



**AGENDA**  
**REGULAR MEETING OF THE CITY COUNCIL OF**  
**THE CITY OF WHITE BEAR LAKE, MINNESOTA**  
**TUESDAY, NOVEMBER 10, 2020**  
**7:00 P.M. VIA ZOOM OR TELEPHONE**

**1. CALL TO ORDER AND ROLL CALL**

**2. APPROVAL OF MINUTES**

A. Minutes of the Regular City Council Meeting on October 27, 2020

**3. APPROVAL OF THE AGENDA**

**4. VISITORS AND PRESENTATIONS**

**5. PUBLIC HEARINGS**

Nothing scheduled

**6. LAND USE**

A. Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Independent School District #624 for a Conditional Use Permit Amendment at Matoska Elementary at 2530 Spruce Place. (Case No. 12-5-Sa)
2. Consideration of a Planning Commission recommendation for approval of a request by Independent School District #624 for a Conditional Use Permit at Lincoln Elementary at 1961 6<sup>th</sup> Street. (Case No. 20-9-CUP)
3. Consideration of a Planning Commission recommendation for approval of a request by Tousley Ford for a Conditional Use Permit at 1755 Buerkle Road. (20-8-CUP)
4. Consideration of a Planning Commission recommendation for approval of a request by Grant Raykowski for a variance at 2503 Manitou Island. (Case No. 20-18-V)

B. Non-Consent

1. Consideration of a Planning Commission recommendation for approval of one variance request and denial of one variance request by Steve Bucher for two variances at 4820 Stewart Avenue. (Case No. 20-17-V)
2. Consideration of a Planning Commission recommendation for approval of a request by Melissa and Brent Peacock for a variance at 2532 Manitou Island, postponed to Nov. 24, 2020 (Case No. 20-16-V)

## **7. UNFINISHED BUSINESS**

- A. Resolution reallocating remaining Non-profit relief grant funds and extension of Emergency Assistance grant funds.

## **8. ORDINANCES**

- A. Second reading of a City-Initiated text amendment to Zoning Code at Section 1303.120, Subd.3 “Permitted Accessory Uses” to clarify that the intent of line (a) is permitting accessory buildings, not a specific use within the building. (Case No. 20-1-Z)
- B. Second reading of adoption of the Minnesota State Fire Code by reference

## **9. NEW BUSINESS**

- A. Resolution approving 2021 MNPEA Patrol Officers Union Contract
- B. Resolution approving 2021 LELS Sergeants Union Contract
- C. Resolution accepting the City’s DRAFT Surface Water Management Plan and authorizing distribution to water management organizations and counties for technical review
- D. Resolution authorizing Livable Communities Act re-enrollment for 2021-2030

## **10. CONSENT**

- A. Acceptance of Minutes; September Environmental Advisory Commission; September White Bear Lake Conservation District; October Planning Commission
- B. Resolution authorizing execution of a contract with Sandstrom Land Management LLC for construction of rain gardens on the properties of landowners
- C. Resolution authorizing a transfer of liquor licenses for Lunds Inc. to Lunds Food Holdings, Inc.
- D. Resolution authorizing Score Grant funding allocation and application

## **11. DISCUSSION**

Nothing scheduled

## **12. COMMUNICATIONS FROM THE CITY MANAGER**

## **13. ADJOURNMENT**



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, OCTOBER 27, 2020  
7:00 P.M. VIA ZOOM OR TELEPHONE**

**1. CALL TO ORDER AND ROLL CALL**

Mayor Jo Emerson called the meeting to order at 7:00 p.m. under MN Statute Section 13D.021, in which the City Council will be conducting its meetings during this emergency by electronic means until further notice. The clerk took roll call attendance for Councilmembers: Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh. Staff in attendance were City Manager Ellen Hiniker, Assistant City Manager Rick Juba, Community Development Director Anne Kane, Economic Development Coordinator Tracy Shimek, Public Works Director/City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

**2. APPROVAL OF MINUTES**

A. Minutes of the Regular City Council Meeting on October 13, 2020

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to approve the Minutes of the Regular City Council Meeting on October 13, 2020.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

**3. APPROVAL OF THE AGENDA**

City Manager Hiniker noted item 10E, which was included in the Council packet, was not on the agenda and should be considered as part of the Consent Agenda.

Councilmember Jones asked to add the Traffic Policy Committee under Discussion.

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

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

#### 4. VISITORS AND PRESENTATIONS

Nothing scheduled

#### 5. PUBLIC HEARINGS

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

Finance Director Kindsvater reported, the City bills property owners or renters for water, sewer and refuse utilities on a quarterly basis, and payments are due within 35 days. She explained that each year, accounts with outstanding charges beyond 30 days as of June 30 receive delinquency notices informing them of the possible assessment and payment option in order to avoid certification to the appropriate County Auditor.

Ms. Kindsvater described that Council's March 24, 2020 decision to suspend late payment penalties was the reason for a lower number of potential assessments this year. She noted that payments on accounts will be accepted through Friday, November 20 and forwarded a resolution authorizing the City to forward delinquent accounts still not paid by that date to the appropriate County for assessment on 2021 property tax statements.

In response to Councilmember Edberg, Ms. Kindsvater confirmed approximately 15% of residents had unpaid utilities as of September. She also noted that the utility billing clerk, refers callers to available help through the Cares program. Ms. Hiniker mentioned there were utility bill inserts provided about Cares funding but agreed it would be timely to relay those programs to customers again.

Mayor Emerson opened the public hearing at 7:09 p.m. There being no public comment, the Mayor closed the public hearing.

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to approve **Resolution No. 12647**, certifying delinquent charges related to the municipal utility system assessment.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

##### B. Resolution certifying delinquent 2020 miscellaneous private property assessment for recovery of city expenses

Finance Director Kindsvater explained that when property owners do not take care of issues such as tree removal and lawn care, after a series of notifications the City pays for the service and then

invoices homeowners. She said, though most invoices are promptly paid, this year seven (7) property owners still have outstanding invoices. Ms. Kindsvater forwarded a resolution to assess those unpaid invoices as of November 20 to the 2021 property taxes.

Mayor Emerson opened the public hearing 7:11 p.m. There being no public comment, the Mayor closed the public hearing.

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to approve **Resolution No. 12648**, certifying delinquent 2020 miscellaneous private property assessment for recovery of city expenses.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

## 6. LAND USE

### A. Consent

1. Consideration of a resolution granting a one year time extension for a setback variance at 2687 County Road D (19-9-Ve). **Resolution No. 12649**

It was moved by Councilmember **Jones** seconded by Councilmember **Walsh**, to approve the Land Use Consent Agenda.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

### B. Non-Consent

Nothing scheduled

## 7. UNFINISHED BUSINESS

Nothing scheduled

## 8. ORDINANCES

Nothing scheduled

**9. NEW BUSINESS**

A. Resolutions related to the City’s CARES programs:

City Manager Hiniker provided a brief review of Cares Act Funding, noting many community partnerships as a result of the City’s Cares programs. She explained that the United States Department of the Treasury provided, as an administrative accommodation, that public safety employees meet the substantially dedicated test, therefore qualifying for reimbursement from Cares Act Funding. In consultation with the City’s auditors and attorney, staff identified a means to assign the remaining \$1,489,375 that had not yet been reported to the State, as qualified Public Safety payroll expenses. Staff would then recommend that an amount equal to that be transferred from the General Fund to the Economic Development Fund for cleaner accounting of COVID related expenditures, as suggested by the auditors. The ability to report public safety payroll expenditures for CRF expenses streamlines accounting and reduces future single audit expenses. Ms. Hiniker further recommended that \$106,000 of the funds be transferred to the Ambulance Fund to cover a drop in calls during the stay at home order.

Tracy Shimek, Housing and Economic Development Coordinator, reviewed the status of community based relief programs previously approved by Council in August, along with recommendations for changes and/or additions.

<b>Program</b>	<b>Allocation as of 10/14/2020</b>	<b>Change</b>	<b>Proposed Allocation</b>
Emergency Assistance Program	\$250,000	0	\$250,000
Business Relief Grant	\$341,000	(\$15,000)	\$326,000
Mental Health Assistance (NYFS)	\$30,000	0	\$30,000
Non-Profit Relief Grant	\$100,000	(\$50,000)	\$50,000
House of Worship PPE	\$25,000	(\$8,000)	\$17,000
Restaurant Meal Delivery (Newtrax)	\$20,000	\$20,000	\$40,000
White Bear Area Food Shelf	0	\$10,000	\$10,000
White Bear Lake YMCA	0	\$10,000	\$10,000
Early Childhood Screening	0	\$5,000	\$5,000
<b>Totals</b>	<b>\$766,000</b>	<b>(\$28,000)</b>	<b>\$738,000</b>

Councilmember Walsh expressed interest in pausing before assigning further dollars to programming in light of the City’s ability to allocate CRF funding to public safety payroll expenses, and hence, further support the General Fund. After considerable discussion, Council agreed to revisit discussion related to new program expenditures, but concurred with staff’s recommendation to assign \$106,000 to the ambulance fund.

It was moved by Councilmember **Walsh** seconded by Councilmember **Biehn**, to approve **Resolution No. 12650**, authorizing assignment of \$1,489,375 in qualified Public Safety payroll expenses to the Coronavirus Refund Fund.

- Biehn Aye
- Edberg Aye
- Engstran Aye
- Jones Aye
- Walsh Aye

Motion carried unanimously.

It was moved by Councilmember **Edberg** seconded by Councilmember **Biehn**, to approve an amended **Resolution No. 12651**, striking all additional allocations, but authorizing a transfer of \$1,489,375 from the General Fund to the Economic Development Fund to be used for COVID-19 related expenditures and relief programs.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

Councilmember **Edberg** made a motion to allocate \$106,000 to the Ambulance Fund, seconded by Councilmember **Jones**.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

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

Finance Director Kindsvater reported:

The majority of the City's workforce is not represented by a collective bargaining agreement. These non-union members are classified as clerical/technical or management/exempt. Each year the City Council establishes compensation parameters for these employees through the Position Classification and Compensation Plan. The other benefit changes for non-bargaining employees, including medical/life insurance, have historically been established by Council to coincide with premium rate adjustments and market conditions effective January 1 of the following year. The renewal period also allows employee benefits to be coordinated with union contract negotiations, which all have a January 1 renewal date.

The City Council approved Medica's 2021 insurance proposal at the last meeting. Staff recommends the City pay the 3% increase in insurance premiums to remain competitive in the benefits offered for both existing and prospective employees. There is no recommended change to the City's contribution for employees utilizing the Health Savings Account high-deductible plan or employee deferred insurance benefit contribution. The attached resolution to establish a benefit package for the non-bargaining employees effective January 1, 2021.

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to approve **Resolution No. 12652**, providing benefits for employees of the City of White Bear Lake who are not covered by employment agreements.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

- C. Resolution ordering preparation of a feasibility report for the 2021 Mill & Overlay Project (City Project Nos. 21-01, 21-06 & 21-13)

City Engineer and Public Works Director Kauppi reviewed the scope of proposed 2021 Mill and Overlay Projects, noting there is one alley between 6<sup>th</sup> and 7<sup>th</sup> Streets downtown, which will be undergoing full reconstruction. He mentioned there are two parking lots at Matoska and Lakewood Hills Parks that are not assessable and can be pulled from this project if bids are too high. He noted that downtown White Bear Lake, south of 4<sup>th</sup> Street, is slotted for reconstruction in 2022 in which the City plans no Mill and Overlay projects that year.

It was moved by Councilmember **Jones** seconded by Councilmember **Engstran**, to approve **Resolution No. 12653**, ordering preparation of a feasibility report for the 2021 Mill & Overlay Project (City Project Nos. 21-01, 21-06 & 21-13).

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

- D. Resolution authorizing an agreement with Ramsey County for 2021 – 2026 Election Services

City Manager Hiniker recalled that after the 2016 Presidential Election, the City began contracting with Ramsey County for Election Administration. She explained this was primarily done to address increasing complexities of election activities along with management of extended early voting. She reported, the current Elections contract with Ramsey County expires in December, and this new contract covers 2021 – 2026, with 2021-2022 invoiced quarterly in even amounts. Ms. Hiniker attributed an increase in costs to competitive Election Judge wages and a spike in early voting activities, and forwarded staff's recommendation for another contract term with Ramsey County.

It was moved by Councilmember **Edberg** seconded by Councilmember **Engstran**, to approve **Resolution No. 12654**, authorizing an agreement with Ramsey County for 2021 – 2026 Election Services.



Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

## 10. CONSENT

- A. Resolution establishing 2021 polling place designations. **Resolution No. 12655**
- B. Resolution accepting work and authorizing final payment to Forest Lake Contracting, Inc. for completion of the 2019 Street Reconstruction Project, City Project Nos.: 19-01 & 19-06. **Resolution No. 12656**
- C. Resolution approving a deferred special assessment for properties at 1782 Elm Street (PIN 353022230164) and 1852 Elm Street (PIN 353022230115), City Project No.: 20-13. **Resolution Nos. 12657, 12658, 12659**
- D. Resolution approving contract extension with White Bear Boatworks for operation of the city's marina. **Resolution No. 12660**
- E. Resolution approving a temporary liquor license for White Bear Lake Main Street. **Resolution No. 12661**

It was moved by Councilmember **Jones** seconded by Councilmember **Biehn**, to approve the Consent Agenda as presented.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Aye

Motion carried unanimously.

## 11. DISCUSSION

- A. Traffic Committee

Mayor Emerson introduced this by explaining that Councilmember Jones had an idea for community engagement as it relates to the City's Traffic Committee.

Councilmember Jones noted an increase in calls of concern related to duties undertaken by the Traffic Committee. He sees this as an opportunity for community engagement by adding residents to the traffic committee, and explained that this will provide the ability for the community to voice their concerns and be heard.

Councilmember Edberg expressed concern for the lack of expertise and technological understanding of safety rules of a citizen's traffic committee and was not interested in having sound policy overturned by popular vote.

Councilmember Biehn cautioned that citizens might not be making decisions without full understanding of the logistics, thereby resulting in a potentially more dangerous traffic pattern. He supported a residential speed limit of 25 miles per hour.

Mayor Emerson saw value in the residents attending so they could hear from the experts regarding the technicalities behind these types of decisions.

City Manager Hiniker suggested bringing this back as a future discussion item. She noted that perhaps a formalized process for consideration of requests at Council level would be helpful when staff denies a request.

Mayor Emerson asked staff to explore further the idea of having citizens participate on the traffic committee.

## 12. COMMUNICATIONS FROM THE CITY MANAGER

- Welcoming and Inclusive community work – The sub-committee of Council and staff are reviewing proposal for work from Barbara Raye and will be bringing something at an upcoming Council meeting.
- Elections – The hours for early voting and ballot drop-off were provided for all Ramsey County residents at the Ramsey County Library in White Bear Lake.
- Rights of Way – The City will continue to work with businesses and support extension of creative uses of public right-of-way
- City Engineer/Public Works Director Kauppi reported that Public Works staff has been winterizing facilities and equipment. They will be removing the Gazebo steps to the second floor for safety purposes. Ms. Hiniker relayed a community interest in this facility and mentioned bringing a plan back to the Council as this moves forward.
- Community Development Director Kane provided a preview of upcoming Planning Commission cases, most going forward under the Consent Agenda. She will be bringing forward another element of the Comprehensive Plan as it pertains to affordable housing.

## 13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Biehn** seconded by Councilmember **Jones** to adjourn the regular meeting at 8:40 p.m.

Biehn Aye  
Edberg Aye  
Engstran Aye  
Jones Aye  
Walsh Nay

Motion carried unanimously.

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Jo Emerson, Mayor

**ATTEST:**

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Kara Coustry, City Clerk



**City of White Bear Lake**  
Community Development Department

***MEMORANDUM***

**To:** Ellen Hiniker, City Manager

**From:** The Planning Commission

**Through:** Ashton Miller, Planning Technician

**Date:** November 4, 2020 for the November 10, 2020 City Council Meeting

**Subject:** **Matoska Elementary School Addition – Case No. 12-5-Sa, 2530 Spruce Place**

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**REQUEST**

A Conditional Use Permit Amendment to allow a 3,000 square foot addition for two new classrooms.

**SUMMARY**

No one from the public spoke to the matter during the Public Hearing. On a 5-0 vote, the Planning Commission recommended approval of the conditional use permit amendment.

**RECOMMENDED COUNCIL ACTION**

Approval of the attached resolution.

**ATTACHMENT**

Draft Resolution of Approval

**RESOLUTION NO.**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT  
FOR WHITE BEAR LAKE MATOSKA ELEMENTARY SCHOOL  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (12-5-Sa) has been submitted by The White Bear Lake Area Public School District #624 to the City Council requesting approval of a conditional use permit for the following location:

**LOCATION:** 2530 Spruce Place

**LEGAL DESCRIPTION:** Lot 8, Block 7, Bacchus White Bear Hills (PID #253022430073)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT:** A conditional use permit amendment, per Code Section 1303.245, for a 3,000 square foot two classroom addition on the north side of the existing building; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

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

1. The proposal is consistent with the city's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. The traffic generation will be within the capabilities of the streets serving the site.
7. The special conditions attached in the form of conditional use permits are hereby approved.

**FURTHER, BE IT RESOLVED**, that the City Council of the City of White Bear Lake hereby approves the conditional use permit, subject to the following conditions:

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





**City of White Bear Lake**  
Community Development Department

***MEMORANDUM***

**To:** Ellen Hiniker, City Manager

**From:** The Planning Commission

**Through:** Samantha Crosby, Planning & Zoning Coordinator

**Date:** November 4, 2020 for the November 10, 2020 City Council Meeting

**Subject:** **Lincoln Elementary Gymnasium Addition - Case No. 20-9-CUP**

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**REQUEST**

A Conditional Use Permit to allow a 12,150 square foot addition, including a new gymnasium and associated facilities.

**SUMMARY**

No one from the public spoke to the matter during the Public Hearing. On a 5-0 vote, the Planning Commission recommended approval of the conditional use permit.

**RECOMMENDED COUNCIL ACTION**

Approval of the attached resolution.

**ATTACHMENT**

Draft Resolution of Approval

**RESOLUTION NO.**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT  
FOR 1961 6<sup>TH</sup> STREET (LINCOLN ELEMENTARY)  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-9-CUP) has been submitted by The White Bear Lake Area Public School District #624 to the City Council requesting approval of a conditional use permit for the following location:

**LOCATION:** 1961 6<sup>th</sup> Street

**LEGAL DESCRIPTION:** The west 340 feet of the East 656 feet of the South ½ of Lot A, Oakhurst Acres; and  
The Easterly 524 feet of the north ½ of Lot A, Oakhurst Acres, except the Easterly 275 feet of the Northerly 174.30 feet thereof, according to the plat thereof; and  
The East 316 feet of the South ½ of Lot A, Oakhurst Acres;  
All according to the recorded plat thereof in Ramsey County, MN

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT:** A conditional use permit, per Code Section 1303.245, Subd.2.c.4, to allow a 12,150 square foot gymnasium addition and parking lot reconfiguration; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

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

1. The proposal is consistent with the city's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. The traffic generation will be within the capabilities of the streets serving the site.
7. The special conditions attached in the form of conditional use permits are hereby approved.



**FURTHER, BE IT RESOLVED**, that the City Council of the City of White Bear Lake hereby approves the conditional use permit, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after granting the conditional use permit, the use as allowed by the permit shall not have been completed or utilized, the permit shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council.
3. This conditional use permit shall become effective upon the applicant tendering proof (i.e. a receipt) to the City of having filed a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. The applicant shall obtain any necessary building permits prior to beginning any work.
5. A separate sign permit for is required for the freestanding sign.

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

6. Final grading, drainage and erosion control plans subject to review and approval of the Engineering Department.
7. Provide a SAC determination from the Metropolitan Council.
8. Submit a final landscaping plan, including a tree survey list, with existing trees to remain and existing trees to be removed and totals for each column, for staff review and approval.
9. Provide a double row of staggered conifers at least 10 feet in height at in the area where the building setback is 28.5 feet from the property line.
10. Either plant the infiltration basin with plants or hire a company specializing in native seed establishment to maintain the infiltration basins until established (3 years).
11. Submit lighting details and a photometric plan for staff review and approval. All new or relocated lights shall be shielded from the back and sides so that the light source is not visible from surrounding residences.
12. Provide a tree preservation plan showing tree protection fencing around the dripline of the trees to be preserved. Tree protection fencing shall be installed and inspected prior to issuance of a permit.





**City of White Bear Lake**  
Community Development Department

***MEMORANDUM***

**To:** Ellen Hiniker, City Manager

**From:** The Planning Commission

**Through:** Samantha Crosby, Planning & Zoning Coordinator

**Date:** November 4, 2020 for the November 10, 2020 City Council Meeting

**Subject:** **Tousley Ford, 1755 Buerkle Road - Case No. 20-8-CUP:**

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**REQUEST**

A Conditional Use Permit to allow exterior storage of pallets.

**SUMMARY**

No one from the public spoke to the matter during the public hearing. On a 5-0 vote, the Planning Commission recommended approval of the conditional use permit.

**RECOMMENDED COUNCIL ACTION**

Approval of the attached resolution.

**ATTACHMENT**

Draft Resolution of Approval

**RESOLUTION NO.**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT  
FOR OUTSIDE STORAGE FOR 1755 BUERKLE ROAD  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-8-CUP) has been submitted by Tousley Ford to the City Council requesting approval of a conditional use permit for the following location:

**LOCATION:** 1755 BUERKLE ROAD

**LEGAL DESCRIPTION:** Part of Lot 2, Block 2, lying southwesterly of a line 165.01 feet northeasterly of a line parallel to the southeasterly line of said Lot 2 and all of Lot 1 Block 2 ASI Subdivision. (PID # 343022420013)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT:** A conditional use permit, per Code Section 1303.200 Subd.5.a, to allow enclosed outdoor storage; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

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

1. The proposal is consistent with the city's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. The traffic generation will be within the capabilities of the streets serving the site.
7. The special conditions attached in the form of conditional use permits are hereby approved.

**FURTHER, BE IT RESOLVED**, that the City Council of the City of White Bear Lake hereby approves the conditional use permit, subject to the following conditions:





**City of White Bear Lake**  
Community Development Department

## *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

**From:** The Planning Commission

**Through:** Anne Kane, Community Development Director

**Date:** November 5, 2020 for the November 10, 2020 City Council Meeting

**Subject:** **Raykowski Gate, 2503 Manitou Island - Case No. 20-18-V**

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### **REQUEST**

A seven (7) foot variance from the 12 foot setback required for fences located in a corner side yard, in order install a gate at the entrance to the secondary driveway five (5) feet from the curb.

### **SUMMARY**

No one from the public spoke to the matter during the public hearing. Letters of support were submitted by neighbors nearest the proposed gate location and the Manitou Island Association. On a 5-0 vote, the Planning Commission recommended approval of the variance.

### **RECOMMENDED COUNCIL ACTION**

Approval of the attached resolution.

### **ATTACHMENT**

Draft Resolution of Approval

**RESOLUTION NO.**  
**RESOLUTION GRANTING A VARIANCE FOR**  
**2503 MANITOU ISLAND**  
**WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-18-V) has been submitted by Grant Raykowski to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

**LOCATION:** 2503 Manitou Island

**LEGAL DESCRIPTION:** : That part of Lot 72 lying Westerly of a line measured 39 feet on southwest line of said Lot to a point 238.72 feet northeasterly of the west COR, and all of Lots 73 and 74, Manitou Island, White Bear Lake, Ramsey County, MN; (PID # 13.30.22.42.0003)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A 7 foot variance to reduce the setback for a fence in a corner side yard from 12 feet to 5 feet to allow the installation of a gate which exceeds 4 feet in height at the entrance to the secondary driveway five feet from the curb; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

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

1. The requested variance will not:
  - a. Impair an adequate supply of light and air to adjacent property.
  - b. Unreasonably increase the congestion in the public street.
  - c. Increase the danger of fire or endanger the public safety.
  - d. Unreasonably diminish or impair established property values within the neighborhood.
2. Because the existing layout provides limited options, the variance is a reasonable use of the land or building.
3. The variance will not be injurious to the neighborhood.

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

**FURTHER, BE IT RESOLVED**, that the City Council of the City of White Bear Lake hereby approves the requests, subject to the following conditions:

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. The variance shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
- 3. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

**ATTEST:**

\_\_\_\_\_  
Kara Coustry, City Clerk

\*\*\*\*\*  
\*

Approval is contingent upon execution and return of this document to the City Planning Office. I have read and agree to the conditions of this resolution as outlined above.

\_\_\_\_\_  
Grant Raykowski Date





**City of White Bear Lake**  
Community Development Department

**MEMORANDUM**

**To:** Ellen Hiniker, City Manager

**From:** The Planning Commission

**Through:** Ashton Miller, Planning Technician

**Date:** November 4, 2020 for the November 10, 2020 City Council Meeting

**Subject:** **Bucher Variance – 4820 Stewart Avenue, Case No. 20-17-V**

---

**REQUEST**

A 13 foot 4.5 inch variance from the 30 foot setback required along the rear property line and a 14.5 foot variance from the 25 foot setback required along the side abutting a public right-of-way in order to construct a screen porch at the back of the home.

**SUMMARY**

One resident spoke in opposition to the variance request, expressing concern that it would invade the personal space of the neighbors and lead to noise nuisances. On a 3-2 vote, the Planning Commission recommended approval of the setback variance along the side yard abutting a public right-of-way and denial of the rear yard setback variance, as recommended by staff.

**RECOMMENDED COUNCIL ACTION**

Approval of the attached Resolutions.

**ATTACHMENTS**

Resolution of Approval – Side Yard Abutting ROW Variance  
Resolution of Denial – Rear Yard Variance

**RESOLUTION NO.**

**RESOLUTION APPROVING A SETBACK VARIANCES FOR  
4820 STEWART AVENUE  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-17-V) has been submitted by Steve Bucher to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

**LOCATION:** 4820 Stewart Avenue

**LEGAL DESCRIPTION:** Lots 11 and 12, Block 44, Auerbachs Rearrangement of Part of White Bear, Ramsey County, MN (PID # 133022230091)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A 14.5' variance from the 25 foot setback required along the side abutting a public right-of-way, per Code Section 1303.060, in order to construct a porch 10.5' from the north property line; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

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

1. The requested variances will not:
  - a. Impair an adequate supply of light and air to adjacent property.
  - b. Unreasonably increase the congestion in the public street.
  - c. Increase the danger of fire or endanger the public safety.
  - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. The variances are a reasonable use of the land or building.
3. The variances will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
4. The special conditions and circumstances are not the result of actions of the owner or a predecessor in title.

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

**FURTHER, BE IT RESOLVED**, that the City Council of the City of White Bear Lake hereby approves the request, subject to the following conditions:

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
- 3. A building permit shall be obtained before any work begins.
- 4. The applicant shall verify their property line and have the property pins exposed at the time of inspection.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

**ATTEST:**

\_\_\_\_\_  
Kara Coustry, City Clerk

\*\*\*\*\*

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

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

\_\_\_\_\_  
Steve Bucher Date

**RESOLUTION NO.**

**RESOLUTION DENYING ONE SETBACK VARIANCE FOR  
4820 STEWART AVENUE  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-17-V) has been submitted by Steve Bucher to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

**LOCATION:** 4820 Stewart Avenue

**LEGAL DESCRIPTION:** Lots 11 and 12, Block 44, Auerbachs Rearrangement of Part of White Bear, Ramsey County, MN (PID # 133022230091)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A 13' 4.5" variance from the 30 foot setback required along the rear property line, per Code Section 1303.060, Subd.5.c, and a 14.5' variance from the 25 foot setback required along the side abutting a public right-of-way, per the same, in order to construct a screen porch 10.5' from the north property line and 16' 7.5" from the east property line; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, after reviewing the proposal, that the City Council denies the request based on the following findings of the Planning Commission:

1. The variances are not necessary for the reasonable use of the land or building; alternative design options exist.
2. The variances are not the minimum variance necessary to alleviate a practical difficulty.
3. Granting the variances would not be in harmony with the general purpose and intent of the code - deviation from the code without reasonable justification will slowly alter the City's essential character.

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

Ayes:  
Nays:  
Passed:

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Jo Emerson, Mayor

**ATTEST:**

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Kara Coustry, City Clerk



**City of White Bear Lake**  
Community Development Department

# *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

**From:** The Planning Commission

**Through:** Samantha Crosby, Planning & Zoning Coordinator

**Date:** November 5, 2020 for the November 10, 2020 City Council Meeting

**Subject:** **Peacock Garage, 2532 Manitou Island - Case No. 20-16-V**

---

## **REQUEST**

A 420 square foot variance from the 1,250 square foot maximum for all accessory structures combined, in order to construct a third garage stall onto the north side of the existing two-car attached garage.

## **SUMMARY**

A board member of the Manitou Island Association spoke to the matter. The board was split on whether to oppose the request or support with modifications. The modifications desired were presented on a graphic. The applicants were in agreement with the modifications. On a 3-2 vote, the Planning Commission recommended approval of the variance with the modifications requested by the Association.

Subsequent to the Planning Commission meeting, the applicant has requested additional time to work with the Island Association to revise the modifications. Consequently, the applicants have asked that the item be continued to the next City Council meeting.

## **RECOMMENDED COUNCIL ACTION**

Continue the item to the November 24<sup>th</sup> City Council meeting.

## **ATTACHMENT**

None

**RESOLUTION NO.**  
**RESOLUTION GRANTING A VARIANCE FOR**  
**2532 MANITOU ISLAND**  
**WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-16-V) has been submitted by Troy Kampa on behalf of Brent and Melissa Peacock, to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

**LOCATION:** 2532 Manitou Island

**LEGAL DESCRIPTION:** Attached hereto as Exhibit A (PID # 133022430023)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A 420 square foot variance from the 1,250 square foot maximum for all accessory structures combined, per Code Section 1302.030, Subd.4.i.2.b, in order to add a third garage stall to the existing two car attached garage; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

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

1. The requested variance will not:
  - a. Impair an adequate supply of light and air to adjacent property.
  - b. Unreasonably increase the congestion in the public street.
  - c. Increase the danger of fire or endanger the public safety.
  - d. Unreasonably diminish or impair established property values within the neighborhood.
2. Because the existing layout provides limited options, the variance is a reasonable use of the land or building.
3. The variance will not be injurious to the neighborhood.
4. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.

**FURTHER, BE IT RESOLVED**, that the City Council of the City of White Bear Lake hereby approves the requests, subject to the following conditions:

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. The variance shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
- 3. A building permit shall be obtained prior to construction of the addition.
- 4. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.
- 5. The granting of this variance does not bring the shed into conformance.
- 6. The overhead door on the detached garage shall be reduced to 8 feet wide and the driveway shall be replaced with sod as shown in Exhibit B, attached.
- 7. An evergreen screen, at least 6 feet in height at the time of planting, shall be installed along the property line on both sides of the driveway and wrapping the north side of the detached garage as shown in Exhibit B, attached.

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

Ayes:  
 Nays:  
 Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

**ATTEST:**

\_\_\_\_\_  
Kara Coustry, City Clerk

Approval is contingent upon execution and return of this document to the City Planning Office. I have read and agree to the conditions of this resolution as outlined above.

Brent Peacock	Melissa Peacock	Date
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EXHIBIT A  
Legal Description

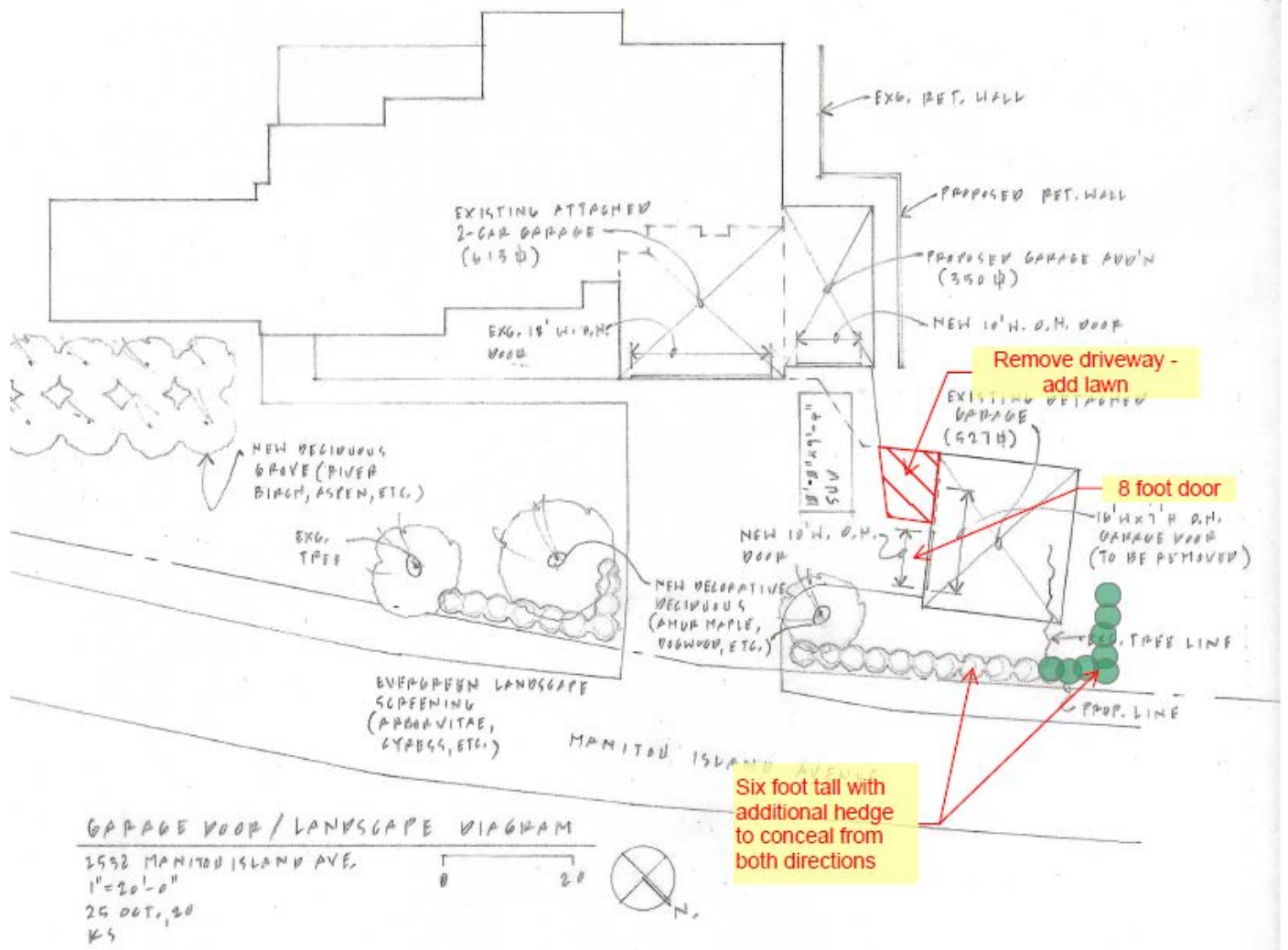
That part of Lots 24 and 25, Map of Manitou Island, White Bear Lake, Minnesota lying Southeasterly of a line drawn parallel with and 193 feet Northwesterly from the longest straight line common to Lots 25 and 26 when measured at right angles thereto, including those portions of Park Avenue vacated lying between the two lines aforesaid together with that portion of Lot 25 sometimes referred to as Boat Lot 25, also Lot 26 (including that portion sometimes referred to as Boat Lot 26) and that portion of vacated Park Avenue South adjacent to Lot 26, which lies Westerly of premises conveyed to Harriet E. McMillan by the Manitou Island Land & Improvement Company by deed dated September 1, 1905, and recorded in the office of the Register of Deeds for Ramsey County, Minnesota, on the 19th day of October 1905, in Book 503 of Deeds on page 94 AND

Lots 58 and 59, Map of Manitou Island, White Bear Lake, Minnesota, except those parts lying Easterly of Shady Lane and Easterly of the present Park Drive established by the changing and widening at said Shady Lane (Sometimes referred to as Boat Lots 58 & 59).

EXCEPT

That part of Lots 24 and 25 Map of Manitou Island, White Bear Lake, Minnesota, lying northwesterly of a line parallel with and 118 feet northwesterly from the longest straight line common to Lots 25 and 26 when measured at right angles thereto and lying southeasterly of a line parallel with and 193 feet northwesterly from the longest straight line common to Lots 25 and 26 when measured at right angles thereto. Together with vacated road, according to the recorded plat thereof, and situated in Ramsey County, Minnesota.

EXHIBIT B





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

## M E M O R A N D U M

**To:** Mayor and City Council

**From:** Ellen Hiniker, City Manager

**Date:** November 5, 2020

**Subject:** **Resolution authorizing reallocation of remaining Non-profit grant funds and extension of Emergency Assistance grant funds**

### SUMMARY

At its October 28<sup>th</sup> meeting, the City Council approved a resolution authorizing staff to expense the remaining \$1,489,375 of its \$1,918,012 Coronavirus Relief Funding allocation as public safety payroll expenses in its monthly CRF report to the state, and then transfer an amount equal to that to the Economic Development Fund. These actions were supported by updated federal guidance issued September 21<sup>st</sup> and reviewed by the City's auditors. Subsequently, the adoption of these actions significantly eases administrative tracking and reporting requirements.

Below is another summary of these transactions for further clarification, along with a request to allocate \$45,000 from the City's non-profit relief grant program to Newtrax, the YMCA, the White Bear Area Food Shelf and the White Bear Lake Area Early Childhood Program.

### BACKGROUND

As described at the last meeting, the City is required to submit monthly reports to the State of Minnesota to account for actual CRF funding expenditures. The July and August reports together accounted for a total of \$428,637 in expenditures:

CARES funding distribution to the City of White Bear Lake			1,918,012.00
<b>Actual Expenditures submitted to the State of MN:</b>			
Reporting for submitted to State of MN as of 7/31/2020			(363,511.81)
City expenditures	339,389.44		
Econ Dev activities/Community assistance	24,122.37		
	363,511.81		
Reporting for submitted to State of MN as of 8/31/2020			(65,125.29)
City expenditures	63,511.75		
Econ Dev activities/Community assistance	1,613.54		
	65,125.29		
<b>Total expenditures reported to State</b>			<b>(428,637.10)</b>
<b>Amount remaining and transferred to the Economic Development Fund</b>			<b>1,489,374.90</b>

These reports reflected actual COVID-related expenditures incurred by the City to date from March 15 – August 31, 2020. They did not reflect community relief funding committed by the Council at its August 28 meeting, as these dollars had not yet technically been expended.

The difference between the \$428,637 reported to the State in these two reports and the total \$1,918,012 allocated is \$1,489,375, which in following the Council’s action at its last meeting, is the amount reported in the September expenditure report to the State through assignment of these expenses to public safety payroll. Again, this action by Council saved considerable administrative time required for reporting and will save in future costs related to the CRF single audit.

Of the \$1,489,375 that was transferred to the City’s Economic Development Fund, the following has either been expended or will be by the end of November:

<b>Amount transferred to the Economic Development Fund</b>						<b>1,489,374.90</b>	
	Expenditures for 9/30/2020						(660,230.41)
	City expenditures			43,053.01			
	Community Relief/Econ Dev assistance			617,177.40			
				660,230.41			
	Expenditures for 10/31/2020 as of 10/30/2020						
	City expenditures			87,672.31		(94,511.36)	
	Community Relief/Econ Dev assistance			6,839.05			
				94,511.36			
	Expenditures anticipated for 11/30/2020						
	City expenditures			101,628.64		(462,628.64)	
	Ambulance Fund			106,000.00			
	Community Relief/Econ Dev assistance			255,000.00			
				462,628.64			
	<b>Total remaining after actual or allocated expenditures</b>						<b>272,004.49</b>

City expenses included in the above chart reflect direct COVID-related expenses, including but not limited to reimbursement for technology, building modifications, PPE, direct staffing, HVAC work, and mental health services for public safety personnel. The Finance Department has a detailed account of all expenditures for Council’s review upon request. Not included in these totals is \$88,000, which represents lost revenue if Council chooses to waive 2021 liquor license fees for bars and restaurants. Also not included are two additional projects that staff is preparing for recommendation which involve air purification improvements in municipal buildings and a Sports Center air handler control system, (estimated \$115,000).

#### **Allocation of Non-profit relief grant funds**

In August, Council approved a \$100,000 allocation for non-profit relief grants, (included in totals above). The City received five (5) applications, all of which qualified for \$10,000 grants. The program is now closed and staff recommends that \$45,000 of the remaining \$50,000 be redirected to the following:

1. Allocate an additional \$20,000 to Newtrax, with up to \$10,000 to reimburse expenses related to the pandemic and a minimum of \$10,000 of that allocation to the meal delivery program supporting local restaurants and residents
2. Allocate \$10,000 to the White Bear Area Food Shelf to reimburse increased operating expenses related to the pandemic or offset some of the cost of increased food needs of the community during the pandemic, (Food Shelf did not qualify for first round of non-profit grant funds)
3. Allocate \$10,000 to the White Bear Lake YMCA to reimburse costs and services related to the pandemic, (YMCA did not qualify for first round of non-profit grant funds)
4. Allocate \$5,000 to the Early Childhood Program for health screening equipment needed due to COVID protocols.

### **Recommendation to extend Emergency Assistance Program**

In August, the Council approved \$250,000 for an Emergency Assistance Program for residents in need of direct assistance for qualified expenses, (program description attached). To date, approximately \$30,000 has been distributed on behalf of White Bear Lake residents to their landlords and other utility providers. Additionally applications are currently in process representing an estimated \$10,000 in qualified expenditures of the account.

The Community Action Partnership (CAP) of Ramsey and Washington Counties has relayed that the pace of uptake has been increasing over time. Staff anticipates an even greater need for housing assistance after the eviction moratorium lifts at end of the year, and as other sources of housing support at the state and county levels expire. Staff is therefore recommending the extension of this program through the first quarter of 2021. These funds are already accounted for in community relief program expenditures.

### **RECOMMENDATION**

Staff recommends approval of the attached resolution directing \$45,000 of the non-profit relief grant funds to Newtrax (\$20,000), YMCA (\$10,000), WBA Food Shelf (\$10,000) and the Early Childhood Program (\$5,000).

Staff further recommends approval of the attached resolution extending the Emergency Assistance Program through March 30, 2021.

### **ATTACHMENTS**

Resolutions

**RESOLUTION NO.:**

**RESOLUTION AUTHORIZING ALLOCATION OF \$45,000 FROM NON-PROFIT RELIEF FUNDING TO RELATED PROGRAMS**

**WHEREAS**, the federal government established the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27, 2020, providing over \$2 trillion in federal economic relief to protect the American people from the public health and economic impacts of COVID-19; and,

**WHEREAS**, Section 5001 of the CARES Act established the \$150 billion Coronavirus Relief Fund (CRF), providing payments to State, Local and Tribal governments navigating the impact of the COVID-19 outbreak and established criteria that expenses must meet to be eligible for CRF funding; and

**WHEREAS**, \$841 million in federal COVID-19 economic relief funds were distributed to Minnesota counties, cities and towns to support local government coronavirus relief efforts; and

**WHEREAS**, the City of White Bear Lake received \$1.918 million in federal COVID-19 economic relief funds based on \$75.34 per capita distribution; and

**WHEREAS**, the City of White Bear Lake allocated \$100,000 of this economic relief funding for a Non-profit relief grant program; and

**WHEREAS**, five (5) organizations were awarded \$10,000 in grant funding per the program guidelines, leaving \$50,000 remaining in the grant fund; and.

**WHEREAS**, neither the YMCA nor the White Bear Area Food Shelf qualified under the stated guidelines; however, both organizations are directly responding to increases demands for food assistance; and

**WHEREAS**, the Newtrax program has demonstrated success in implementing a creative service that supports local restaurants while providing food to local families and seniors; and

**WHEREAS**, the White Bear Lake Area Early Childhood Program is seeking assistance for the purchase of medical screening equipment needed due to service changes required during pandemic.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota that the City Manager is hereby authorized to allocate \$45,000 of the Non-profit relief grant funds to Newtrax (\$20,000; \$10,000 for food delivery program and \$10,000 for COVID expense reimbursement), White Bear Area Food Shelf (\$10,000), White Bear Lake YMCA, (\$10,000) and White Bear Lake Area Early Childhood Program (\$5,000).

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

Ayes:

Nays:

Passed:

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Jo Emerson, Mayor

ATTEST:

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Kara Coustry, City Clerk

**RESOLUTION NO.:**

**RESOLUTION AUTHORIZING AN EXTENSION OF THE  
EMERGENCY ASSISTANCE GRANT FUND PROGRAM**

**WHEREAS**, the federal government established the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27, 2020, providing over \$2 trillion in federal economic relief to protect the American people from the public health and economic impacts of COVID-19; and,

**WHEREAS**, Section 5001 of the CARES Act established the \$150 billion Coronavirus Relief Fund (CRF), providing payments to State, Local and Tribal governments navigating the impact of the COVID-19 outbreak and established criteria that expenses must meet to be eligible for CRF funding; and

**WHEREAS**, \$841 million in federal COVID-19 economic relief funds were distributed to Minnesota counties, cities and towns to support local government coronavirus relief efforts; and

**WHEREAS**, the City of White Bear Lake received \$1.918 million in federal COVID-19 economic relief funds based on \$75.34 per capita distribution; and

**WHEREAS**, in August, the City Council approved \$250,000 for an Emergency Assistance Program for residents in need of direct assistance for qualified expenses; and

**WHEREAS**, to date, approximately \$30,000 has been distributed on behalf of White Bear Lake residents to their landlords and other utility providers; additionally, applications are currently in process representing an estimated \$10,000 in qualified expenditures of the account; and

**WHEREAS**, the Community Action Partnership (CAP) of Ramsey and Washington Counties has relayed that the pace of uptake has been increasing over time, and anticipates an even greater need for housing assistance after the eviction moratorium lifts at end of the year.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota that the City Manager is hereby authorized to extend the emergency assistance grant fund program through the first quarter 2021.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk





City of White Bear Lake  
Community Development Department

## *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

**From:** The Planning Commission

**Through:** Samantha Crosby, Planning & Zoning Coordinator

**Date:** November 3, 2020 for the November 10, 2020 City Council Meeting

**Subject:** **SECOND READING – Zoning Code Amendment Regarding Accessory Structures, Case # 20-1-Z**

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### **REQUEST**

A text amendment to the B-1 – Neighborhood Business zoning district to clarify the intent of the language that relates to accessory structures in commercial and industrial districts. The second reading is a public hearing and notice was published in the October 28<sup>th</sup> edition of the White Bear Press.

### **SUMMARY**

During the first public hearing before the Planning Commission back in April, no one from the public spoke to the matter. On a 6-0 vote, the Planning Commission recommended approval. There was no discussion during the first reading in May. Staff has drafted a summary resolution to facilitate final publication.

### **RECOMMENDED COUNCIL ACTION**

Approval of the attached ordinance and resolution.

### **ATTACHMENT**

Draft Ordinance  
Summary Resolution

**ORDINANCE NO. 20-11-2044**

**AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE ZONING CODE  
AT SECTION 1303.120, "B-1, NEIGHBORHOOD BUSINESS DISTRICT"  
AS IT RELATES TO PERMITTED ACCESSORY USES (CASE NO. 20-1-Z)**

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

SECTION 1. The Municipal Code of the City of White Bear Lake is hereby amended at Section 1303.120 as follows:

Subd. 3. Permitted Accessory Uses. The following are permitted accessory uses in an "B-1" District:

- a) Commercial or business buildings and structures ~~for a use~~ accessory to the principal ~~use~~ **building**, but ~~such use shall~~ not to exceed thirty (30) percent of the gross floor space of the principal ~~use~~ **building**.
- b) Off-street parking as regulated by Section 1302.050 of this Code, but not including semi-trailer trucks.
- c) Off-street loading as regulated by Section 1302.060 of this Code.
- d) Solar energy systems, either roof-mounted or ground-mounted per Code Section 1302.030, Subd. 22. (Ref. Ord. 16-03-2010, 3/8/16)

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:	<u>May 12, 2020</u>	Final Publication:	_____
Initial Publication:	<u>October 28, 2020</u>	Codified:	_____
Second Reading:	<u>November 10, 2020</u>	Posted on web:	_____

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk

**RESOLUTION NO.**

**A RESOLUTION ESTABLISHING THE TITLE AND SUMMARY APPROVAL  
OF ORDINANCE NO. 20-11-2044 AS IT RELATES TO ACCESSORY STRUCTURES IN  
COMMERCIAL AND INDUSTRIAL DISTRICTS IN THE CITY OF WHITE BEAR LAKE  
(CASE NO. 20-1-Z)**

**FOR PUBLISHED NOTICE**

WHEREAS, the City of White Bear Lake City Council may, pursuant to Ordinance No. 83-6-666, adopt a title and summary of a proposed ordinance to be published in lieu of lengthy entire ordinances, and

WHEREAS, in addition to adopting a title and ordinance summary, the Council shall direct the City Clerk to:

1. Have available for inspection during regular office hours a copy of the entire ordinance.
2. Post a copy of the entire ordinance at the White Bear Lake Branch of the Ramsey County Public Library.
3. Receive an affidavit of publication of the title and summary from the official newspaper.

NOW, THEREFORE, BE IT RESOLVED, that the City of White Bear Lake City Council hereby adopts the aforementioned title and summary for approved as listed below:

**AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE MUNICIPAL CODE  
AT SECTION 1303.120, AS IT RELATES TO  
ACCESSORY STRUCTURES IN COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS  
IN WHITE BEAR LAKE**

The ordinance clarifies that the language allows for the structure and not the use within the structure, eliminating potential conflict with district regulations which list the allowed uses in each district respectively.

FURTHER, BE IT RESOLVED, that the City of White Bear Lake City Council hereby directs the City Clerk to provide the inspection and publication requirements as listed above.

The foregoing resolution offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_ carried on the following vote:

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk



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

## *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

**From:** Rick Juba, Assistant City Manager

**Date:** November 4, 2020

**Subject:** **Second Reading – MN State Fire Code – Adoption by Reference**

---

### **BACKGROUND**

Due to the City of White Bear Lake's population, the City is required to adopt the Minnesota State Building Code (Building, Plumbing, Electrical, HVAC, Energy) and the Minnesota State Fire Code. These codes are enforced through permitting and inspection in both the Building and Fire Departments. Rather than including these codes within a City's Municipal Code, they are typically adopted by reference by each participating City. The City of White Bear Lake has adopted both the State Building Code and the State Fire Code by reference. However, the language adopting the building code allows future amendments to be included without further City ordinance amendments while the language adopting the fire code references a specific version of the fire code.

The practice of adopting the codes by reference, including amendments, ensures that the City always has the most current version of the code adopted. As previously stated, due to the City's population, we must enforce the codes and contractors would expect that they are working under the most recent code amendments.

With amendments pending to both the building and fire codes, staff is recommending that language in the City Code, which references the adoption of the fire code, be updated to include all amendments. The City has always operated under the most current version of the code, but this will clear up any confusion over which version has been formally adopted. The amendment will also mirror the process already used by the City to adopt the building code.

Council held first reading on March 10, 2020. Staff published the public hearing notice in the October 28, 2020 edition of the White Bear Press.

### **RECOMMENDED COUNCIL ACTION**

Consider public comment toward the adoption of this ordinance. Adopt the Summary Resolution to facilitate publication.

### **ATTACHMENTS**

Ordinance  
Summary Resolution

**CITY OF WHITE BEAR LAKE  
ORDINANCE NO. 20-11-2045**

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF  
THE CITY OF WHITE BEAR LAKE REGARDING THE FIRE CODE**

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

ARTICLE I. Fire Code Adoption. Section 801.010 of the Municipal Code of the City of White Bear Lake is hereby amended as follows:

~~§801.010 FIRE PREVENTION; MINNESOTA UNIFORM FIRE CODE, ADOPTED BY REFERENCE. "The Minnesota Uniform Fire Code," which is comprised of the "Uniform Fire Code and Standards, 1988 Edition," promulgated by the International Conference of Building Officials and the Western Fire Chiefs Association, and amendments made thereto by the Commissioner of Public Safety through the State Fire Marshal Division, such amendments having been filed September 25, 1989, and set out in Minnesota Rules Chapters 7510.3100–7510.3280 are hereby adopted into this Code by reference as though printed in full herein.~~

FIRE CODE ADOPTED BY REFERENCE. The Minnesota State Fire Code, as adopted by the Commissioner of Public Safety pursuant to Minnesota Statutes, Section 299F.011, including all of the amendments, rules, and regulations that may be established, adopted, and published from time to time by the Minnesota Commissioner of Public Safety, through the Minnesota Department of Public Safety State Fire Marshal Division, is hereby adopted by reference and incorporated in this Code as if fully set out herein.

ARTICLE II. Effective Date. This ordinance shall become effective on the first day of publication after adoption.

Adopted by the City Council of the City of White Bear Lake, Minnesota on the 10<sup>th</sup> day of November 2020.

First Reading: March 10, 2020

Final Publication: \_\_\_\_\_

Initial Publication: October 28, 2020

Codified: \_\_\_\_\_

Second Reading: November 10, 2020

Posted on web: \_\_\_\_\_

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

**RESOLUTION NO.**

**A RESOLUTION ESTABLISHING THE TITLE AND SUMMARY APPROVAL  
OF ORDINANCE NO. 20-11-2045 AS IT RELATES TO ADOPTION OF THE  
MINNESOTA STATE FIRE CODE**

**FOR PUBLISHED NOTICE**

WHEREAS, the City of White Bear Lake City Council may, pursuant to Ordinance No. 83-6-666, adopt a title and summary of a proposed ordinance to be published in lieu of lengthy entire ordinances, and

WHEREAS, in addition to adopting a title and ordinance summary, the Council shall direct the City Clerk to:

1. Have available for inspection during regular office hours a copy of the entire ordinance.
2. Post a copy of the entire ordinance at the White Bear Lake Branch of the Ramsey County Public Library.
3. Receive an affidavit of publication of the title and summary from the official newspaper.

NOW, THEREFORE, BE IT RESOLVED, that the City of White Bear Lake City Council hereby adopts the aforementioned title and summary for approved as listed below:

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITH OF WHITE BEAR LAKE  
REGARDING THE FIRE CODE**

The ordinance adopts the Minnesota State Fire Code by reference in the City's Code.

FURTHER, BE IT RESOLVED, that the City of White Bear Lake City Council hereby directs the City Clerk to provide the inspection and publication requirements as listed above.

The foregoing resolution offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_ carried on the following vote:

Ayes:

Nays:

Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk



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

## *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

**From:** Rick Juba, Assistant City Manager

**Date:** November 3, 2020

**Subject:** **Proposed Amendment with Minnesota Public Employees Association (MNPEA) – Patrol Officers Contract**

---

### **BACKGROUND**

The current MNPEA – White Bear Lake Patrol Officers Union contract is set to expire on December 31, 2020. The City and the Union have met and the Union has voted to accept the following amendments to the contract.

#### Article 29 - Duration

One-year Labor Agreement (2021)

#### Article 13.7 – Overtime

- Add language that Compensatory Time may balances may not be carried over from year to year and must be used as leave or cashed out on the last pay period of the year.

This is due to individual tax liabilities regarding constructive receipt and is being implemented City wide.

#### Article 17 – Insurance

In line with what has been approved by the City Council for non-bargaining employees, the City has proposed to keep employee health insurance premium contributions at 2020 amounts for 2021. Overall, the City's premiums went up 3%, in order to remain competitive for benefit contributions, the City has agreed to cover the increase in premiums. Health Savings Account contributions will remain at \$700 for those employees with single coverage and \$1,400 for those employees with dependent coverage.

#### Appendix A - Wages

- 2021 2% increase in wage table.

The 2% adjustment is consistent with what has been offered and agreed to with at least one other of the City's union contracts and what will be proposed for non-bargaining employees. The City Manager's Office and Finance Department are recommending the 2% increase based on discussion regarding the preliminary city budget with the City Council and reviewing comparable cities.

#### Article 23 - Vacation

- Add language referencing the maximum vacation accrual amount of 240 hours.

This item is standard across all contracts and non-bargaining policies in the City.

Article 24.5 – Parental Leave

- New language granting 10 days paid leave following the birth or placement of child.

Parental leave is proposed to be added in all four union contracts in 2021.

**RECOMMENDED COUNCIL ACTION**

Both the City and the Union have reached the proposed amendment to the contract through good faith negotiations and its approval as outlined in the attached resolution is recommended.

**ATTACHMENTS**

Resolution



**RESOLUTION NO.**

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF THE 2021  
CONTRACT WITH  
MINNESOTA PUBLIC EMPLOYEES ASSOCIATION; PATROL OFFICERS**

WHEREAS the proposed contract with Minnesota Public Employees Association (MNPEA), for the City of White Bear Lake Patrol Officers covers the period from January 1, 2021 through December 31, 2021; and

WHEREAS the City has met and negotiated in good faith a proposed contract with MNPEA, Patrol Officers, agreeing on the following changes to the contract:

Article 29 -- Duration

One-year Labor Agreement (2021)

Article 13.7 – Overtime

Add language that Compensatory Time may balances may not be carried over from year to year and must be used as leave or cashed out on the last pay period of the year.

Article 17 – Insurance

Employee’s selecting **single coverage** may select one of the following:

\* *City’s contribution assumes non-smoking incentive*

Open Access Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	661.94	622.76	607.78
City Contribution*	563.00	557.00	581.00
Employee Cost	98.94	65.76	26.78

VantagePlus Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	595.75	560.48	547.00
City Contribution*	561.00	555.00	547.00
Employee Cost	34.75	5.48	- 0 -

Employee’s selecting **Employee + 1 coverage** may select one of the following:

\* *City’s contribution assumes non-smoking incentive*

Open Access Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	1,455.51	1,369.36	1,336.42
City Contribution*	1,033.00	1,022.00	1,072.00
Employee Cost	422.51	347.36	264.42

VantagePlus Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	1,309.96	1,232.42	1,202.78
City Contribution*	1,029.00	1,018.00	1,068.00
Employee Cost	280.96	214.42	134.78

Employee’s selecting **Multiple Dependent coverage** may select one of the following:

**RESOLUTION NO.**

\* *City's contribution assumes non-smoking incentive*

Open Access Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	1,850.51	1,740.98	1,699.11
City Contribution*	1,286.00	1,272.00	1,336.00
Employee Cost	564.51	468.98	363.11

VantagePlus Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	1,665.46	1,566.88	1,529.20
City Contribution*	1,281.00	1,267.00	1,331.00
Employee Cost	384.46	299.88	198.20

Health Savings Account contributions will be \$700 for those employees with single coverage and \$1,400 for those employees with dependent coverage.

Appendix A - Wages

2021 2% increase in wage table.

Article 23 - Vacation

Add language referencing the maximum vacation accrual amount of 240 hours.

Article 24.5 – Parental Leave

New language granting 10 days paid leave following the birth or placement of child.

WHEREAS upon review of its terms and conditions the proposed contract has been found acceptable by the City Council.

THEREFORE BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota that the 2021 MNPEA, Patrol Officers contract is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and City Manager are authorized and hereby directed to execute said amendment to the 2021 contract with MNPEA, Patrol Officers.

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

- Ayes:
- Nays:
- Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk



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

# M E M O R A N D U M

**To:** Ellen Hiniker, City Manager

**From:** Rick Juba, Assistant City Manager

**Date:** November 3, 2020

**Subject:** **Proposed Amendment with Law Enforcement Labor Services, Inc. (LELS) – Sergeants Contract**

## **BACKGROUND**

The current LELS – White Bear Lake Sergeants Union contract is set to expire on December 31, 2020. The City and the Union have met and the Union has voted to accept the following amendments to the contract.

### Article 28-- Duration

One-year Labor Agreement (2021)

### Article 16 – Insurance

In line with what has been approved by the City Council for non-bargaining employees, the City has proposed to keep employee health insurance premium contributions at 2020 amounts for 2021. Overall, the City's premiums went up 3%, in order to remain competitive for benefit contributions, the City has agreed to cover the increase in premiums. Health Savings Account contributions will remain at \$700 for those employees with single coverage and \$1,400 for those employees with dependent coverage.

### Article 13.7 – Overtime

- Add language that Compensatory Time may balances may not be carried over from year to year and must be used as leave or cashed out on the last pay period of the year.

This is due to individual tax liabilities regarding constructive receipt and is being implemented City wide.

### Article 17 - Uniforms

- Uniform allowance increase from \$710/annually to \$750/annually.

### Article 19 - Compensation

- 2021 2% increase in wage table.
- Eliminate performance-based pay and delete Sections 19.2, 19.3 and 19.4
- Adopt a four step wage schedule based on the current "Exceeds Expectations" wage rates.

The 2% cost of living adjustment is consistent with what has been offered and agreed to with at least one other of the City's union contracts and what will be proposed for non-bargaining employees. The City Manager's Office and Finance Department are recommending the 2% increase based on discussion regarding the preliminary city budget with the City Council and reviewing comparable cities.

Removing the performance-based pay schedule was also done in the City's Public Works contract in 2019. Sergeants are supervisors that have been promoted to that rank and have almost exclusively been in the "exceeds expectations" category which as proposed will become the pay schedule.

Article 21 - Vacation

- Clarify that employees are eligible for payment of vacation of all accrued and unused vacation upon separation.
- Add language referencing the maximum vacation accrual amount of 240 hours.

Both of these items are standard across all contracts and non-bargaining policies in the City.

Article 22.5 – Parental Leave

- New language granting 10 days paid leave following the birth or placement of child.

Parental leave is proposed to be added in all four union contracts in 2021.

**RECOMMENDED COUNCIL ACTION**

Both the City and the Union have reached the proposed amendment to the contract through good faith negotiations and its approval as outlined in the attached resolution is recommended.

**ATTACHMENTS**

Resolution

**RESOLUTION NO.**

**RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF THE 2021  
CONTRACT WITH  
LAW ENFORCEMENT LABOR SERVICES, INC.; POLICE SERGEANTS**

WHEREAS the proposed contract with Law Enforcement Labor Services, Inc. (LELS), for the City of White Bear Lake Police Sergeants covers the period from January 1, 2021 through December 31, 2021; and

WHEREAS the City has met and negotiated in good faith a proposed contract with LELS, Police Sergeants, agreeing on the following changes to the contract:

Article 28-- Duration

One-year Labor Agreement (2021)

Article 16 – Insurance

Employee’s selecting **single coverage** may select one of the following:

\* *City’s contribution assumes non-smoking incentive*

Open Access Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	661.94	622.76	607.78
City Contribution*	563.00	557.00	581.00
Employee Cost	98.94	65.76	26.78

VantagePlus Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	595.75	560.48	547.00
City Contribution*	561.00	555.00	547.00
Employee Cost	34.75	5.48	- 0 -

Employee’s selecting **Employee + 1 coverage** may select one of the following:

\* *City’s contribution assumes non-smoking incentive*

Open Access Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	1,455.51	1,369.36	1,336.42
City Contribution*	1,033.00	1,022.00	1,072.00
Employee Cost	422.51	347.36	264.42

VantagePlus Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	1,309.96	1,232.42	1,202.78
City Contribution*	1,029.00	1,018.00	1,068.00
Employee Cost	280.96	214.42	134.78

Employee’s selecting **Multiple Dependent coverage** may select one of the following:

\* *City’s contribution assumes non-smoking incentive*

**RESOLUTION NO.**

Open Access Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	1,850.51	1,740.98	1,699.11
City Contribution*	1,286.00	1,272.00	1,336.00
Employee Cost	564.51	468.98	363.11

VantagePlus Network	1,000 CMM	2,000 CMM	2,800 H.S.A.
Premium	1,665.46	1,566.88	1,529.20
City Contribution*	1,281.00	1,267.00	1,331.00
Employee Cost	384.46	299.88	198.20

Health Savings Account contributions will be \$700 for those employees with single coverage and \$1,400 for those employees with dependent coverage.

Article 13.7 – Overtime

- Add language that Compensatory Time may balances may not be carried over from year to year and must be used as leave or cashed out on the last pay period of the year.

Article 17 - Uniforms

- Uniform allowance increase from \$710/annually to \$750/annually.

Article 19 - Compensation

- Eliminate performce-based pay and delete Sections 19.2, 19.3 and 19.4
- Adopt a four step wage schedule based on the current “Exceeds Expectations” wage rates.
- 2021 2% increase in wage table.

Article 21 - Vacation

- Clarify that employees are eligible for payment of vacation of all accrued and unused vacation upon separation.
- Add language referencing the maximum vacation accrual amount of 240 hours.

Article 22.5 – Parental Leave

- New language granting 10 days paid leave following the birth or placement of child.

WHEREAS upon review of its terms and conditions the proposed contract has been found acceptable by the City Council.

THEREFORE BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota that the 2021 LELS, Police Sergeants contract is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and City Manager are authorized and hereby directed to execute said amendment to the 2021 contract with LELS, Police Sergeants.

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

- Ayes:
- Absent:
- Abstained:

**RESOLUTION NO.**

Nays:  
Passed:

---

Jo Emerson, Mayor

ATTEST:

---

Kara Coustry, City Clerk



## City of White Bear Lake

# MEMORANDUM

**To:** Ellen Hiniker, City Manager

**From:** Anne Kane, Community Development Director and  
Connie Taillon, Environmental Specialist/Water Resource Engineer

**Date:** November 6, 2020

**Subject:** **Resolution accepting draft Surface Water Management Plan and authorizing distribution to Water Management Organizations and Counties for review and comment**

---

### REQUEST

Accept the draft Surface Water Management Plan (SWMP) and authorize its submittal to the Water Management Organizations and Counties for technical review. The entire draft SWMP may be found on the City's website and paper copies of the plan are available upon request: <https://www.whitebearlake.org/engineering/page/surface-water-management-plan>

### SUMMARY

At its meeting on August 12, 2020, the City Council accepted comments from adjacent and relevant jurisdictions on the final draft of the 2040 Comprehensive Plan and approved submittal to the Metropolitan Council for review. The Surface Water Management Plan (SWMP) will be formally incorporated into City's 2040 Comprehensive Plan upon its adoption by Council next spring. Meanwhile, Met Council requires that a draft of the plan be distributed for review by respective Water Management Organizations, Ramsey County, and Washington County prior to final approval of the 2040 Comprehensive Plan.

A draft of the SWMP is now ready to be distributed for review and comment. At this time, Council is only being asked to formalize acceptance of the draft SWMP for distribution to satisfy the submittal requirements for the 2040 Comprehensive Plan. Next spring, the Council will be asked to consider adoption of the SWMP document, before which time staff will formally present a summary for Council's review and discussion.

### RECOMMENDED COUNCIL ACTION

Staff recommends adoption of the attached resolution accepting the DRAFT Surface Water Management Plan and authorizing its distribution for review and comment by Water Management Organizations and Counties within the City's jurisdiction.

### ATTACHMENTS

Resolution



**RESOLUTION NO.**

**RESOLUTION ACCEPTING THE DRAFT SURFACE WATER MANAGEMENT PLAN  
AND AUTHORIZING DISTRIBUTION TO WATER MANAGEMENT  
ORGANIZATIONS AND COUNTIES FOR REVIEW**

**WHEREAS**, the City of White Bear Lake's Surface Water Management Plan (SWMP) will be formally incorporated into its 2040 Comprehensive Plan upon final adoption by the City Council; and

**WHEREAS**, the Metropolitan Council requires that a draft of the SWMP be distributed for technical review by perspective Water Management Organizations, Ramsey County and Washington County prior to final acceptance of the City's 2040 Comprehensive Plan; and

**WHEREAS**, a draft of the SWMP has been prepared and is ready for distribution for review and comment; and

**WHEREAS**, the City Council will review the draft SWMP after technical comments have been incorporated, prior to its final adoption.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota hereby accepts the draft Surface Water Management Plan and authorizes distribution to water management organizations and Ramsey and Washington Counties for technical review.

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

Ayes:  
Nays:  
Passed:

---

Jo Emerson, Mayor

**ATTEST:**

---

Kara Coustry, City Clerk



**City of White Bear Lake**  
Community Development Department

# M E M O R A N D U M

**To:** Ellen Hiniker, City Manager

**From:** Anne Kane, Community Development Director

**Date:** November 5, 2020 for the November 10, 2020 City Council meeting

**Subject:** **Livable Communities Act Re-Enrollment**

## REQUEST

Approve the re-enrollment in the Metropolitan Council's Livable Communities Act Program for 2021-2030.

## SUMMARY

Participation in the Metropolitan Council's Livable Communities Act program requires that the City's 2040 Comprehensive Plan is deemed complete and consistent with Metropolitan Council policies for the City to be eligible. The City is required to have its affordable and life-cycle housing goals locally adopted by Resolution by November 15, 2020 in order to be eligible to re-enroll in the Livable Communities Act program for continued grant eligibility 2021-2030.

The affordable housing "need" allocated for the City in 2021-2030 is 200 units, as reflected in the Housing Chapter of the 2040 Comprehensive Plan. The City's affordable housing "goals" reflect that there is not sufficient funding available to meet the forecasted affordable housing "need," and affordable housing "goals" provide an opportunity for cities to consider more realistic, if still ambitious, number of affordable housing units that could be built in the coming decade. There is no penalty for not meeting affordable housing goals.

Life-cycle goals are designed to ensure the City is allowing for a variety of housing types; specifically a mix of densities within areas designated for future residential growth. As the Council may recall, a number of "opportunity sites" were identified through the 2040 Comprehensive Plan update. Approximately 39 acres were identified through that process for potential redevelopment for multi-family and mixed use, and at a minimum density of 10.45 units/acre results in a life-cycle housing goal of 411 units in the coming decade. Again, there is no penalty for not meeting life-cycle housing goals.

Affordable Housing Goals Range	Life-Cycle Housing Goal
110-200	411

**RECOMMENDED COUNCIL ACTION**

Staff requests the City Council adopt the attached resolution electing to participate in the Local Housing Incentives Account Program under the Metropolitan Livable Community Act for calendar years 2021-2030.

**ATTACHMENT**

Resolution

**RESOLUTION NO.**

**A RESOLUTION ELECTING TO PARTICIPATE IN THE  
LOCAL HOUSING INCENTIVES ACCOUNT PROGRAM  
UNDER THE METROPOLITAN LIVABLE COMMUNITIES ACT**

**CALENDAR YEARS 2021-2030**

**WHEREAS**, the Metropolitan Livable Communities Act (Minnesota Statutes sections 473.25 to 473.255) establishes a Metropolitan Livable Communities Fund which is intended to address housing and other development issues facing the metropolitan area defined by Minnesota Statutes section 473.121; and,

**WHEREAS**, the Metropolitan Livable Communities Fund, comprising the Tax Base Revitalization Account, the Livable Communities Demonstration Account, the Local Housing Incentive Account and the Inclusionary Housing Account, is intended to provide certain funding and other assistance to metropolitan-area municipalities; and,

**WHEREAS**, a metropolitan-area municipality is not eligible to receive grants or loans under the Metropolitan Livable Communities Fund or eligible to receive certain polluted sites cleanup funding from the Minnesota Department of Employment and Economic Development unless the municipality is participating in the Local Housing Incentives Account Program under Minnesota Statutes section 47.254; and,

**WHEREAS**, the Metropolitan Livable Communities Act requires that each municipality establish affordable housing and life-cycle goals for that municipality that are consistent with and promote the policies of the Metropolitan Council provided in the adopted Metropolitan Development Guide; and,

**WHEREAS**, a metropolitan-area municipality can participate in the Local Housing Incentives Account Program under Minnesota Statutes section 473.254 if: (a) the municipality elects to participate in the Local Housing Incentives Program; (b) the Metropolitan Council and the municipality successfully negotiate new affordable and life-cycle housing goals for the municipality; (c) the Metropolitan Council adopts by resolution the new negotiated affordable and life-cycle housing goals for the municipality; and (d) the municipality establishes it has or will spend or distribute to the Local Housing Incentives Account the require Affordable and Life-Cycle Housing Opportunities (ALHOA) for each year the municipality participates in the Local Housing Incentives Account Program.

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

1. Elects to participate in the Local Housing incentives Program under the Metropolitan Livable Communities Act for calendar years 2021 through 2030.

2. Agrees to the following affordable and life-cycle housing goals for calendar years 2021-2030:

Affordable Housing Goals Range	Life-Cycle Housing Goal
110-200	411

3. Will prepare and submit to the Metropolitan Council a plan identifying the actions it plans to take to meet its established housing goals.

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

Ayes:

Nays:

Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk

# City of White Bear Lake Environmental Advisory Commission

## MINUTES

Date: September 16, 2020	Time: 6:30pm	Location: WBL City Hall
COMMISSION MEMBERS PRESENT	Sheryl Bolstad, Chris Greene, Bonnie Greenleaf, Rick Johnston, Gary Schroeher (Chair), Robert Winkler	
COMMISSION MEMBERS ABSENT	None	
STAFF PRESENT	Connie Taillon, Environmental Specialist	
VISITORS	None	
NOTETAKER	Connie Taillon	

### 1. CALL TO ORDER

The meeting was called to order at 6:37pm.

### 2. APPROVAL OF AGENDA

The commission members reviewed the agenda. Commissioner Bolstad added student delegate to 7b) Commission member updates. Taillon added knotweed to item 7a) Staff updates. Commissioner Greenleaf moved, seconded by Chair Schroeher, to approve the agenda as amended.

#### Roll call vote:

Bolstad: Aye

Greene: Aye

Greenleaf: Aye

Johnston: Aye

Schroeher: Aye

Winkler: Aye

#### Motion carried.

### 3. APPROVAL OF MINUTES

#### a) August 19, 2020 regular meeting

The commission members reviewed the August 19, 2020 draft minutes and had the following change: Commissioner Winkler stated that he was in attendance to approve the agenda and meeting minutes before leaving the meeting because of computer issues. Taillon noted that she will add the roll call vote to the minutes. Commissioner Johnston moved, seconded by Commissioner Greene, to approve the minutes of the August 19, 2020 meeting as amended.

#### Roll call vote:

Bolstad: Aye

Greene: Aye

Greenleaf: Aye

Johnston: Aye

Schroeher: Aye

Winkler: Aye

#### Motion carried.

**4. VISITORS & PRESENTATIONS**

None

**5. UNFINISHED BUSINESS**

a) Work plan high priority goals

Commission members discussed the downtown area recycling containers and limiting the types of items recycled to cans and bottles to reduce contamination. Commission member Johnston volunteered to visit each trash and recycling container in the downtown area and report on the types of recycling in the containers, and note if trash is found in the recycling. He will report his findings at the October meeting. Taillon will contact Public Works to inquire when the trash and recycling are picked up, and let Commissioner Johnston know so he can visit the site the day before pickup.

Commission members asked staff to set up a joint meeting with the Parks Commission to discuss 2021 priorities and possible joint pollinator planting projects. Taillon will schedule the joint meeting.

b) 2020 budget

- Expo banners

Chair Schroeher reported that the feather flag design is complete and ready to order. Commission members discussed pricing and decided to order two banners in 2020 and two in 2021 to keep within budget. The remaining 2020 budget could be used to subsidize energy audits or purchase plants for a pollinator project. Staff will order two flags and research home energy squad subsidies and report back at the October meeting.

c) Zero waste events – *Action item*

Taillon presented a draft zero waste event policy for discussion. The draft policy requires that City-sponsored events be zero waste, including the volunteer appreciation dinner, employee appreciation lunch, and City sponsored meetings. The policy also includes language for staff to develop zero waste references and resources for events within the City, such as Marketfest and other large gatherings. Commissioner Johnston moved, seconded by Commissioner Greenleaf, to support the zero-waste events policy as written and for staff to present the policy to City Council for their consideration.

Roll call vote:

Bolstad: Aye

Greene: Aye

Greenleaf: Aye

Johnston: Aye

Schroeher: Aye

Winkler: Aye

Motion carried.

**6. NEW BUSINESS**

a) 2021 Work plan

Commission members discussed 2021 work plan priorities. Commissioner Greenleaf asked if the County is moving forward with their curbside organics plan. Taillon will contact the County to inquire about the program, and report back at the October meeting. Commissioner Greenleaf mentioned that the Natural Steps report would be a good resource for project ideas. She will email the Natural Steps report to commission members for review prior to the October meeting.

## 7. DISCUSSION

### a) Staff updates

#### - 2021 Street projects

Taillon provide an update on the 2021 street projects. The 2021 mill and overlay projects most likely will include the Matoska boat trailer parking lot and Lakewood Park parking lots. Staff visited the sites earlier this summer to look for opportunities to install raingardens to treat runoff from the parking lots.

Raingardens are most likely not feasible at the Matoska site due to the close proximity to the lake and high groundwater. Raingarden opportunities may be more feasible at Lakewood Park.

#### - Knotweed

Taillon reported that invasive knotweed was discovered surrounding the foot path from Fair Oaks Drive that leads to Willow Marsh Park. Ramsey County was notified, and they plan to begin treatment within the next two weeks to control the infestation.

### b) Commission member updates

#### - Student delegates

Commissioner Bolstad reported that two high school students are interested in joining the commission as student members. Commissioner Greene and Commissioner Greenleaf mentioned that they would like both students to be appointed to the commission if they are residents of White Bear Lake. Commission members discussed if the student delegates would be allowed to vote, and agreed that both should be voting members. Taillon will ask the Mayor about appointing two student delegates and Commissioner Bolstad will direct the students to fill out an application.

### c) Do-outs

New do-out items for September 16, 2020 include:

- Commissioner Johnston to investigate the types of recycling found in downtown trash and recycling containers
- Staff to ask Public Works when trash and recycling are picked up in the Downtown area, then email Commissioner Johnston.
- Staff to contact Parks Commission staff liaison to set up a joint meeting to talk about 2021 priorities, potential partnerships, pollinator plantings
- Staff to order 2 banners from the EAC budget
- Staff to research subsidizing home energy squad visits
- Staff to forward Zero Waste policy to Council for their consideration
- Staff to get an update on curbside organics from Ramsey County
- Commissioner Greenleaf to email Natural Step Framework
- Commission members to review Natural Steps reports prior to October meeting
- Staff to ask about appointing two student delegates

### d) October agenda

Include officer elections, update on curbside organics collection, update on zero waste policy, 2021 work plan, and roles of environmental commissions on the October agenda. The next meeting will be held via WebEx on Wednesday, October 21, 2020 at 6:30pm.



**8. ADJOURNMENT**

Commissioner Johnston moved, seconded by Commissioner Bolstad to adjourn the meeting at 8:18 pm.

Roll call vote:

Bolstad: Aye

Greene: Aye

Greenleaf: Aye

Johnston: Aye

Schroeder: Aye

Winkler: Aye

Motion carried.

REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT  
7:00 pm White Bear Lake City Hall  
Minutes of September 15, 2020

APPROVAL DATE: October 20, 2020

1. **CALL TO ORDER** the September 15, 2020 meeting of the White Bear Lake Conservation District was called to order by Chair Bryan DeSmet at 7:00 pm (Zoom virtual meeting)
2. **ROLL CALL** Present were: Chair Bryan DeSmet, Vice Chair Mark Ganz, Sec/Tres Diane Longville, Directors: Scott Costello, Mike Parenteau, Scott O'Connor and Susie Mahoney. Absent were Director's Marty Rathmanner and Cameron Sigecan. A quorum was present.
3. **AGENDA** – Chair DeSmet asked for any changes to the agenda. None Motion to accept Agenda DeSmet/second vote by roll call all aye Passed
4. **APPROVAL OF MINUTES OF** – August 2020 board meeting. Motion (DeSmet/Second) Moved to approve vote by roll call all aye passed.
5. **PUBLIC COMMENT TIME** – None
6. **NEW BUSINESS** –
  - A letter was received in some of our board members mailboxes inquiring if anyone was renting one of their dock slips as he was in need of one and he found wait lists at the marinas. This is a Federal violation by putting in the mail boxes without postage and also violation to WBLCD rules and regulations as no one is allowed to rent any of their slips from their personal docks. A marina license is required to rent any slips. Our attorney Alan Kantrud will contact this person by sending a letter letting him know of the rules and that he cannot rent any slips from private individuals.
7. **UNFINISHED BUSINESS** - Update
  - Sign for St. Germain Bay – Update Mark working with MNDOT where the right of ways are etc.
  - Commercial Bay Study – Still working to gather information of items board is interested in having in a study and how to prioritize. Kim will resend out Bryan's start up sheet of ideas for those to add to. Then return to Kim for Bryan. First we will list all the ideas then will come back to discuss how we wish to prioritize at October meeting.
8. **REPORTS/ACTION ITEMS**
  - Executive Committee** – No meeting
  - Lake Quality Committee** – Mike Parenteau
    - Lake level as of today is 924.49 last yr. 925.08
    - Current temperature is 66 degrees last month 74
    - Phragmites treatment to be done end of month early Oct. getting DNR permit
9. **Lake Utilization Committee** – Meeting was cancelled
  - Mark provided drone photos of commercial bay for boat count. Possibly have each slip next year numbered for each entity.
10. **Lake Education** – Scott Costello
  - Scott has put together an informational flyer to explain how individuals can treat Yellow Iris in the future themselves for the website. Also added information under invasive

species about phragmites and Yellow Iris. Cleaned up some statements and links that were out of date. We will put a link how to treat on Facebook to website.

**11. Treasurer's Report – Diane Longville**

Motion (Longville/Second) approval of October 20, 2020 Treasurer's report and payment of check numbers 4657-4664 Move to approve all aye passed.

**12. Board Counsel Report – Alan Kantrud**

It has been slow on lake, no real issues. Was a recording error last month's zoom meeting so there is no August live recording, only hardcopy of minutes.

**13. Announcements – All last year permits were sent renewal packages with forms and cover letter reminding them to submit by Oct 15<sup>th</sup> to avoid late fees. Also emailed all reminders as well. Put on website scroll.**

**14. Adjournment – Motion (DeSmet/Second) Move to adjourn all aye Passed.**

**Meeting adjourned**

ATTEST:

*Kim Johnson*

Kim Johnson

Executive Administrative Secretary

Date: October 20, 2020

ATTEST:

*Bryan DeSmet*

Bryan DeSmet

Board chair

Date: October 20, 2020

**MINUTES  
PLANNING COMMISSION MEETING  
CITY OF WHITE BEAR LAKE  
OCTOBER 26, 2020**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, October 26, 2020, beginning at 7:00 p.m. via WebEx, pursuant to a statement issued by the Mayor under Minnesota Statutes, section 13D.021 as a result of the COVID-19 pandemic, by Chair Ken Baltzer.

**1. CALL TO ORDER/ROLL CALL:**

MEMBERS PRESENT: Ken Baltzer, Jim Berry, Pamela Enz, Mark Lynch, and Peter Reis.

MEMBERS EXCUSED: Erich Reinhardt.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Steve Bucher, Kelly Clement, Jacqueline Ganser, Robert Wentink, Brent Peacock, Melissa Peacock, Troy Kampa, Susan Wolsfeld, Sean Wagner, Tim Wald, Eric Linner, Dan Schmidt, Grant Raykowski, Blake Segafredo, John Leininger, Allan Boucher, and Mike Amundsen.

**2. APPROVAL OF THE OCTOBER 26, 2020 AGENDA:**

Member Reis moved for approval of the agenda. Member Lynch seconded the motion, and the agenda was approved (5-0).

**3. APPROVAL OF THE SEPTEMBER 28, 2020 PLANNING COMMISSION MEETING MINUTES:**

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

**4. CASE ITEMS:**

A. **Case No. 20-1-P:** A request by **321 Group LLC** for a preliminary plat, per Code Section 1402.020, to subdivide one parcel into 9 single-family residential lots on the property located at 1800 County Road E (**CONTINUED AT APPLICANT'S REQUEST**).

B. **Case No. 20-17-V:** A request by **Steve Bucher** for a 13' 4.5" variance from the 30 foot setback required along the rear property line, per Code Section 1303.060, Subd.5.c, and a 14.5' variance from the 25 foot setback required along the side abutting a public right-of-way, per the same, in order to construct a screen porch 10.5' from the north property line and 16' 7.5" from the east property line at the property located at 4820 Stewart Avenue.

Miller discussed the case. Staff recommended denial of one variance and approval of one variance.

Member Reis asked if a variance had ever been granted on the Stewart Avenue side of the building. Miller replied that she was unsure. Kane explained that due to the age of the building, it was likely built before any formal zoning code was adopted, so the building setbacks are legal nonconforming. Member Reis explained that the reason he asks is if a variance was granted on the west and the applicants are now requesting a variance on the north and east, it would be a lot of nonconformity for one property.

Member Berry wondered whether the original two-car garage had received a variance since it was much closer to the rear property line than the proposed porch. Member Baltzer noted that the applicants may speak to this since the new garage is further back on the property.

Member Lynch asked if the property line on the east side encroached into the alleyway. Miller replied it was a twenty-foot wide right-of-way that started along the paved portion of the alley.

Member Baltzer opened the public hearing.

Steve Bucher, applicant, offered a number of reasons why they chose this location for the porch. He clarified that the property line is about three feet back from the pavement in the alley and stated that it will be less intrusive than what existed when they bought the property in both size and setback, since the old garage was much closer. Additionally, there is a concrete slab that is part of the basement and cannot be removed, which the porch would cover, improving the appearance of the rear yard.

Further, this is the only area of the yard that provides shade, which is a necessity for Mr. Bucher, as he is prone to skin cancer. He clarified that the second porch shown on the plans was not constructed and there is no intention to build one in that location.

Mr. Bucher addressed the concerns of neighbors regarding an increase in noise. He stated that the noise issue is not dependent on whether the variance for the screen porch is granted. The space will be used for outdoor enjoyment regardless of what is constructed, and he thinks that enclosing the space may make it quieter for surrounding neighbors.

Member Reis asked what would become of the concrete slab should the variance be denied. Mr. Bucher replied that it would remain as is. The variance would allow the applicants to turn an area that is otherwise unattractive into something aesthetically pleasing.

Jacqueline Ganser, 4821 Morehead Avenue, stated that she and her husband are opposed to the granting of the variance for several reasons. The neighborhood has relatively high density and there is little space between homes. She believes the proposed porch would be invasive to the personal space and privacy of the surrounding homes. She further explained that there is a precedent of noise issues by the former occupants, the Lakeshore Players Theater. The back step was often used by staff as a break area and the noise carried into their backyard. Ms. Ganser is concerned that the variance will extend the gathering space and further propagate the noise nuisance.

Ms. Ganser noted that they are particularly concerned that the applicants will be using the home for events and fundraising activities with an emphasis on musical performances and that Ms.

Clement's work in the audio electronics sector will further increase the noise. She asked the applicants how often they will hold fundraising events and how working from home will affect the neighborhood. She welcomes the applicants to the neighborhood and asks they be respectful of the small lots and character of the neighborhood.

Steve Bucher sought to address some of Ms. Ganser's concerns. He stated that they are not a theater company and if they chose to play music it would be the same as any other resident playing music in their home. He agrees that homes are generally close together, but this is not the case for the homes across the alley. There is significant space between them. He stated his use of the space will not match how the theater used it. We are sensitive to the neighbor's concerns, but we live in a city and there is going to be noise.

Kelly Clement, applicant, explained that the screened porch will not be used for entertaining. This is our residence. The porch will only have four chairs and a table, much like other neighbors in the alley have. She had previously told the neighbors that they would be interested in hosting events for the good of the community, not as a place for parties that would spill into the backyard. Mr. Bucher reiterated this is not a theater.

Ms. Clement continued that her job as an audio/video representative did not mean she would be demonstrating loud speakers all day long. Her business will not impact the neighborhood.

Jacqueline Ganser, 4821 Morehead Avenue, addressed the old garage that was on the property. The use of the garage was only used for storage by theater staff, so was essentially nonexistent. She commented that they are reasonable neighbors and are used to the level of noise and traffic that both the theater and Marketfest generate, however she will remain concerned of the potential for noise nuisances.

Steve Bucher, applicant, concluded that they will be sensitive to noise, but it is not an issue that will be affected by the construction of the screen porch.

Member Baltzer closed the public hearing.

Member Lynch asked if the variance request would be the same if the area was completely enclosed. Miller confirmed it would be.

Member Reis believed that the neighbors should not be concerned with potential noise issues because they are protected by the existing noise ordinances, so is somewhat of a non-issue in terms of the variance request. He continued that the issue for him is that it is a really big building with a big footprint for the R-4 neighborhood.

Member Berry asked if there are any existing variances anywhere on this property. Miller was unaware of any variances.

Member Lynch acknowledged the concern surrounding noise, but agreed with Member Reis in his opinion of the matter. His main concern is that there are other areas where such a structure could be constructed that do not encroach into the alleyway or other required setbacks.

Member Enz agreed with Member Lynch, stating that she believes the applicants could come up with creative ways to provide shade for a porch on the south side. There is a lot of space on the

south side of the property and certain plant material and design features could offer the shade the applicants are seeking.

Member Baltzer stated that the applicants have already addressed certain issues by moving the new garage back. The roof of the screen porch would match the garage and would break up the nothingness that currently exists in the rear, making it aesthetically easier to look at. He agreed that the slab will be an eyesore if left as is and that since the porch will only extend a few feet more than the slab, there will not be much of change. Any change will be for the better.

Member Reis moved to recommend approval of the side yard abutting a public right-of way variance and disapproval of the rear yard variance in Case No. 20-17-V, as recommended by staff. Member Lynch seconded the motion. The motion passed by a vote of 3-2. Member Baltzer and Member Berry dissented.

- C. **Case No. 12-5-Sa:** A request by **Independent School District #624** for a Conditional Use Permit Amendment, per Code Section 1303.245, for a 3,000 square feet, one story, 2 classroom addition on the north side of Matoska Elementary located at 2530 Spruce Place.

Miller discussed the case. Staff recommended approval.

Member Lynch asked whether the one residence that had not signed the administrative variance had any objections to the project. Miller stated that the School District had tried to contact the property owners, but it appeared no one was living in the home, and there was no response to letters sent to the owners' mailing address.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Lynch moved to recommend approval of Case No. 12-5-Sa. Member Enz seconded the motion. The motion passed by a vote of 5-0.

- D. **Case No. 20-16-V:** A request by **Melissa & Brent Peacock** for a 420 square foot variance from the 1,250 square foot maximum for all accessory structures combined, per Code Section 1302.030, Subd.4.i.2.b, in order to construct a third garage stall on the existing attached two car garage at the property located at 2532 Manitou Island.

Crosby discussed the case. Staff recommended approval subject to the conditions listed in the report.

Member Enz asked if the conditions that staff was recommending included the proposed changes that staff just presented. Crosby confirmed that they did. Staff then showed a graphic depicting changes requested by the Manitou Island Association.

Member Reis asked if the noncompliant structure by the lake could be repaired and to what extent. Crosby replied that it could be repaired essentially down to the studs, so substantial work could be completed.

Member Baltzer opened the public hearing.

Melissa and Brent Peacock, 2532 Manitou Island, applicants, introduced themselves as the new owners of the property. They are not looking to upset neighbors with this project.

Sean Wagner, Board of Directors Member of the Manitou Island Association, 2535 Manitou Island. He reiterated that the Board has not withdrawn their objection to the variance, but requests that if the Planning Commission approves it, a number of conditions be included to minimize the impact on the neighborhood.

Member Baltzer closed the public hearing.

Member Baltzer sought clarification on whether the conditions proposed by the Board would be included if the Commissioners voted to approve the variance as requested. Crosby replied that it would be up to the Planning Commission on what conditions to include.

Member Lynch commented that there are already three accessory structures plus the driveway. Parking cars in a different formation could provide room for multiple vehicles without restricting access.

Member Reis stated that he understands Mr. Wagner's concerns, but he is not sure what exactly the Association is requesting in terms of modifying the variance request. He has not seen any specific conditions that the Commissioners could consider.

Member Enz concurred that it was a little confusing on what was being proposed and wondered if Mr. Wagner could clarify the position of the Board.

Sean Wagner explained that the property has received a number of variances in the past, so is already nonconforming. The addition of the third garage stall would exacerbate the nonconformity. The Board is requesting conditions that minimize the nonconformity be included to bring the existing two stall garage into more aesthetic consistency with the island. The Board would like to keep the character of the properties on the island consistent.

Member Reis suggested that the Board consider additional bylaws for the Association in order to build in more absolutes on what can and cannot be done on a property.

Member Baltzer asked the applicants if they were agreeable to the conditions Mr. Wagner proposed in terms of screening and design changes. Melissa and Brent Peacock confirmed that they were.

In response to a question from Member Lynch, Mr. Wagner confirmed that first and foremost, the Board is opposed to the variance request.

Crosby explained the changes to the request in more detail, stating that half of the garage door on the detached garage and the driveway leading up to that portion of the garage would be removed. The section of driveway would be replaced with lawn. A conifer-type screening hedge would also be planted on both sides of the driveway.

Member Baltzer summarized that to offset the variance for the new garage stall, one stall would be removed from the detached garage.



Member Enz understands what the Association is trying to maintain and suggested tabling the proposal to allow for a more detailed plan of the proposed changes.

Member Baltzer believed that the Association and the applicants have worked out an amenable solution, so he does not think the matter should be pushed back another month.

Member Enz asked and Mr. Wagner confirmed that the Board is in a 4-3 split in favor of the proposed changes, but still overall against the variance.

Member Berry moved to recommend approval of Case No. 20-16-V with the additional changes as agreed upon between the Board and the applicants. Member Reis seconded the motion. The motion passed by a vote of 3-2. Member Enz and Member Lynch dissented. Member Lynch explained that he voted no because he did not see the need for a variance, not that he opposed the changes.

- E. **Case No. 20-8-CUP:** A request by **Tousley Ford** for a Conditional Use Permit, per Zoning Code Section 1303.200, Subd.5.a in order to use an existing trash enclosure for outdoor storage at the property located at 1755 Buerkle Road.

Crosby discussed the case. Staff recommended approval.

Member Baltzer opened the public hearing.

Blake Segafredo, Architect, explained that the applicants would like to include a compactor in the enclosure, which is why the area is so large and tall.

Member Baltzer closed the public hearing.

Member Enz moved to recommend approval of Case No. 20-8-CUP. Member Reis seconded the motion. The motion passed by a vote of 5-0.

- F. **Case No. 20-9-CUP:** A request by **Independent School District #624** for a Conditional Use permit, per Section 1303.245, for a 12,000 square foot addition on the west side of the building to include a gymnasium and associated support space including storage, toilets, new outdoor storage, loading dock, electrical service room, conference room, extended day office, and freezer at Lincoln Elementary located at 1961 6th Street.

Crosby discussed the case. Staff recommended approval subject to the conditions laid out in the report.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Enz moved to recommend approval of Case No. 20-9-CUP. Member Berry seconded the motion. The motion passed by a vote of 5-0.

- G. **Case No. 20-18-V:** A request by **Grant Raykowski** for a 7 foot variance from the 12 foot setback required for a 6 foot fence in a corner side yard, per Code Section 1302.030, Subd.6.h.4, in order to install a gate that is 6 feet at its highest point across the driveway 5 feet from the western property line at the property located at 2503 Manitou Island.

Kane discussed the case. Staff recommended approval.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 20-18-V. Member Berry seconded the motion. The motion passed by a vote of 5-0.

**5. DISCUSSION ITEMS:**

**A. City Council Meeting Summary of October 13, 2020.**

Member Lynch expressed his enthusiasm for the water tower contest that White Bear Lake is competing in.

**B. Park Advisory Commission Meeting Minutes of July 16 & August 20, 2020.**

Member Baltzer stated that he spoke to Parks Commission Member Brian Belisle regarding the pervious parking lot at Lions Park. He recommends striping the parking stalls somehow, even if it is just along the curb, to better indicate where the stalls are. He noted that presently, visitors have a hard time determining where the stalls are and cars often end up backing out into traffic on Old White Bear Avenue. It's a highly used park.

Continuing the conversation of community betterment, Member Reis recommended that the Manitou Island Association create a commonality in how house numbers are displayed. Currently, they are hard to see and this is dangerous for first responders.

Kane noted that staff has indicated a willingness to amend the zoning code to reflect the environment that the Island Association would like to preserve. The Association has been receptive of this idea in recent years.

**6. ADJOURNMENT:**

Member Lynch moved to adjourn, seconded by Member Enz. The motion passed unanimously (5-0), and the October 26, 2020 Planning Commission meeting was adjourned at 8:48 p.m.



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

# *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

**From:** Connie Taillon, Environmental Specialist/Water Resources Engineer

**Date:** November 3, 2020

**Subject:** **Resolution Approving Raingarden Construction Contract with Sandstrom Land Management LLC**

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## **BACKGROUND / SUMMARY**

The City is collaborating with Rice Creek Watershed District (RCWD), Ramsey-Washington Metro Watershed District (RWMWD) and Ramsey County Soil & Water Conservation Division (SWCD) to construct three homeowner curb-cut raingardens as part of the City's 2020 street rehabilitation projects. The City provided a curb cut, the SWCD designed the raingardens, a contractor has been selected to construct the raingardens, and RCWD and RWMWD will provide cost share grants to cover the cost of construction.

Through a competitive bid process, RCWD and RWMWD selected Sandstrom Land Management, LLC for a total of \$26,588.50 to construct the curb cut raingardens in the amount of \$23,366, plus \$3,222.50 for the repair of an existing raingarden inlet structure that was damaged this spring.

The City of White Bear Lake has agreed to pay the lump sum amount of \$26,588.50 to Sandstrom Land Management, LLC upon successful completion of the project. RCWD and RWMWD have agreed to fully reimburse the City of White Bear Lake for construction costs of the three raingardens and half the cost of the inlet repair, for a total of \$34,977.25. The other half of the cost for repair (\$1,611.25) will come from the City's SWPP budget.

## **RECOMMENDED COUNCIL ACTION**

Staff recommends that the City Council adopt the attached resolution approving the raingarden construction contract with Sandstrom Land Management, LLC.

## **ATTACHMENTS**

Resolution

**RESOLUTION NO.**

**RESOLUTION APPROVING RAINGARDEN CONSTRUCTION CONTRACT  
WITH SANDSTROM LAND MANAGEMENT, LLC**

WHEREAS, the Rice Creek Watershed District (RCWD) and Ramsey-Washington Metro Watershed District (RWMWD) have undertaken a grant program to provide landowners with financial assistance to have a curb cut raingarden constructed on their property; and

WHEREAS, The City of White Bear Lake has agreed to provide a curb cut free of charge to participating landowners as part of the City's street renovation projects; and

WHEREAS, Through a competitive bid process, RCWD and RWMWD selected Sandstrom Land Management, LLC for construction related to the installation of curb cut raingardens and raingarden repair amounting to \$26,588.50; and

WHEREAS, The City of White Bear Lake has agreed to pay the lump sum amount of \$26,588.50 to Sandstrom Land Management, LLC upon successful completion of the curb cut raingarden construction and raingarden repair; and

WHEREAS, RCWD and RWMWD have agreed to fully reimburse the City of White Bear Lake for the curb cut raingarden construction costs amounting to \$23,366; and

WHEREAS, Through a cost share, RWMWD has agreed to reimburse the City of White Bear Lake for half the cost of the raingarden repair amounting to \$1,611.25; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota that the Council hereby authorizes the Mayor and City Manager to execute the Construction Services agreement with Sandstrom Land Management in the amount of \$26,588.50.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk



City of White Bear Lake  
City Manager's Office

## MEMORANDUM

**To:** Ellen Hiniker, City Manager

**From:** Kara Coustry, City Clerk

**Date:** November 2, 2020

**Subject:** **Transfer of On-sale wine, 3.2, Sunday and Extension liquor licenses at Lunds Inc., to Lund Food Holdings, Inc.**

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### BACKGROUND

Every year since April 2018, the City Council has approved on-sale wine, 3.2, Sunday and Extension liquor licenses for Lunds Inc., dba Lunds & Byerlys, located at 4630 Centerville Road. This license has been used to sell beer and wine to customers in the mezzanine café. The combination of a wine license with a 3.2 beer license, allows the applicant to serve strong beer and an extension license permits outside patio consumption as well. The restaurant has seating for more than 25 people and is open to the public.

### SUMMARY

Via written notice received October 26, 2020, Lunds & Byerlys are consolidating Lunds Inc. into Lund Food Holdings, Inc. The City received an application from Russel Thomas Lund, III on behalf of Lund Food Holdings, Inc. dba Lunds & Byerlys for on-sale wine, 3.2, Sunday and Extension liquor licenses at the restaurant contained in the grocery store as follows:

Lund Food Holdings, Inc. dba Lunds & Byerlys  
4630 Centerville Road  
White Bear Lake, MN 55110

Staff recommends the license transfer and the full application is on file in the City Manager's Office.

### RECOMMENDED COUNCIL ACTION

Staff recommends Council adopt the attached resolution approving the transfer of on-sale wine, 3.2 liquor, Sunday and Extension liquor licenses from Lunds Inc. to Lund Food Holdings, Inc.

### ATTACHMENTS

Resolution

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING THE TRANSFER OF ALL LIQUOR LICENSES FOR LUNDS, INC. TO LUND FOOD HOLDINGS, INC.**

WHEREAS, the City of White Bear Lake City received an application for on-sale wine, 3.2 beer, Sunday and extension liquor licenses from Russel Thomas Lund, III on behalf of Lund Food Holdings, Inc., dba Lunds & Byerlys; and

WHEREAS, the location for the on-sale and related liquor license is 4630 Centerville Road, White Bear Lake, MN within the restaurant located in the mezzanine; and

WHEREAS, through planned consolidation, Lunds, Inc. is being eliminated and all licenses requested to be assumed under Lund Food Holdings, Inc.; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of White Bear Lake approves the transfer of on-sale wine, 3.2 beer, Sunday and extension liquor licenses effective through business cycle ending March 31, 2021 from Lunds, Inc. to the following:

Lund Food Holdings, Inc. dba Lunds & Byerlys  
Inside the restaurant and on the patio  
4630 Centerville Road  
White Bear Lake, MN 55110

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk



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

## *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

**From:** Connie Taillon, Environmental Specialist/ Water Resources Engineer

**Date:** November 3, 2020

**Subject:** **Ramsey County SCORE grant application**

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### **BACKGROUND**

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

The expected 2021 funding allocation to the City of White Bear Lake is \$59,328. These monies are used to help offset the City's recycling program and collection costs.

In addition to the base funding allocation, municipalities are eligible to receive up to two optional incentive payments. Comparable to base funding, incentive payments are determined on a per capita basis. To receive one incentive payment, the City must implement one activity from a list of incentive options. To receive two incentive payments, the City must implement two incentive options from the list.

The maximum incentive payment in 2021 for a single project is \$5,650. Examples of activities on the approved incentive option list include recycling bulky waste, engaging small businesses in curbside recycling services, promoting BizRecycling, and co-sponsoring an organics drop-off site. Staff has not yet determined if resources will be available to pursue an incentive activity in 2021, but the City cannot participate if we do not include the option in this process. There is no penalty for including the incentive programs in this grant application but not pursuing them in 2021.

### **RECOMMENDED COUNCIL ACTION**

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

### **ATTACHMENTS**

Resolution

**RESOLUTION NO.**

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

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

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

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

WHEREAS, the City of White Bear Lake's per capita share of the distribution is \$59,328; and

WHEREAS, the City of White Bear Lake has the option of participating in an incentive program for an additional allocation of up to two payments of \$5,650 each.

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

1. The City requests the SCORE funding allocation and authorizes the City Manager to submit the grant application to the Ramsey County Board of Commissioners for approval.
2. The City Manager is authorized to participate in the optional incentive program and apply for the incentive program allocation(s).

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

Ayes:  
Nays:  
Passed:

---

Jo Emerson, Mayor

ATTEST:

---

Kara Coustry, City Clerk



FYI

Thomas Thorne

808 Anne Marie Circle Unit 104

Little Falls, Mn.56345

612 227-1660

rawhoneysamples@gmail.com



## FIRST FUND RAISER FOR THE UNIVERSITY OF MINNESOTA HONEY BEE RESEARCH CENTER

Honorable Mayor/ City council Members:

We raise money for the University of Minnesota honey bee research center led by Dr. Marla Spivak Distinguished McKnight Professor Department of Entomology who is one of the leading authorities in the country on Colony Collapse Disorder.

We also do our part informing the public on honey fraud which is a big problem for beekeepers in this country. ( See enclosed flyer)

Another study by researchers at Oxford University determined that honey out preforms antibiotics, for cough symptoms. **NOT INTENDED FOR CHILDREN UNDER ONE YEAR OF AGE.**

With Christmas coming soon and many families struggling what better way for the city council to purchase a few cases of our 3 ounce jar of PURE, RAW, UNFILTERED honey for your local food shelf.

Our honey has been certified by Dr. Bryant at Texas A & M University.

With your contribution we can continue to support Dr. Marla Spivak along with your local food shelf.

Please send us a purchase order along with shipping address and contact person to the address at the top of this letter.

24 bottles to a case 1-9 cases \$150.00 per case 10-49 cases \$143.00 50 plus \$ 137.00

FH100

Raising money for the University of Minnesota Honey Bee Research Center. Headed by Dr. Marla Spivak, one of the leading authorities in the country on why bees are dying by the thousands. Dr. Marla Spivak, a distinguished McKnight Professor Department of Entomology.

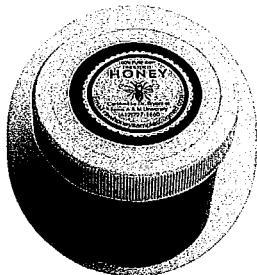
## UNIVERSITY OF MINNESOTA

*Twin Cities Campus*

*Department of Entomology*

*College of Food, Agricultural and  
Natural Resource Sciences*

*219 Hodson Hall  
1980 Folwell Avenue  
St. Paul, MN 55108-6121  
612-624-3636  
Fax: 612-625-5299*



Styles Subject  
to Change

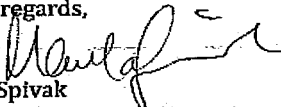
Thomas Thorne  
808 Anne Marie Cir., Apt 104  
Little Falls, MN  
56345

Dear Tom,

I am pleased that you are interested in setting up displays in schools to sell honey and educate students about the benefits of bees.

Although you do not need my authorization, I do approve of you displaying a banner that reads, "Raising money for the U of M bee research." All of us in the Bee Lab are very appreciative of your efforts.

Warm regards,

  
Marla Spivak  
Distinguished McKnight Professor  
Department of Entomology  
University of Minnesota

### TEST SHOW MOST STORES HONEY ISN'T HONEY

By Food Safety News Nov. 7, 2011

More than three-fourths of the honey sold in United States grocery stores isn't exactly what the bees produce according to testing done exclusively for Food Safety News.

The results show that the pollen frequently has been filtered out of products labeled "honey".

The removal of these microscopic particles from deep within a flower would make the nectar flunk the quality standards set by most of the world's safety agencies.

Without pollen there is no way to determine whether the honey came from legitimate and safe sources.

Vaughn Bryant a professor at Texas A&M University and one of the nation's premier investigators of pollen in honey found that 76 percent of samples they bought at grocery stores had all the pollen removed.

One hundred percent of the honey sampled from drugstores like Walgreens, Rite-Way, CVS had no pollen.

Seventy-Seven percent of the honey sampled from big box stores like Costco, Sam's Club, Walmart, Target, had the pollen filtered out.

To see the full report visit Food Safety News

Google Food Safety News Nov. 7, 2011.

Some manufacturers may add sugar or sweeteners to reduce costs, with a lot of honey sold in America come from China, Vietnam, India, etc.

According to the Federal Register of the United States Department of Agriculture on standards and grades of honey it states that beekeepers may remove, "fine particles, pollen grains, air bubbles, or other materials normally found in suspension." Therefore, from the standpoint of legal federal laws, one may filter honey and remove everything suspended in it, including pollen. Therefore, removing pollen from honey is legal, but by removing pollen along with other suspended items it can create a significant problem for testing and will also lower the nutritional value of the honey.

- Bee Culture, The Magazine of American Beekeepers Sept 8, 2017



**West Central** - The Nebraska crop was down, and wholesale markets are not good. "Honey packers don't seem interested in domestic honey."

- American Bee Journal Jan 2020

Send Contributions to:

TOM THORNE  
808 ANNE MARIE CIRCLE UNIT 104  
LITTLE FALLS, MN 56345  
PHONE 612-227-1660

EMAIL: rawhoneysamples@gmail.com