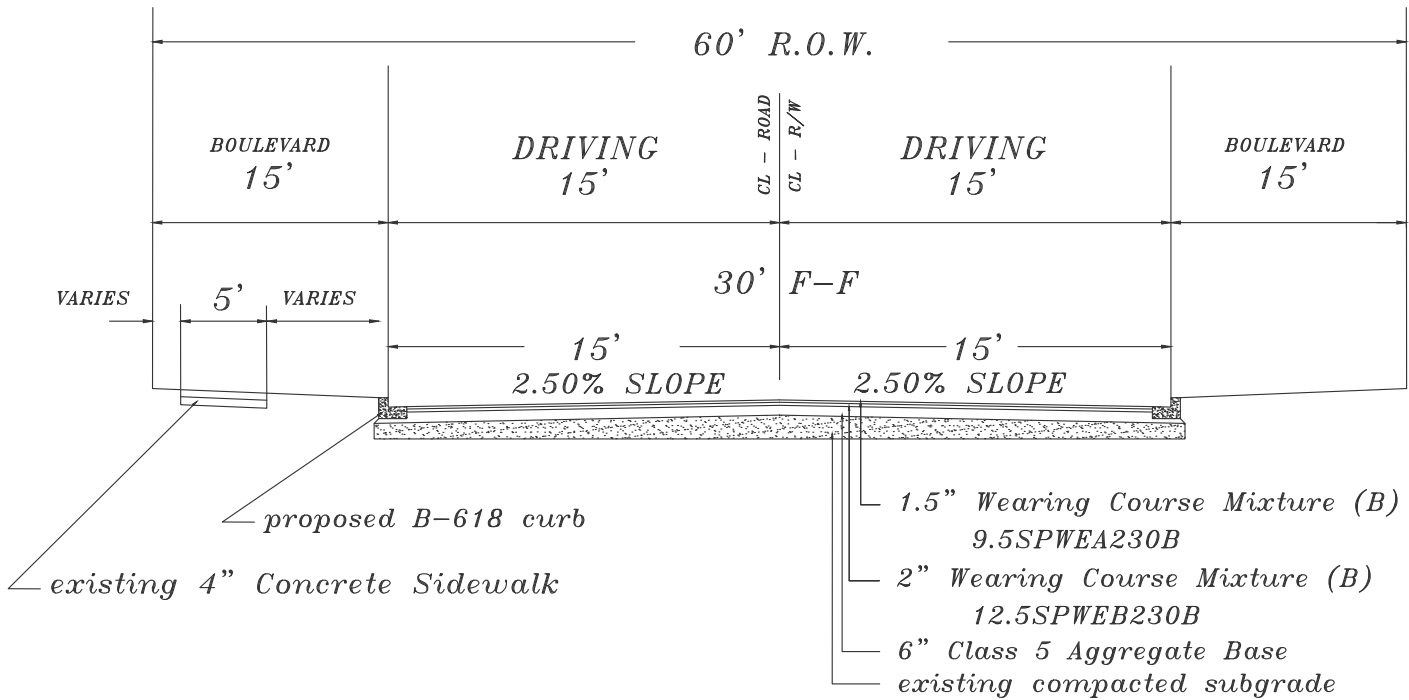
CITY OF WHITE BEAR LAKE  
 ENGINEERING DEPARTMENT

**EXHIBIT**

**8B**

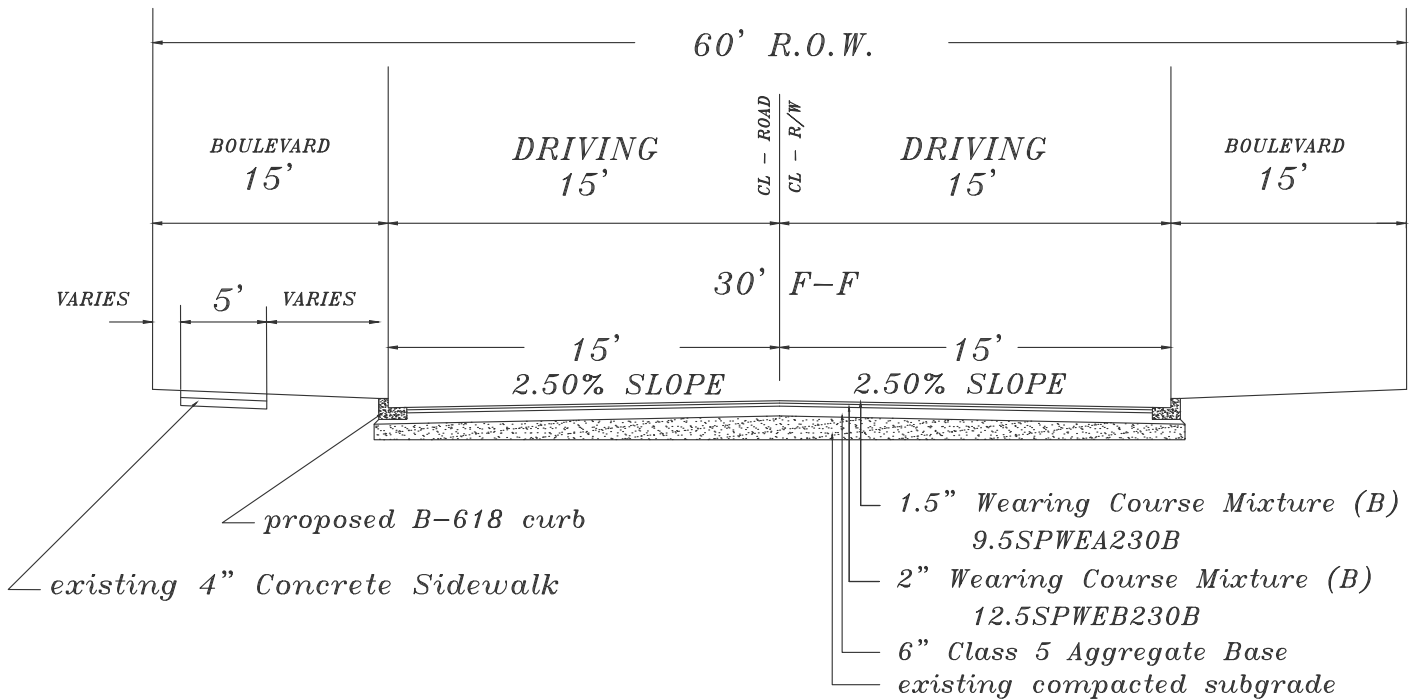
# FIFTH STREET

STEWART AVENUE TO LAKE AVENUE  
30' FACE TO FACE



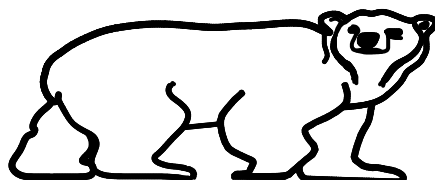
# SIXTH STREET

STEWART AVENUE TO LAKE AVENUE  
30' FACE TO FACE



TYPICAL STREET  
CROSS SECTIONS

CITY PROJECT NO. 19-01

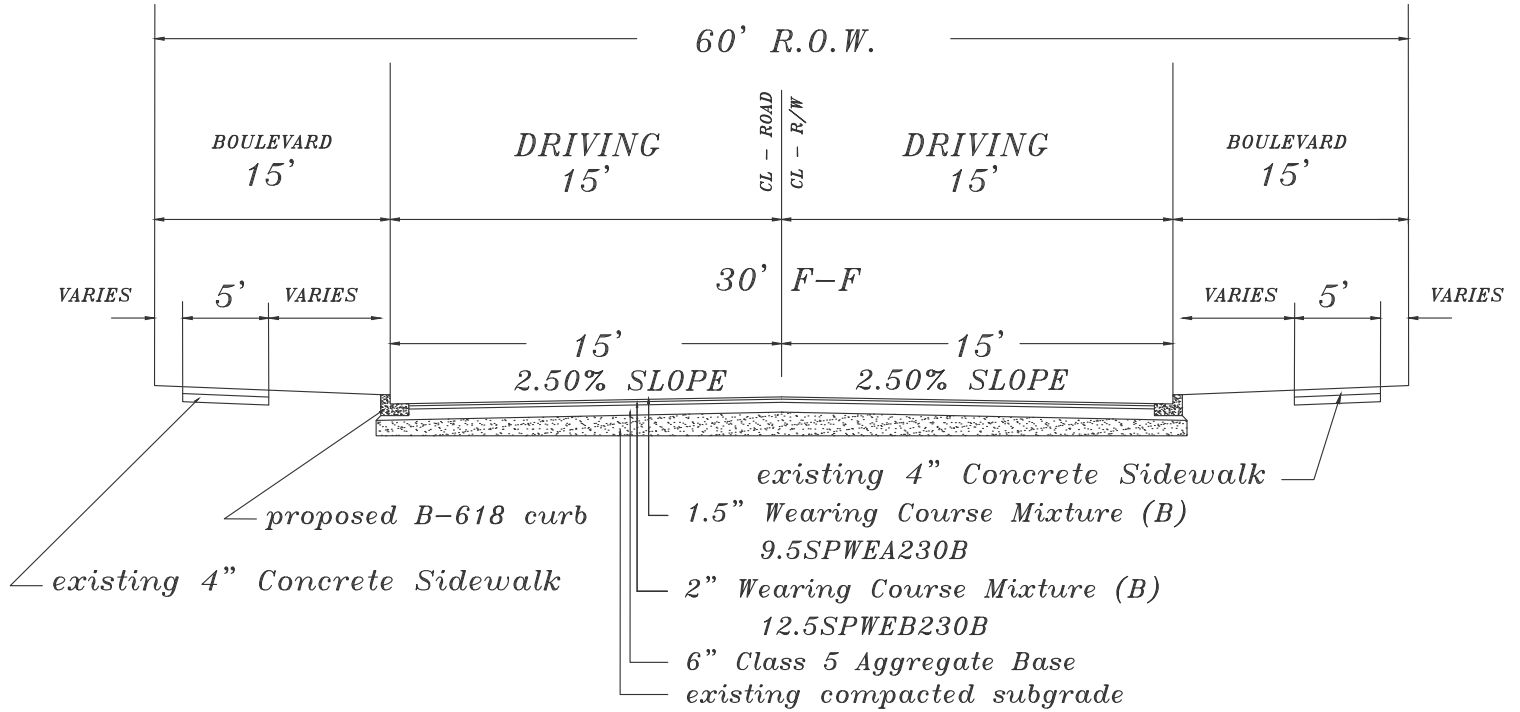


CITY OF WHITE BEAR LAKE  
ENGINEERING DEPARTMENT

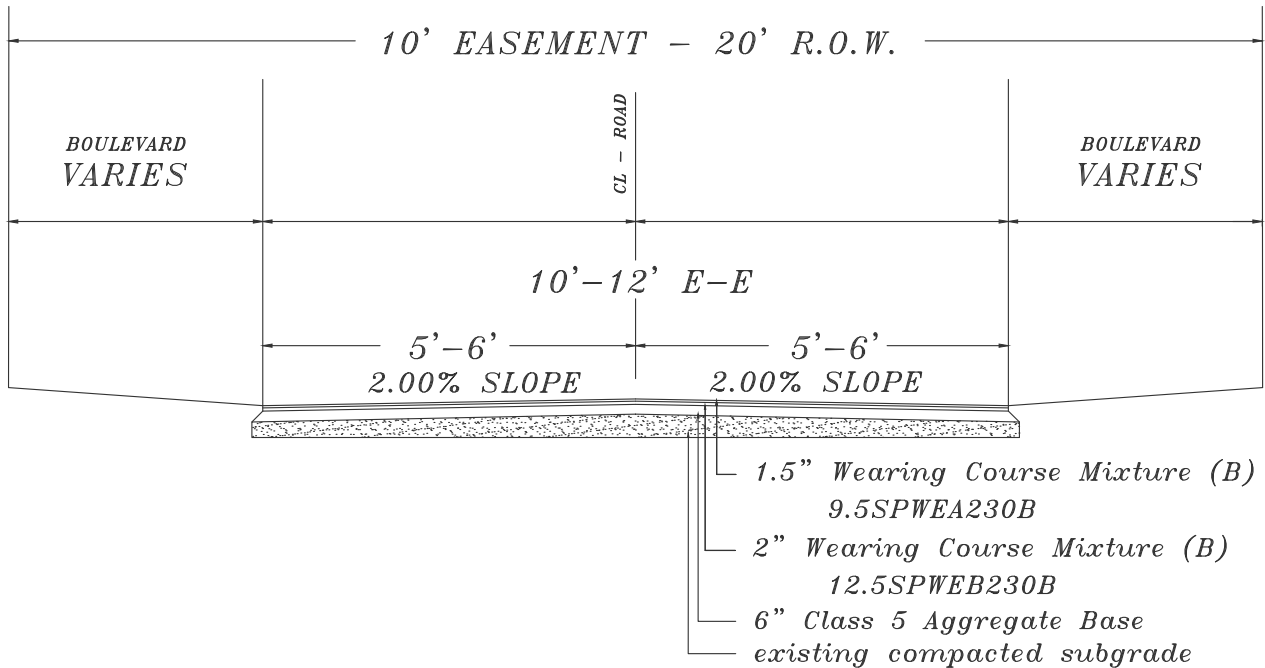
EXHIBIT

8C

**SEVENTH STREET**  
**STEWART AVENUE TO LAKE AVENUE**  
**30' FACE TO FACE**



**VARIOUS ALLEYS**  
**LAKE AVENUE TO SEVENTH STREET**  
**COOK AVENUE TO LAKE AVENUE**  
**12' EDGE TO EDGE**



**TYPICAL STREET  
 CROSS SECTIONS**

CITY PROJECT NO. 19-01



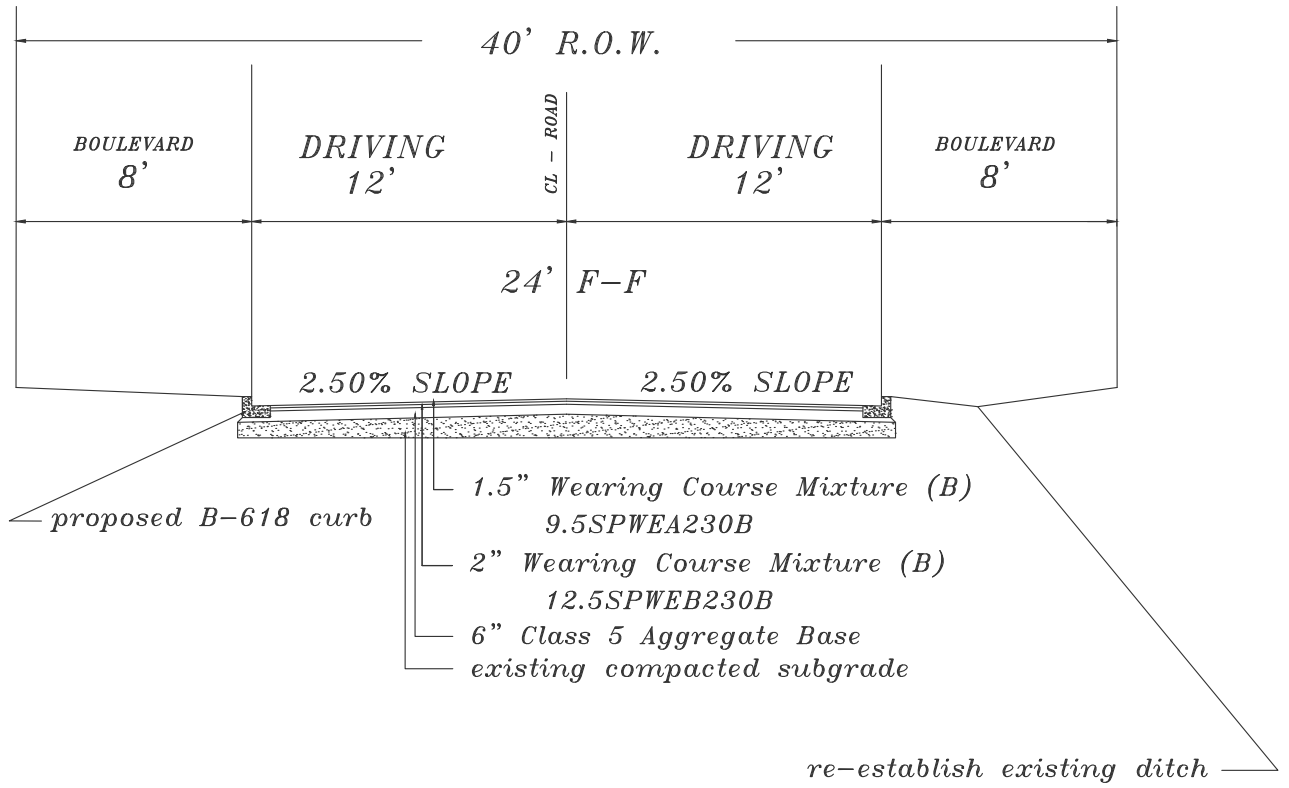
CITY OF WHITE BEAR LAKE  
 ENGINEERING DEPARTMENT

**EXHIBIT**

**8D**

# GARDEN LANE

LEMIRE LANE - BALD EAGLE AVENUE  
24' FACE TO FACE



TYPICAL STREET  
CROSS SECTIONS

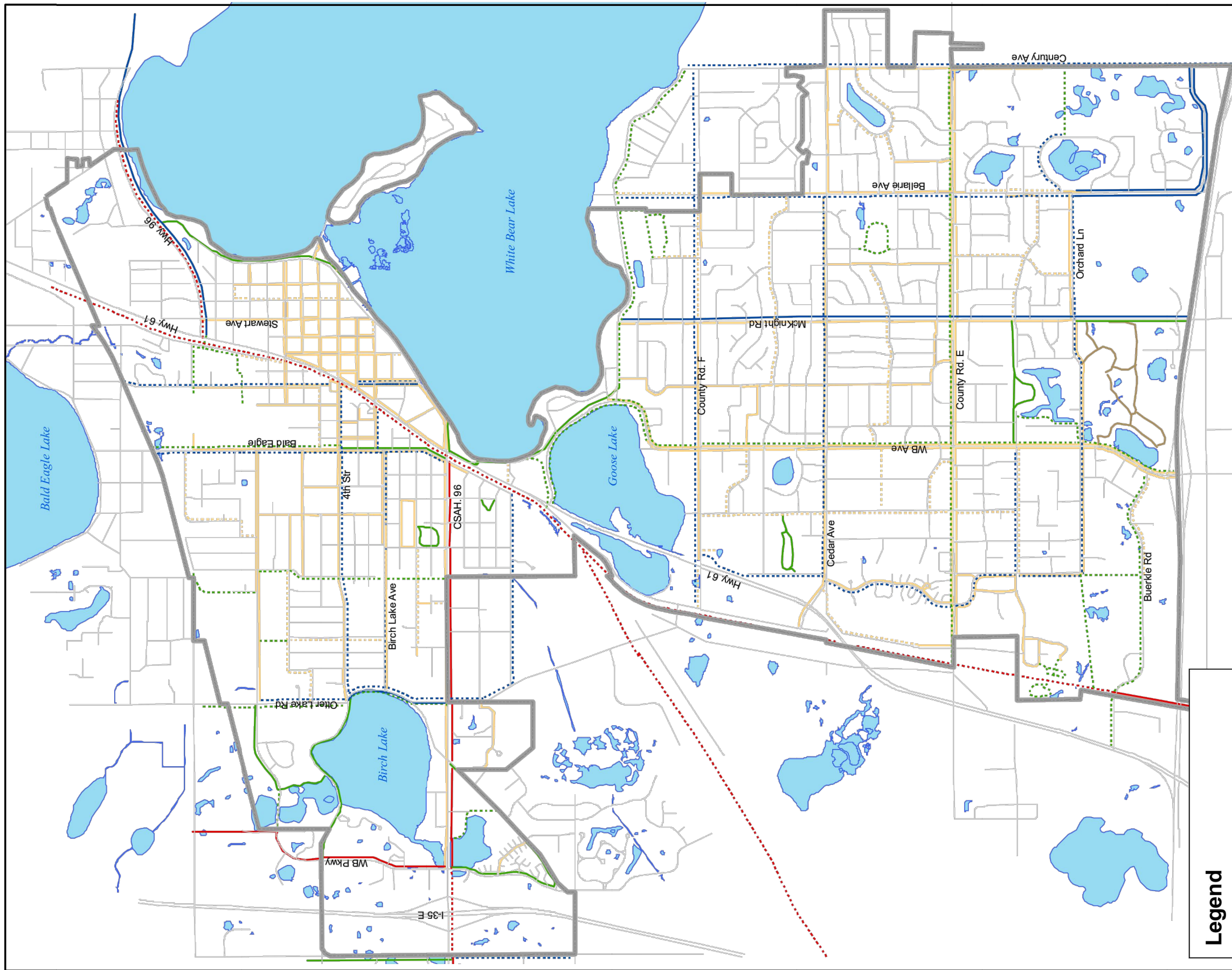
CITY PROJECT NO. 19-06



CITY OF WHITE BEAR LAKE  
ENGINEERING DEPARTMENT

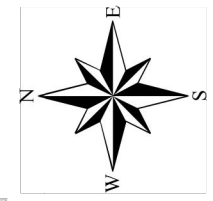
EXHIBIT

9



**CITY OF WHITE BEAR LAKE  
NON-MOTORIZED  
TRANSPORTATION PLAN**

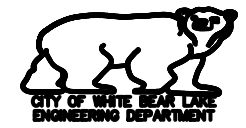
Updated June 9, 2015  
Community Development Dept.  
For More Info, Call 651-429-8561



This plan is part of the City's long-range vision. All proposed routes are conceptual and may or may not be built depending upon a variety of factors.

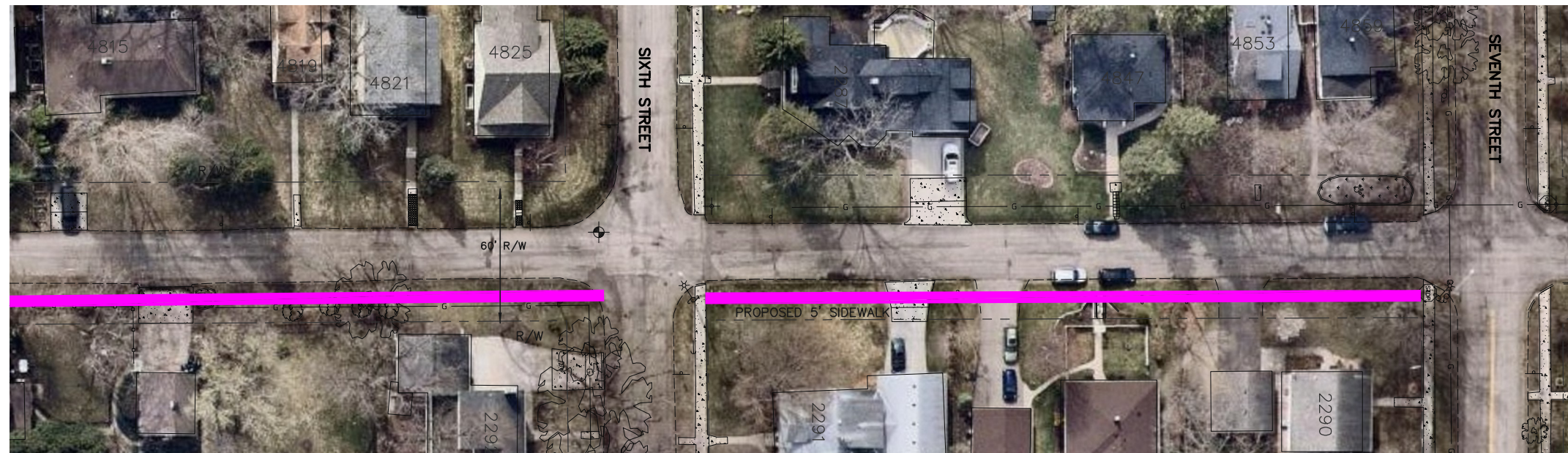
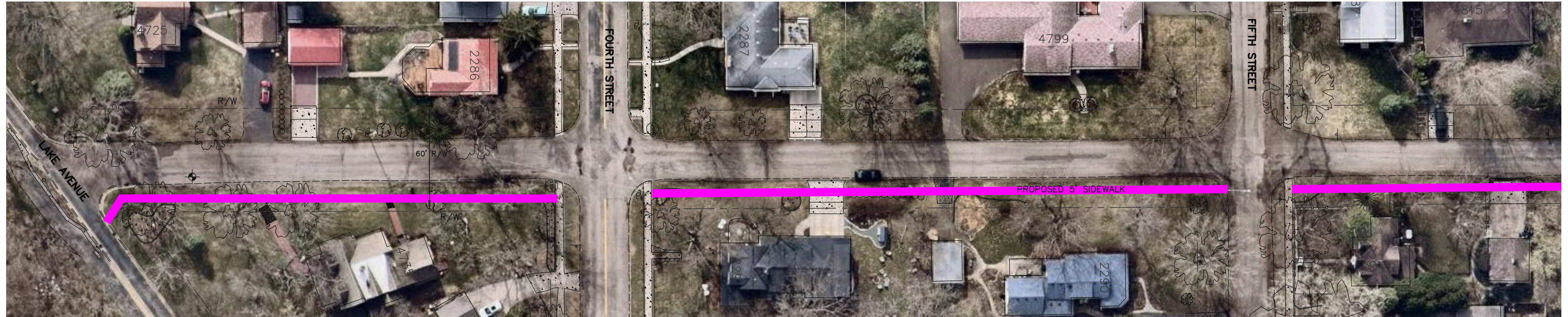
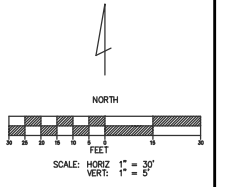
**Legend**

- Existing Regional Trail (Met-Council Approved)
- - - Proposed Regional Trail
- Existing Mixed-Use Trail
- - - Proposed Mixed-Use Trail
- Existing On-Road Bike Lane
- - - Proposed On-Road Bike Lane
- Existing Sidewalk
- - - Proposed Sidewalk
- Woodchip or Gravel





# MOREHEAD AVENUE



**MOREHEAD AVENUE**  
LAKE AVENUE NORTH TO 7TH STREET  
26' - 30' FACE TO FACE

60' R.O.W.			
BOULEVARD varies	DRIVING 13' - 15'	ROAD CL - 5'	DRIVING 13' - 15'
26' - 30' F-F		5' SIDEWALK	
2.50% SLOPE		2.50% SLOPE	

CITY OF WHITE BEAR LAKE  
ENGINEERING DEPARTMENT  
4701 HIGHWAY 61  
WHITE BEAR LAKE  
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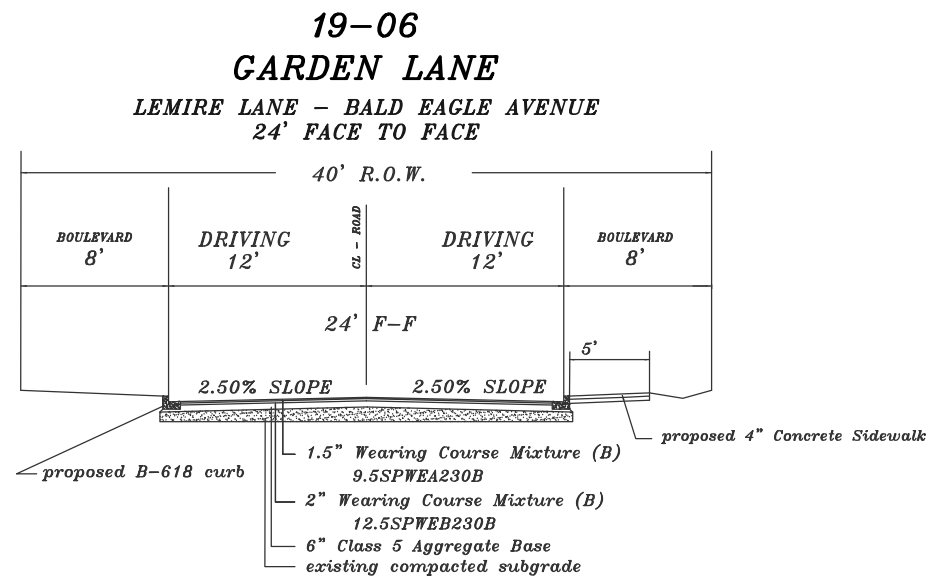
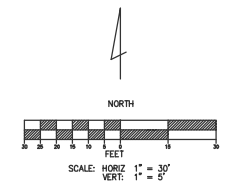
## PROPOSED SIDEWALK MOREHEAD AVENUE

PROJECT MAP  
CITY PROJECT NO. 19-01



## EXHIBIT 11

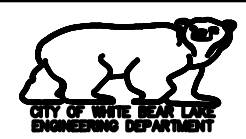




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## PROPOSED SIDEWALK GARDEN LANE

PROJECT MAP  
CITY PROJECT NO. 19-06



# EXHIBIT 12