



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, DECEMBER 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 Work Session on November 24, 2020
- B. Minutes of the Regular City Council Meeting on November 24, 2020

3. APPROVAL OF THE AGENDA

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

- A. Truth in Taxation Hearing
 - Resolution adopting the Revised 2020 Budget and Proposed 2021 Budget
 - Resolution adopting the 2020 Tax Levy, Collectible in 2021
 - Resolution committing Fund Balances for Specific Purposes
 - Resolution authorizing City Contributions toward Employee and Volunteer Recognition Programs as Presented in the 2020 and 2021 Budgets
 - Resolution Authorizing and Acknowledging City Involvement in Promoting Business and Cultural Activities in White Bear Lake as presented in the 2020 and 2021 Budgets

6. LAND USE

- A. Consent
 - 1. Consideration of a Planning Commission recommendation for approval of a request by Alleycat's for an amendment to an existing sign variance at 1971 Whitaker Street. (Case No. 20-19-V)
- B. Non-Consent
 - 1. Consideration of a Planning Commission recommendation for approval of a request by 321 Group LLC for a Preliminary Plat at 1800 County Road E. (Case No. 20-1-P)

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

- A. First reading of an Ordinance adoption of the 2021 annual fee and utility rate schedule

9. NEW BUSINESS

- A. Resolution authorizing staff to solicit proposals for ambulance billing and collection services
- B. Resolution authorizing the City Manager to enter into agreement with Trane U.S. to perform a detailed investment grade audit at the Sports Center

10. HOUSING AND REDEVELOPMENT AUTHORITY

- A. Roll Call
- B. Approval of the January 14, 2020 HRA Meeting Minutes
- C. Resolution not waiving the monetary limits on Municipal Tort Liability established by Minnesota Statutes 466.04 for Housing and Redevelopment Authority
- D. Adjournment

11. CONSENT

- A. Acceptance of minutes: October Park Advisory Commission, October Environmental Advisory Commission, October White Bear Lake Conservation District, November Planning Commission.
- B. Resolution not waiving the monetary limits on Municipal Tort Liability established by Minnesota Statutes 466.04
- C. Resolution accepting work and authorizing final payment to North Valley, Inc. for completion of the 2020 Mill and Overlay Project, City Project No.: 20-13
- D. Resolution accepting work and authorizing final payment to T.A. Schifsky & Sons for completion of the 2020 Street Reconstruction Project, City Project Nos.: 20-01 & 20-06
- E. Resolution authorizing conditional approval of an Off-Sale Liquor license for Cellars WHL Inc.

12. DISCUSSION

- A. Ramsey County turnback of portion of South Shore Blvd between McKnight and Bellaire – 2022 South Shore Trail project
- B. Request for Qualifications Proposal (RFQ) for downtown parking and mobility study

13. COMMUNICATIONS FROM THE CITY MANAGER

- Update on the Welcoming & Inclusive Community Initiative and the Housing Policy Task Forces
- Legislative Agenda discussion, January 5th Work Session

- Public Safety Building Project, January 19th Work Session

14. ADJOURNMENT



**MINUTES
WORKSESSION OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, NOVEMBER 24, 2020
6:00 P.M. VIA ZOOM OR TELEPHONE**

6:10 PM Meeting Opened

In Attendance: Mayor Jo Emerson, Councilmember Bill Walsh, Councilmember Dough Biehn, Councilmember Kevin Edberg, Councilmember Steven Engstran, City Manager Ellen Hiniker, Assistant City Manager Rick Juba, City Engineer/Public Works Director Paul Kauppi, Finance Director Kerri Kindsvater, Police Chief Julie Swanson and Fire Chief Greg Peterson

Staff presented information regarding the potential addition of a police garage and expansion of the fire apparatus bay. Following discussion with the City Council it was determined that another work session on this topic will be held in January 2021.

6:55 PM Meeting Adjourned



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, NOVEMBER 24, 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 (acting clerk), Community Development Director Anne Kane, Public Works Director/City Engineer Paul Kauppi, Finance Director Kerri Kindsvater and City Attorney Troy Gilchrist.

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on November 10, 2020

It was moved by Councilmember **Jones** seconded by Councilmember **Edberg**, to approve the Minutes of the Regular City Council Meeting on November 10, 2020.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

It was moved by Councilmember **Biehn** seconded by Councilmember **Engstran**, to approve the Agenda with the addition of item 9F and the removal of item 10B.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Melissa and Brent Peacock for a variance at 2532 Manitou Island (Case No. 20-16-V)

Community Development Director Kane reported that this request was withdrawn by the applicant.

B. Non-Consent

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

- A. Resolution Authorizing White Bear Lake Area Hockey Association's use of Podvin Park ice rink in order to hold a hockey tournament.

City Manager Hiniker explained this event was held last year and was highly regarded in the hockey community. The current version of the Stay Safe MN order would not permit this event to happen but staff is recommending approval so that the Hockey Association can plan for it in hopes that the pandemic weakens by late January and restrictions are lifted.

It was moved by Councilmember **Engstran** seconded by Councilmember **Jones**, to approve **Resolution No. 12677**, approving use of Podvin Park ice rink for a hockey tournament

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

- B. Resolution approving 2021 Union Contract with the International Union of Operating Engineers Local No. 49

City Manager Hiniker explained that as reported by Assistant City Manager Juba during the last City Council meeting, all four of the city's union contracts have been negotiated, each containing the following proposed provisions, if approved by the Council:

- 1 year term
- comp time is cashed out by the end of the year to conform with tax laws
- 3% insurance contribution
- 2% wage increase
- vacation cap increase 200 proposed at 240 because people are not taking vacations
- implementation of standard 10 days of parental leave

Ms. Hiniker noted a \$50 increase in the clothing allowance and a proposed increase in standby pay from \$250/week to \$300/week, and weeks with City recognized holidays would be paid \$325.

Assistant City Manager Juba added that a new Memorandum of Understanding was reached, which outlines the process to be followed when an employee loses their commercial driver's licenses for an incident not related to drug and alcohol testing.

It was moved by Councilmember **Jones** seconded by Councilmember **Engstran**, to approve **Resolution No. 12678**, approving 2021 Union Contract with the International Union of Operating Engineers Local No. 49.

Biehn Aye
 Edberg Aye
 Engstran Aye
 Jones Aye
 Walsh Aye

Motion carried unanimously.

C. Resolution approving 2021 Union Contract with the International Association of Firefighters Local No. 5202

Assistant City Manager Juba explained all of the same provisions are in this contract as for other labor agreements except the higher vacation cap of 320 hours, which was prorated from a standard 40-hour work week to account for 24 hour shifts worked by Firefighter/Paramedics.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to approve **Resolution No. 12679**, approving 2021 Union Contract with the International Association of Firefighters Local No. 5202.

Biehn Aye
 Edberg Aye
 Engstran Aye
 Jones Aye
 Walsh Aye

Motion carried unanimously.

D. Resolution approving 2021 Position and Classification Plan

City Manager Hiniker reviewed the annual position and classification plan, which outlines compensation for employees not represented by a bargaining unit. This year staff is recommending a 2% adjustment to the salary schedule after reviewing comparable cities compensation and the state of the economy.

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to approve **Resolution No. 12680**, approving the 2021 position and classification plan.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

- E. Resolution authorizing City Manager to execute contract with Center for Policy, Planning and Performance for consultation services

City Manager Hiniker explained that in June of this year, the Mayor and City Council expressed interest in identifying a process and/or a forum through which our community could openly exchange experiences and perspectives related to equity and inclusion. The Mayor, Councilmember Jones, and Councilmember Walsh have since been meeting to put form and structure to this idea, as reflected in the attached proposal.

Staff is asking the Council to consider a proposal from Barbara Raye, Executive Director of the Center for Policy, Planning and Performance, which outlines a process that would guide the community through a series of conversations around this topic of inclusion.

As stated at the beginning of her proposal, White Bear Lake wants to ensure that it is a welcoming and inclusive community to all who live and work here now and into the future. It also wants to ensure that access to services and assets are inclusive, meaning no disparity of access, participation, or results based on issues of longevity, culture, race, gender, physical ability, or other characteristics.

This process would include three components: a community-wide survey, conversations with community organizations and residents, and an assessment of city services, which would include a staff training component. The process will begin with the solicitation of task force members in December, with the work extending through the summer of 2021. At a reduced rate of \$125/hr, Ms. Raye anticipates up to 240 hours of work (6 hrs/wk for 40 weeks); the contract would include a “not to exceed” cost of \$30,000.

Mayor Emerson stated she would be asking the Councilmember’s for recommendations on committee members from the community and affirmed that they should be thinking of ways to reach people who do not typically participate or volunteer.

In response to a question from Councilmember Edberg regarding the role of the consultant, Councilmember Walsh assured the Council that the idea was not to outsource decision making but rather facilitation of this process and discussion.

Councilmember Jones reiterated the importance of this work and felt that Barbara Raye was an excellent fit to help out.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to approve the **Resolution No. 12681** authorizing City Manager to execute contract with Center for Policy, Planning and Performance for consultation services.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

F. Resolution certifying private property assessment for recovery of city expenses

Finance Director Kindsvater explained that the City helps property owners pay for unexpected water, sewer and property maintenance costs by assessing the project costs to their property taxes when there is a financial hardship. The property owner at 1950 Garden Lane had to remove a large hazardous tree that split at the trunk due to severe weather events earlier this year. Adjacent tree limbs supported the tree after the damage and left it suspended over a neighboring property's shed and fence. The tree posed an imminent risk of substantial damage to the neighboring property and potential injury to someone if it fell. Per City Ordinances, the property owner must pay the fees associated with the project. The resident asked to assess the total costs to his property taxes due to a financial hardship in paying the entire amount due at the time the work was done. The total project costs were \$2,924.13.

It was moved by Councilmember **Jones** seconded by Councilmember **Engstran**, to approve **Resolution No. 12682** certifying private property assessment for recovery of city expenses.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

10. CONSENT

A. Resolution refunding 2019 excess gambling regulatory taxes collected. **Resolution No. 12683**

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

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Aye

Motion carried unanimously.

11. DISCUSSION

Nothing scheduled

12. COMMUNICATIONS FROM THE CITY MANAGER

- After originally considering cancelling the event, the group planning the BEAR'ly Open golf event on White Bear Lake is now moving forward with a plan to hold the event while golfers keep their distance. There will be no gathering, sponsor tents or community dance associated with the event.
- VLAWMO is hosting a meeting on December 1 for Goose Lake residents to discuss ongoing efforts for improvement of Goose Lake.
- At the December 8, 2020 City Council meeting the 2021 budget and tax levy will be presented and considered.
- Both the Township and City are reaching agreement with Ramsey County on the project scope and turn back terms and conditions for South Shore Boulevard and will be bringing something to council possibly as soon as December 8th.
- City Engineer/Public Works Director Kauppi
 - Staff will prepare a Request for Qualifications to present to the City Council which if approved will be used to gauge interest and expertise from consultants regarding a downtown mobility study. This study is proposed to be done ahead of the downtown street reconstruction project that is currently slated for 2022 but may be recommended to move to 2023 depending on the state of the economy and other City project considerations.
 - The City received \$500,000 legislative funding to complete the Lake Links trail along Highway 96 along the north side of the lake. Staff has started discussions with the township as they were also awarded \$500,000 to complete their segment. This project was studied as a joint project with the City and Township as part of previous legislative funding.
- Community Development Director Kane

- Staff has received a letter from the Met Council verifying that the draft 2040 Comprehensive Plan is complete for review. The final revisions will be presented to the City Council on December 8, 2020 and will require a Special City Council meeting for formal approval before the end of the year.

13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Jones** seconded by Councilmember **Biehn** to adjourn the regular meeting at 7:45 p.m.

Biehn Aye
Edberg Aye
Engstran Aye
Jones Aye
Walsh Nay

Motion carried unanimously.

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council

From: Ellen Hiniker, City Manager
Kerri Kindsvater, Finance Director

Date: December 4, 2020

Subject: **Resolutions adopting the Revised 2020 and Proposed 2021 budget, and adopting the corresponding 2020 Tax Levy collectible in 2021**

BACKGROUND

At its regular meeting on September 8, 2020, the City Council adopted a preliminary tax levy for Ramsey County to use in developing the truth in taxation statements mailed to all property owners in November. In accordance with state statute, the Council may choose to lower the preliminary tax levy as adopted in September, but cannot increase the amount.

Prior to forwarding a recommendation to the City Council for the preliminary tax levy in September, City departments prepared budget requests and recommendations for the 2021 Budget and submitted them to the Finance Director and City Manager for review. The City Council held a work session in August, with follow up discussions held during subsequent work sessions this fall. A draft of the 2021 Budget was distributed to the Council in early November for more detailed review.

Prior to adoption of the 2020 Tax Levy collectible in 2021, the City Council is required to hold a truth-in-taxation public hearing. Notices of tonight's meeting was included in the County's tax statements mailed out this fall.

Attached is the memorandum distributed to Council in September detailing elements of the Proposed 2021 Budget, its impact on the tax levy and the levy's consequent impact on property owners. There have been no changes or recommendations for changes to the Proposed Budget as presented at that time.

RECOMMENDATION

Staff recommends approval of the following resolutions as presented in the 2021 Budget document:

- Resolution adopting the 2020 tax levy collectible in 2021 at \$7,370,000
- Resolution adopting the 2021 Budget and Revising the 2020 Budget
- Resolution committing fund balances for specific purposes
- Resolution authorizing city contributions toward volunteer and employee recognition.
- Resolution authorizing and acknowledging the City's contributions and involvement in promoting business and cultural activities in White Bear Lake.

ATTACHMENTS

Supporting Memorandum

Resolutions

RESOLUTION NO. _____

**RESOLUTION ADOPTING THE 2021 BUDGET AND REVISING THE 2020 BUDGET
AS ADOPTED BY RESOLUTION NO. 12494**

WHEREAS, the City Charter provides for the adoption of an annual operating budget and that such adoption shall precede the tax levy resolution; and

WHEREAS, State law provides that such tax levy resolution shall be submitted to the County Auditor prior to December 28th of the year preceding collection; and

WHEREAS, the Mayor and City Council had been presented with budget recommendations for expenditures and revenues, such that revenues fully fund expenditures and provide a safe margin of undesignated fund balances; and

WHEREAS, Resolution No.12494 adopted the 2020 operating budget; and

WHEREAS, the City Charter authorizes the transfer of sums to other purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, that the 2021 operating budget shall be adopted and the 2020 operating budget shall be revised as follows:

Revenue:	<u>2020 Revised</u>	<u>2021 Budget</u>
<u>General Fund</u>		
General Property Tax	\$ 6,325,685	\$ 6,669,500
Franchise Fees and Fines	348,564	363,000
Licenses and Permits	585,765	763,850
Intergovernmental	3,879,617	2,114,297
Charges for Services	700,305	714,671
Miscellaneous	147,540	157,150
Transfers In	<u>1,325,000</u>	<u>1,360,000</u>
Total General Fund	<u>13,312,476</u>	<u>12,142,468</u>
 <u>Special Revenue Funds</u>		
Armory	51,945	57,750
Surface Water Pollution Prevention	97,525	169,040
Marina Operations	406,188	384,000
Sport Center	412,982	515,015
Forfeiture	50,297	40,000
Economic Development	<u>2,474,637</u>	<u>558,400</u>
Total Special Revenue Funds	<u>3,493,574</u>	<u>1,724,205</u>

RESOLUTION NO. _____

Debt Service Funds

Non-Bonded Special Assessment	698,228	744,310
2012 Special Assessment	205,000	200,000
2012 Refunding Tax Increment (PM)	160,000	160,000
2016 Tax Increment (BWC)	140,000	140,000
2018A G.O. Improvement and Equip. Cert.	288,060	418,945
2018B G.O. Tax Abatement Bonds	245,522	299,915
2019A G.O. Improvement Bonds	136,644	133,890
2020A G.O. Improvement and Equip. Cert.	143,495	364,797
Total Debt Service Funds	<u>2,016,949</u>	<u>2,461,857</u>

Capital Project Funds

Equipment Acquisition	2,504,739	1,162,700
Municipal Building	270,698	209,318
Park Improvement	143,195	125,400
Construction	4,052,343	3,255,000
HRA Tax Increment	564,700	480,745
Total Capital Project Funds	<u>7,535,675</u>	<u>5,233,163</u>

Enterprise Funds

Water Utility	2,912,216	4,316,500
Sewer Utility	3,736,399	3,332,300
Environmental Recycling & Disposal Waste	1,667,059	1,758,167
Ambulance	2,349,587	1,947,000
Pioneer Manor	789,835	414,500
License Bureau	639,670	656,600
Total Enterprise Funds	<u>12,094,766</u>	<u>12,425,067</u>

Internal Service Funds

Insurance	794,282	485,533
Employee Expense	3,166,564	3,272,842
Total Internal Service Funds	<u>3,960,846</u>	<u>3,758,375</u>

Revenue Subtotal	<u>42,414,286</u>	<u>37,745,135</u>
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Community Reinvestment	<u>114,825</u>	<u>113,666</u>
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Total Revenue	<u>\$ 42,529,111</u>	<u>\$ 37,858,801</u>
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RESOLUTION NO. _____

Appropriations/Reserves:	<u>2020 Revised</u>	<u>2021 Budget</u>
<u>General Fund</u>		
Legislative	\$ 154,947	\$ 156,491
Administration	392,158	402,573
Finance	631,950	627,854
Legal	83,469	65,569
City Hall	327,040	331,535
Elections	59,936	84,461
Planning	348,337	380,869
Public Safety		
Police	4,697,817	5,002,617
Fire	984,035	986,352
Dispatch	213,000	218,000
Legal Prosecution	153,956	158,591
Animal Control	22,260	24,024
Emergency Preparedness	12,599	16,414
Building and Code Enforcement	627,277	653,990
Appropriations/Reserves continued:		
Public Works		
Facility	194,758	193,932
Engineering	660,121	726,320
Garage	147,417	151,770
Streets	584,114	587,948
Snow and Ice Removal	253,714	272,964
Street Lighting	190,603	203,669
Parks	633,180	728,068
Non-Departmental		
General Services	-	-
Senior Bus	5,000	7,500
Lake Conservation District	33,954	42,660
Northeast Youth and Family Services	43,451	50,920
Contingency	-	15,500
Transfers	325,000	25,000
Total General Fund	<u>11,780,093</u>	<u>12,115,591</u>
 <u>Special Revenue Funds</u>		
Armory	65,882	77,855
Surface Water Pollution Prevention	236,962	282,877
Marina Operations	376,476	368,263
Sport Center	551,259	626,702
Forfeiture	24,925	27,450
Economic Development	2,002,413	741,467
Total Special Revenue Funds	<u>3,257,917</u>	<u>2,124,614</u>

RESOLUTION NO. _____

Debt Service Funds

Non-Bonded Special Assessment	697,000	534,000
2012 Special Assessment	205,937	198,820
2012 Refunding Tax Increment (PM)	172,935	179,660
2016 Tax Increment (BWC)	138,248	139,598
2018A G.O. Improvement and Equip. Cert.	417,018	417,341
2018B G.O. Tax Abatement Bonds	231,760	225,535
2019A G.O. Improvement Bonds	71,319	169,410
2020A G.O. Improvement and Equip. Cert.	91,522	53,133
Total Debt Service Funds	<u>2,025,739</u>	<u>1,917,497</u>

Capital Project Funds

Equipment Acquisition	906,020	2,419,400
Municipal Building	314,400	403,650
Park Improvement	284,600	324,500
Construction	4,188,112	3,946,200
HRA Tax Increment	240,058	244,460
Total Capital Project Funds	<u>5,933,190</u>	<u>7,338,210</u>

Enterprise Funds

Water Utility	2,431,985	4,444,635
Sewer Utility	3,604,690	3,450,185
Environmental Recycling & Disposal Waste	1,743,071	1,710,957
Ambulance	2,183,883	2,169,048
Pioneer Manor	834,465	468,450
License Bureau	826,751	780,138
Total Enterprise Funds	<u>11,624,845</u>	<u>13,023,413</u>

Internal Service Funds

Insurance	435,759	429,250
Employee Expense	3,332,070	3,510,175
Total Internal Service Funds	<u>3,767,829</u>	<u>3,939,425</u>

Appropriations/Reserves Subtotal	<u>38,389,613</u>	<u>40,458,750</u>
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Community Reinvestment	<u>238,900</u>	<u>238,900</u>
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Total Appropriations/Reserves	<u>\$ 38,628,513</u>	<u>\$ 40,697,650</u>
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RESOLUTION NO. _____

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

Ayes:

Nays:

Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

RESOLUTION NO. _____

**RESOLUTION APPROVING THE 2020 TAX LEVY
COLLECTIBLE IN 2021**

WHEREAS, the City of White Bear Lake is annually required by Charter and State law to approve a resolution setting forth an annual tax levy to the Ramsey and Washington County Auditors; and

WHEREAS, Minnesota Statutes currently in force require certification of a proposed tax levy to the Ramsey and Washington County Auditors on or before December 28, 2020; and

WHEREAS, detail for the revised 2020 and 2021 budgets have been submitted to the City Council by the City Manager.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Ramsey and Washington Counties, Minnesota that the following sums are levied in 2020, collectible in 2021, upon the taxable property in said City of White Bear Lake for the following purposes:

General Fund	\$6,653,000
Emerald Ash Borer	25,000
Debt Service: YMCA/Sports Center	132,000
Debt Service: Street Construction – 2018	220,000
Debt Service: Street Construction – 2019	81,000
Debt Service: Street Construction – 2020	107,000
Debt Service: Equipment Certificates – 2020	<u>152,000</u>
Gross Levy	7,370,000
Less: Fiscal Disparity	<u>(886,963)</u>
Net Levy	<u>6,483,037</u>

BE IT FURTHER RESOLVED, that provision has also been made for payment of the City's share of Public Employees Retirement Association's contributions for the ensuing years; and

BE IT FURTHER RESOLVED, that there is a sufficient sum of monies in all Debt Service Funds of the City which are irrevocably pledged to pay principal and interest in 2021 on all outstanding bond issues, and the deferred annual tax levies previously certified to the County Auditor are hereby canceled, and replaced by the above debt service tax levy; and

RESOLUTION NO. _____

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to transmit a certified copy of this resolution to the County Auditor's of Ramsey and Washington Counties, Minnesota, as required by law.

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

RESOLUTION NO. _____

RESOLUTION COMMITTING FUND BALANCES FOR SPECIFIC PURPOSE

WHEREAS, the Governmental Accounting Standards Board's Statement #54 defines committed fund balance as amounts that can only be used for specific purposes; and

WHEREAS, the City Council formalizes these fund balances for specific purpose in the budget document; and

WHEREAS, the budget document commits or reserves fund balances for defined purposes.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake that the specific portions of fund balances or the actual amounts determined as of fiscal year end is committed as follows:

Fund	Purpose	2020	2021
Special Revenue			
Armory	Community Utilization	\$ 34,223	\$ 14,118
Surface Water Pollution Prevention	Storm Water Run Off Control	695,617	581,780
Marina	Community Utilization	251,872	267,609
Sports Center	Community Utilization	126,560	14,873
Forfeiture	Public Safety	79,417	91,967
Economic Development	Economic Improvement	2,586,898	2,403,831
Debt Service			
Non-Bonded Debt	Special Assessment Finance	405,989	616,299
Special Assessment - 2012	Street Improvements	29,219	30,399
Tax Increment - 2012	Pioneer Manor	72,628	52,968
Tax Increment - 2016	Boatworks Commons	31,179	31,581
G.O. Impr. And Eq. Cert. - 2018	Street Impr, SC Equipment	381,558	383,162
G.O. Tax Abatement - 2018	Facility Renovation	158,790	233,170
G.O. Improvement - 2019	Street Improvements	413,046	377,526
G.O. Impr. and Eq. Cert. - 2020	Street Impr, Equipment	51,973	363,637
Capital Projects			
Equipment Acquisition	City Equipment Purchases	2,646,451	1,389,751
Municipal Building	City Facility Construction	881,173	686,841
Park Improvement	Park Construction	1,523,335	1,324,235
Construction	Street Construction	4,264,769	3,573,569
Community Reinvestment	Infrastructure Finance	7,680,009	7,554,775
HRA	Tax Increment Finance	1,016,834	1,253,119

RESOLUTION NO. _____

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

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING CITY CONTRIBUTIONS TOWARDS VOLUNTEER
AND EMPLOYEE RECOGNITION PRESENTED IN THE
2020 AND 2021 BUDGET**

WHEREAS, the City of White Bear Lake annually appropriates funds through the budget process which recognize contributions received by the City from volunteers and employees; and

WHEREAS, the detailed listing for this recognition is presented to declare these expenses are in the public's interest and to inform the public; and

WHEREAS, rent payments from Pioneer Manor funds the Pioneer Manor appropriations; and

WHEREAS, reimbursements fund the Insurance Fund appropriation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the expenditure budgets for 2020 and 2021 specifically authorizes the following appropriations, which recognize volunteer and employee achievements.

	<u>2020</u>	<u>2021</u>
General Fund		
Legislative		
Employee Appreciation Lunch	\$ -	\$ 1,000
Service Awards (awards)	2,500	2,500
Civic Promotion (plaques/mugs)	-	1,200
Volunteer Recognition Dinner	1,000	1,700
Police		
Service Awards	100	100
TRIAD Events and Recognition	100	550
DARE	3,500	3,000
Crime Prevention	225	225
Volunteer Shirts/Awards	1,000	1,000
CPA Shirts and Supplies	-	600
Emergency Preparedness		
Citizen Emergency Response Team	-	2,865
Fire		
Service Awards	-	500
Annual Banquet (current and retired)	-	7,000
Explorer Recognition	250	250
Pioneer Manor		
Social Activities	2,400	3,000
Insurance		
Safety Committee	100	100

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING CITY CONTRIBUTIONS TOWARDS VOLUNTEER
AND EMPLOYEE RECOGNITION PRESENTED IN THE
2020 AND 2021 BUDGET**

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

Ayes:

Nays:

Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING AND ACKNOWLEDGING
CITY CONTRIBUTIONS AND INVOLVEMENT IN PROMOTING BUSINESS AND
CULTURAL ACTIVITIES IN WHITE BEAR LAKE IN THE
2020 AND 2021 BUDGETS**

WHEREAS, the City of White Bear Lake annually appropriates funds through the budget process for activities which promote business and the Downtown area; and

WHEREAS, it is the funding of the City that such expenditures are in the public interest and promote the general welfare of the community; and

WHEREAS, the City is a third party conduit for restricted revenue remitted for use by the White Bear Main Street Association; and

WHEREAS, the City Council recognizes that through payment of annual membership dues to the White Bear Lake Area Chamber of Commerce, the City receives services including advertising, event planning and promotion, advocacy and visitor services of a value greatly exceeding the cost of dues.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the expenditure budgets for 2020 and 2021 specifically authorize the following appropriations for which the City receives services of value exceeding the cost.

	<u>2020</u>	<u>2021</u>
General Fund		
Legislative		
Chamber of Commerce	\$ 560	\$ 560
Economic Development Fund		
Marketfest	7,000	7,000
Historical Society	14,733	15,000

The foregoing resolution, offered by Councilmember _____ and seconded 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: December 2, 2020 for the December 8, 2020 City Council Meeting

Subject: **Alleycat's Variance – 1971 Whitaker Street, Case No. 20-19-V**

REQUEST

An amendment to an existing wall sign variance to allow a portion of the sign to be converted from individual channel letter style to box style.

SUMMARY

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

RECOMMENDED COUNCIL ACTION

Approval of the attached resolution.

ATTACHMENT

Resolution of Approval

RESOLUTION NO.

**RESOLUTION GRANTING A SIGN VARIANCE
FOR 1971 WHITAKER STREET
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-19-V) has been submitted by Al Landreville 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: 1971 Whitaker Street

LEGAL DESCRIPTION: Lot 12, Block 3, Rearrangement of Lake Shore Addition to White Bear, Ramsey County, MN

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A variance to allow a second wall sign for one tenant of a multi-tenant building, per Code Section 1202.140, Subd.1.a, in order to allow the installation of an 35.5-square foot sign on the south building elevation in addition to the 50.28 square foot sign on the west elevation; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on November 30, 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 or in any way be contrary to the intent of this Code.
2. The variance is a reasonable use of the land or building and the variance is the minimum required to accomplish this purpose.
3. The variance will be in harmony with the general purpose and intent of the City Code.
4. The variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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

FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approves the requested variance, 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 sign permit shall be obtained prior to installation of the sign.

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.

Al Landerville Date



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: December 2, 2020 for the December 8, 2020 City Council Meeting

Subject: **Blustone Villas, 1800 County Road E - Case No. 20-1-P**

REQUEST

A preliminary plat to subdivide one lot into 9 single-family residential lots and one outlot.

SUMMARY

A couple of nearby residents inquired about stormwater management. On a 5-0 vote, the Planning Commission recommended approval of the plat with the condition that a pedestrian path be constructed by the developer and maintained by the homeowner's association. Staff has revised the resolution accordingly.

RECOMMENDED COUNCIL ACTION

Approval of the attached resolution.

ATTACHMENT

Draft Resolution of Approval

RESOLUTION NO. _____

**RESOLUTION APPROVING
A PRELIMINARY PLAT OF
1800 COUNTY ROAD E
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-1-P) has been submitted 321 Group, LLC to the City Council requesting a Preliminary Plat from the City of White Bear Lake at the following site:

ADDRESS: 1800 County Road E (a.k.a. Rooney Farm).

EXISTING LEGAL DESCRIPTION: Lot 14 and 15 Elmwood Garden Farms, Lying South of the South line of Parcel 16, MnDOT ROW Plat No. 62-3, and lying North of the following described line: beginning at a point on the West line of said lot 15 distant 675.30 feet Northerly of the Southwest corner of said lot 15, thence on a straight line to a point on the East line of said lot 14 distant 675.33 feet Northerly of the Southeast corner of said lot 14 and there terminating, all in Elmwood Garden Farms. (PID #:353022220090)

PROPOSED LEGAL DESCRIPTION: Lots 1 through 9, Block 1, Bluestone Villas

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A Preliminary Plat, per Chapter 1400, in order to subdivide one lot into 9 single-family residential lots and one outlot; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on November 30, 2020; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake after reviewing the proposal, that the preliminary plat abides by the intent of the City's ordinances, codes and the Comprehensive Plan, and that the developer has petitioned for or will construct all necessary improvements required by code; and

FURTHER, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City accepts and adopts the following findings of the Planning Commission in relation to the plat:

1. Because the project provides infill development that fits with the character of the surrounding neighborhood and the density is well below 4.2 units per acre, the proposal is consistent with the

City's Comprehensive Plan and with existing and future land uses in the area.

2. The proposal conforms to the Zoning Code requirements.
3. The proposal will not depreciate values in the area.
4. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
5. Traffic generation will be within the capabilities of the streets serving the site.

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

1. All application materials, maps, drawings, and descriptive information submitted by the applicant shall become part of the subdivision.
2. The hardshell or other recordable plat, acceptable by the Ramsey County Recorder is required. The applicant shall also provide the City Planner with two final approved reproducible mylar copies of the plat.
3. Per Section 1402.020, Subd.6.c if within one (1) year after approving the Preliminary Plat, the applicant has not submitted a final plat, (consistent with the approved preliminary plan) the preliminary plat shall become null and void unless a petition for an extension of time has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
4. The applicant shall execute a City approved development agreement covering the construction of all public improvements and will also supply the City Planner with an irrevocable certified letter of credit. The development agreement shall be finalized prior to Council consideration of the final plat and executed prior to issuance of any permit for construction.
5. All public utility, electrical, cable and telephone lines shall be constructed underground within easements as per Section 1405.050.
6. The applicants shall agree to re-apportion any pending or actual assessments on the original parcel or lot of record in accordance with the original assessment formula on the newly approved parcels as per the City of White Bear Lake's Finance Office Schedule for Assessment.
7. The developer must dedicate public rights-of-way and utility easements as illustrated on the preliminary plan or as approved by the City Planner and City Engineer. North-south utility easement between the end of the cul-de-sac and County Road E to include pedestrian access.
8. Pedestrian access to be constructed by the developer and maintained by the Homeowner's Association.

9. No construction permits may be issued to the applicants for improvements on this subdivision site prior to approval and recording of the subdivision's Final Plat.
10. No new construction may adversely impact the adjacent parcels with respect to drainage.
11. The project shall comply with the Fire Memo dated August 20 and the Engineering Memo dated November 6, 2020.
12. A native restoration contractor shall design the restoration plan for the stormwater pond to include an appropriate density and mix of tree species, and seed type subject to review and approval by the city.
13. The plat shall be named Rooney Second Addition.
14. A stop sign shall be provided at the intersection.
15. At least one tree per lot shall be planted within the right-of-way, in addition to the tree replacement requirement of the zoning code.

Prior to City Council approval of the final plat:

16. An escrow of \$2,500 shall be established to cover outside legal costs of drafting a plat opinion and development agreement.
17. A development agreement shall be entered into.
18. Homeowner Association Documents shall be approved by staff. Covenants in the association documents shall reference replaced and preserved trees, to be maintained by future owners, with an exhibit illustrating said trees.

Prior to the issuance of a building permit for ANY work on site, the applicant shall:

19. Provide proof of having recorded both the Homeowner Association Documents and the final plat.
20. Submit a final grading and drainage plan to be approved prior to the issuance of a building permit.
21. Extend a letter of credit consisting of 125% of the exterior improvements, which renews automatically every year until released in writing by the City. The amount of the letter shall be based on a cost estimate of the outside and public improvements, to be approved by the City prior to the issuance of the letter of credit. The applicant shall also provide a timetable in which such improvements will be completed.

Prior to the issuance of a building permit for EACH lot:

22. A final tree replacement calculation subject to review and approval by staff. No trees shall be removed until the tree protection fencing is installed and inspected. A more accurate tree preservation plan (showing fencing at the dripline) shall be submitted for review and approval and installation shall be inspected prior to any grading.
23. A final grading and drainage plan shall be submitted for the lot. Frost footings shall be constructed 42 inches below existing grade unless otherwise approved by the Building Official.
24. Watershed District approval shall be obtained prior to issuance of a grading permit for any of the proposed lots within the subdivision.
25. The Metropolitan Council's SAC (Sewer Availability Charge) and City SAC and WAC (Water Availability Charge) for the lot must be paid.
26. If park dedication is not satisfied by land dedication, it shall be collected at the time of building permit for each lot.
27. Water and sewer hook-up fees shall be collected for each new lot within the subdivision at the time that the building permit is issued for that lot.

Prior to the release of the letter of credit:

28. Any relevant terms entered into by the development agreement shall be satisfied.
29. The applicant shall provide written certification from a Minnesota registered civil engineer stating that all utilities including stormwater and landscaping installed by the developer meet or exceed City of White Bear Lake standards and have been built in accordance with the drawings approved by the city.
30. The replacement trees must be planted on all lots.
31. The street trees, and any other required plantings, have been installed and have survived one full growing season.
32. The freestanding sign shall be relocated to meet current setback requirements or removed entirely.
33. The septic system on Lot 4 shall be removed and the sewer connected to municipal services.
34. The applicants shall provide the City with the required the two reproducible mylar copies of the final plat.

35. Durable iron monuments shall be set at all angle and curve points on the outside boundary lines of the plat and also at all block and lot corners and at all intermediate points on the block and lot lines indicating changes of direction in the lines and witness corners.

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.

Mark Ashby, 321 Group LLC.

Date



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council

From: Ellen Hiniker, City Manager
Rick Juba, Assistant City Manager

Date: December 3, 2020

Subject: **First reading of an ordinance establishing 2021 fee schedule**

BACKGROUND

As part of the annual budgeting process, staff reviews the City's fee schedule to determine whether any changes are recommended. Because the City's fee schedule is adopted by ordinance, first reading is being held to coordinate adoption with the City's 2021 annual budget. Below is a description of each proposed fee schedule change.

Amusement and Commercial Recreation

As the City moves through the recodification process, staff will be recommending that the City no longer license the amusement and commercial activities included on the fee schedule. These activities are either obsolete, or best managed through the Conditional Use Permitting (CUP) process, such as the operation of a shooting gallery. Meanwhile, removal of these activities from the fee schedule would be appropriate at this time while recodification is pending. There is no significant impact on revenues.

Business and Administration

Staff will also be recommending removal of some business licensing provisions through the recodification process, including the licensing of gas station pumps (regulated by the state), rubbish haulers and junk dealers, slaughter and packing houses, taxi cab drivers, traveling shows and circuses, arcade licenses and sale of Christmas trees. The sale of Christmas trees can be managed under the temporary merchant license, while the other licenses are either obsolete or managed through the City's Special Event application process. As with the amusement and commercial recreation licenses, removal of these activities from the fee schedule would be appropriate at this time while recodification is pending. There is no significant impact on revenues.

Public Safety

The City currently provides permits for the sale of fireworks, but has no mechanism in place to regulate pyrotechnical displays. Staff will outline an application process for pyrotechnical displays with an insurance requirement and an inspection component. The fee is proposed to be the same as for sale of fireworks - \$100 to cover the cost of inspection. Community Fireworks would be exempt from this permit fee as Fire Department staff are intricately involved in the planning and preparation for these displays.

Ambulance Fees

A 2018 comprehensive review of ambulance service delivery and operations resulted in the implementation of a combination Paramedic/Firefighter staffing model, which utilizes both full-time and on-call employees to provide a deliberate and consistent call response 24 hours a day, seven days a week.

As an Enterprise Fund in the City's financial structure, the Ambulance Fund operates similar to a private business with revenues from user charges funding the operating and capital costs of the department. The Ambulance Fund budget includes 80% of the Fire Department staffing costs, with the remaining costs assigned to the Fire Department budget in the General Fund. This 80/20 cost share will need to be re-evaluated in 2021.

One significant challenge the department faces in revenue collection relates to federal laws limiting the fees ambulance service providers may collect for Medicare patient transportations. All providers must accept the allowable reimbursement amount set by law as payment in full, without the ability to bill patients for the difference between that allowable amount and the actual cost of the service. This limits the department's ability to generate additional revenues through a fee increase because approximately 72% of the billable transports are for patients who fall under this revenue collection restriction. These accounts significantly reduce the ambulance billing revenues due to the federal law. In addition, Ambulance service providers continue to experience difficulties collecting fees from users with private insurance due to increasing deductibles for medical plans, third party denials for selected billings and client non-payments.

The City has made significant adjustments to the ambulance rates in recent years, bringing the City of White Bear Lake closer to the average for billable services. A more modest increase of 3% in 2021 rates is recommended at this time to support the 2021 budget. However, review of the cost split between Fire and Ambulance services is warranted in consideration of future budgeting. Staff will engage Council in these discussions first quarter of 2021.

<u>Call Type</u>	<u>2020 Rates</u>	<u>2021 Proposed</u>
Basic Life Support	\$1,460.00	\$1,505.00
Advanced Life Support – 1	\$1,920.00	\$1,980.00
Advanced Life Support – 2	\$2,095.00	\$2,160.00
Treatment No Transport	\$490.00	\$505.00
Mileage per mile	\$31.00	\$32.00

Police Administration

Periodically special events request Police on standby. Staff proposes a two-hour minimum charge of \$100/hr for these requests which will generally cover the cost of supporting these requests.

Administrative Offenses

There were several open fires throughout the City this past year. The fine for holding an open fire without a permit was only \$25.00, while the fee for a permit to do so lawfully is set at \$75.00. Staff proposes the fine be set at \$100.00, slightly more than the permit fee to conduct an open fire.

Pioneer Manor

Staff recommends an approximate 2.0% increase effective April 1, 2021 to maintain current operations and management contract. The following chart compares the 2020 and 2021 rates:

	2020 Rates	2021 Proposed
1 Bedroom	\$715.00	\$725.00
1 Bedroom/Den	\$765.00	\$775.00
2 Bedroom	\$840.00	\$850.00
2 Bedroom Deluxe	\$890.00	\$900.00
Garage	\$58.00	\$59.00

Sports Center

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

	2020	2021
March – August prime time – taxable	\$172/hr	\$182/hr
March – August prime time – non-taxable	\$160/hr	\$170/hr
September – February prime time - taxable	\$215/hr	\$220/hr
September – February prime time- non taxable	\$200/hr	\$205/hr
September – February non prime - taxable	\$145/hr	\$166/hr
September – February non time – non taxable	\$135/hr	\$155/hr

Armory Facility

A fee of \$70 for moving tables and chairs is being set to cover staff costs to do so. This will be charged in instances where the renter elects to have staff move the tables and chairs rather than themselves.

Planning and Zoning

Staff is proposing to increase the fee for creating an address list for notifications related to specific applications from \$30 to \$60 which more accurately accounts for staff time and postage required to mail notices, especially with larger projects.

Rental licenses in the City are two-year licenses, currently charged at \$50 (\$25/year). Staff proposes a two-year license fee of \$100 (\$50/year), as well as a re-inspection fee increase to \$50 for single and two-family and \$100 for 3+ units to more accurately account for staff's time, not only processing applications and inspections, but in attending to tenants in a variety of capacities.

Currently there is no deterrent for property owners who choose not to register their rental property with the City. Staff proposes a penalty amounting to 200% of the base fee to those found to be renting without being registered with the City.

Water Usage Rates and Infrastructure Fee

As reviewed by Council in work sessions held this fall, the usage rates charged to water customers currently cover the City's operating costs (treatment, distribution, administration), but do not provide additional revenues needed for more significant future infrastructure repairs and/or replacement.

To build on the Water Fund's capital reserves, and to pay for the debt service associated with the 2020 water tower painting project and 2021 residential meter replacement program, staff proposes introducing a quarterly water infrastructure fee.

By the end of 2020, past costs for the Lake Level Litigation lawsuit will have been recovered, so

the corresponding fee is no longer needed, (\$4/residential, \$17.50/commercial). Staff recommends replacing that fee with an infrastructure fee, the revenues from which would be directed toward debt service and future system repairs/replacement. Staff further recommends increasing the residential fee to \$5.00/qtr (one dollar increase). This would generate approximately \$199,000 annually. The debt service for the water tower and new meters will be approximately \$255,000 annually. Savings from not paying for a meter reading service once meters have been replaced in 2021 are \$70,000 annually. There will also be \$20,000 savings from the budgeted 2021 meter replacement costs. In summary, this new infrastructure fee will generate enough to pay for the debt service and generate an additional \$25,000 annually for capital reserves.

In addition to instituting an infrastructure fee, Staff recommends a 4% increase in the usage rates to account for 2021 operational costs.

Residential Units Consumed	2019 Rate	2020 Rate	Proposed 2021 Rate
0-8	\$13.40 flat fee	\$13.80 flat fee	\$13.76 flat fee
Winter quarter >8	1.60 per unit	1.65 per unit	1.72 per unit
Non-winter quarter >8	1.95 per unit	2.00 per unit	2.08 per unit

Commercial Units Consumed	2019 Rate	2020 Rate	Proposed 2021 Rate
0-8	\$13.40 flat fee	\$13.80 flat fee	\$13.28 flat fee
8-27	1.55 per unit	1.60 per unit	1.66 per unit
27-75	1.60 per unit	1.65 per unit	1.72 per unit
>75	1.80 per unit	1.85 per unit	1.92 per unit
Non-winter quarter over base	1.95 per unit	2.00 per unit	2.08 per unit

Infrastructure Fee:

Residential \$5.00 per quarter

Commercial \$17.50 per quarter

Sewer Rates

After multiple years without a sewer rate increase, the City began adjusting rates in 2016 to avoid a fund deficit. Annual rate adjustments since that time have provided enough revenues to cover current operating expenditures and a significant portion of the required capital expenditures beginning in 2020. The 2021 Budget includes a 3% rate increase to sustain the Fund's financial stability.

	2020 Rates	2021 Proposed
0 – 8 units	\$34.45	\$35.50
Unit (750 gallons)	\$4.30	\$4.45

Refuse Rates

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

To compensate for hauling and disposal contract increases, as well as recycling market challenges, staff recommends the following 2021 refuse/recycling rates:

<u>Service</u>	<u>2020 Rates</u>	<u>2021 Proposed</u>
30 gallon (Senior)	\$12.81	\$13.51
30 gallon	\$13.02	\$13.72
60 gallon	\$18.36	\$19.17
90 gallon	\$24.51	\$25.45
Recycling processing fee	\$ 0.75	\$ 1.00

Surface Water Management Infrastructure Fee

As discussed at Council work sessions this fall, the City's Surface Water Management Fund lost its sole revenue source with the reduction in Local Government Aid, which had provided \$90,000 annually. Additionally, increased costs related to surface water management activities require additional sources of revenue. White Bear Lake is the only metropolitan City that has not yet instituted a Surface Water Management Fee to help support related activities. Staff recommends starting with a \$5.00 quarterly fee for all utility customers.

RECOMMENDED COUNCIL ACTION

No action required. Second reading will be held on January 12, 2021, at which time Council will be asked to approve the attached fee schedule.

ATTACHMENTS

Proposed Fee Schedule

WHITE BEAR LAKE ANNUAL FEE SCHEDULE - 2020

I. <u>ALCOHOLIC BEVERAGES</u> (RESOLUTION NO. 9538)	<u>FEE</u>	<u>PROPOSED FEE</u>	<u>LAST ADJUSTED</u>
On and Off Sale Malt Liquor License Application & Investigation	100.00		January 13, 2004
On Sale Malt Liquor License	Class A: 175.00 Class B: 275.00		January 13, 2004 January 13, 2004
Off Sale Malt Liquor License	Class A: 75.00 Class B: 150.00		January 13, 2004 January 13, 2004
On Sale Wine License Application and Investigation Fee	250.00		January 13, 2004
On and Off Sale Liquor License Application and Investigation	500.00		January 13, 2004
On Sale Wine License	Class A: 250.00 Class B: 350.00		January 13, 2004 January 13, 2004
On Sale Liquor License	3200.00		January 13, 2004
Off Sale Liquor License	200.00		January 13, 2004
On Sale Sunday Liquor License	200.00		January 13, 2004
On Sale Temporary Liquor/Malt/Wine License	27.50		January 13, 2004
Club License	100.00		January 13, 2004
II. <u>AMUSEMENT & COMMERCIAL RECREATION</u>	<u>FEE</u>	<u>PROPOSED FEE</u>	<u>LAST ADJUSTED</u>
Bowling Alley License (Res. No. 9538)	\$25.00/alley		January 13, 2004
Shooting Gallery License (Res. No. 9538)	\$35.00		January 13, 2004
Pool Hall License (Res. No. 9538)	\$40.00/table		January 13, 2004
Roller Skating Rink License (Res. No. 9538)	\$100.00		January 13, 2004
Coin Operated Amusement Devices License (Ord. 1105)	\$25/location & \$15/machine		February 8, 2000
Motion Picture Theater License (Ord. 1107)	\$210.00		January 13, 1981
Public Dances and Dance Hall Permit (Ord. 1107)	\$30.00		January 13, 1981
III. <u>BUSINESS AND ADMINISTRATION</u>	<u>CURRENT FEES</u>	<u>PROPOSED FEES</u>	<u>LAST UPDATED</u>
Animals: Dog Kennel License (Ord. 701)	Annually \$ 50.00		January 2017
Animals: Dog License Male/Female (Ord. No. 701)	Every 2 years \$ 20.00		January 2017
Animals: Dog License Neutered/Spayed (Ord. No. 701)	Every 2 years \$ 15.00		January 2017
Animals: Dog License Late Fee (Ord. No. 701) / replacement license	\$ 5.00		January 2017
Animals: Potentially dangerous dogs	\$120.00		January 2018
Animals: Dangerous dogs	\$500.00		January 2018
Animals: Impounding dogs (Ord. No. 752)	Actual cost of contractor		January 2017
Animals: Impounding/disposal of misc. animals	Actual cost of contractor		January 2017
Cigarette / Tobacco Products License (Res. No. 9538)	Class A: \$ 150.00 Class B: \$ 200.00		January 2017 January 2017
Gas Station License	\$ 25.00 / nozzle		January 2017
Charitable Gambling Premises License (Res. No 9538)	\$225.00		January 2017
Charitable Gambling Regulatory Tax (Res. No. 12435)	0.2% of net profits		August 31, 2019
Public Bench License (Res. No. 9538)	\$ 25.00/application & \$20.00/bench		January 2017
Copies: 1 to 100 pages (MN Statute, section 13.03)	\$ 0.25 / page		Aug. 1, 2005
Copies: over 100 pages (MN Statute, section 13.03)	Actual cost of data collection and copies		Aug. 1, 2005
Copies: Public Records Audio / Visual	\$ 25.00		January 2017
Fax (Res. No. 9538)	\$ 0.50 / sheet		Jan. 13, 2004
Farmer's Market Annual reservation/application fee	\$120		
Farmer's Market Same day temporary permit	\$10		Feb. 23, 2010
Refuse / Recycling Hauler License (Res. No. 9538)	\$ 150.00		January 2017
Return Check Charge (Res. No. 9538)	\$ 30.00		Jan. 13, 2004
Rubbish Hauler and Junk Dealer License (Res. No. 9538)	\$50.00		Jan. 13, 2004
Slaughter and Packing House License (Ord. No. 116)	\$60.00		Jan. 13, 1981
Solicitor/Peddler/Transient Merchant License (Res. No. 7033)	\$50.00/up to 2 ppl, then \$10 ea		January 2019
Taxi Cab Driver License (Ord. No. 1119)	\$35.00		Jan. 13, 1981
Traveling Shows and Circuses License (Ord. No. 1120)	\$310.00		Jan. 13, 1981
Arcades Licenses (Ord. No. 1122)	\$100.00		Dec. 14, 1982
Massage Therapist License	\$25.00		Sept. 8, 2015
Massage Therapist background	\$75.00		January 2020
Adult Establishment License (Ord. 1124)	\$2,000.00		January 2017
Application and background check for adult establishment	\$500 unless out of state check, then actual costs not to exceed \$1500		
Pawnbroker and Precious Metal Dealer License (Ord. No. 1125)	\$12,000.00		January 2017

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

IV. PUBLIC SAFETY

A. FIRE RELATED

	<u>CURRENT FEES</u>	<u>PROPOSED FEES</u>	<u>LAST UPDATED</u>
False Alarms (malfunctions/annum): third / fourth / fifth+	\$300/\$400/\$500		January 2020
Pumper Truck (Ord. No. 805)	Actual cost		January 2017
Ladder Truck (Ord. No. 805)	Actual cost		January 2017
Rescue Unit (Ord. No. 805)	Actual cost		January 2017
Chief/Command Unit (Ord. No. 805)	Actual cost		January 2017
Rescue Boat (Ord. No. 805)	Actual cost		January 2017
Hazardous Material Unit (Ord. No. 805)	Actual cost		January 2017
Certificate of Compliance Application	\$6.00/unit (min \$36, max \$250 per building)		January 2017
Fire/EMS Standby Crew	\$100/hr		January 2019

B. INSECTIONS / PERMITS

	<u>CURRENT FEES</u>	<u>PROPOSED FEES</u>	<u>LAST UPDATED</u>
Tent Permit Inspection (over 400 sq feet)	\$50/site location	\$75.00/location	January 2019
Vent Hood Inspection	\$90.00		January 2020
Re-inspection fee (assessed each inspection after 1 st re-inspection)	\$100.00		January 2020
Open Burning Permit (non-recreational fires)	\$75.00		January 2020
Fireworks/Pyrotechnical Displays (community festivals exempt)		\$100/location	January 2021
Sale of Fireworks License (Res. No. 9366)	\$100/location		January 2017

C. AMBULANCE FEES

	<u>CURRENT FEES</u>	<u>PROPOSED FEES</u>	<u>LAST UPDATED</u>
Basic Life Support (BLS)	\$1460.00	\$1,505.00	January 2019
Advanced Life Support (ALS1)	\$1920.00	\$1,980.00	January 2019
Major Advanced Life Support (ALS2)	\$2095.00	\$2,160.00	January 2019
Treatment – No transport	\$490.00	\$505.00	January 2019
Mileage	\$31.00/mile	\$32.00/mile	January 2019

D. POLICE RELATED & ADMINISTRATION

	<u>CURRENT FEES</u>	<u>PROPOSED FEE</u>	<u>LAST UPDATED</u>
Accident Photo	\$25.00/cd		January 2017
Accident Report: 1 to 100 pages (MN Statutes 13.03)	\$0.25/page		January 2017
Accident Report: more than 100 pages	Actual cost of data collection and copies		January 2017
Accident Data Review	\$10.00/month		January 2017
Transcripts	\$40.00/hr		January 2019
Finger Printing	Free for residents, \$20 for non-residents		January 2019
No parking signs	\$50.00		January 2019
Police Standby		\$100.00/hr (2 hr minimum)	January 2021

V. ADMINISTRATIVE OFFENSES

A. Penalties for Alcohol and Tobacco Sales:

	<u>CURRENT FEE</u>	<u>LAST UPDATED</u>
Purchase, possession	\$50.00	January 2013
Underage consumption	\$50.00	
Lending ID to underage person	\$100.00	
License holder, first offense	\$150.00	
License holder, second offense within 12 months	\$275.00	
License holder, third offense within 18 months	\$500.00	

Other alcohol and tobacco related offenses	\$100.00		
B. Animals:			January 2013
Vicious animal	\$50.00		
Other animal violation	\$25.00		
C. Parking:			
Handicap zone	\$50.00		January 2013
Fire lane	\$25.00		
Snowbird	\$25.00		
Blocking fire hydrant	\$25.00		
Other illegal parking	\$25.00		
D. Fires:			January 2013
Open fires	\$25.00	\$100.00	January 2021
Fire Code violations	\$100.00		
E. Noise complaints:			January 2013
Loud party	\$25.00		
Loud party second offense in 2 months	\$50.00		
Other complaints	\$30.00		
F. Administrative penalties not otherwise called out in the fee schedule	\$50.00		January 2019
Seat belts	\$25.00		January 2013
Expired license plates/tabs	\$20.00		January 2013
Subsequent administrative offenses within 12 months increased 25%			January 2013

VI. RENTALS

A. PIONEER MANOR (Apr 1, '20 – Mar 31, '21)	<u>CURRENT FEE</u>	<u>PROPOSED FEE</u>	<u>LAST UPDATED</u>
1 Bedroom	\$715.00	\$730.00	April 2020
1 Bedroom/Den	\$765.00	\$780.00	April 2020
2 Bedroom	\$840.00	\$855.00	April 2020
2 Bedroom Deluxe	\$890.00	\$905.00	April 2020
Garage	\$58.00	\$59.00	April 2020
B. BOATWORKS COMMONS			<u>LAST ADJUSTED</u>
City hosted and School District events – Gratis. Hosting agency responsible for set-up, clean-up and tear down			Dec. 12, 2017
	<u>Civil/Non-Profit</u>	<u>Proposed</u>	
Less than 20 attendees for 3 or less hours	Gratis (group sets & cleans)	Criteria change	
Cleaning fee when food is served	Actual cleaning costs	Criteria change	
Greater than 3 hours and/or 20+ attendees	\$50.00 flat fee + actual cleaning cost	Criteria change	January 2019
	<u>Private Parties</u>		
Private sector up to 4 hrs (incl set & clean)	\$500.00 minimum fee		
Private sector additional hours (max 2)	\$50/hour		
C. PARK FACILITIES			<u>LAST ADJUSTED</u>
	<u>Resident</u>	<u>Non-Resident</u>	<u>For Profit & Corporate</u>
			<u>PROPOSED FEE</u>
			<u>Resident / Non-Res / Profit</u>
			January 2019
Bossard, Ramaley, Rotary, Spruce and Jack Yost Parks	\$ 50.00	\$100.00	\$ 125.00
Podvin Park (pavilion only)	\$ 50.00	\$ 110.00	\$ 175.00
Podvin Park (kitchen & mtg rm)	\$ 100.00	\$ 150.00	\$ 250.00
Podvin Park (full facility)	\$ 125.00	\$ 225.00	\$ 325.00
Lakewood Hills (pavilion only)	\$ 50.00	\$ 110.00	\$ 175.00
Lakewood Hills (kitchen & pavilion)	\$ 100.00	\$ 150.00	\$ 250.00
Lakewood Hills (ballfields)	\$100.00	\$150.00	\$ 250.00
Matoska Park	\$50.00 for two hours maximum		
Stellmacher Park	\$ 50.00	\$ 110.00	\$ 175.00
West Park	\$ 50.00	\$ 110.00	\$ 175.00
			October 2010
Trash pick-up and disposal	<u>Community and Non-Profit</u>		<u>Profit/Co.</u>
Events over 100 people			\$ 50.00
Events over 250 – 500 ppl	\$ 50.00 flat fee		\$ 75.00
Every additional 250 ppl			+ \$ 25.00
Spray paint of any kind	\$ 250.00		

D. WHITE BEAR LAKE SPORTS CENTER	<u>TAX INCLUDED</u>	<u>NON-TAXABLE</u>	<u>PROPOSED FEE</u>	<u>LAST UPDATED</u>
ICE RENTAL MARCH – AUGUST				
Prime Time	\$172.00/hr	\$160.00/hr	\$182 / \$170	January 2020
Non-Prime	\$145.00/hr	\$135.00/hr		January 2020
ICE RENTAL SEPTEMBER – FEBRUARY				
Prime Time	\$215.00/hr	\$200.00/hr	\$220 / \$205	January 2020
Weekday, 8am – 3pm	\$161.00/hr	\$150.00/hr		January 2020
Non-Prime and after 9pm	\$145.00/hr	\$135.00/hr	\$166 / \$155	January 2017
SKATING SCHOOL				
Group Lessons				
Weekly (Tot-PreAlpha & Power)	\$11.00/wk + \$7 fee session			January 2019
Weekly (Alpha – Delta & Adults)	\$16.50/wk + \$7 fee session			January 2019
Freestyle Levels	\$21.00/wk + \$7 fee session			January 2019
Contract (Open & Intermediate)	\$12.00 per weeks in session			January 2019
Contract (High Level)	\$13.00 per weeks in session			January 2019
Drop In		\$15.00		January 2019
Morning		\$7.00 before school		January 2019
Open Skate		\$5.00		January 2020
Skate Rental		\$5.00		January 2019
Open Hockey		\$6.00 per session		January 2019
Dead Ice		\$7.00/hour		January 2019
SKATE SHOW				
Annual Skating Show		\$125.00		January 2019
Additional Show Packages		\$100.00		January 2019
Parent/Child Skate		\$75.00		January 2019
COURT FEES				
Monthly		\$50.00		January 2019
3 Month		\$115.00		January 2019
6 Month		\$205.00		January 2019
Wally Ball	\$30.00 per 1.5 hours, \$33 per 2hrs/court			January 2019
Racquetball	\$8.00 per person per hour			January 2019
Dodgeball	\$12.00 per court			January 2019
MISC. FEES AND CHARGES				
Meeting Room Rental		\$15.00/hr		January 2019
Aerobic Room Rental		\$20.00/hour		January 2019
Locker Room Rental		\$5.00/month		January 2019

E. ARMORY FACILITY (Resolution No. 11844)	<u>Current Resident</u>	<u>Proposed Resident</u>	<u>Current Non-resident</u>	<u>Proposed Non-resident</u>	<u>LAST ADJUSTED</u>
Private Party					
Full Day with kitchen (including set up)	\$650.00		\$900.00		July 12, 2016
Kitchen	\$100.00		\$150.00		July 12, 2016
Hourly rate (1-7 hours) Mon. – Thurs.	\$80.00		\$90.00		January 2019
Fri. – Sun.	\$100.00		\$120.00		July 12, 2016
City staff is available for set-up per hour rate	Contract Rate		Contract Rate		July 12, 2016
Security Contract Rate (refunded if re-rented)	Contract Rate		Contract Rate		January 2020
Cleaning for 100+ and food/beverages	\$175.00		\$175.00		January 2020
Moving tables and chairs		\$70.00		\$70.00	January 2021
Down payment	\$300.00		\$400.00		January 2020
Damage deposit	\$350.00		\$500.00		July 12, 2016
Hourly Activities					
Athletics/Special Events/Meeting Room	\$25.00/hr		\$25.00/hr		July 12, 2016

Daily Activities	White Bear		White Bear		Non-Resident		<u>LAST ADJUSTED</u>
	Non-Profit	Proposed	Groups/Clubs	Proposed	Non-Profit	Proposed	
1 day	\$0.00		\$90.00		\$135.00		July 12, 2016
2 days	\$50.00		\$160.00		\$245.00		
3 days	\$75.00		\$260.00		\$390.00		
4 days	\$100.00		\$355.00		\$510.00		

VII. PLANNING AND ZONING

	<u>FEE</u>	<u>PROPOSED FEE</u>	<u>LAST ADJUSTED</u>
Address List	\$30.00	\$60.00	January 13, 2004
Comprehensive Plan Amendment (Ord. No. 1301.010)	\$500.00		January 13, 2004
Conditional Use Permit: Fee (Ord. No. 1301.050)	\$400.00		January 13, 2004
Conditional Use Permit Amendment	\$200.00		January 13, 2004
Grading Plan Review (over .5 acre in size)	\$250.00		2010
Grading Plan Review (less than .5 acre in size)	\$75.00		2010
Home Occupation: Permit Fee (Ord. No. 1303)	\$50.00/permitted, \$100.00 special		April 12, 1994
Excavation/Obstruction Fee/ROW Permit Fee (Ord. 18-2-3031)	\$200.00		January 2019
Small Cell Wireless Facility Permit Fee	\$500.00 up to 5 sites, \$100 for each additional		January 2019
Rental Dwelling License (Ord. No. 508.020)	\$50.00 plus \$7.00/unit over 3 units		March 19, 2010
One and Two Family \$100/2 year license	50% plus original fee/8 or more days past due	plus \$15.00/each unit over 3	
3+ Units \$200/2 year license + \$15 each unit over 3	Legal procedures begin/30 days past due		
Re-inspection Fee	25% of license fee or \$50.00 whichever is greater	\$50 single/two-family & \$100 for 3+ units	
Renting without a license		200% base fee charge	
License Transfer (Ord. No. 508-090)	\$50.00		January 2017
Planned Unit Development (Ord. No. 1301.070)	\$750.00		January 2017
Rezoning: Application Fee (Ord. No. 1301.040)	\$750.00		January 2017
Subdivision: Preliminary Plat (Ord. No. 1407)	\$500.00		January 2017
Final Plat	\$100.00		January 2017
Subdivision: Minor Subdivision/Lot Split (Ord. No. 1407)	\$250.00		January 2017
Vacation (City Charter, Section 8.02)	\$250.00		January 2017
Variance Permit (Ord. No. 1407)	\$250.00/residential \$500.00/commercial & industrial		January 2017
Administrative Variance (Ord. No. 1408)	\$25.00		January 13, 2004
Zoning Letter (Res. No. 9538)	\$75.00		January 2017
Sign Permit: Permanent (Ord. No. 1115)	\$50.00/wall \$30.00/temporary banner, sign, or reface \$150.00/free standing and dynamic display \$300.00/billboard \$200.00/administrative fee for erecting a sign before the permit is issued		September 8, 1987 September 8, 1987 January 2017 September 8, 1987 September 8, 1987
Park Dedication: Single Family Dwelling (Res. No. 9538A)	\$1,200.00/unit		January 2017
Park Dedication: Townhome, Condominium, Duplex, Dwelling (Res. 9538A)	\$1,000/unit		January 2017
Park Dedication: Apartment Dwelling (Res. No. 9538A)	\$500/1 bdrm, 100/each add bdrm	\$750/\$150	January 2017
Park Dedication: Commercial & Industrial (Res. No. 9538A)	\$3,500.00/acre		January 13, 2004
Zoning Permit: Shed, Driveway, Fence, Detached Deck under 30", Hot Tub, Pigeons, Hens, Bees	\$50.00/each		January 2017
Time Extension for CUP	\$50.00		January 2017

VIII. UTILITIES

1. CONSUMPTION RATES:

A. WATER RATES:

				<u>LAST ADJUSTED</u>
<u>Residential Water Customers</u>		<u>Commercial / Institutional Water Customers</u>		
0 - 8 units	\$13.80 \$13.76 /quarter	0- 8 Units	\$-13.80 \$13.28/quarter	January 2020
Winter quarter rate*	\$1.65 \$ 1.72 per unit	8 – 27 units*	\$-1.60 \$1.66 per unit	January 2020
Non-winter quarter rate**	\$2.00 \$2.08 per unit	27 – 75 units*	\$-1.65 \$ 1.72 per unit	January 2020
		Over 75 units*	\$-1.85 \$ 1.92 per unit	January 2020
		Non-winter quarter rate**	\$-2.00 \$2.08 per unit	January 2020

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

**Rate for consumption above the winter quarter rate for the other three (3) quarterly billing cycles

WATER INFRASTRUCTURE FEE:

	<u>CURRENT FEES</u>	<u>NEW FEE</u>	
Residential	n/a	\$5.00 / quarter	January 2021
Commercial	n/a	\$17.50 / quarter	January 2021

LAKE LEVEL LITIGATION FEE*:

	<u>CURRENT RATES</u>	<u>PROPOSED RATES</u>	<u>LAST ADJUSTED</u>
Residential	\$4.00 quarterly		February 2017

Commercial	\$17.50 quarterly	February 2017
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*Imposed until legal fees are recovered and includes communities that purchase municipal water from the City

B. SEWER RATES:	CURRENT FEES	PROPOSED RATES	LAST ADJUSTED
0 – 8 units	\$34.45 flat fee	\$35.50 Flat	January 2020
Unit (750 gallons)	\$4.30 per unit	\$4.45 / unit	January 2020

C. SURFACE WATER MANAGEMENT FEE:	CURRENT FEES	NEW FEE	
Residential	n/a	\$5.00 / quarter	January 2021
Commercial	n/a	\$5.00 / quarter	January 2021

D REFUSE / RECYCLING RATES	CURRENT FEES	PROPOSED RATES	LAST ADJUSTED
30 Gallon Senior – monthly	\$12.81/month (\$38.43/quarter)	\$13.51/month (\$40.53/quarter)	January 2020
30 Gallon Service – monthly	\$13.02/month (\$39.06/quarter)	\$13.72/month (\$41.16/quarter)	January 2020
60 Gallon Service – monthly	\$18.36/month (\$55.08/quarter)	\$19.17/month (\$57.51/quarter)	January 2020
90 Gallon Service – monthly	\$24.51/month (\$73.53/quarter)	\$25.45/month (\$76.35/quarter)	January 2020
Recycling processing fee	\$0.75 per quarterly bill	\$1.00 per quarterly bill	January 2020

2. MISCELLANEOUS

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

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

IX. BUILDING DEPARTMENT LICENSES AND PERMITS

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

A. RESIDENTIAL FLAT FEE BUILDING PERMITS

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

B. COMMERCIAL FLAT FEE BUILDING PERMITS

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

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

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

D. STATE SURCHARGE FEES FOR BUILDING PERMITS BASED ON VALUATION

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

E. OTHER BUILDING FEES

	Current Fees	Proposed Fees	Last Adjusted
Appeal Fee	\$150.00 (refunded if appeal granted)		January 2017
Certificate of Occupancy	\$20.00		January 2017
License Fee – Commercial General Contractor	\$120.00 / Prorated to \$75.00 after 7/1		January 2017
License Fee – Mechanical/Tree Trimmer	\$45.00 / Prorated to \$35.00 after 7/1		January 2017
Other Inspections & Fees:	\$62.00 per hour or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages & fringe benefits of employees involved.		January 2017
<ul style="list-style-type: none"> • Inspections outside business hours • Re-inspection fees • Inspection which no fee is specifically indicated (30 minute min) • Additional plan review: changes, additions or revisions to plans (30 minute min) 			
Outside Consultants for Plan Checking & Inspections or Both	Actual costs including administrative & overhead costs		January 2017
Plan Review Fee (Residential)	50% of Permit Fee		Pre 2017
Plan Review Fee (Commercial)	65% of Permit Fee		Pre 2017

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

A. SEWER & WATER PERMIT FEES

	Current Fees – Plus \$1.00 State Surcharge	Proposed Fees	Last Adjusted
Water Line Install or Repair	\$ 57.00		January 2020
Sewer Line Install or Repair	\$ 57.00		January 2020
Water Disconnect	\$42.00		January 2019
Sewer Disconnect	\$42.00		January 2019

Water Tap (Each)	\$27.00		January 2019
Sewer Tap (Each)	\$27.00		January 2019
Storm Sewer	\$42.00		January 2019
Hydrostatic and Conductivity Test (Each)	\$57.00		January 2019
Street Excavation & Street Deposit	\$32.00 / \$1550.00		January 2019
Individual Sewage Treatment System – New Installation or Replacement of existing system	\$ 206.00		January 2019
Individual Sewage Treatment System - Repair or Alteration of existing system	\$103.00		January 2019
Individual Sewage Treatment System Abandonment	\$ 52.00		January 2019

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

A. SEWER CONNECTION FEES

	Current Fees	Proposed Fees	Last Adjusted
Single Family Dwellings	\$670.00 per Dwelling		January 2019
Two Family Dwellings	\$1,340.00 per Dwelling		January 2019
Multiple Dwellings	\$\$670.00/unit		January 2020
Commercial and Industrial	\$670.00 /unit		January 2020

B. WATER CONNECTION FEES

	Current Fees	Proposed Fees	Last Adjusted
Single Family Dwellings	\$670.00 per Dwelling		January 2019
Two Family Dwellings	\$1,340.00 per Dwelling		January 2019
Multiple Dwellings	\$670.00/unit		January 2020
Commercial and Industrial	\$670.00/unit		January 2020

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

A. PLUMBING PERMIT FEES

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

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

A. MECHANICAL PERMIT FEES

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

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

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

A. FIRE SUPPRESSION / STORAGE TANK PERMIT FEES

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

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

A. ELECTRICAL PERMIT FEES

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

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



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Rick Juba, Assistant City Manager

Date: December 1, 2020

Subject: **Resolution authorizing staff to seek proposals for ambulance billing and collection services**

BACKGROUND & SUMMARY

The City currently contracts with Expert T Billing for billing and collections associated with the City's ambulance service. Expert T Billing has provided this service to the City for more than twenty years. Third party billing and collection is common in the ambulance industry because of the complexities involved with billing itself and HIPPA regulations.

Expert T Billing has recently had a change in ownership. While staff maintains confidence in the service provided by Expert T Billing, staff would like to seek proposals from other services to compare service rates and the rate of success with collections. Ultimately, if a change is recommended, the contract with Expert T Billing can be terminated with 60-days notice, which allows time for transition planning.

RECOMMENDATION

Staff recommends approval of the attached resolution authorizing staff to seek proposals for ambulance billing and collection services.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE CITY OF WHITE BEAR LAKE TO SEEK PROPOSALS FOR AMBULANCE BILLING AND COLLECTION SERVICE

WHEREAS, the City currently contracts with a billing service for ambulance billing and collection; and

WHEREAS, from time to time it is prudent to compare billing and collection rates of other billing services to ensure the current service is competitive; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota, hereby authorizes staff to seek proposals for ambulance billing and collection services.

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: Mayor and Council

From: Ellen Hiniker, City Manager

Date: December 3, 2020

Subject: **Resolution authorizing the City Manager to enter into an agreement with Trane U.S. for a detailed investment grade audit of the Sports Center**

BACKGROUND & SUMMARY

In February of this year, Trane U.S. presented the City Council with a summary of its energy performance investigation of all municipal buildings. This project began in October 2019 after it was determined that the Sports Center's energy use was greater than anticipated following the 2018 renovation project. Because it had not been formally commissioned following completion of the project, it was deemed necessary to conduct an energy and operational audit to identify performance issues and evaluate energy efficiency and operational solutions for the Sports Center. Typically, this preliminary investigative work would cost approximately \$10,000. However, as a partner in the City's Climate Smart initiative, Trane proposed conducting this initial audit at no cost. It then added to its scope at no cost, preliminary investigation of all municipal buildings.

Unfortunately, the momentum for this work slowed in March when attention to the pandemic took priority. Staff is now recommending that the City move forward with the next step in this process by entering into an agreement with Trane to proceed with a detailed investment grade audit of the Sports Center.

The detailed audit will deliver the following items:

- A list of infrastructure improvements including detailed scope of work and price to implement.
- A summary of energy and operational savings achieved by implementing the stated infrastructure improvements.
- Project schedule to implement the improvements
- Pricing options
- Single source accountability, project timetable, and implementation strategies
- Owner's agent representation to assist in facilitation of grants or rebates with the Federal, State of Minnesota and/or any applicable financial incentives
- Pro forma statement outlining costs and savings cash flow.

In connection with Sports Center audit, Trane agrees to provide a city-wide lighting analysis. This in itself has stand-alone value.

By entering into agreement with Trane for a detailed audit, the City would not be responsible for a direct fee if a contract is entered into for the work identified. Additionally, any future contract for work would be done within an energy performance guarantee contract, meaning that if the savings outlined through the analysis are not realized, Trane would be responsible for the difference. This ensures that any additional mechanical investment in the Sports Center would have a guaranteed payback. At this time, Trane estimates a capital investment of \$108,000, which would result in an approximate \$19,000 in annual operational savings, (5.6 year payback). The City Council will have an opportunity to determine which of the investments make most sense when more detail becomes available.

There is no upfront cost for the detailed investment grade audit. However, should the City not move forward with a final work contract agreement, an invoice of \$11,246 would be provided to offset the cost of services and time expended within the period of this study.

RECOMMENDATION

Staff recommend approval of the attached resolution authorizing the City Manager to enter into an agreement with Trane US for a detailed investment grade audit of the Sports Center.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH TRANE U.S. TO PERFORM A DETAILED INVESTMENT GRADE AUDIT AT THE SPORTS CENTER

WHEREAS, the Sports Center's energy consumption was significantly higher than anticipated following completion of the 2018 renovation project; and

WHEREAS, Trane U.S. performed a preliminary energy and operational assessment of the Sports Center in the fall of 2019 at no cost; and

WHEREAS, Trane's energy and operational assessment revealed opportunities for investments that could result in significant energy savings; and

WHEREAS, through a guaranteed energy performance contract, Trane guarantees that any energy investment upgrades will result in mutually understood energy savings, or is bound to pay the difference; and

WHEREAS, a detailed investment grade audit is needed for final engineering to determine actual investment costs and energy savings opportunities; and

WHEREAS, there is no upfront charge for a detailed investment grade audit; however, if the City chooses not to move forward with a project, Trane U.S. will invoice the City \$11, 246 to help cover its costs of the audit and engineering services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota hereby authorizes the City Manager to enter into an agreement with Trane U.S. for a detailed investment grade audit for the Sports Center.

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



**MINUTES OF THE MEETING OF THE
HOUSING AND REDEVELOPMENT AUTHORITY
OF WHITE BEAR LAKE, MINNESOTA
HELD ON TUESDAY, JANUARY 14, 2020**

1. CALL TO ORDER AND ROLL CALL

HRA Chair Biehn convened the meeting of the Housing and Redevelopment Authority at 7:52 p.m.

Members Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh were present.

2. APPROVAL OF THE MINUTES

It was moved by Member **Engstran** seconded by Member **Edberg** to approve the Minutes of the December 10, 2019 HRA Meeting as presented.

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

It was moved by Member **Walsh** seconded by Member **Engstran** to approve Agenda as presented.

Motion carried unanimously.

4. RESOLUTION OF HRA CHAIR AND VICE CHAIR

Member Jones nominated Member Biehn as the HRA Chair. No other nominations were made. Motion carried unanimously.

Member Walsh nominated Member Jones as the HRA Vice Chair. No other nominations were made. Motion carried unanimously.

5. ADJOURNMENT

There being no further business before the HRA, Chair Biehn adjourned the HRA Meeting at 7:55 p.m.

Doug Biehn HRA Chair

Ellen Hiniker, Executive Director



City of White Bear Lake
Finance Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Kerri Kindsvater, Finance Director

Date: December 1, 2020

Subject: **Housing and Redevelopment Authority Tort Liability**

BACKGROUND

Minnesota Statutes cap municipal tort liability to a maximum of \$500,000 per claimant and \$1.5 million per occurrence. These limits apply whether the claim is against the member, an employee, or both. The Housing and Redevelopment Authority's (HRA) insurance coverage through the League of Minnesota Cities Insurance Trust (LMCIT) provides a standard limit of \$2 million per occurrence. The higher coverage amount through the LMCIT policy recognizes that some types of liability claims are not subject to the statutory tort caps and it is common to see contracts require more than the statutory limit.

SUMMARY

The League of Minnesota Cities Insurance Trust offers a comprehensive liability insurance package that combines coverage for municipal liability, errors and omissions, and police liability into one single policy document with the typical property, casualty, and automobile coverages.

In addition to the overall LMCIT coverage limit of \$2,000,000 per occurrence, there are also annual aggregate limits (that is, limits on the total amount of coverage for the year regardless of the number of claims) for certain specific risks. Aggregate limits apply to the following:

Products	\$3,000,000 annually
Failure to supply utility services	\$3,000,000 annually
Data security breaches (a \$250,000 sublimit, which is part of and not in addition to the annual total for Payment Card Industry fines, penalties, assessments and regulatory fines and penalties)	\$3,000,000 annually
Limited contamination issues	\$3,000,000 annually
Land use and special risk litigation*	\$1,000,000 annually

*The limit applies to both damages and defense costs. The coverage pays for these items related to land use regulation and development litigation on a sliding scale percentage basis

LMCIT does offer excess liability insurance that provides umbrella coverage for instances where a member organization might need coverage greater than \$2 million. Example situations are: claims not limited by statutory tort caps, a loss or claim in one of the areas when there might not be enough aggregate limit to cover the organization's full exposure if a second similar event occurs within the same year, contracts may require higher coverage limits, more than one political subdivision is covered by the one policy. The HRA has not purchased excess liability insurance coverage in previous years since there have been no situations where any claims have exceeded the statutory limit during a year and the extra premium charge was not cost effective.

The City, Economic Development Authority (EDA), and port authority are each separate political subdivisions. The City maintains a separate general liability policy due, in part, to the independent nature of its activities, and the potential of a civil action against both the HRA and the City.

As the HRA seeks to renew its general liability insurance policy for fiscal year 2021, the HRA must determine if it would like to waive the statutory liability limits or not.

If the HRA chooses not to waive the statutory limits, the statutes limit liability at the amounts listed above - no more than \$500,000 per claimant and \$1.5 million per occurrence. The higher coverage limit of \$2 million would only apply to those types of claims not covered by the statutory limit. Exceptions to statutory tort caps are situations such as claims under federal civil rights laws, claims of tort liability that the HRA assumed by contract, claims for actions in another state, claims based on liquor sales, and claims challenging land use regulations.

If the HRA chooses to waive the statutory limits, any claimant could recover up to the \$2 million insurance policy coverage amount, or higher if the HRA purchases excess liability coverage. Waiving the statutory liability limits does not give the HRA better insurance protection it only grants a better benefit to the party making the liability claim against the HRA. Because the waiver increases the exposure to higher claim costs, the premium is higher for coverage under the waiver options. Per LMCIT documentation, the cost difference is 3.50% of liability premium for member organizations that choose to waive the statutory liability limits.

RECOMMENDATION

Staff recommends the Council adopt the resolution to not waive the statutory limits. This decision remains consistent with prior years' coverages and provides a statutory tort liability payment limit of \$500,000 to individual claimants and \$1,500,000 to all claimants for a single occurrence claim against the HRA.

ATTACHMENTS

Resolution

HRA RESOLUTION NO.

RESOLUTION NOT WAIVING THE MONETARY LIMITS ON MUNICIPAL TORT LIABILITY ESTABLISHED BY MINNESOTA STATUTES 466.04 FOR THE HOUSING AND REDEVELOPMENT AUTHORITY

WHEREAS, Minnesota Statutes 466.04 caps tort liability to a maximum of \$500,000 per claimant on any claim to which the statutory tort limits apply; and

WHEREAS, Minnesota Statutes 466.04 caps tort liability to a maximum of \$1,500,000 for the total claimants for a single occurrence to which the statutory tort limits apply.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSING AND REDEVELOPMENT AUTHORITY (HRA) OF THE CITY OF WHITE BEAR LAKE, that the HRA does not waive the statutory liability limits for the Fiscal Year January 1, 2021 – December 31, 2021:

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

Ayes:

Nays:

Passed:

Doug Biehn, HRA Chair

ATTEST:

Ellen Hiniker, Executive Director

City of White Bear Lake Environmental Advisory Commission

MINUTES

Date: October 21, 2020	Time: 6:30pm	Location: WBL City Hall
COMMISSION MEMBERS PRESENT	Bonnie Greenleaf, Rick Johnston, Gary Schroeher (Chair), Robert Winkler, Valeria Diaz, Sage Durdle	
COMMISSION MEMBERS ABSENT	Sheryl Bolstad, Chris Greene	
STAFF PRESENT	Connie Taillon, Environmental Specialist	
VISITORS	None	
NOTETAKER	Connie Taillon	

1. CALL TO ORDER

The meeting was called to order at 6:43pm.

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had no changes. Commissioner Johnston moved, seconded by Commissioner Greenleaf, to approve the agenda as presented.

Roll call vote:

Bolstad: Absent

Greene: Absent

Greenleaf: Aye

Johnston: Aye

Schroeher: Aye

Winkler: Aye

Diaz: Aye

Durdle: Aye

Motion carried.

3. APPROVAL OF MINUTES

a) September 16, 2020 regular meeting

The commission members reviewed the September 16, 2020 draft minutes and had no changes.

Commissioner Johnston moved, seconded by Commissioner Winkler, to approve the minutes of the September 16, 2020 meeting as presented.

Roll call vote:

Bolstad: Absent

Greene: Absent

Greenleaf: Aye

Johnston: Aye

Schroeher: Aye

Winkler: Aye

Diaz: Aye

Durdle: Aye

Motion carried.

4. VISITORS & PRESENTATIONS

None

Commission member joined the meeting

5. UNFINISHED BUSINESS

a) Work plan high priority goals

- Downtown area recycling containers

Commissioner Johnston reported the results of his downtown area trash and recycling container use investigation. He stated that it is difficult during the pandemic to determine if his findings are representative of actual use. The recycling container signage says 'bottles and cans only' so that was his focus. He found very little recycling in the trash, and some trash in the recycling containers. Commissioner Johnston asked what level of contamination is still acceptable. Taillon mentioned that the level of contamination in the curbside recycling program is approximately 9.5% and this is percentage acceptable to our recycling processor. Commissioner Johnston noted that people appear to be using all of the recycling containers. There are only eight recycling containers in the downtown area but all are in high traffic locations. He noted that there was very little trash and recycling in the containers the day before the weekly pickup, with the heaviest use on Washington Square. He recommends replacing the current separate trash and recycling containers with a combined trash/recycling container. This would likely maximize recycling and pickup convenience, and minimize clutter.

- Pollinator plantings, mtg w/ Parks Commission

Taillon reported that the Parks Commission may be available for a joint meeting during their January or February meeting. The Parks Commission liaison will discuss a date with the commission members at their next meeting.

- Zero waste City events policy

Taillon stated that the next step is to bring the Zero Waste Policy to City Council for their consideration, and she will let the commission members know when the policy is on the Council agenda.

b) 2020 budget

- Expo banners

Taillon reported that the two Environmental Resource Expo feather flags have arrived. One stand was missing so staff will contact the company and have them mail the second stand. Staff will order the other two flags after the first of the year. Commission members discussed subsidizing home energy squad visits or purchasing pollinator seeds with the remaining 2020 budget. Taillon will research subsidizing home energy squad visits.

c) 2021 Work plan

Commission members reviewed the Natural Step Framework list and discussed priority projects for 2021. Commissioner Greenleaf is interested in a plastic bag ban and will report on plastic bag restrictions in Duluth and Minneapolis at the November EAC meeting. Commission members will each choose their three priorities for 2021 and report back at the November meeting.

6. NEW BUSINESS

a) Officer elections

Commission members discussed chair and vice chair candidates. Chair Schroeher agreed to continue on as chair. Commissioner Greenleaf moved, seconded by Commissioner Johnston, to nominate Chair Schroeher to continue as chair in 2021.

Roll call vote:

Bolstad: Absent
Greene: Aye
Greenleaf: Aye
Johnston: Aye
Schroeher: Aye
Winkler: Aye
Diaz: Aye
Durdle: Aye

Motion carried.

Commissioner Johnston moved, seconded by Commissioner Greene, to nominate Commissioner Bolstad to continue as vice-chair in 2021.

Roll call vote:

Bolstad: Absent
Greene: Aye
Greenleaf: Aye
Johnston: Aye
Schroeher: Aye
Winkler: Aye
Diaz: Aye
Durdle: Aye

Motion carried.

7. DISCUSSION

a) Staff updates

- East Goose Lake Adaptive Management
Taillon stated that City staff and VLAWMO gave a presentation about the Goose Lake Adaptive Management process at the October 13, 2020 City Council meeting. VLAWMO introduced the adaptive management concept and asked if Council had reservations about the process and partnership. Next steps include a neighborhood meeting before the end of this year, and gathering additional public input at the beginning of next year. Staff will keep the commission members informed of next steps.
- Curbside organics
Taillon reported that Ramsey County continues to move forward with a curbside organics recycling program, and plans to launch the program in both Ramsey and Washington Counties by early 2023. Staff will email commission members information about the program.
- Recycling Ambassador Program
Taillon mentioned that the Ramsey County Recycling Ambassador program is now in place, and registration will open this fall for a 6-week training program. Staff will email the program link to commission members.

b) Commission member updates

- Taking Action for Water Quality and Conservation Webinar – Chair Schroehner
Chair Schroehner provided an update on the ‘Taking Action for Water Quality and Conservation’ webinar that he recently attended. The webinar was hosted by Conservation Minnesota with presentations from

Vadnais Lake Area Water Management Organization (VLAWMO), Rice Creek Watershed District (RCWD), and Anoka Conservation District (ACD). The presenters highlighted that 60% of lakes in the state are currently impaired. ACD discussed water governance and the Adopt-a-Drain program in Anoka County, where 400 drains have been adopted. RCWD described their programs for water quality, flooding, wetlands, drainage, outreach, and grants. They also showed example projects from their small grant program and talked about the Lawns to Legumes program. VLAWMO talked about Amelia Lake and how to get involved with the Adopt-a-Drain program and VLAWMO cost share program. As part of the webinar, attendees took a real time survey, which Chair Schroeber said may be helpful with the Goose Lake public engagement.

c) Do-outs

New do-out items for October 21, 2020 include:

- Commissioner Greenleaf will provide a summary of plastic bag restrictions in Duluth and Minneapolis
- Commissioner Greenleaf to email compostable product company article to commission members
- Each commission member shall choose their top three priority project for 2021 and share at the November meeting
- Staff to order two more Environmental Expo feather flags after the first of the year.
- Staff to update the commission when the Zero Waste Policy is on the Council agenda.
- Staff to research subsidizing home energy squad visits
- Staff to email curbside organics and recycling ambassador links to commission members

d) November agenda

Add plastic bag ban discussion, 2020 remaining budget on the November agenda.

8. ADJOURNMENT

Commissioner Johnston moved, seconded by Commissioner Winkler to adjourn the meeting at 8:19 pm.

Roll call vote:

Bolstad: Absent

Greene: Aye

Greenleaf: Aye

Johnston: Aye

Schroeber: Aye

Winkler: Aye

Diaz: Aye

Durdle: Aye

Motion carried.

Park Advisory Commission Meeting Minutes

SEPTEMBER 17, 2020

6:30 P.M.

Memorial Beach/West Park

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

AGENDA TOPICS

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

Approval of the minutes from August 20, 2020 was moved by Mark Cermak and seconded by Victoria Biehn.

3. APPROVAL OF AGENDA

Approval of the September 17, 2020 agenda was moved by Mike Shepard and seconded by Mark Cermak.

4. UNFINISHED BUSINESS

5. NEW BUSINESS

a) Lifeguards at Memorial Beach

Andy Wietecki followed up with the Commission Members about the lifeguard discussions at the August meeting. Anastacia inquired when the last time there were lifeguards at Memorial Beach. There have not been any lifeguards at this location for the past 15-20 years. The surrounding community beaches on White Bear Lake paid around \$20,000 - \$24,000 for lifeguard services through the YMCA in 2018. This number is just a rough idea of what costs could be to employ lifeguards for the summer at our beach. Bill Ganzlin asked if we could have extra patrols at the Matoska boat launch policing the launch to make sure that everyone launching their boats is paying for a tag. Then use those fees to help pay a portion of the cost of lifeguards at the beach. Andy would talk to the Finance Department to see if those funds could be transferred. The CSOs (Community Service Officers) have stepped up patrolling at Matoska to ensure that the trailers in the parking area all have permits on them. The Park Advisory Commission members unanimously agreed to support funding and implement lifeguards at Memorial Beach.

b) Dumpster Enclosure Proposals/Drawings for Podvin Park

The Park Advisory Commission toured three different dumpster enclosure styles to be considered for Podvin Park. Podvin Park is one of the premier parks within the City; and the current dumpster location sitting out front detracts from the park's appeal. Andy Wieteki informed the Commission that the dumpster location would be on an existing 6-inch concrete slab that was meant for motorcycle parking. Mike Shepard questioned where the motorcycles will park if the dumpster uses that concrete slab. Andy informed the Commission that the dumpster has always been on that concrete pad so it doesn't sink into the asphalt. Andy confirmed (on September 18th) that there is another concrete pad between the skate park and basketball court that will work for motorcycle parking. The Park Advisory Commission decided on the option from Midwest Wrought Iron. The enclosure will fit nicely into the park and it will be easy to replace the composite slats if they are ever broken or vandalized.

c) Rotary Park Nature Preserve Tour

The Park Advisory Commission met at Rotary Park Nature Preserve. Bill Ganzlin led the Commission pointing out invasive Siberian Elm and Amur Maples that are heavily growing throughout the park. The Commission was impressed with the pavilion at the top the hill. Bill reported that the Rotary Club helped fund the project and also provided laborers to help build the pavilion. The question was raised whether there was much vandalism at Rotary Park. Fortunately, there is minimal vandalism – possibly due to the amount of people utilizing the trail that runs through the park. As the tour continued to the boardwalk, Bill Ganzlin asked if the Osprey pole had ever had an Osprey nest. From a previous conversation Andy had with retired City Engineer Mark Burch, Andy does not believe there has been any Osprey that have taken up residence at Rotary Park. The tour continued through the woods and ended up out by White Bear Parkway where the park property actually crosses the road to the North and extends up to the railroad tracks and over by Taymark's parking lot. Bill mentioned that years ago the City had a controlled burn in this area with the Fire Department on the prairie next to Taymark. The prairie was burned off and the fire department had some training at the same time. As the tour ended, Andy showed the Park Advisory Commission members some Arbor Day trees that were planted in his first year with the City that now stand 20 feet tall. Overall, the Commission were impressed with the beauty at Rotary Park Nature Preserve.

6. OTHER STAFF REPORTS

None.

7. COMMISSION REPORTS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The next meeting will be held on January 21, 2021 at 6:30 p.m.

There being no further business to come before the Park Commission, the meeting was adjourned. Moved by Anastacia Davis and seconded by Victoria Biehn.

**MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
NOVEMBER 30, 2020**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, November 30, 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: Michael Amundsen, Ken Baltzer, Pamela Enz, Mark Lynch, and Erich Reinhardt (7:14 PM).

MEMBERS EXCUSED: Jim Berry and Peter Reis.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Mark Ashby, Nancy Boucher, Allan Boucher, Kevin Rooney, Kerry Troske, Justin Rooney, Mark McKee, Richard Hardwick.

2. APPROVAL OF THE NOVEMBER 30, 2020 AGENDA:

Member Lynch moved for approval of the agenda. Member Enz seconded the motion, and the agenda was approved (4-0).

3. APPROVAL OF THE OCTOBER 26, 2020 PLANNING COMMISSION MEETING MINUTES:

Member Enz moved for approval of the minutes. Member Lynch seconded the motion, and the minutes were approved (4-0).

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.

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

Member Enz asked how the City could address the drainage concerns raised by neighbors. Crosby replied that she could discuss the issue with the City Engineer to improve the maintenance of the existing culvert by the Public Works Department.

Member Lynch asked for more information on the walking path. Crosby explained that it is not currently shown on the plan, but staff would like the utility easement to include pedestrian access. Staff is not requiring trail construction at this time. Member Lynch continued that he would like the proposed trail connecting the cul-de-sac to County Road E to be paved and maintained by the Homeowners Association. He noted it is important to think about the future and a cut through like this would greatly increase the walkability of the neighborhood.

Member Baltzer opened the public hearing.

Nancy Boucher, 3546 Willow Avenue, asked about the difference between a catch basin and a pond, if Outlot A would have standing water, and if there will be a new storm sewer installed to connect to the City's existing sewer in Dell Street.

Crosby indicated on a graphic that the catch basin will be towards the northeast portion of the lot and that Outlot A will be the pond. The catch basin will not infiltrate water. Taillon added that Outlot A will infiltrate the first 1 inch of water from the development. Anything above 1 inch will pond in the area and that water will flow from the culvert to the City storm pipe in Dell Street.

Allan Boucher, 3546 Willow Avenue, asked if all the water from the property will drain to Outlot A and if the plan is to construct a new pond. They have had drainage issues in the past and are concerned the development may exacerbate the problem.

Taillon responded that the top quarter of the property drains toward County Road E. The bottom portion does drain south to Outlot A. The City's stormwater standards state that new development cannot make the rate of runoff worse, so the pond is designed to capture the additional water generated from the increase in impervious surface and meter it out to the existing culvert. She added that a brand new pond will be constructed upstream of the existing low area.

Kevin Rooney, 1800 County Road E, son of previous owner Don Rooney, he stated that he will be living on the property. He does not remember standing water on the south side of the property and is not sure how much more runoff will be created from the development.

Allan Boucher confirmed that water does pool in the area when there is significant rainfall.

Kerry Troske, 3535 Rooney Place, agreed that the storm drains are not well maintained in the area, as she has cleaned them out in the past. She asked about the size, height, and cost of the future homes.

Mark Ashby, Applicant, explained that they will be single family homes. Some will be two story, but he anticipates most will be single level, rambler style homes that will cost around 400 to 600 thousand dollars. He noted that due to the price of materials right now, it is hard to build anything for less than \$400 thousand.

Member Baltzer closed the public hearing.

Member Lynch wondered if the new pond on Outlot A would be bigger and deeper than what currently exists. Taillon replied that there is not really a pond there now, so yes it will be constructed to hold the runoff produced by the development.

Member Amundsen asked about the platting process. Crosby explained that the preliminary plat is the first step where most of the details are hashed out. Once that is complete, a development agreement is created and a final plat is submitted. If there is no significant change between the preliminary and final plat, it will go straight to City Council for approval. After that, the developer can construct the utilities and road and sell the parcels to individuals for home construction.

Member Lynch moved to recommend approval of Case No. 20-1-P with the condition that the pedestrian cut-through be paved and maintained by the Homeowners Association. Member Enz seconded the motion. The motion passed by a vote of 5-0.

- B. **Case No. 20-19-V:** A request by **Alleycat's** for an amendment, per Code Section 1202.040, Subd.2.A, to an existing wall sign variance to allow a portion of the sign to be converted from individual channel letter style to box style. The existing variance being amended is a variance to allow a 35.5 square foot sign on the south elevation in addition to the 50.28 square foot sign on the west elevation, for an end-cap tenant at the property located at 1971 Whitaker Street.

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

Member Amundsen sought clarification on primary and secondary walls. Crosby explained that the primary wall is the one with the entrance, and although the business has two entrances, one is more prominent, making the south elevation the primary wall.

Member Baltzer opened the public hearing. As no one from the public spoke, Member Baltzer closed the public hearing.

Member Enz moved to recommend approval of Case No. 20-19-V. Member Amundsen seconded the motion. The motion passed by a vote of 5-0.

5. DISCUSSION ITEMS:

- A. City Council Meeting Summary of November 10, 2020.

In response to Member Lynch's inquiry, Kane explained that the Traffic Committee is made up of City staff members who hear various traffic related proposals and use scientifically based reasoning to make decisions.

- B. Park Advisory Commission Meeting Minutes of September 17, 2020.

No Discussion.

6. ADJOURNMENT:

Member Amundsen moved to adjourn, seconded by Member Enz. The motion passed unanimously (5-0), and the November 30, 2020 Planning Commission meeting was adjourned at 7:43 p.m.

REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 pm White Bear Lake City Hall
Minutes of October 17, 2020

APPROVAL DATE: Approved

1. **CALL TO ORDER** the October 17, 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, Sec/Tres Diane Longville, Directors: Scott Costello, Mike Parenteau, Scott O'Connor. Marty Rathmanner and Cameron Sigecan Absent were Vice Chair Mark Ganz and Director Susie Mahoney. 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** – September 2020 board meeting. Motion (DeSmet/Second) Moved to approve with typo correction right of ways vote by roll call all aye passed.
5. **PUBLIC COMMENT TIME** – None
6. **NEW BUSINESS** – Steve McComas presentation
Steve presented our annual findings of treatment of the lake and its condition. Did 6 treatments 12.17 acres down considerable then in past years. Largest was in 2010 174 acres. In August saw 9-12 feet milfoil come back on Mahtomedi side. Sampled 50 sites for starry wart found none. Phragmites treated 10/8/20 paid by Anoka grant for two years. Want to thank Mike Parenteau for his extreme knowledge of the lake and help. Full copy of the slide show will be sent to the WBLCD office.
7. **UNFINISHED BUSINESS** – Commercial Bay Study
Still in the beginning stages of collecting ideas, what do we want to study, ways to put together a bid, who are the experts we hire? Is the old study worth using as lake is the same size? We will continue to gather ideas and the Executive Committee will review and take out items that are more rule changes vs study items.
8. **REPORTS/ACTION ITEMS**
Executive Committee – worked on study
Lake Quality Committee – Mike Parenteau
 - Lake level as of today is 924.2
 - Current temperature is 47 degrees last month 50
9. **Lake Utilization Committee** – Meeting was cancelled
10. **Lake Education** – Nothing to report
11. **Treasurer's Report** – Diane Longville
Motion (Longville/Second) approval of September 17, 2020 Treasurer's report and payment of check numbers 4665-4667 Move to approve all aye passed.
12. **Board Counsel Report** – Alan Kantrud
It has been slow on lake, no real issues.
Announcements – Thank you from Manitou Island group buoys really helped with the loons hatching this year.

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

ATTEST:

Kim Johnson
Executive Administrative Secretary
Date: 11/17/20

ATTEST:

Bryan DeSmet
Board chair
Date: 11/17/20



City of White Bear Lake
Finance Department
MEMORANDUM

To: Ellen Hiniker, City Manager

From: Kerri Kindsvater, Finance Director

Date: December 1, 2020

Subject: **Municipal Tort Liability**

BACKGROUND

Minnesota Statutes cap municipal tort liability to a maximum of \$500,000 per claimant and \$1.5 million per occurrence. These limits apply whether the claim is against the member, an employee, or both. The City's insurance coverage through the League of Minnesota Cities Insurance Trust (LMCIT) provides a standard limit of \$2 million per occurrence. The higher coverage amount through the LMCIT policy recognizes that some types of liability claims are not subject to the statutory tort caps and it is common to see contracts require more than the statutory limit.

SUMMARY

The League of Minnesota Cities Insurance Trust offers a comprehensive liability insurance package that combines coverage for municipal liability, errors and omissions, and police liability into one single policy document with the typical property, casualty, and automobile coverages.

In addition to the overall LMCIT coverage limit of \$2,000,000 per occurrence, there are also annual aggregate limits (that is, limits on the total amount of coverage for the year regardless of the number of claims) for certain specific risks. Aggregate limits apply to the following:

Products	\$3,000,000 annually
Failure to supply utility services	\$3,000,000 annually
Data security breaches (a \$250,000 sublimit, which is part of and not in addition to the annual total for Payment Card Industry fines, penalties, assessments and regulatory fines and penalties)	\$3,000,000 annually
Limited contamination issues	\$3,000,000 annually
Land use and special risk litigation*	\$1,000,000 annually

*The limit applies to both damages and defense costs. The coverage pays for these items related to land use regulation and development litigation on a sliding scale percentage basis

LMCIT does offer excess liability insurance that provides umbrella coverage for instances where a City might need coverage greater than \$2 million. Example situations are: claims not limited by statutory tort caps, a loss or claim in one of the areas when there might not be enough aggregate limit to cover the city's full exposure if a second similar event occurs within the same year, contracts may require higher coverage limits, more than one political subdivision is covered by the one policy. The City of White Bear Lake has not purchased excess liability insurance coverage in previous years since there have been no situations where any claims have exceeded the statutory limit during a year and the extra premium charge was not cost effective.

The City's Housing Redevelopment Authority (HRA), Economic Development Authority (EDA), and port authority are each separate political subdivisions. The City's HRA maintains a separate general liability policy due, in part, to the independent nature of its activities, and the potential of a civil action against both the City and HRA. In 2020, the HRA's \$2.0 million coverage requires a premium cost of \$1,090.

As the City seeks to renew its general liability insurance policy for fiscal year 2021, the City Council must determine if it would like to waive the statutory liability limits or not.

If a City chooses not to waive the statutory limits, the statutes limit liability at the amounts listed above, no more than \$500,000 per claimant and \$1.5 million per occurrence. The higher coverage limit of \$2 million would only apply to those types of claims not covered by the statutory limit. Exceptions to the statutory tort caps are situations such as claims under federal civil rights laws, claims of tort liability that the city assumed by contract, claims for actions in another state, claims based on liquor sales, and claims challenging land use regulations.

If the City chooses to waive the statutory limits, any claimant could recover up to the \$2 million insurance policy coverage amount, or higher if the city purchases excess liability coverage. Waiving the statutory liability limits does not give the city better insurance protection it only grants a better benefit to the party making the liability claim against the city. Because the waiver increases the exposure to higher claim costs, the premium is higher for coverage under the waiver options. Per LMCIT documentation, the cost difference is 3.50% of liability premium for member cities that choose to waive the statutory liability limits.

RECOMMENDATION

The City Council continue to choose to not waive the statutory limits. This decision remains consistent with prior years' coverages and provides statutory tort liability payment limit of \$500,000 to individual claimants and \$1,500,000 to all claimants for a single occurrence claim against the City.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION NOT WAIVING THE MONETARY LIMITS ON MUNICIPAL TORT LIABILITY ESTABLISHED BY MINNESOTA STATUTES 466.04

WHEREAS, Minnesota Statutes 466.04 caps municipal tort liability to a maximum of \$500,000 per claimant on any claim to which the statutory tort limits apply; and

WHEREAS, Minnesota Statutes 466.04 caps the municipal tort liability to a maximum of \$1,500,000 for the total claimants for a single occurrence to which the statutory tort limits apply.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, that the City does not waive the statutory liability limits for the Fiscal Year January 1, 2021 – December 31, 2021:

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

Ayes:

Nays:

Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: December 8, 2020

Subject: **Final Payment to North Valley, Inc. for the 2020 Mill and Overlay Project, City Project No. 20-13**

BACKGROUND & SUMMARY

North Valley, Inc. has completed all work specified in their contract for the 2020 Mill and Overlay Project. The 2020 Mill and Overlay Project included Dillon Street (from Fifth Street to Seventh Street), Fifth Street (from Karen Place to Wood Avenue), Woodcrest Road (from Seventh Street to Ninth Street), Auger Avenue (from Elm Street to County Road E), Dell Street (from Willow Avenue to 140 feet west of Midland Avenue), Dell Court North (from Dell Street to end of cul-de-sac), Dell Court South (from Dell Street to end of cul-de-sac), Elm Street (from Willow Avenue to Midland Court), Highland Avenue (from Elm Street to County Road E), Midland Court (from Elm Street to end of cul-de-sac), Rooney Place (from Dell Street to end of cul-de-sac), Sunrise Court (from Highland Avenue to end of cul-de-sac), Willow Court East (from Willow Avenue to Willow Court), Willow Court (from Elm Street to south limits), Jansen Avenue (from Bellaire Avenue to Glen Oaks Avenue), Glen Oaks Avenue (from 160 feet north of Elm Drive to end of cul-de-sac), Glen Oaks Court (from Glen Oaks Avenue to end of cul-de-sac), Rolling View Court (from Rolling View Drive to end of cul-de-sac), Rolling View Drive (from Glen Oaks Avenue to County Road E), Oak Court (from Bellaire Avenue to end of cul-de-sac) and Orchard Circle (from Orchard Lane to end of cul-de-sac).

The original contract amount was \$1,569,039.60. The value of the work completed is \$1,641,608.82. This contract is based upon unit prices and the final contract amount is based on actual work performed. The Engineering Department recommends that the City Council accept the work and authorize the final payment to North Valley, Inc. in the amount of \$46,827.21.

RECOMMENDATION

Our recommendation is that the Council adopt the resolution finalizing payment for completion of the 2020 Mill and Overlay Project.

ATTACHMENTS

Resolution

RESOLUTION NO.:

**RESOLUTION ACCEPTING WORK AND AUTHORIZING
FINAL PAYMENT TO NORTH VALLEY, INC. FOR THE
COMPLETION OF THE 2020 MILL AND OVERLAY PROJECT
CITY PROJECT NO.: 20-13**

WHEREAS, pursuant to Resolution No. 12566, a written contract signed with the City of White Bear Lake, North Valley, Inc. in the amount of \$1,569,039.60, has satisfactorily completed the work included in the 2020 Mill and Overlay Project, in accordance with such contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the work completed under said contract is hereby accepted and approved; and

BE IT FURTHER RESOLVED that the City Clerk and Mayor are hereby directed to issue final payment in the amount of \$46,827.21 for a final contract amount of \$1,641,608.82 for the 2020 Mill and Overlay Project.

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
Engineering Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: December 8, 2020

Subject: **Final Payment to T.A. Schifsky & Sons for the 2020 Street Reconstruction Project, City Project Nos. 20-01 & 20-06**

BACKGROUND & SUMMARY

T.A. Schifsky & Sons has completed all work specified in their contract for the 2020 Street Reconstruction Project. The 2020 Street Reconstruction Project included Cottage Park Road (from Lakeview Avenue to Old White Bear Avenue), Circle Drive (from Cottage Park Road to Cottage Park Road), Lakeview Avenue (from South Shore Boulevard to Old White Bear Avenue), and Bellaire Avenue (from Orchard Land to County Road E).

The original contract amount was \$1,600,523.14. The value of the work completed is \$1,614,311.46. This contract is based upon unit prices and the final contract amount is based on actual work performed. The Engineering Department recommends that the City Council accept the work and authorize the final payment to T.A. Schifsky & Sons in the amount of \$23,174.93.

RECOMMENDATION

Our recommendation is that the Council adopt the resolution finalizing payment for completion of the 2020 Street Reconstruction Project.

ATTACHMENTS

Resolution

RESOLUTION NO.:

**RESOLUTION ACCEPTING WORK AND AUTHORIZING
FINAL PAYMENT TO T.A. SCHIFSKY & SONS FOR THE
COMPLETION OF THE 2020 STREET RECONSTRUCTION PROJECT
CITY PROJECT NOS.: 20-01 & 20-06**

WHEREAS, pursuant to Resolution No. 12565, a written contract signed with the City of White Bear Lake, T.A. Schifsky & Sons in the amount of \$1,600,523.14, has satisfactorily completed the work included in the 2020 Street Reconstruction Project, in accordance with such contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the work completed under said contract is hereby accepted and approved; and

BE IT FURTHER RESOLVED that the City Clerk and Mayor are hereby directed to issue final payment in the amount of \$23,174.93 for a final contract amount of \$1,614,311.46 for the 2020 Street Reconstruction Project.

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 Richter, City Manager
From: Kara Coustry, City Clerk
Date: December 4, 2020
Subject: **Off Sale Liquor License – The Cellars WHL INC.**

BACKGROUND / SUMMARY

The Cellars Wines & Spirits of White Bear Lake is current licensed for off-sale liquor under Chad Moe. The city received an application from the anticipated new owner, Nathakone Lai Chindevong, for an off-sale liquor license at:

Cellars WHL INC
dba Cellars Wine and Spirits
2675 County Road E
White Bear Lake, MN 55110

The Police Department is in the process of completing a background investigation on the new owner. The business wishes to begin in the New Year, January 2, 2020 and has set the closing date for this transaction at the end of December. So that the City does not hold up this process by waiting for license consideration at the next meeting on January 12, 2021, staff is recommending advance, conditioned approval of this off sale liquor license. Approval would be conditioned upon a clear background check, proof of a valid lease agreement and verification of payment of all past due utilities for the location, and receipt of insurance.

The application is on file in the City Manager's office.

RECOMMENDED COUNCIL ACTION

Staff recommends conditional approval of the off-sale liquor license to Nathakone Lai Chindevong at Cellars WHL INC, dba Cellars Wine and Spirits.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION APPROVING AN OFF-SALE LIQUOR LICENSE TO
THE CELLARS WHL INC. UNDER NEW OWNERSHIP OF
NATHAKONE LAI CHINDEVONG**

WHEREAS, the City of White Bear Lake received an application for an off-sale liquor license from Nathakone Lai Chindevong on behalf of Cellars WHL INC.; and

WHEREAS the off-sale liquor license is located at 2675 County Road E, White Bear Lake, MN; and

WHEREAS the trade name for the establishment is Cellars Wine and Spirits under new ownership of Nathakone Lai Chindevong; and

WHEREAS the Police Department have yet to complete a background investigation and staff have yet to verify full payment of utilities, insurance, and lease agreement; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of White Bear Lake approves issuance of an off-sale liquor license effective January 2, 2021 – March 31, 2021 conditioned upon receipt of a clear background investigation, insurance, utility payments and a lease agreement as follows:

Nathakone Lai Chindevong
Cellars WHL INC
dba Cellars Wine and Spirits
2675 Country Road E
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 Manager's Office

MEMORANDUM

To: Mayor and Council

From: Ellen Hiniker, City Manager
Paul Kauppi, Public Works Director/City Engineer

Date: December 3, 2020

Subject: **Turn-back agreement, South Shore Trail Project**

BACKGROUND & SUMMARY

In July, Ramsey County staff provided an update on the preliminary design work for the South Shore Blvd Trail project, which is scheduled for 2022. Since then, staff has been working with Ramsey County and White Bear Township staff through the details of a turn-back proposal to accommodate a one-way trail from McKnight to East County Line.

As recent as Thursday, staff met with Ramsey County to review final details of an agreement, which will be provided in writing through a Memorandum of Understanding for the City Council's consideration at its January 12, 2021 meeting. Meanwhile, to keep the project moving, Ramsey County will be releasing in December an RFP for engineering and final design services. Staff will review the details of the County's proposal at the December 8 City Council meeting. The following summarizes its major tenets:

- A 10-foot bike/ped trail will be constructed along the length of So Shore, similar in design to the trail along Lake Avenue.
- The roadway will remain two-way up to McKnight, but then turn into an eastbound one-way from McKnight to the East County Line.
- The City and Township will accept jurisdiction of So Shore from McKnight to East County Line, (City's jurisdiction ends at Bellaire).
- County will maintain jurisdiction from White Bear Avenue to McKnight.
- The County will perform a pavement reclamation project, which adds approximately 15-20 years of life to the pavement. The County will then provide payment to the City in lieu of a mill and overlay, which will be needed in 15-20 years; effectively the turn-back provides a 30-year pavement.
- The County will apply funds dedicated by the legislature for the trail work against the City's cost share. Ultimately, the City will have little to no costs related to the trail and roadway project. However, additional light, bench and landscaping amenities will be the responsibility of the City.



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: December 8, 2020

Subject: **Release of a Request for Qualifications (RFQ) for downtown parking and mobility study**

BACKGROUND / SUMMARY

In the mid-1990s, Banning Avenue between 2nd and 4th Streets was reconstructed. Then in 2005, 4th Street and those north of 4th Street were reconstructed. The section south of 4th Street was reconstructed in the 1980s, at which time the wood street light poles and colored sidewalks were also installed. The City has had the remaining downtown area streets south of 4th Street and parking lots in its Capital Improvement Program for a number of years. Currently the downtown project is scheduled to be completed in 2022. This may change depending upon other priorities considered by Council and could potentially be pushed out to 2023.

As staff plans for this project, there are many factors outside of the pavement conditions and utility work to consider. Staff continues to hear from the downtown area businesses that parking is an issue. There may be ways to provide additional parking by modifying traffic flow and/or reconfiguring city lots. Consideration to lighting, landscaping and pedestrian improvements is also needed.

Prior to releasing an RFP for consulting services, staff would first like to identify engineering and planning consultants that have experience in such an analysis and solicit feedback on alternate approaches to this planning process. This is typically done by requesting a Qualifications Proposal, otherwise known as an RFQ, to narrow down those that have related experience. The RFQ responses would then be used to refine a scope of services to specific tasks, which would then be used to solicit actual proposals, including costs to be considered for a study. There will be future opportunities for Council to review the final scope of services prior to soliciting final proposals.

DRAFT

Welcoming and Inclusive Community Initiative

City seeks applicants for Advisory Task Force

The City of White Bear Lake is committed to fostering a welcoming and inclusive community for all who live and work here, now and into the future. Access to municipal services and community assets must be not only equal, but also inviting to all. This demands that there be no disparity of access or participation based on longevity as a member of this community, nor on culture, race, gender, physical ability, socio-economic status, or other characteristic.

In January of 2021, the City will be launching a 9 – 12 month process to learn more about the experiences and perspectives of its residents and businesses around these issues of inclusion. There will be three primary components to this initiative, which will run in parallel:

- Facilitated Community Conversations
- Community-wide Surveys
- City Policies & Services Assessments

Advisory Task Force: In January, Mayor Jo Emerson will be appointing members to an Advisory Task Force to help guide this initiative. The Advisory Task Force will be comprised of 15-20 members representing a diverse cross-section of people who work and live in this community. The Task Force will meet regularly on the fourth Wednesday of each month from 6:00 – 7:30pm beginning in January through November 2021, with occasional special meetings added. Meetings will be held via Zoom until in-person meetings are possible. Members will be asked to be part of interviews/conversations with residents and help with outreach to ensure everyone has an opportunity to participate.

If interested in participating on the Advisory Task Force, please complete the brief application form by January 15 found at or contact Kara Coustry 651-429-8508 to have one mailed to you, or to assist in any way.