



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JANUARY 25, 2022
7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on January 11, 2022

B. Minutes of the City Council Work Session on January 18, 2022

3. ADOPT THE AGENDA *(No item of business shall be considered unless it appears on the agenda for the meeting. The Mayor or Councilmembers may add items to the agenda prior to adoption of the agenda.)*

4. CONSENT AGENDA *(Those items listed under Consent Agenda are considered routine by the City Council and will be acted upon by one motion under this agenda item. There will be no separate discussion of these items, unless the Mayor or a Councilmember so requests, in which event, the item will be removed from the consent agenda and considered under New Business.)*

A. Resolution approving a Massage Establishment license

5. VISITORS AND PRESENTATIONS

Nothing scheduled

6. PUBLIC HEARINGS

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. NEW BUSINESS

A. Ordinance First Reading – Amending the City Charter

B. Resolution accepting feasibility report and ordering public hearing for the 2022 South Shore Boulevard Sanitary Sewer Extension Project

C. Resolution authorizing a contract with LISC/CDI for the County Road E Corridor Revitalization Study

D. Resolution establishing the City's 2022 Legislative Priorities

9. DISCUSSION

Nothing schedule

10. COMMUNICATIONS FROM THE CITY MANAGER

11. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JANUARY 11, 2022
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ROLL CALL

Mayor Jo Emerson called the meeting to order at 7:00 p.m. The City Clerk took attendance for Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, Assistant City Manager Rick Juba, Community Development Director Anne Kane, Public Works Director / City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIENCE

Mayor Emerson introduced the new City Manager, Lindy Crawford.

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on December 14, 2021

It was moved by Councilmember **Biehn** seconded by Councilmember **Walsh**, to approve the Minutes of the December 14, 2021 City Council meeting as presented.

Motion carried unanimously.

B. Minutes of the Special City Council Meeting on December 29, 2021

It was moved by Councilmember **Jones** seconded by Councilmember **Biehn**, to approve the Minutes of the Special City Council meeting December 29, 2021 as presented.

Councilmember Engstran abstained. Motion carried.

Councilmember Dan Jones presented outgoing Mayor Jo Emerson with a Bear Plaque in recognition of service to the community. Chair Edberg presented outgoing Councilmember Ward 2 Doug Biehn with a Bear Plaque in recognition of service to the community.

The City Clerk administered the Oath of Office to Mayor Dan Louismet, Councilmember Ward 2 Heidi Hughes, Councilmember Ward 4 Kevin Edberg, and new City Manager Lindy Crawford.

3. APPROVAL OF THE AGENDA

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

Councilmember Walsh pulled 4E, 4H, 4J from the Consent Agenda and placed them under New Business.

Motion carried unanimously.

4. CONSENT AGENDA

- A. Acceptance of Boards and Commission Minutes: November Environmental Advisory Commission
- B. Resolution authorizing City Manager to invest and transfer funds for the City, designation of bank depository and depositing for investments. **Resolution No. 12917**
- C. Resolution authorizing the City Manager to pay claims made against the City. **Resolution No. 12918**
- D. Resolution establishing regular meeting nights of the City Council of the City of White Bear Lake. **Resolution No 12919**
- ~~E. Resolution naming the official newspaper to perform official publications~~
- F. Resolution authorizing travel reimbursement amounts. **Resolution No. 12921**
- G. Resolution appointing the Administrative Hearing Officer. **Resolution No. 12922**
- ~~H. Resolution designating City Attorney, Counselor and Prosecutor~~
- I. Resolution fixing surety bonds for various City Officials and providing for approval of the same. **Resolution No. 12924**
- ~~J. Resolution approving the purchase of the capital equipment items per the City's 2022 Budget and Capital Improvement Plan~~

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to approve the Consent Agenda as presented with the exception of items 4E, 4H and 4J, which were moved to New Business.

5. VISITORS AND PRESENTATION

Nothing scheduled

6. PUBLIC HEARINGS

Nothing scheduled

7. UNFINISHED BUSINESS

- A. Resolution approving a request by Green Halo Builds for Final Plat approval of Rooney 2nd Addition

Planning and Zoning Coordinator Sam Crosby reported as follows:

“The subject site, 1800 County Road E, is located on the south side of County Road E, between Linden Avenue and Auger Avenue. The 4.6 acre property contains a single-family residence with 3 accessory structures. The property, which is also known as Rooney’s Farm, contains an often humorous changeable copy message sign. After the owner’s passing in 2020, the family of the estate is working to plat the property into 9 single-family residential lots and one outlot for stormwater.

The family desires to keep the original residence and associated structures, therefore, Lot 4 is about an acre in size. All the other lots meet or exceed code size. Lots 4 and 5 are the only lots that will access County Road E. All the other lots will be served by a new public cul-de-sac road, constructed directly across

from Rooney Place. An outlot for stormwater control is located in the southwest corner of the property.

Since the Preliminary Plat was approved, a new builder has taken over the project who does not intend to have a homeowners association, but envisions net zero home designs. Each home will be outfitted with solar panels, a car charging wall in the garage, energy efficient appliances, and built with structurally insulated panels which create a building envelop superior to standard framing practices.

As indicated in the applicant's marketing brochure, all homes will be Energy Star Certified and stamped with the EPA indoor air plus seal. The neighborhood would be called Eco Woods. The proposed final plat is identical to the approved preliminary plat, and therefore it may be approved by the City Council without further review by the Planning Commission.

This is one of the first projects in a long time that has included a new public roadway, which triggers the need for a development agreement. A draft copy of the agreement was included in your packet and has been reviewed and approved by both the City Attorney and the applicant. In addition to approving the final plat, the resolution also permits staff to enter into that agreement.

The Comprehensive Plan has long envisioned the development of this property as a single-family residential subdivision which mirrors the neighborhood to the south, and this project provides just that. The proposed final plat complies with all the City's regulations and is consistent with the approved preliminary plat, consequently staff recommends approval."

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to adopt **Resolution No 12926** approving the Rooney 2nd Addition Final Plat.

Noting the sign located on the Rooney property has provided approximately 60-80 years of humor to the community, Councilmember Edberg inquired as to its continued use. Ms. Crosby reported that that the sign will need to be moved back in order to be retained, but believed that the builder intended to do so.

In response to Councilmember Jones, Ms. Crosby said the name of the street will be Rooney Place, without and north or south references as there is only one Rooney Place street.

Councilmember Hughes inquired as to whether there was any opposition to this development. Ms. Crosby explained there was some concern expressed related to stormwater drainage, but that was resolved at the Planning Commission level.

Motion carried unanimously.

8. NEW BUSINESS

A. Resolution electing the Chair of the White Bear Lake City Council

City Manager Crawford reported that pursuant Section 4.13 of the City Charter the City Council shall, at its first regular meeting of January following a municipal election, elect one of its members as Chair of the City Council to serve in cases when the Mayor is unable to do so.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 12927** electing Councilmember Edberg as the Chair of the White Bear Lake City Council.

Motion carried unanimously.

B. Resolution appointing City representatives to various organizations

City Manager Crawford stated that annually the Council appoints representatives to various organizations of which the City is a member. She relayed the organizations for which the Council established the following appointments for 2022:

<u>Organization</u>	<u>Representative</u>	<u>Alternate</u>
Ramsey County League of Local Governments	Doug Biehn	Steven Engstran
Vadnais Lake Area Water Management Organization	Dan Jones	Bill Walsh
Ramsey County Dispatch Policy Committee	Doug Biehn	Dan Jones
Northeast Youth and Family Services	Heidi Hughes	n/a
Metro Purple Line Corridor Management Committee	Bill Walsh	Edberg
Ramsey/Washington Suburban Cable Commission	Bill Walsh	n/a

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to adopt **Resolution No. 12928** appointing City representatives to various organizations.

Motion carried unanimously.

C. Resolution naming the official newspaper to perform official publications

City Manager Crawford forwarded staff’s recommendation to Council to adopt the City’s official newspaper as the White Bear Press.

Councilmember Walsh said he pulled this item from the consent agenda to discuss this as an item for the Legislative Agenda. He explained, this is a state mandate which requires the City to publish all its legal requirements in a newspaper. He said the City can provide notice to residents in a much cheaper way online, rather than placing column ads in the newspaper.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 12920** naming the White Bear Press as the official newspaper to perform the City's legal publications.

Councilmember Jones agreed with Councilmember Walsh on the financial aspects of wasting tax payer dollars, also noting issues with timing of publications which delay Council action. He relayed an argument for free access, but said that newspapers are not free just as internet is not, but both are available for free at the library.

Councilmember Hughes shared her opposition to this as a legislative item, noting that she would have no way of knowing to go to the website to look for these types of legal notices and appreciated having them available in the local newspaper. She felt it important to keep people informed of what is going on in the community. She said, that while wasting tax payer dollars is a nuisance, moving everything to the internet is not necessarily in the best interest of the community.

Councilmember Edberg respected Councilmember Walsh antennas related to the Legislative Agenda but asked that when policy conversations are prompted, that suggestions and/or alternatives are included as well. In this case, on behalf of residents in the city, what suggested alternatives are there for providing open access to information while retaining other benefits that a local newspaper provides.

Motion carried unanimously.

D. Resolution designating City Attorney, Counselor and Prosecutor

City Manager Crawford explained that the City has a three year contract with the Prosecuting Attorney through January 31, 2023. She forwarded staff's recommendation to reappoint Kennedy & Graven with Attorney Troy Gilchrist, as the lead Counselor through January 31, 2023. She explained that the firm has recommended a 3% rate increase in 2022, which is reflective of the City's wage adjustments.

Councilmember Walsh noted he has been happy working both with Kennedy & Graven and Mr. Gilchrist. He appreciated the depth of the firm, as it was helpful in a recent real estate challenge. He thought there ought to be a vote on this decision and the proposed rate increase.

Councilmember Edberg asked for a review and assessment of services regarding reappointment of the Prosecuting Attorney prior to the next January meeting.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 12923** designating Kennedy and Graven as the City Attorney, Counselor.

Motion carried unanimously.

E. Resolution approving the purchase of the capital equipment items per the City's 2022 Budget and Capital Improvement Plan

Finance Director Kindsvater provided the following report:

“The City maintains a 10-year Capital Improvement Plan to support the financial planning for the Financial Management Plan and annual budget document. Each year staff updates the Capital Improvement Plan to review prioritization of purchases or projects and ensure appropriate costs are included for each item. Staff presents both the CIP and the FMP to the City Council for discussion and approval before using them as the basis for beginning the annual budget process. Our practice is to notify the City Council as departments are planning to purchase equipment items with a value greater than \$100,000 that were included in the capital improvement plan and approved budget document.

Recently, we began bringing these items to you early in the year to assist departments as they prepare for the purchases as this prevents delays in placing orders to coincide with the Council meeting schedule and ensures the City will receive the equipment before yearend since most of these items have a long build time.

Unique situation this year. The list of equipment items included in the budget for this year contains three items that were originally approved in the 2021 Budget; however, part or all of the expenditure amounts had to be pushed to 2022 due to supply chain delays in the current economic environment.

These items are listed here again because the amounts were moved to the 2022 Budget and have an individual value greater than \$100,000.

Multi-use truck with garbage capabilities	153,000	EA
Body portion of a tandem axle dump truck	150,795	EA
Ice resurfacers for Sport Center	115,000	EA

There are three new equipment items included in the 2022 budget based on the Capital Improvement Plan and Financial Management Plan process approved by the City Council last year.

Single axle dump truck	230,000	ARPA
PW Facility Backup Generator	125,000	ARPA
Ambulance	250,000	Amb

I will not present a discussion of each piece of equipment since the Council memo includes key points about each purchase. As noted in the memo, the amounts included for each item are estimates from last year’s budgeting process. Staff will work to find or negotiate a lower price if possible; however, if the purchase price is higher than the amount listed here, staff will bring the item back to Council for approval.

Financing for these 2022 purchases are a combination of current revenues and funds received from the Federal Government through the revenue loss recapture section of American Rescue Plan Aid (ARPA). Use of the ARPA Funds eliminates the need for the City to issue bonds to purchase two of the items planned for in the CIP and FMP.”

It was moved by Councilmember **Jones** seconded by Councilmember **Walsh**, to adopt **Resolution No. 12925** approving the purchase of the capital equipment items per the City's 2022 Budget and Capital Improvement Plan.

Motion carried unanimously.

Councilmember Edberg stated that the process of using the consent agenda is modestly new and he did not object to its use, or the right of any Councilmember to pull an item from consent. He said it would be wise for Council to provide some guidance to the City Manager and Mayor as to the kinds of items that should and should not be under consent. To that end, he asked Councilmember Walsh why this particular item was pulled for discussion.

Councilmember Walsh stated that the reason he pulled this item was because it approves the spending of money – in this case \$1 million in total. He understood that the Council, through the planning and budget process, had already approved the expense of these funds, but he believed this was another opportunity to provide communication to the public for added transparency. He liked the \$100,000 threshold for returning to Council to obtain approval to spend approved budgeted items.

Councilmember Edberg responded that when the Council provides approval of the budget, there are basic assumptions and authorities that accompany that approval. If the bids for these items come in at or below the budget, he said, staff should proceed with its purchase as budgeted. He explained that bringing these items back again for discussion is redundant, and while he appreciated the communication aspect, he said further conversation provides opportunity for mischief.

Mayor Louismet welcomed these comments and welcomed continued conversation of effective utilization of the consent agenda process.

Motion carried unanimously.

Mayor Louismet recessed the City Council meeting at 7:53 p.m.

9. HOUSING AND REDEVELOPMENT ASSOCIATION

Refer to the HRA Minutes for an account of the following:

- A. Call to Order / Roll Call
- B. Approval of the Agenda
- C. Approval of the December 14, 2021 HRA Meeting Minutes
- D. Election of a Chair and Vice Chair of the HRA
- E. Adjournment

Mayor Louismet reconvened the City Council meeting at 7:57 p.m.

10. DISCUSSION

Nothing scheduled

11. COMMUNICATIONS FROM THE CITY MANAGER

- A. Finance & License Bureau Reports
- B. Zoning & Code Violation Reports
- C. January 18th Work Session – Legislative Priorities and Council/City Manager Protocols

Mayor Louismet shared his positive observations of the White Bear Lake City Council and commended the group on their past level of civility and decorum even when there is disagreement. As a process priority, he encouraged the continuation of that tradition. He referenced some contentious items coming down the pipeline, for which he expected lively debate, but expressed confidence that the White Bear Lake City Council will continue its tradition of respect and civility while engaging in these issues.

12. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Jones** seconded by Councilmember **Walsh** to adjourn the regular meeting at 8:01 p.m.

Motion carried unanimously.

Dan Louismet, Mayor

ATTEST:

Kara Coustry, City Clerk



**MINUTES
WORK SESSION OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JANUARY 18, 2022
6:00 PM Public Safety Training Room**

Work Session Opened: 6:00 PM

In Attendance: Mayor Louismet, Councilmembers Walsh, Hughes, Jones, and Edberg, City Manager Crawford, and Assistant City Manager Juba

Excused: Councilmember Engstran

City Manager Crawford and Mayor Louismet reviewed protocols between the Mayor and City Council and City Manager, including Council meeting agenda preparation and communications. Discussion ensued amongst the Council on practices around placing items on the consent agenda and protocols requesting items for placement on the regular agenda.

City Manager Crawford reviewed various initiatives or projects that staff was already working on or intends to commence in 2022.

Legislative priorities adopted by the Council in 2021 were reviewed and ranked for importance in 2022. Staff will bring a resolution to the next regular Council meeting with an updated list of legislative priorities for 2022 based on the work session discussion.

Citing the recent surge of the COVID-19 omicron variant, Councilmember Jones presented a question to the Mayor and Council on whether or not a citywide face covering mandate should be considered at a future City Council meeting. There was no consensus of the Council to discuss this item at a regular Council meeting at this time.

Work Session Adjourned: 9:00 PM



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council
From: Lindy Crawford, City Manager
Date: January 25, 2022
Subject: **Massage Establishment and practitioner's licenses**

SUMMARY

The City Council will consider approving a massage establishment license to Mary Staus at Luna Blue Massage.

BACKGROUND INFORMATION

Since 2016 and pursuant City Ordinance Chapter 1127, the City regulates massage businesses and practitioner's licenses to ensure they meet minimum qualifications and basic insurance coverages. A 2019 revision to the Massage Ordinance permitted the City Manager to issue Massage Therapist licenses, however, the City Council approves all Massage Establishment licenses before they may be issued.

The Center for Therapeutic Massage has been in operation since 2017 at the location of 4860 Banning Avenue under Ramona Barry. The property is zoned B-5 Central Business and massage is a permitted use at this location.

Mary Staus submitted an application to operate Luna Blue Massage at the 4860 Banning Avenue and to work as the sole practitioner at her business. Ms. Staus submitted the required proof of education, professional liability insurance and a lease for the location, which will be fully executed once the applicant can prove they can obtain the required licenses from the City to operate the Massage business. The Police Department completed a background investigation and found nothing to preclude issuance of massage licenses to the applicant.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution authorizing a Massage Establishment license be issued to Mary Staus for Luna Blue Massage located at 4860 Banning Avenue. Please note, as stated in the resolution, license approval is contingent upon final execution of the lease for the location.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION APPROVING ISSUANCE OF A MASSAGE THERAPY ESTABLISHMENT LICENSE
TO MARY STAUS AT LUNA BLUE MASSAGE**

WHEREAS, Mary Staus (Applicant) submitted an application to operate Luna Blue Massage at 4860 Banning Avenue; and

WHEREAS, the property at 4860 Banning Avenue is zoned B-5 Central Business and massage is a permitted use at this location; and

WHEREAS, the Applicant satisfies the education and insurance requirements for a licensed massage establishment in the City of White Bear Lake; and

WHEREAS, the White Bear Lake Police Department found nothing in the background investigation to preclude the issuance of massage related licenses to the Applicant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, that upon final execution of the lease for this location, it hereby issues a Massage Establishment license as follows:

Mary Staus
Luna Blue Massage
4860 Banning Avenue
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:

Dan Louismet, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council
From: Lindy Crawford, City Manager
Date: January 25, 2022
Subject: First Reading of an Ordinance Amending the City Charter

SUMMARY

The City Council will conduct the first reading of an ordinance amending the City Charter as it pertains to correcting 1990 references to "annual" municipal elections and removal of gender-specific references.

BACKGROUND INFORMATION

At its September 9, 2021 Charter Commission meeting, the group reviewed Charter section 4.13 pertaining to the election of the Council Chair. Some members of the City Council suggested merit in conducting Chair elections at the first meeting of odd numbered years, which would generally provide that Councilmembers would have served for at least one year prior to being required to cast a vote for the Chair position.

The Charter currently provides that the election for Mayor and two Councilmembers to four-year terms be conducted in an odd numbered year and the election of the three other Councilmembers be conducted two years following. Staff review of this proposed Charter amendment led to discovery of technical errors in the text of the charter that was created in the course of a 1990 amendment changing the terms of the elected offices from three years to four years and from annual elections to biennial elections in odd numbered years.

The Charter Commission conducted further research into State Statutes and discussed this item at two subsequent Commission meetings, November 10, 2021 and January 12, 2022. Ultimately the Commission did not believe there to be a strong enough argument to provide all Councilmembers at least one-year experience before voting on the election of the Council Chair. Further, it was mentioned that through an election, voters express a desire for change in Council direction and/or leadership, in which case it may be appropriate to allow for election of a new Council Chair in January following a municipal election.

Upon review of Charter language related to old references to annual elections, the Commission unanimously adopted Resolution 22-1 which proposed an amendment of Charter Sections 2.02, 4.04, 4.13, 4.13, 4.17 and 4.26 removing references to annual elections in addition to gender specific references.

RECOMMENDEATIONS

In accordance with State Statute 410.12, subd. 7, the Council may enact a charter amendment upon the recommendation of the Commission. Within one month of receiving a recommendation to amend the Charter by ordinance, the city must publish notice of a public hearing on the proposal; the public hearing must be held at least two weeks, but not more than one month, after publication. Within one month of the public hearing, the Council must vote on the proposed amendment ordinance; an affirmative vote of all members of the Council is required. If approved, an ordinance amending the Charter does not become active until 90 days after passage and publication to provide opportunity for residents to submit a petition requesting a referendum.

Having received Commission Resolution 22-1 passed January 12, 2022, and pursuant State Statute timelines, staff will publish the Notice of Public Hearing on February 2, 2022. Staff recommends Council conduct the second reading and public hearing on February 22, 2022. Assuming all Councilmembers are in attendance at the February 22 Council meeting, it is recommended that the Council vote on the proposed amendment after considering comments presented during the public hearing. An affirmative vote of all Councilmembers is required for passage of an ordinance amending the Charter. The ordinance will become effective 90 days after final publication in the City's official newspaper.

ATTACHMENTS

Draft Ordinance
Charter Commission Resolution 22-1

ORDINANCE NO. 22-2-2054

AN ORDINANCE AMENDING THE CITY CHARTER OF WHITE BEAR LAKE
AT SECTIONS 2.02, 4.04, 4.12, 4.13, 4.14, 4.17 AND 4.26
FIXING REFERENCES TO ANNUAL MUNICIPAL ELECTIONS
AND CORRECTING REFERENCES TO GENDER SPECIFIC TERMS

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

The City Charter of the City of White Bear Lake is hereby amended at Sections 2.02, 4.04, 4.12, 4.13, 4.14, 4.17 and 4.26 as follows (deleted text is ~~stricken~~ and added text is underlined).

Sect. 2.02. Municipal Elections. The Uniform Municipal Election ~~Day~~ Law, ~~205-07 (2010)~~, set forth in Chapter 205 of Minnesota Statutes, is hereby adopted by reference and made a part of the City Charter of the City of White Bear Lake. The Uniform Municipal Election Day shall be the first Tuesday after the first Monday in November in odd numbered years. Officials elected on that date shall take office on the first business Monday of January succeeding the election for the term which is provided by law. In the event that more than two individuals file for the position of Mayor or City Council for the same ward, a primary election shall be held on the second Tuesday of August of the year the election is scheduled. (Revised by Ord. 90-09-820, 9/25/90; 12-11-1082A, 2/25/13)

Pursuant to Ordinance No. 90-09-820, the Offices of Mayor and City Council members for Ward 2 and 4 shall be held in November, 1993 and every four (4) years thereafter and the individual elected to said offices shall assume office the following January , as provided by this Charter or State Law, for a term of four years. The election for the offices of City Council members for Wards 1, 3 and 5 shall be held in November, 1995 and every four years thereafter and the individuals elected shall assume office as provided above for a term of four (4) years.

Sect. 4.04. Mayor -- Vacancy of Office. When the office of Mayor becomes vacant, the Council shall appoint, by majority vote, a qualified person as Mayor if the remaining term of office is less than six (6) months. Notice of the vacancy shall be published by the City Clerk in the official newspaper one week prior to the meeting for the appointment. The appointed Mayor shall exercise all the powers and perform all the duties of Mayor until a Mayor is elected at the next ~~annual~~ municipal general election. The office of Mayoral vacancy shall be filled by a special election when the remaining term of office is six (6) months or greater. The City Clerk shall, within fifteen (15) days of the vacancy, give legal notice in the official newspaper of the vacancy with dates for filing and the date(s) of the special election(s). The period for filing for the vacancy shall be ten (10) calendar days from (including) the date of the legal notice. The special election shall occur within fifteen (15) to twenty (20) days after the close of filing. If more than two (2) candidates have filed for the vacancy, the first election date shall be considered the primary election with general election date occurring fourteen (14) days later. When two (2) or fewer candidates have filed for the vacancy, the general election shall occur on the first election date. (Ref. Ord. 898, 8/24/93)

Sect. 4.12. Council -- Meetings and Procedures. The Council shall make its rules of

ORDINANCE NO. 22-2-2054

procedure and shall be the judge of the qualifications and election of its members and of the grounds for forfeiture of their offices, and for this purpose shall have the power to subpoena witnesses, administer oaths, and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in the official newspaper at least one week in advance of the hearing. Decisions made by the Council under this section shall be subject to review by the courts.

Council vacancies shall be filled by appointment when the remaining term of office is less than six (6) months. The appointment shall be by majority vote of the Council. Notice of the vacancy shall be published by the City Clerk in the official newspaper one week prior to the meeting for the appointment.

Council vacancies shall be filled by special election when the remaining term of office is six (6) months or greater. The City Clerk shall, within fifteen (15) days of the vacancy, give legal notice in the official newspaper of the vacancy, with dates for filing and the date(s) of the special election(s). The period for filing for the vacancy shall be ten (10) calendar days from (including) the date of the legal notice. The special election shall occur within fifteen (15) to twenty (20) days after the close of filing. If more than two (2) candidates have filed for the vacancy, the first election date shall be considered the primary election with general election date occurring fourteen (14) days later. When two (2) or fewer candidates have filed for the vacancy, the general election shall occur on the first election date.

The Council at its first regular meeting in January, ~~following the annual municipal election~~ shall set the day dates of its regular ~~monthly~~ meetings for the year. Special meetings may be called by the Mayor or by the Chair of the Council at any time. Reasonable public notice shall be given for all special Council meetings through the media. (Ref. Ord. 898, 8/24/93)

Three (3) members shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time. The Council shall have the power to compel the attendance of its members at regular and special meetings. The absence of a member from three (3) consecutive regular meetings shall be deemed as sufficient cause for removal from office.

Sect. 4.13. Chair of the Council -- Acting Mayor. At the first regular meeting of the Council in January following the ~~annual~~ municipal general election, the Council shall elect one of its members as Chair of the Council. The Chair of the Council shall appoint all committees of the Council. The Chair shall preside over the meetings of the Council only in the absence of the Mayor and shall maintain the right and authority to vote on all motions, resolutions and ordinances considered by City Council. (Rev. by Ord. 90-09-819, 9/25/90; Ord. 16-12-2021, 12/13/16)

The Chair shall, under the title of Acting Mayor, assume, exercise, and perform all the powers and duties of the Mayor during the Mayor's temporary absence or disability, and the acts of such Chair, as Acting Mayor, shall have the same force and validity as though performed by the Mayor except the Acting Mayor shall not have veto authority

ORDINANCE NO. 22-2-2054

on any action on which the Acting Mayor has voted which continues to be the prerogative of the Mayor. (Rev. by Ord. No. 90-09-819, 9/25/90; Ord. 16-12-2021, 12/13/16)

Sect. 4.14. Ordinances and Resolutions. All legislation shall be by ordinance, except as otherwise provided in this Charter. Every proposed ordinance shall be submitted in writing and a full reading or summary thereof shall be made at the meeting at which it is introduced. A copy of every proposed ordinance shall be made available to each Councilmember and there shall be on file a reasonable number of copies in the office of the City Clerk, City Hall, and the local Public Library, for public inspections. Notice that such ordinance is to be considered shall be published in the official newspaper prior to its adoption. Such notice need only include the title of the ordinance. No ordinance, except an emergency ordinance, shall be passed at the meeting at which it is introduced.

All other Council action shall be by resolution or motion. Every proposed resolution shall be submitted in writing and a full reading or a summary thereof shall be made at the meeting at which it is introduced. A copy of every resolution shall be made available to each Councilmember and a copy shall be posted at the City Hall.

An affirmative vote of a majority of all members of the Council shall be required for the passage of all ordinances, motions and resolutions, except as otherwise provided in this Charter. Every vote thereon shall be by ayes and nays, which shall be duly recorded.

Any ordinance or resolution passed by the Council shall within five (5) days be presented to the Mayor for approval. The Mayor shall approve and sign such measure or veto and return it with objections to the City Clerk within ten (10) days after receiving the same. Should the Mayor fail to return said measure to the City Clerk within ten (10) days of the date of receiving same, it shall become effective as though signed by the Mayor.

Any ordinance or resolution vetoed by the Mayor may be reconsidered by the Council, but only at its next regular meeting that takes place more than seven (7) days after the measure is vetoed and returned. If after such reconsideration it shall be passed by a four-fifths vote of all the members, it shall become as effective as though signed by the Mayor. (Rev. Ord. 16-08-2016, 8/26/16)

Every ordinance or resolution passed by the Council shall, before taking effect (except as herein provided), be signed by the Mayor and attested to by the City Clerk, who shall endorse thereon the date of its passage.

Except for emergency ordinances as hereinafter defined, no ordinance shall become effective until after one publication in the official city newspaper. An affidavit of such publication shall be made by the ~~foreman~~ or publisher of the newspaper, which affidavit shall be filed in the office of the City Clerk.

Every ordinance or resolution shall after enactment be fully recorded by the City Clerk in a book kept for that purpose, which book shall constitute a public record.

Sect. 4.17. Ordinances -- Codification. Notwithstanding the provisions of Sections 4.14

ORDINANCE NO. 22-2-2054

and 4.16, the Council may codify the ordinances of the City, and enact such code of Ordinances as a single comprehensive ordinance, repealing and replacing all prior ordinances (except as may be specifically retained by particular reference in the Code). Such Code, when duly enacted by the Council in accordance with the provisions of this Charter, need not be published in the official newspaper of the City, but shall be effective at whatever date the Code may prescribe, provided that: (1) notice of adoption of said Code shall have been published for at least one week in the official newspaper of the City, which publication shall be proved by the affidavit of the ~~foreman or~~ publisher of such paper, and (2) copies of said Code shall have been available at the City offices for distribution to the public at a reasonable price for at least one week prior to said effective date, which fact shall be proved by affidavit of the City Clerk on file with the Code in the office of the City Clerk.

After the adoption of a Code of Ordinances, subsequent ordinances may be incorporated into the Code from time to time at the direction of the Council without any further publication of said ordinances. In so doing the form of said ordinances may be changed to conform to the form of the Code, but no change in the substantive meaning of any ordinance shall be made upon its incorporation into the Code.

Sect. 4.26. Official Publications. The Council shall at its first regular meeting in ~~the~~ January ~~following the annual municipal election,~~ or as soon thereafter as practicable, designate, in accordance with Minnesota Statutes, the official newspaper of the City for publication of all notices required by this Charter. In all other cases, the City Council may designate the manner of publication of notices. (Ref. Ord. 898, 8/24/93)

This ordinance becomes effective after Council unanimous approval and shall take effect and be in force following its passage and 90 days after publication on March 2, 2022 (June 1, 2022).

Yet to be passed by the City Council of the City of White Bear Lake, Minnesota.

First Reading: January 25, 2022
Initial Publication: _____
Second Reading: _____
Final Publication: _____
Codified: _____
Posted on web: _____

City Clerk Initials

Dan Louismet, Mayor

ATTEST:

Kara Coustry, City Clerk

**CHARTER COMMISSION
RESOLUTION NO. 22-1**

**A RESOLUTION OF THE WHITE BEAR LAKE CHARTER COMMISSION PROPOSING AN
AMENDMENT OF SECTIONS
2.02, 4.04, 4.12, 4.13, 4.14, 4.17 AND 4.26 OF THE CITY CHARTER**

WHEREAS, in 1990, City Charter Section 2.02 Municipal Elections was amended to reflect a decision that municipal elections be held in odd years, opposed to annually; and

WHEREAS, during review of the City Charter document, it was discovered that several other Sections still refer to municipal elections as being conducted annually; and

WHEREAS, during said review certain dispensable gender-specific terms were found which may be deleted without a material change in meaning; and

WHEREAS, during said review certain specific references to state statutes were found and considered prone to cause confusion in the event of state statute amendments but for which a general reference may be made without change in context.

NOW, THEREFORE, BE IT RESOLVED by the Charter Commission of the City of White Bear Lake that the following amendments of the City Charter are hereby proposed to the City Council for enactment pursuant to Minnesota Statutes Section 410.12, Subd. 7.

Sect. 2.02. Municipal Elections. The Uniform Municipal Election ~~Day~~ Law, ~~205-07 (2010)~~, set forth in Chapter 205 of Minnesota Statutes, is hereby adopted by reference and made a part of the City Charter of the City of White Bear Lake. The Uniform Municipal Election Day shall be the first Tuesday after the first Monday in November in odd numbered years. Officials elected on that date shall take office on the first business Monday of January succeeding the election for the term which is provided by law. In the event that more than two individuals file for the position of Mayor or City Council for the same ward, a primary election shall be held on the second Tuesday of August of the year the election is scheduled. (Revised by Ord. 90-09-820, 9/25/90; 12-11-1082A, 2/25/13)

Pursuant to Ordinance No. 90-09-820, the Offices of Mayor and City Council members for Ward 2 and 4 shall be held in November, 1993 and every four (4) years thereafter and the individual elected to said offices shall assume office the following January , as provided by this Charter or State Law, for a term of four years. The election for the offices of City Council members for Wards 1, 3 and 5 shall be held in November, 1995 and every four years thereafter and the individuals elected shall assume office as provided above for a term of four (4) years.

**CHARTER COMMISSION
RESOLUTION NO. 22-1**

Sect. 4.04. Mayor -- Vacancy of Office. When the office of Mayor becomes vacant, the Council shall appoint, by majority vote, a qualified person as Mayor if the remaining term of office is less than six (6) months. Notice of the vacancy shall be published by the City Clerk in the official newspaper one week prior to the meeting for the appointment. The appointed Mayor shall exercise all the powers and perform all the duties of Mayor until a Mayor is elected at the next ~~annual~~ municipal general election. The office of Mayoral vacancy shall be filled by a special election when the remaining term of office is six (6) months or greater. The City Clerk shall, within fifteen (15) days of the vacancy, give legal notice in the official newspaper of the vacancy with dates for filing and the date(s) of the special election(s). The period for filing for the vacancy shall be ten (10) calendar days from (including) the date of the legal notice. The special election shall occur within fifteen (15) to twenty (20) days after the close of filing. If more than two (2) candidates have filed for the vacancy, the first election date shall be considered the primary election with general election date occurring fourteen (14) days later. When two (2) or fewer candidates have filed for the vacancy, the general election shall occur on the first election date. (Ref. Ord. 898, 8/24/93)

Sect. 4.12. Council -- Meetings and Procedures. The Council shall make its rules of procedure and shall be the judge of the qualifications and election of its members and of the grounds for forfeiture of their offices, and for this purpose shall have the power to subpoena witnesses, administer oaths, and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in the official newspaper at least one week in advance of the hearing. Decisions made by the Council under this section shall be subject to review by the courts.

Council vacancies shall be filled by appointment when the remaining term of office is less than six (6) months. The appointment shall be by majority vote of the Council. Notice of the vacancy shall be published by the City Clerk in the official newspaper one week prior to the meeting for the appointment.

Council vacancies shall be filled by special election when the remaining term of office is six (6) months or greater. The City Clerk shall, within fifteen (15) days of the vacancy, give legal notice in the official newspaper of the vacancy, with dates for filing and the date(s) of the special election(s). The period for filing for the vacancy shall be ten (10) calendar days from (including) the date of the legal notice. The special election shall occur within fifteen (15) to twenty (20) days after the close of filing. If more than two (2) candidates have filed for the vacancy, the first election date shall be considered the primary election with general election date occurring fourteen (14) days later. When two (2) or fewer candidates have

**CHARTER COMMISSION
RESOLUTION NO. 22-1**

filed for the vacancy, the general election shall occur on the first election date.

The Council at its first regular meeting in January, ~~following the annual municipal election~~ shall set the ~~day~~ dates of its regular ~~monthly~~ meetings for the year. Special meetings may be called by the Mayor or by the Chair of the Council at any time. Reasonable public notice shall be given for all special Council meetings through the media. (Ref. Ord. 898, 8/24/93)

Three (3) members shall constitute a quorum for the transaction of business, but a lesser number may adjourn from time to time. The Council shall have the power to compel the attendance of its members at regular and special meetings. The absence of a member from three (3) consecutive regular meetings shall be deemed as sufficient cause for removal from office.

Sect. 4.13. Chair of the Council -- Acting Mayor. At the first regular meeting of the Council in January following the ~~annual~~ municipal general election, the Council shall elect one of its members as Chair of the Council. The Chair of the Council shall appoint all committees of the Council. The Chair shall preside over the meetings of the Council only in the absence of the Mayor and shall maintain the right and authority to vote on all motions, resolutions and ordinances considered by City Council. (Rev. by Ord. 90-09-819, 9/25/90; Ord. 16-12-2021, 12/13/16)

The Chair shall, under the title of Acting Mayor, assume, exercise, and perform all the powers and duties of the Mayor during the Mayor's temporary absence or disability, and the acts of such Chair, as Acting Mayor, shall have the same force and validity as though performed by the Mayor except the Acting Mayor shall not have veto authority on any action on which the Acting Mayor has voted which continues to be the prerogative of the Mayor. (Rev. by Ord. No. 90-09-819, 9/25/90; Ord. 16-12-2021, 12/13/16)

Sect. 4.14. Ordinances and Resolutions. All legislation shall be by ordinance, except as otherwise provided in this Charter. Every proposed ordinance shall be submitted in writing and a full reading or summary thereof shall be made at the meeting at which it is introduced. A copy of every proposed ordinance shall be made available to each Councilmember and there shall be on file a reasonable number of copies in the office of the City Clerk, City Hall, and the local Public Library, for public inspections. Notice that such ordinance is to be considered shall be published in the official newspaper prior to its adoption. Such notice need only include the title of the ordinance. No ordinance, except an emergency ordinance, shall be passed at the meeting at which it is introduced.

All other Council action shall be by resolution or motion. Every proposed resolution shall be submitted in writing and a full reading or a summary thereof

**CHARTER COMMISSION
RESOLUTION NO. 22-1**

shall be made at the meeting at which it is introduced. A copy of every resolution shall be made available to each Councilmember and a copy shall be posted at the City Hall.

An affirmative vote of a majority of all members of the Council shall be required for the passage of all ordinances, motions and resolutions, except as otherwise provided in this Charter. Every vote thereon shall be by ayes and nays, which shall be duly recorded.

Any ordinance or resolution passed by the Council shall within five (5) days be presented to the Mayor for approval. The Mayor shall approve and sign such measure or veto and return it with objections to the City Clerk within ten (10) days after receiving the same. Should the Mayor fail to return said measure to the City Clerk within ten (10) days of the date of receiving same, it shall become effective as though signed by the Mayor.

Any ordinance or resolution vetoed by the Mayor may be reconsidered by the Council, but only at its next regular meeting that takes place more than seven (7) days after the measure is vetoed and returned. If after such reconsideration it shall be passed by a four-fifths vote of all the members, it shall become as effective as though signed by the Mayor. (Rev. Ord. 16-08-2016, 8/26/16)

Every ordinance or resolution passed by the Council shall, before taking effect (except as herein provided), be signed by the Mayor and attested to by the City Clerk, who shall endorse thereon the date of its passage.

Except for emergency ordinances as hereinafter defined, no ordinance shall become effective until after one publication in the official city newspaper. An affidavit of such publication shall be made by the ~~foreman or~~ publisher of the newspaper, which affidavit shall be filed in the office of the City Clerk.

Every ordinance or resolution shall after enactment be fully recorded by the City Clerk in a book kept for that purpose, which book shall constitute a public record.

Sect. 4.17. Ordinances -- Codification. Notwithstanding the provisions of Sections 4.14 and 4.16, the Council may codify the ordinances of the City, and enact such code of Ordinances as a single comprehensive ordinance, repealing and replacing all prior ordinances (except as may be specifically retained by particular reference in the Code). Such Code, when duly enacted by the Council in accordance with the provisions of this Charter, need not be published in the official newspaper of the City, but shall be effective at whatever date the Code may prescribe, provided that: (1) notice of adoption of said Code shall have been published for at least one week in the official newspaper of the City, which publication shall be proved by

**CHARTER COMMISSION
RESOLUTION NO. 22-1**

the affidavit of the ~~foreman or~~ publisher of such paper, and (2) copies of said Code shall have been available at the City offices for distribution to the public at a reasonable price for at least one week prior to said effective date, which fact shall be proved by affidavit of the City Clerk on file with the Code in the office of the City Clerk.

After the adoption of a Code of Ordinances, subsequent ordinances may be incorporated into the Code from time to time at the direction of the Council without any further publication of said ordinances. In so doing the form of said ordinances may be changed to conform to the form of the Code, but no change in the substantive meaning of any ordinance shall be made upon its incorporation into the Code.

Sect. 4.26. Official Publications. The Council shall at its first regular meeting in ~~the January following the annual municipal election~~, or as soon thereafter as practicable, designate, in accordance with Minnesota Statutes, the official newspaper of the City for publication of all notices required by this Charter. In all other cases, the City Council may designate the manner of publication of notices. (Ref. Ord. 898, 8/24/93)

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

Ayes: Amundsen, Aune, Berry, Schmidt Boyd, Costello, Grambush, Lang,
LeMire, Sather
Nays: None
Absent: Barone, Bill, Geck
Passed: January 11, 2022

Tim Geck, Chair

ATTEST:

Mark Sather, Secretary



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: January 25, 2022
Subject: **Receiving Feasibility Report and Ordering Public Hearing for the Proposed 2022 South Shore Boulevard Sanitary Sewer Extension (City Project No. 22-08)**

SUMMARY

The City Council will consider adopting a resolution receiving the Feasibility Report (Report) for the 2022 South Shore Boulevard Sanitary Sewer Extension Project and ordering a public hearing on such improvements for February 22, 2022.

The Engineering Department prepared a Report for the proposed 2022 South Shore Boulevard Sanitary Sewer Extension Project. The proposed improvement is a joint project with Ramsey County, White Bear Township, and the City of White Bear Lake. The City's main involvement would be extending municipal sanitary sewer to thirteen (13) properties near the eastern City limits on South Shore Boulevard.

The Report includes the proposed assessment roll that has been prepared for this project. The proposed assessment roll prepared for this project follows the guidelines of the City's Assessment Policy and recommendations from the City's appraisal consultant.

Funding for the proposed improvement project is detailed in Appendix D of the Report.

BACKGROUND INFORMATION

The preparation of a Report on the proposed 2022 South Shore Boulevard Sanitary Sewer Extension Project is part of the public improvement process that the City must follow (in accordance with MN Statute 429) when proceeding with public improvements that include special assessments to property owners as part of the funding source. If the Council desires to proceed with the improvement process, the next step would be to hold a public hearing for property owners to discuss the project directly with the Council.

At a public hearing, the Engineering Department would present an overview of the proposed improvement, the estimated costs and the proposed funding sources. Property owners would have the opportunity to ask questions regarding the proposed improvements and assessments or express concerns about any aspect of the proposed project. Following the public hearing, the Council would consider whether or not to order the project and advertise for bids.

RECOMMENDEDATIONS

Staff recommends the City Council adopt the attached resolution accepting the Feasibility Report for the 2022 South Shore Boulevard Sanitary Sewer Extension Project and ordering a public hearing on such improvements for February 22, 2022.

ATTACHMENTS

Resolution

Feasibility Report

RESOLUTION NO.

**RESOLUTION ACCEPTING FEASIBILITY REPORT AND ORDERING PUBLIC HEARING
FOR THE 2022 SOUTH SHORE BOULEVARD SANITARY SEWER EXTENSION
CITY PROJECT NO. 22-08**

WHEREAS, PURSUANT TO City Council direction on September 28, 2021, a Feasibility Report (Report) has been prepared by the Engineering Department with reference to the 2022 South Shore Boulevard Sanitary Sewer Extension Project, the improvement of South Shore Boulevard between McKnight Road and the East City Limits by extending sanitary sewer to properties that do not have access to the City’s municipal sanitary sewer system, and this report was received by the City Council on January 25, 2022; and

WHEREAS, the Report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

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

1. The council will consider the improvement in accordance with the Report and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated cost of the improvement of \$166,400.
2. A public hearing shall be held on such proposed improvement on the 22nd day of February, 2022, in the City Council Chambers of the City Hall at 7:00 p.m., and the Engineering Department shall give mailed and published notice of such hearing and improvement as required by law. Detailed meeting information shall be found on the City’s website at www.whitebearlake.org/ or by calling the City Clerk at 651-762.4821.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Kara Coustry, City Clerk

CITY OF WHITE BEAR LAKE
ENGINEERING DEPARTMENT

FEASIBILITY REPORT
for the
**2022 SOUTH SHORE BOULEVARD SANITARY
SEWER EXTENSION**

January 25, 2022



CITY PROJECT NO. 22-08



FEASIBILITY REPORT
for the
**2022 SOUTH SHORE BOULEVARD SANITARY
SEWER EXTENSION**

CITY PROJECT NO. 22-08

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



Paul Kauppi, P.E.
License No. 41291

January 25, 2022

Date

City of White Bear Lake
Engineering Department
4701 Highway 61
White Bear Lake, MN 55110
Phone: 651-429-8531
Fax: 651-429-8500

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APPENDICES

- Appendix A - Memo and City Council Resolution No. 12853
Ordering Feasibility Report
- Appendix B - Public Improvement Process Flow Chart
- Appendix C - Letter dated September 10th 2021 announcing upcoming project in 2022
- Appendix D - Project Financing Summary
- Appendix E - Preliminary Assessment Roll
- Appendix F - Sample Assessment Breakdowns
- Appendix G - Local Improvement Guide (City Assessment Policy)

EXHIBITS

- Exhibit 1 - Sanitary Sewer Service Areas Map
- Exhibit 2 - Project Location Map

I. INTRODUCTION

Ramsey County is working with the City of White Bear Lake and White Bear Township to develop plans for 2022 construction on South Shore Boulevard from White Bear Avenue to County Road F. The design will include a two-way road with a trail from White Bear Avenue to McKnight Avenue and a one-way road with a trail from McKnight Avenue to County Road F.

Once complete, the South Shore Boulevard trail would be part of the Lake Links Trail network, a series of planned trail segments that create a continuous system around White Bear Lake and connect into several of the area's existing and planned trail corridors. Ramsey County will break ground on this project in the Summer of 2022.

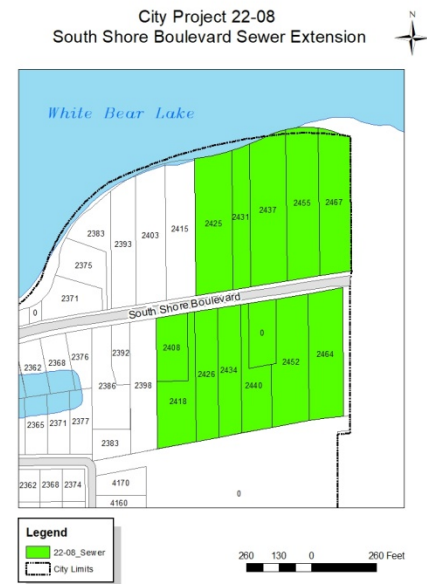
There are currently 20 remaining single-family properties that utilize individual sewage treatment systems within the City of White Bear Lake, as identified in the City's Comprehensive Plan. These properties are shown in **Exhibit 1**. There are thirteen (13) properties at the eastern City limits on South Shore Boulevard that do not have municipal sanitary sewer available. Currently, this is the largest unserved area within the City of White Bear Lake. The City plans to provide sewer service to this area during upcoming road reconstruction.

This project provides the City an opportunity to extend City sanitary sewer to properties that have private septic systems and do not have public sewer available. See **Exhibit 2**. While extending the City's sanitary sewer main in the street, sanitary sewer services will be stubbed for each property. These new service stubs will be extended outside the street near the edge of the street right of way, which is about 15 feet outside of the existing pavement.

On September 28, 2021 the City Council adopted Resolution No. 12853 ordering preparation of this Feasibility Report. A copy of the memo and resolution ordering the feasibility report is included in **Appendix A**.

The Engineering Department and the Planning Department are recommending these improvements to the City Council.

If the Council decides to proceed with these utility and street improvements, the next step in the public improvement process (**Appendix B**) would be to conduct a formal public improvement hearing. A public hearing could be conducted on February 22, 2022, if the City Council were to order the hearing at its January 25, 2022 meeting.



II. PROJECT SCOPE

The scope of this report is to analyze this segment of South Shore Boulevard and to determine the engineering and fiscal feasibility of providing the necessary improvements. The study will discuss the existing conditions, proposed improvements, estimated construction costs, and overhead costs (i.e. administration, engineering, fiscal, and legal expenses). Current public improvement policies adopted by the White Bear Lake City Council will be used as a guideline to discuss financing methods for the proposed improvements.

III. EXISTING CONDITIONS

South Shore Boulevard is included in Ramsey County's 2022 Transportation Improvement Program. The road is deteriorating and in need of pavement reconstruction. Ramsey County will be reconstructing the road and storm sewer features. In addition the County will be adding a multi-use trail from Hazel Street to the City Limits to the East. Currently there is no public Sanitary Sewer available for thirteen (13) properties between 2408 South Shore Boulevard and the City Limits. These properties are shown in **Exhibit 2**.

IV. PROPOSED IMPROVEMENTS

The proposed improvements for the 2022 Sanitary Sewer Extension project includes extending roughly 750 feet of sanitary sewer main as well as sanitary service stubs to the thirteen (13) properties shown in **Exhibit 2**.

V. PUBLIC CORRESPONDENCE

On September 10, 2021, the City sent a letter to affected parcels on the proposed project. A copy of the letter is included in **Appendix C**. Issues of concern were raised by residents primarily cost and having to connect to City Sewer. The letter stated to residents on the project: "If you prefer to continue to use your septic system, rather than connecting to City sanitary sewer, you must provide proof that your septic system is compliant with the current Minnesota Rule Chapter 7080. Acceptable proof that a septic system is compliant requires a compliance inspection prepared by a licensed MPCA inspector within the last three years. If you do not provide a compliant inspection or your septic system is failing, you must connect your sanitary sewer service to City's public sewer system. Several property owners have already had inspections completed and found that their septic systems are not compliant or failing. These properties are

planning on connecting to City sanitary sewer.” Resident concerns will continue to be heard through the remainder of the Public Involvement process. The next public meeting proposed is the Public Improvement Hearing to discuss the project on February 22, 2022.

VI. ESTIMATED PROJECT COSTS

The estimated costs for the proposed improvements are summarized in **Table 1**. The estimated total project improvement cost is **\$166,400**. Based on past experiences on similar projects in the City, the overhead costs have been estimated at 18% of the total construction cost. The overhead costs include engineering, project administration, fiscal and legal costs. The project will be financed through a combination of City funds and special assessments to the benefited properties.

TABLE 1
PROJECT COST ESTIMATE

Sanitary Sewer Improvements	\$ 130,000
10% Contingency	\$ 13,000
18% Engineering, Legal, Fiscal	<u>\$ 23,400</u>
Total Project Improvement Cost	\$ 166,400

VII. FINANCING AND ASSESSMENTS

The improvements discussed in this report for the 2022 Sanitary Sewer Extension Project are proposed to be financed through a combination of special assessments to benefited properties (according to the City’s Assessment Policy) and City utility funds. A summary of the total project cost is provided in **Appendix D**, with a spreadsheet indicating how the total costs could be allocated through both City funds and special assessments.

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

The City’s Assessment Policy for public improvements allows for the distribution of the proposed assessments for residential properties over a fifteen (15) year period. The interest rate in **2021**

was **3.29%**. The interest rate for 2022 will be finalized prior to the assessment hearing. A sample breakdown of the annual payments on assessments for several assessment amounts based on an interest rate of five percent (5.0%) is included in **Appendix F**.

Property owners with compliant existing septic systems will not be required to connect to the proposed sanitary sewer system, but will be required to connect to the proposed sanitary sewer system when their private septic system fails.

The City's Assessment Policy (**Appendix G**) allows for deferred payment of special assessments for qualified property owners 65 years of age or older. There may be some property owners who would like to take advantage of this City policy. In addition, the City is considering a deferred assessment for property owners who currently have septic systems in compliance with Minnesota Rule Chapter 7080. Details on possible deferred assessments will be finalized prior to the assessment hearing.

VIII. PROJECT SCHEDULE

The anticipated project schedule is as follows:

PROPOSED PROJECT SCHEDULE

City Council orders Feasibility Report	September 28, 2021
City Council receives Feasibility Report City Council sets date for Public Improvement Hearing	January 25, 2022
City Council holds Public Improvement Hearing City Council orders Project	February 22, 2022
Ramsey County Bids Opened	March 24, 2022
City Council approves Plans and Specifications City Council authorizes JPA with Ramsey County	April 12, 2022
City Council sets date for Assessment Hearing City Council holds Assessment Hearing	August 23, 2022 September 27, 2022
Begin Construction Construction Substantially Complete	Mid-April, 2022 Fall 2022

IX. FEASIBILITY, NECESSITY AND COST-EFFECTIVENESS

The proposed improvements included in the 2022 Sanitary Sewer Extension Project consisting of sanitary sewer is feasible from an engineering standpoint, necessary, and cost effective if constructed in conjunction with Ramsey County's Road Construction Project as proposed. The improvements can most effectively and economically be constructed if undertaken through a coordinated contract that would cause the improvements to be installed in the proper sequence.

X. CONCLUSION

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

APPENDIX A

MEMO and CITY COUNCIL RESOLUTION NO. 12853 ORDERING FEASIBILITY REPORT



City of White Bear Lake
City Engineer's Office

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: September 28, 2021

Subject: **Feasibility Report for Proposed 2022 South Shore Boulevard Sanitary Sewer Extension**
City Project No. 22-08

BACKGROUND / SUMMARY

During the 2022 construction season, Ramsey County, White Bear Township, and the City of White Bear Lake are proposing a joint street rehabilitation project for South Shore Boulevard between White Bear Avenue and East County Line Road. The project mainly consists of reconstructing the street with the addition of a multiuse trail to continue the trail around White Bear Lake.

This project provides the City an opportunity to extend City sanitary sewer to twelve properties that do not have public sewer available. While extending the City's sanitary sewer main in the street, sanitary sewer services will be stubbed for each property. These new service stubs will be extended outside the street near the edge of the street right of way, which is about 15 feet outside of the existing pavement.

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

A portion of the project cost will be assessed to benefitting properties in accordance with the City's Special Assessment Policy. The assessment rates for 2022 will be reviewed in consultation with the City's appraisal consultant to ensure the proposed assessments are fair, uniform, and provide benefit in the amount of the proposed assessments. A copy of the appraisal report will be provided to the City Council when complete.

RECOMMENDED COUNCIL ACTION

Staff recommends that the Council adopt the resolution and order the preparation of a Feasibility Report for the 2022 South Shore Boulevard Sanitary Sewer Extension.

[Click here to enter text.](#)

ATTACHMENTS

Resolution

RESOLUTION NO.: 12853

**RESOLUTION ORDERING PREPARATION OF A FEASIBILITY REPORT
FOR THE 2022 SOUTH SHORE BOULEVARD SANITARY SEWER EXTENSION**

CITY PROJECT NO. 22-08

WHEREAS, Ramsey County, White Bear Township and the City of White Bear Lake are proposing a joint street rehabilitation project for South Shore Boulevard; and

WHEREAS, there are twelve properties along South Shore Boulevard that have private septic systems and do not have access to the City's municipal sanitary sewer; and

WHEREAS, the City's long term goal is to eliminate private septic systems to help improve water quality; and

WHEREAS, it is proposed to extend sanitary sewer and provide properties with a sewer service stub along South Shore Boulevard; and

WHEREAS, it is proposed to assess the benefited properties for all or a portion of the cost of the improvements, pursuant to Minnesota Statutes, Chapter 429.

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

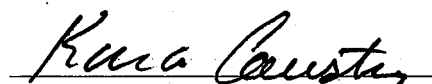
The proposed improvements be referred to the City Engineer for study and that he is instructed to report to the City Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvements are feasible and as to whether they should best be made as proposed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

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

Ayes: Biehn, Edberg, Engstran, Jones, Walsh
Nays: None
Passed: September 28, 2021


Jo Emerson, Mayor

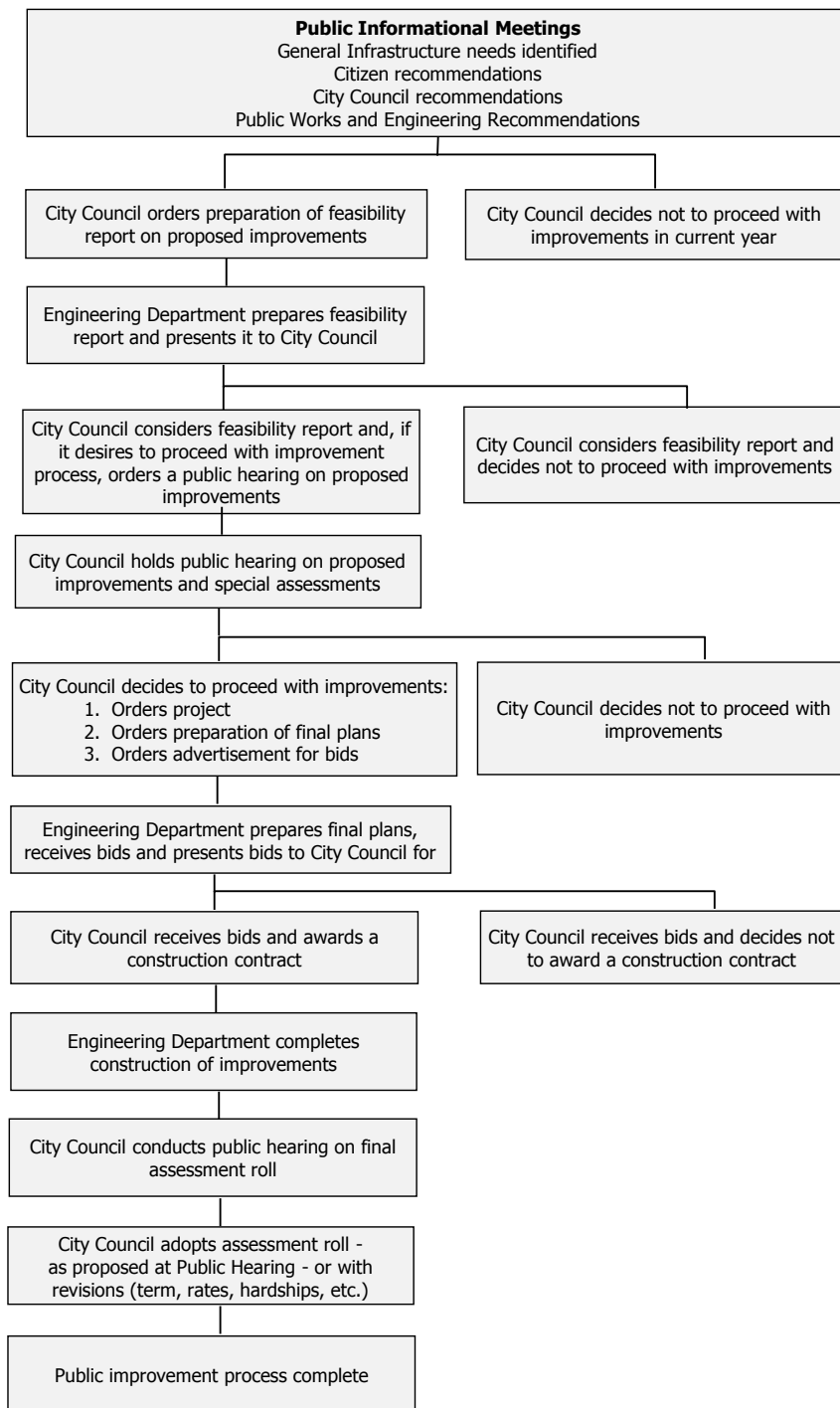
ATTEST:


Kara Coustry, City Clerk

APPENDIX B

PUBLIC IMPROVEMENT PROCESS FLOW CHART

City of White Bear Lake Public Improvement Process



APPENDIX C

PROJECT LETTER



September 10, 2021

Subject: Sanitary Sewer Construction
2022 South Shore Boulevard Project

Dear Property Owner(s):

During the 2022 construction season, Ramsey County, White Bear Township, and the City of White Bear Lake are proposing a joint street rehabilitation project for South Shore Boulevard between White Bear Avenue and East County Line Road. The project mainly consists of reconstructing the street with the addition of a multiuse trail to continue the trail around White Bear Lake.

This project provides the City an opportunity to extend City sanitary sewer to properties that have private septic systems and do not have public sewer available. While extending the City's sanitary sewer main in the street, sanitary sewer services will be stubbed for each property. These new service stubs will be extended outside the street near the edge of the street right of way, which is about 15 feet outside of the existing pavement.

The City is planning on assessing property owners for the sanitary sewer portion of this improvement project. As part of the formal legal process, the City is required to provide notice to all property owners who will be affected by the improvements and assessed for a portion of the improvement cost. Once a public hearing is scheduled, the City will send formal notification to all affected property owners. More detailed information on costs and estimated assessments will be provided at this public hearing.

If you prefer to continue to use your septic system, rather than connecting to City sanitary sewer, you must provide proof that your septic system is compliant with the current Minnesota Rule Chapter 7080. Acceptable proof that a septic system is compliant requires a compliance inspection prepared by a licensed MPCA inspector within the last three years. If you do not provide a compliant inspection or your septic system is failing, you must connect your sanitary sewer service to City's public sewer system. Several property owners have already had inspections completed and found that their septic systems are not compliant or failing. These properties are planning on connecting to City sanitary sewer.

The Engineering Department staff will be available to answer your questions or meet with you to review any portion of the proposed project. We look forward to speaking with you.

Sincerely,

Paul Kauppi, P.E.
Public Works Director/City Engineer

APPENDIX D

PROJECT FINANCING SUMMARY

**2022 SOUTH SHORE BOULEVARD SANITARY
SEWER EXTENSION
PROJECT FINANCING SUMMARY**

IMPROVEMENT COSTS:

	CONSTRUCTION COST
Sanitary Sewer Construction Cost	\$ 130,000
10% Contingency	\$ 13,000
18% Engineering, Legal, Fiscal	\$ 23,400
Total Estimated Improvement Costs:	\$ 166,400

FUNDING SUMMARY:

SPECIAL ASSESSMENTS TO PROPERTY OWNERS:

Estimated Assessments	\$ 143,000
-----------------------	------------

***CITY FUNDS: (Costs Include 18% Engineering, Legal, & Fiscal Costs
& 10% Contingency)***

Sewer Fund	\$ 23,400
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Estimated Total Funding:	\$ 166,400
---------------------------------	-------------------

TOTAL PROJECT FUNDING:

Estimated Special Assessments	\$ 143,000	(86%)
Estimated Other Resources	\$ 23,400	(14%)
TOTAL	\$ 166,400	

APPENDIX E

PRELIMINARY ASSESMENT ROLL

CITY OF WHITE BEAR LAKE
2022 SEWER EXTENSION PROJECT
CITY PROJECT NO. 22-08

DRAFT

CREATED:	7/28/2021
UPDATED:	1/19/2022

County Data Current 11/30/2021

ASSESSMENT CODE 93202208

	PIN	NO *	PROPERTY ADDRESS	STREET ASSESSMENT CALCULATIONS		STREET ASSESSMENT	SANITARY SEWER ASSESSMENT CALCULATIONS	TOTAL ASSESSMENT	
				FRONT FOOTAGE	ASSESSABLE FOOTAGE		SEWER 2022 ASSESSMENT \$11,000 EACH		
1	243022310003		2467 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	1
2	243022310004		2455 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	2
3	243022310007		2431 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	3
4	243022310008		2425 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	4
5	243022310016		2408 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	5
6	243022310020		2464 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	6
7	243022310029		2437 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	7
8	243022310030		2426 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	8
9	243022310031		2434 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	9
10	243022310038		2440 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	10
11	243022310047		0 South Shroe Blvd			\$0.00	\$11,000.00	\$11,000.00	11
12	243022310048		2452 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	12
13	243022340002		2418 South Shore Blvd			\$0.00	\$11,000.00	\$11,000.00	13
TOTAL ASSESSMENT ROLL							\$143,000.00	\$143,000.00	

Assessments are being reviewed.

ASSESSMENT PERIOD - 15 YEARS FOR RESIDENTIAL - 20 YEARS FOR APARTMENTS AND COMMERCIAL

INTEREST RATE (2021) - 3.29%

RAMSEY COUNTY ADMINISTRATIVE FEE (\$2.50 PER YEAR FOR 15 YEARS = \$37.50)

RAMSEY COUNTY ADMINISTRATIVE FEE (\$2.50 PER YEAR FOR 20 YEARS = \$50.00)

APPENDIX F

SAMPLE ASSESSMENT BREAKDOWNS

SAMPLE Assessment Breakdown
(based on 15 years with an assumed interest rate of 5.0%)

ASSESSMENT AMOUNT \$9,000.00 COUNTY FEE \$2.50/15YR \$37.50 TOTAL ASSESSMENT \$9,037.50 PRINCIPAL PER YEAR \$602.50 ASSUMED INTEREST RATE 5.0%			ASSESSMENT AMOUNT \$10,000.00 COUNTY FEE \$2.50/15YR \$37.50 TOTAL ASSESSMENT \$10,037.50 PRINCIPAL PER YEAR \$669.17 ASSUMED INTEREST RATE 5.0%		
YEAR	ANNUAL PAYMENT	PRINCIPAL BALANCE	YEAR	ANNUAL PAYMENT	PRINCIPAL BALANCE
		\$9,037.50			\$10,037.50
1	\$1,167.34	\$8,435.00	1	\$1,296.51	\$9,368.33
2	\$1,024.25	\$7,832.50	2	\$1,137.58	\$8,699.17
3	\$994.13	\$7,230.00	3	\$1,104.13	\$8,030.00
4	\$964.00	\$6,627.50	4	\$1,070.67	\$7,360.83
5	\$933.88	\$6,025.00	5	\$1,037.21	\$6,691.67
6	\$903.75	\$5,422.50	6	\$1,003.75	\$6,022.50
7	\$873.63	\$4,820.00	7	\$970.29	\$5,353.33
8	\$843.50	\$4,217.50	8	\$936.83	\$4,684.17
9	\$813.38	\$3,615.00	9	\$903.38	\$4,015.00
10	\$783.25	\$3,012.50	10	\$869.92	\$3,345.83
11	\$753.13	\$2,410.00	11	\$836.46	\$2,676.67
12	\$723.00	\$1,807.50	12	\$803.00	\$2,007.50
13	\$692.88	\$1,205.00	13	\$769.54	\$1,338.33
14	\$662.75	\$602.50	14	\$736.08	\$669.17
15	\$632.63	\$0.00	15	\$702.63	\$0.00
ASSESSMENT AMOUNT \$11,000.00 COUNTY FEE \$2.50/15YR \$37.50 TOTAL ASSESSMENT \$11,037.50 PRINCIPAL PER YEAR \$735.83 ASSUMED INTEREST RATE 5.0%			ASSESSMENT AMOUNT \$12,000.00 COUNTY FEE \$2.50/15YR \$37.50 TOTAL ASSESSMENT \$12,037.50 PRINCIPAL PER YEAR \$802.50 ASSUMED INTEREST RATE 5.0%		
YEAR	ANNUAL PAYMENT	PRINCIPAL BALANCE	YEAR	ANNUAL PAYMENT	PRINCIPAL BALANCE
		\$11,037.50			\$12,037.50
1	\$1,425.68	\$10,301.67	1	\$1,554.84	\$11,235.00
2	\$1,250.92	\$9,565.83	2	\$1,364.25	\$10,432.50
3	\$1,214.13	\$8,830.00	3	\$1,324.13	\$9,630.00
4	\$1,177.33	\$8,094.17	4	\$1,284.00	\$8,827.50
5	\$1,140.54	\$7,358.33	5	\$1,243.88	\$8,025.00
6	\$1,103.75	\$6,622.50	6	\$1,203.75	\$7,222.50
7	\$1,066.96	\$5,886.67	7	\$1,163.63	\$6,420.00
8	\$1,030.17	\$5,150.83	8	\$1,123.50	\$5,617.50
9	\$993.38	\$4,415.00	9	\$1,083.38	\$4,815.00
10	\$956.58	\$3,679.17	10	\$1,043.25	\$4,012.50
11	\$919.79	\$2,943.33	11	\$1,003.13	\$3,210.00
12	\$883.00	\$2,207.50	12	\$963.00	\$2,407.50
13	\$846.21	\$1,471.67	13	\$922.88	\$1,605.00
14	\$809.42	\$735.83	14	\$882.75	\$802.50
15	\$772.63	\$0.00	15	\$842.63	\$0.00

APPENDIX G

LOCAL IMPROVEMENT GUIDE (CITY ASSESSMENT POLICY)

City of White Bear Lake

LOCAL IMPROVEMENT GUIDE

Adopted by the City Council
April 1983

REVISED
January 22, 2008

REVISED
April 26, 2011



Policies for Public Improvements

INTRODUCTION

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

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1 GENERAL POLICIES

1.1 Types of Improvements

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

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

1.2 Definitions

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

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

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

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

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

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

1.3 Initiation of Public Improvement Project

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

CONSTRUCTION IMPROVEMENT PROGRAM TIME SCHEDULE

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

1.4 Developer’s Agreements

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

2 GUIDELINES FOR DETERMINING ASSESSABLE AMOUNT

2.1 General Statement

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

2.2 Determination of Project Cost

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

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

2.3 Determination of Assessable Cost

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

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

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

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

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

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

3 METHOD OF ASSESSMENT AND APPORTIONMENT

3.1 Method of Assessment by Type of Improvement

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

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

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

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

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

3.2 Apportionment of Non-Standard and Public Parcels

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

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

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

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

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

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

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

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

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

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

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

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

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

4 DESIGN STANDARDS

4.1 Surface Improvements

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

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

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

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

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

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

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

4.2 Subsurface Improvements

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

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

5 STORM SEWER ASSESSMENT

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

5.1 Project Area

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

5.2 Specific Land Use

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

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

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

6 CONDITIONS OF PAYMENT OF ASSESSMENT

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

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

6.1 Term of Assessment

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

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

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

6.2 Interest Rate

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

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

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

6.3 Connection Charge in Lieu of Assessment (Ordinance 638)

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

6.4 Deferral of Current Payment of Special Assessment

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

6.5 Assessment of Connection Charges

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

7 RELATED ISSUES

7.1 Connection to Utility System

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

7.2 Payment of Connection Fees

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

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

7.3 Replacement of Previously Constructed Improvements

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

8 AMENDMENTS

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

APPENDIX A

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

APPENDIX B

Resolution Establishing Guidelines for Senior Citizen or Disabled Retiree Hardship Deferral

APPENDIX C

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

APPENDIX D

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

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

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

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

Deferred Assessments; Senior Citizens.

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

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

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

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

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



Robert J. Hansen, Mayor

ATTEST:



Raymond R. Siebenaler, City Clerk

RESOLUTION ESTABLISHING GUIDELINES FOR SENIOR CITIZEN
OR DISABLED RETIREE HARDSHIP DEFERRAL

APPENDIX B

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ayes: Auger, Rask, Chesebrough, Ditzrich, McCarty

Nays: None

Passed: October 13, 1981


Brad Stanis, Mayor

ATTEST:


Raymond R. Siebenaler, City Clerk

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

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

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

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

Sincerely,



Sharon Legg
Finance Director

SL/el
Attachments

RESOLUTION NO.: 10261

RESOLUTION UPDATING THE CITY'S SPECIAL ASSESSMENT POLICY

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

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

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


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

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


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

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

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


Paul L. Auger, Mayor

ATTEST:


Cory L. Vadnais, City Clerk

RESOLUTION NO.: 10836

RESOLUTION AMENDING THE CITY’S SPECIAL ASSESSMENT POLICY

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

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

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

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

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

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

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

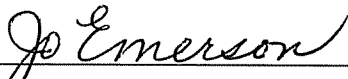
1. The City’s Assessment Policy is hereby updated as of April 26, 2011.
2. This resolution is incorporated into the Assessment Policy as Appendix “D”.
3. The Mill & Overlay assessment rate is proposed to be based on assessing 33% of the total improvement project cost at the 25 year mark to benefitting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

Mill & Overlay Assessment Adjustment Table

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

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

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


Jo Emerson, Mayor

ATTEST:


Ellen Richter, City Clerk

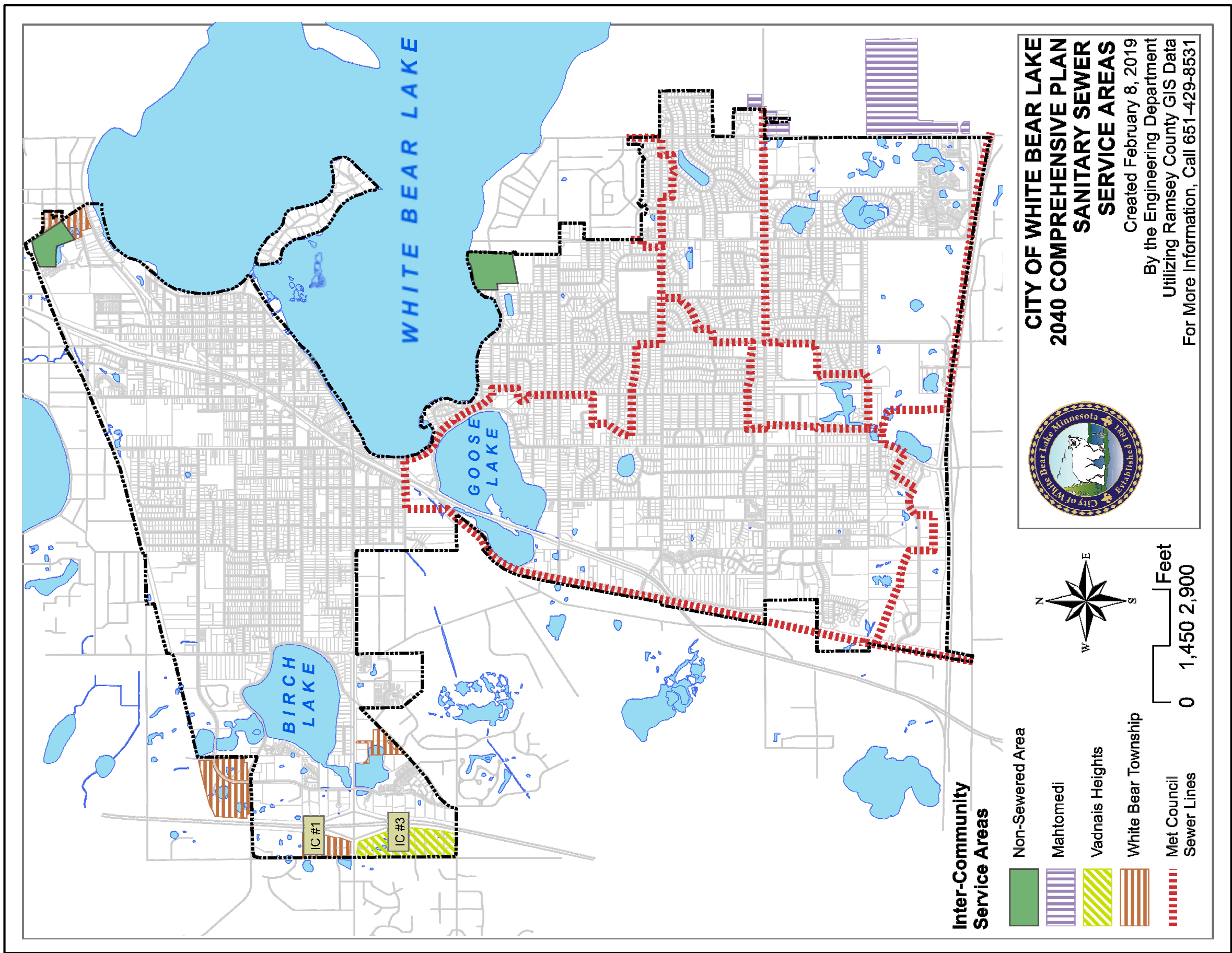
EXHIBITS

EXHIBIT 1

SANITARY SEWER SERVICE AREAS MAP

EXHIBIT 2



PROJECT LOCATION MAP

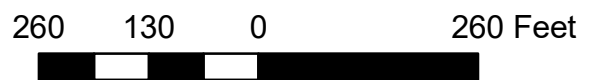


City Project 22-08 South Shore Boulevard Sewer Extension Exhibit 2



Legend

-  22-08_Sewer
-  City Limits





City of White Bear Lake
Community Development Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Tracy Shimek, Housing & Economic Development Coordinator
Date: January 25, 2022
Subject: Ramsey County Corridor Revitalization Program Grant for County Road E

SUMMARY

The City Council will consider accepting the Ramsey County Corridor Revitalization Program grant for County Road E planning activities and authorizing the City Manager to enter into relevant contracts to execute the grant activities including, but not limited to, the grant agreement with Ramsey County and project contract with Local Initiatives Support Corporation – Twin Cities (“LISC”).

BACKGROUND INFORMATION

In 2019 Ramsey County introduced a corridor revitalization program pilot project intended to spur the revitalization of important corridors throughout Ramsey County by providing matching grants to communities to engage in planning activities. To be eligible, corridors must be multi-jurisdictional, include a low-income census tract(s), or be located along existing or planned transit routes or transit ways. The City of White Bear Lake, in partnership with the City of Vadnais Heights and with support from the City of Gem Lake, submitted an application for County Road E.

In January 2020 the application was awarded a matching grant of \$25,000 to conduct a community engaged planning project for County Road E. Due to the constraints imposed by the COVID-19 pandemic, both in staff capacity due to responding to the impacts of the pandemic and the ability to engage with the community in traditional in person settings, the implementation of the grant activities was postponed. To ensure the funding is not forfeited due to inactivity and with the conclusion of other engagement activities such as the Housing Task Force project, staff has proceeded with the initial planning phase of the corridor revitalization project.

Staff anticipates the final stages of project planning will be completed in the first quarter of 2022 with recruitment for citizen and leadership advisory committees this spring, community engagement activities being conducted in summer months, and a final report issued by the end of the year. The course of the pandemic may impact the timeline as it is agreed amongst the planning team that conducting community engagement activities largely in person will be most effective.

The final grant agreement and project contract with LISC are currently being finalized and will need to be executed to continue with the next phase of planning. Through the course of the project, it may be necessary to enter into additional agreements or contracts that do not otherwise expand the scope or cost of the project, such as subgrantee agreements. The City of Vadnais Heights will be sharing in the cost of the matching grant, contributing \$9,000 to the project, with the City of White Bear Lake contributing \$16,000 toward the project expenses. The cost share was based on the relative size of the study area in each municipality. Funding for this project was initially appropriated in the 2020 budget and again in the 2022 budget approved by the Council on December 14, 2021.

RECOMMENDATIONS

Staff recommends City Council adopt the attached resolution accepting the grant funds from Ramsey County and authorizing the City Manager to enter into the grant agreement with Ramsey County, the project contract with LISC and other contracts that may be necessary, such as subgrantee agreements to complete grant activities and do not otherwise expand the scope or cost of the project.

ATTACHMENTS

Resolution

Original grant application project narrative

RESOLUTION NO.

RESOLUTION ACCEPTING THE CORRIDOR REVITALIZATION PROGRAM GRANT FUNDS FROM RAMSEY COUNTY AND AUTHORIZING THE CITY MANAGER TO ENTER INTO GRANT AGREEMENTS AND CONTRACTS NECESSARY TO EXECUTE THE GRANT ACTIVITIES

WHEREAS, County Road E is a commercial and residential corridor that has significant impact on the vitality of the community; and

WHEREAS, the City has invested significant resources into the corridor by securing a key development site, creating the County Road E Revolving Loan and Grant program, engaging the community about future investment and development along the corridor, and time spent responding to potential development proposals; and

WHEREAS, in 2020 the City was awarded Ramsey County Corridor Revitalization Program matching grant in the amount of \$25,000 to engage in a cross-jurisdictional planning process for County Road E; and

WHEREAS, the City of White Bear Lake will contribute \$16,000 of the matching funds and the City of Vadnais Heights will contribute \$9,000; and

WHEREAS, staff has worked with representatives from the City of Vadnais Heights and Local Initiatives Support Corporation – Twin Cities (“LISC”) to create a timeline and scope of work for the project; and

WHEREAS, from time to time it may be necessary to enter into additional contracts to complete the project that do not expand the scope, project cost, or nature of the project such as subgrantee agreements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the City accepts the grant from Ramsey County for the County’s Corridor Revitalization Program.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to enter into the grant agreement with Ramsey County, the project contract with LISC and any additional contracts or agreements that do not expand the scope, cost or nature of the project which may be necessary to complete the project.

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

Ayes:
Nays:
Passed:

RESOLUTION NO.

Dan Louismet, Mayor

ATTEST:

Kara Coustry, City Clerk

Corridor Overview

The area of study for this project is the County Road E corridor extending from an eastern boundary at Centerville Road in Vadnais Heights to a western boundary at Highway 120 in White Bear Lake and generally one half mile to the north and south of County Road E as depicted in Appendix A.

The cities of Vadnais Heights, Gem Lake and White Bear Lake share borders along the corridor. There is a variety of uses along the corridor including multi-family residential, single family detached and attached residential, retail, industrial, service, public and agricultural. Additionally it serves as an access point to major traffic arteries including Interstate 35E, U.S. Highway 61 and MN State Highway 120. According 2017 American Community Survey data, approximately 25,700 people reside in the census tracts abutting County Road E.

While the corridor has enormous potential for revitalization, placemaking and serving as a catalyst to further equitable development, it currently has many characteristics Urban Land Institute has identified as markers of an unhealthy corridor. These include design that prioritizes vehicular traffic, limited public transit service, a high number of commuters driving alone,¹ empty storefronts and vacant buildings, land separated by use, areas where people do not live within a 10 minute walk of a grocery store, and housing segregated by income level.² Additionally, there have been numerous motor vehicle accidents along the corridor including a fatal accident in 2019 involving a motor vehicle and an elderly person using a motorized wheelchair/scooter, an accident involving a bicyclist at County Road E and Centerville Road in 2014, and two additional motor vehicle/bicycle collisions at unknown dates.³

Capacity

White Bear Lake will take the lead on the project and coordinate efforts with Vadnais Heights and Gem Lake. An outside consultant will be hired to gather data, facilitate engagement, identify goals, prepare an action plan and create a final report to guide near term and long term efforts. Each city will provide a point person responsible for gathering necessary data and facilitating engagement efforts within their municipality.

Each city will contribute funds for a total of \$25,000 in funding in addition to funds designated through the Ramsey County Corridor Pilot Program.

It is anticipated the vision plan will include near, medium and long term action steps some of which will require facilitation or implementation by the individual communities or Ramsey County and others which will be executed in partnership. Ideally, the vision plan will include specific and actionable implementation goals while allowing for flexibility to accommodate changing trends and technologies. The plan will be used as a tool to attract private investment through development as well as seek regional, state and federal funding for infrastructure improvements which increase the vitality of the corridor.

¹ According to 2017 ACS Data, approximately 85% of workers drove alone to work from census tracts in the County Road E Corridor.

² Urban Land Institute, *Blind Spots: How Unhealthy Corridors Harm Communities and How to Fix Them* (Washington DC: Urban Land Institute, 2019).

³ The White Bear Lake Police Department reported 289 traffic crashes on County Road E since late 2014. Ramsey County Public Works reported 257 motor vehicle crashes from 2010-2015.

Engagement & Racial Equity

The County Road E corridor serves a broad segment of the three communities both residentially and commercially. There is an array of employment opportunities along the corridor including entry level retail and food service, professional services, manufacturing, education, social services and more. Additionally there is a vast amount of socioeconomic diversity among the residents in the corridor from student housing for Century College students, supportive housing for families who have experienced housing instability at Solid Ground, to expansive estates in Gem Lake in addition to the variety of multi-family and single family housing in all three communities.

Engagement for the County Road E Corridor Planning project would be modeled on the Rice-Larpenteur Vision Plan, with an advisory council comprised of elected officials, county and city staff in addition to a citizen advisory group drawn from residents, business owners, area employees, service organizations and other interested stakeholders. The output of the project would draw from community input with intentionality in the inclusion of voices, perspectives and insights of people who are typically under or unrepresented in such planning efforts including:

- the racially, culturally and economically diverse student bodies of Century College, White Bear Lake Area Schools, and the multiple private and charter schools on or near the corridor and their families⁴
- residents of Solid Ground and Century Hills Townhomes, very low-income rental housing; Willow Wood Apartments, very-low income senior housing; and Hoffman Place, affordable housing
- people with different abilities including physical and cognitive abilities, and their caregivers, including residents of Gable Pines and The Waters, senior housing with supportive services, differently abled students and members of the Northeast Residence and Phoenix Alternative communities
- people who work in the retail, restaurant and service businesses in the corridor, particularly those earning lower-level wages
- seniors

Additionally, engagement efforts will include seeking participation from the numerous faith communities, users of Vadnais Sports Center, and users of the White Bear Lake YMCA.

Without being overly prescriptive of the goals identified in a final report prior to the process of engaging the community, a priority for the study will be to identify how to best leverage county and regional investments in the corridor, including the Rush Line, Bruce Vento Trail and Vadnais Sports Center to increase equitable racial, economic and health outcomes by connecting people to jobs, services and activities that enhance their quality of life. These investments create the ability to attract additional employers and affordable housing developers, as well as creating a supportive ecosystem for emerging entrepreneurs and small business owners by providing access to employees and customers with the introduction of more robust public transit service.

⁴ See Appendix B for a full listing of educational facilities in the County Road E corridor

Growth

The comprehensive plans of the three cities have identified opportunity sites for both commercial and residential development and redevelopment throughout the corridor.⁵ Commercial opportunity sites include:

- northeast quadrant of County Road E and I-35 E;
- northwest, northeast and southeast quadrants of County Road E and Highway 61
- intersection of County Road E and Bellaire

Residential opportunity sites include:

- northeast quadrant of County Road E and I-35 E;
- northwest, northeast and southeast quadrants of County Road E and Highway 61
- northeast quadrant of County Road E and Hoffman Road
- Rooney Farm site
- intersection of County Road E and Bellaire

As evidenced by the overlap in residential and commercial opportunity sites, the majority are slated for mixed use development, which will increase both the density and walkability of the corridor.

Following completion of the Environmental Analysis Phase in early 2021 and the corridor being adopted into the Metropolitan Council Transportation Policy Plan, opportunity sites within one half mile of a Rush Line station will score higher on Minnesota Housing's Qualified Allocation Plans per their proposed 2021 QAP scoring, making the area more attractive to developers of affordable housing.

The development and redevelopment opportunity sites identified above will significantly increase the tax base as projects are completed. For example the Schafer Richardson project at County Road E and Linden Avenue is anticipated to have estimated market value in excess of \$30,000,000, an increase of more than 3500% over the current estimated market value of \$846,300. While the increase in tax base resulting from future development in the corridor may not be as dramatic for all development and redevelopment projects, it is anticipated significant increases will be realized in any projects spurred by the vision plan.

Provided current market conditions remain stable, it is anticipated any commercial or market rate housing development along the corridor will require little, if any, public investment. As is to be expected, affordable housing developments will almost certainly require multiple sources of public investment including local, county, regional, state and federal assistance. The proposed Rush Line has, in part, already spurred investment with the aforementioned Schafer Richardson project, a 192 unit market rate multi-family development slated to break ground in September 2019 at County Road E and Linden Avenue. This development has generated renewed investment in the retail center on the opposite side of County Road E. It is expected further investment will be generated as the Rush Line project progresses closer to construction and a vision plan for the corridor will ensure the coordination of investment and development to produce a desirable place to live, work and visit.

⁵ See Appendix C for a map of identified opportunity sites.

Increase Vitality

The corridor is the primary commercial center in Vadnais Heights and Gem Lake, as well as a significant commercial area for White Bear Lake.⁶ Due to the importance of the corridor, the City of White Bear Lake created a County Road E Revolving Loan and Grant Program (“RLGP”), modeled after its Downtown RLGP to incentivize investment in commercial properties along County Road E, seeding the fund with an initial investment of \$150,000. White Bear Lake residents and business owners in the corridor have expressed a sense frustration with the level of investment along the corridor and spurring additional investment is a priority of White Bear Lake elected officials and staff.

Due to the concentration of lodging, dining and event space including the Vadnais Sports Center and Jimmy’s Event Center, the corridor is significant in terms of tourism.⁷ The extension of the Bruce Vento Trail will likely attract additional visitors to the corridor as well. The importance of tourism to the communities surrounding the corridor and the broader Ramsey County area is twofold: 1) the initial economic activity generated during a visit; 2) the “halo effect” of tourism.⁸ Because the corridor is a destination for visitors, it shapes the perception they have of the entire area.

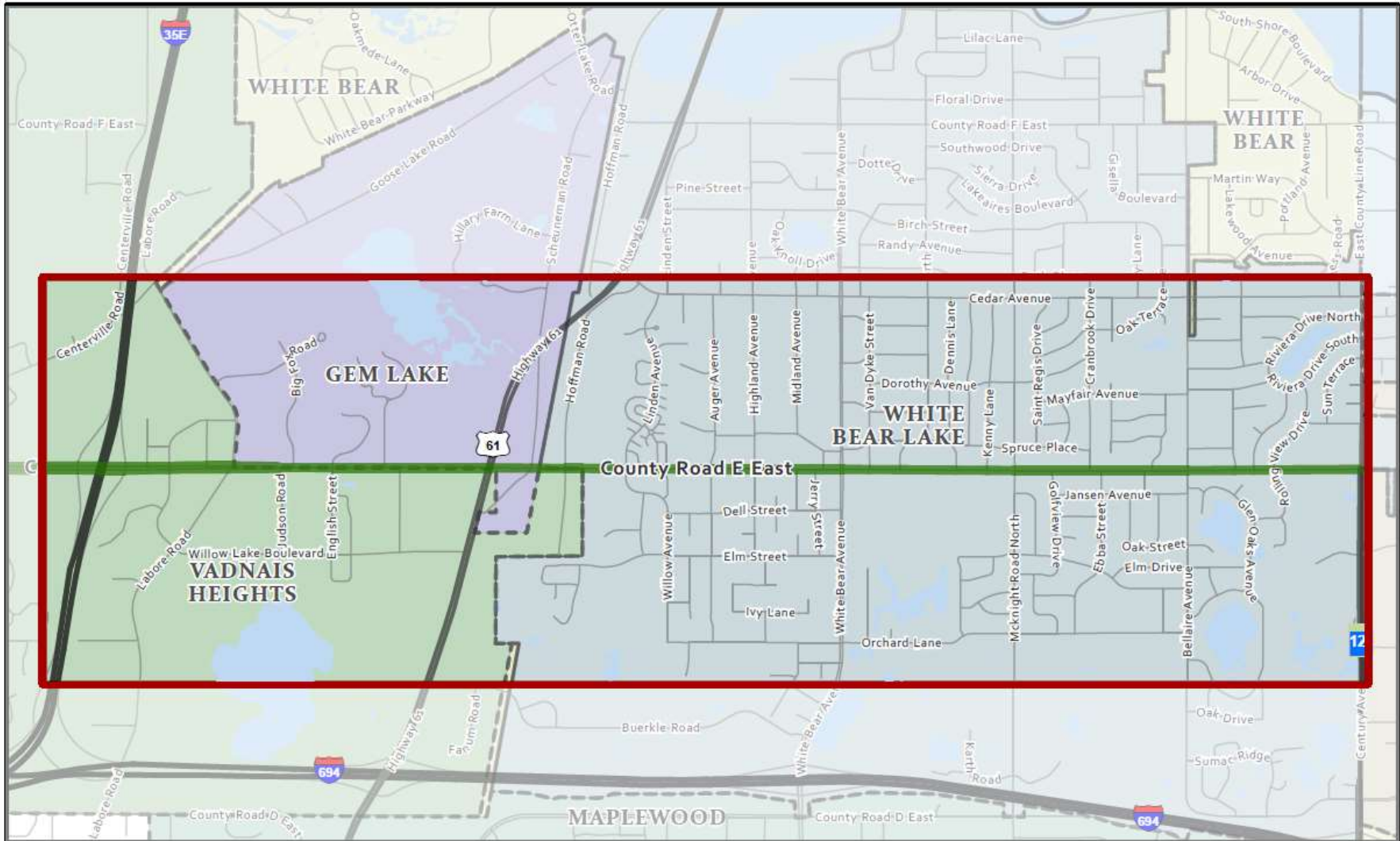
The vision planning process will engage the community to design a more walkable and bikeable corridor that connects residents, employees and visitors to the Bruce Vento Trail extension, Rush Line, Vadnais Sports Center, retail hubs, education facilities and services along the corridor without the need to use a personal vehicle. It is a goal of city staff for the plan to facilitate the development a consistent sense of place along the corridor, including people oriented design which primes the area for an inflow of private investment in the commercial areas and helps it score competitively for regional, state and federal affordable housing funding.

⁶ See Appendix D for a list of major employers in the corridor.

⁷ There are 288 hotel rooms located at three properties near the intersection of County Road E and I-35E.

⁸ The halo effect is a cognitive bias whereby a positive first impression of one characteristic tends to lead to a positive evaluation of other characteristics. This effect can hold true for people, places, brands, etc. The halo effect of tourism leads people who have a positive first impression through tourism marketing and while visiting a place to subsequently view that place as a good place to start or locate a business, go to college, retire, live, purchase real estate or a second home. Conversely, a negative experience or first impression can have the opposite effect.

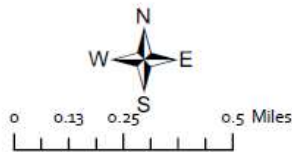
Appendix A



Streets

- Interstate
- US Highway
- MN Highway
- Local Roads
- County Road E East

County Road E Corridor Revitalization Area





COUNTY ROAD E CORRIDOR

September 10, 2019

White Bear Lake Community Development Department

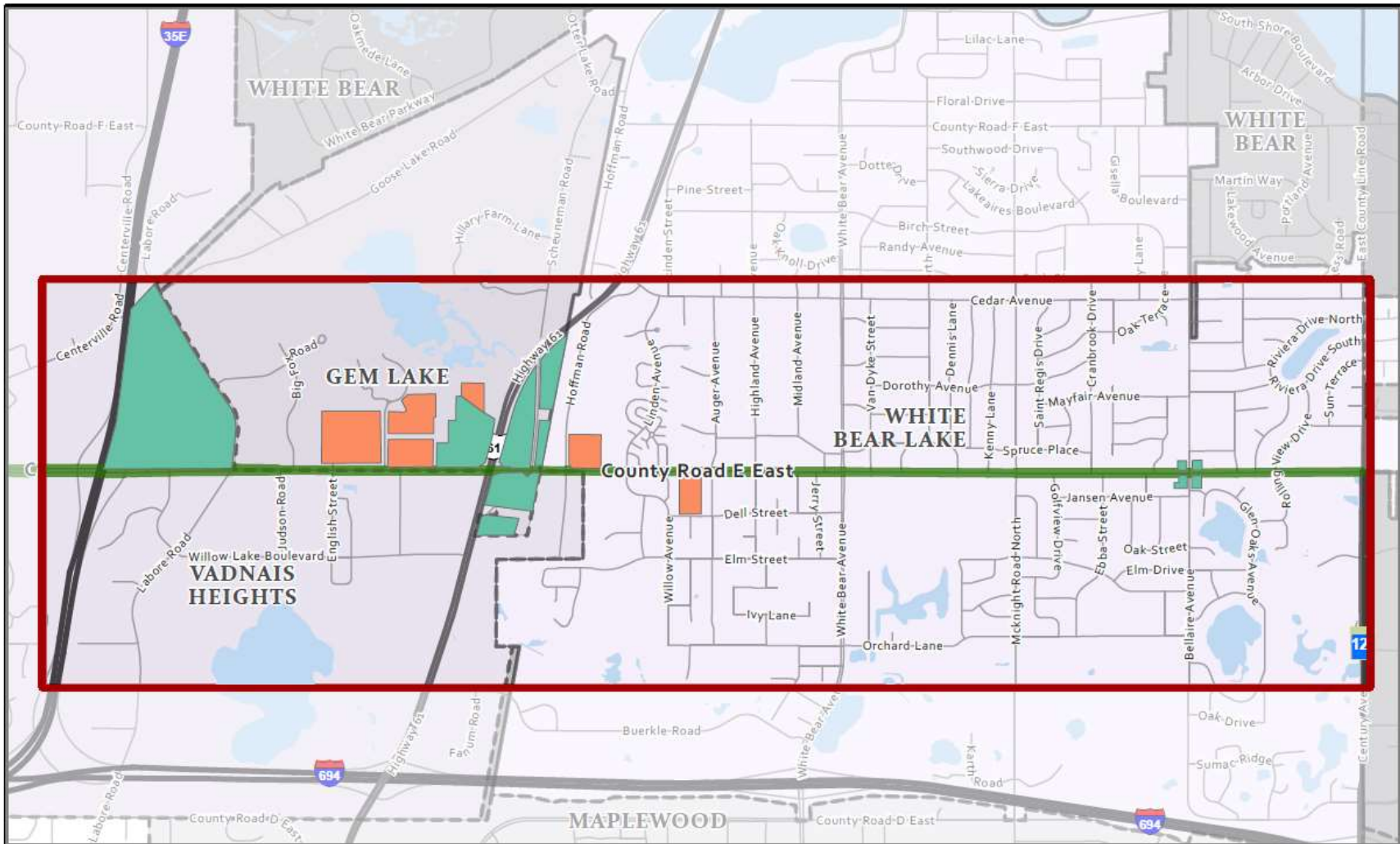
Sources: Minnesota Geospatial Commons, White Bear Lake

Appendix B: County Road E Corridor Education, Daycare & Training Facilities

- Vадnais Heights Elementary*
- White Bear Montessori School
- Children’s Discovery Day Care
- Gentry Academy
- Willow Lane Elementary*
- Liberty Classical Academy
- Sheet Metal Workers Training Facility
- White Bear Lake Area High School South Campus*
- White Bear Area YMCA
- White Bear Lake Area Learning Center*
- Sunrise Park Middle School*
- St. Anne’s Academy
- Matoska International IB World School*
- Level Up Academy
- Century College

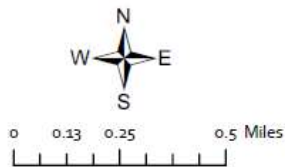
*Denotes ISD 624 White Bear Lake Area Schools

Appendix C: County Road E Opportunity Sites



Streets
 Interstate
 US Highway
 MN Highway
 Local Roads

County Road E East
 Redevelopment Potential
 Mixed Use
 Residential
 County Road E Corridor
 Revitalization Area





COUNTY ROAD E CORRIDOR

September 18, 2019

White Bear Lake Community Development Department

Sources: Minnesota Geospatial Commons, White Bear Lake

Appendix D: County Road E Corridor Major Employers

<u>Employer</u>	<u>Number of Employees</u>
White Bear Lake Area Schools	1590 (district wide)
Century College	700
Walmart Supercenter	410
HB Fuller	400
Buerkle Automotive	250
Short Elliot Hendrickson	200
Siemens Industry	150
Target	150
Keller Williams Realty	100
Dynamic Air Inc.	125
Posi Flate	125
Reell Precision Mfg. Inc.	120
United Development Center	110
Xcel Energy	105
Results Realtor Group	100
Saks Sports Bar	100
The Waters of White Bear Lake	70
Newrax	60

Appendix E: Project Cost Estimate & Implementation Schedule

Anticipated cost of planning project: \$50,000-\$75,000. Scope of project dependent upon available funding from Ramsey County Corridor Revitalization Project.

Implementation Schedule:

- Planning Study: 6 to 12 months, beginning in first quarter of 2020
- Short-Term Goal implementation: 2-4 years
- Mid-Term Goal implementation: 4-10 years
- Long-Term Goal Implementation: 10-20 years



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council
From: Lindy Crawford, City Manager
Date: January 25, 2022
Subject: 2022 City Council Legislative Priorities Agenda

SUMMARY

The City Council will consider adopting its 2022 Legislative Priorities Agenda.

BACKGROUND INFORMATION

On January 26, 2021, the City Council adopted its first Legislative Priorities Agenda which was presented at the following February 9th Council meeting to Senators Chamberlain and Wiger, and Representatives Fischer and Wazlawik. At that time, the following items were identified as priorities for the City Council:

- Increase the Deputy Register filing fees that reimburse offices for costs to provide customer services
- Identify 35% of funding needed to proceed with Public Safety Building project
- Seek legislative relief for cities impacted by District Court's order for a residential watering ban
- Identify a funding mechanism for management of contaminated stormwater pond dredging materials
- Seek expansion of opportunities for homeownership and wealth building opportunities
- Support statewide licensure of Massage Therapists
- Support legislation to allow Chief Law Enforcement Officers access to the National Criminal History database.

At a Council Work Session on January 18, 2022 the Mayor and Council narrowed down three of the most important legislative priorities for which to focus its efforts in 2022 as follows:

- Increase the Deputy Register filing fees that reimburse offices for costs to provide customer services
- Identify ~~35%~~ 50% of funding needed to proceed with the Public Safety Building project
- Seek legislative relief for cities impacted by District Court's order for a residential watering ban

Based on recent policy discussions of Governor Walz, in which the State is entertaining the funding of public building requests at 50%, staff will immediately revise the City's initial funding request from 35% to 50% funding for the public safety building project.

RECOMMENDEATIONS

Staff recommends the City Council adopt the attached resolution setting the 2022 Legislative Priorities Agenda.

ATTACHMENTS

Resolution

Legislative Priorities Document

RESOLUTION NO.

**RESOLUTION ADOPTING THE CITY OF WHITE BEAR LAKE'S
2022 LEGISLATIVE PRIORITIES AGENDA**

WHEREAS, the City Council developed a legislative priorities agenda to be submitted to elected legislative officials representing White Bear Lake for their consideration as they prioritize their work during the 2022 legislative session; and

WHEREAS, the City of White Bear Lake respectfully requests the White Bear Lake legislative delegation to assist with the issues included on the City Council's 2022 Legislative Priorities Agenda as adopted by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that it hereby adopts the 2022 Legislative Priorities Agenda, summarized as follows:

- Increase the Deputy Register filing fees that reimburse offices for costs to provide customer services.
- Identify 50% of funding needed to proceed with the Public Safety Building project.
- Seek legislative relief for cities impacted by District Court's order for a residential watering ban.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Kara Coustry, City Clerk

**City of White Bear Lake
City Council
2022 Legislative Priorities**

Issue	Staff Contact	Contact Info
Increase the Deputy Register filing fees that reimburse offices for costs to provide customer services.	Kerri Kindsvater Finance Director	kkindsvater@whitebearlake.org 651-429-8517 lcrawford@cityofwhitebearlak.org 651-429-8516
Identify 50% of funding needed to proceed with Public Safety Building project	Rick Juba Assistant City Manager	rjuba@whitebearlake.org 651-429-8505 lcrawford@whitebearlake.org 651-429-8516
Seek legislative relief for cities impacted by District Court's order impacting water resources.	Lindy Crawford City Manager	lcrawford@whitebearlake.org 651-429-8516

Increase the Deputy Register filing fees that reimburse offices for costs to provide customer services:

- **Driver's Licenses \$8.00 to \$16.00**
- **Motor Vehicle Title Changes from \$11.00 to \$17.00**
- **Tab Renewals from \$7.00 to \$10.00**

The White Bear Lake License Bureau serves as a Deputy Registrar on behalf of the Minnesota Department of Public Safety. In this capacity, the department offers both driver's license and motor vehicle transaction services. The State of Minnesota sets the transaction filing fees Deputy Registrar offices receive for providing these services.

In 2017, the State of Minnesota launched a two-year process to replace the software platform for all transactions. The first year involved implementing a new vehicle transaction system. Work in 2018 focused on implementing a new driver's license and identification card system to meet the federal requirements listed in the REAL ID Act regarding issuance of Enhanced IDs, REAL IDs in addition to Standard IDs for citizens.

Through the change in both phases, the State of Minnesota transferred data entry and review duties previously completed by its staff to the local Deputy Registrar offices to streamline transaction processing and provide real-time data for the Department of Public Safety and other system users. The State of Minnesota recognized the transfer of duties by increasing the filing fees for Motor Vehicle title change long applications and tab renewal transactions by \$1.00 in August 2019. Though Deputy Registrar offices appreciated the filing fee change, the amount did not cover the costs for the additional duties placed on the departments or recognize the significant impact implementation of the REAL ID Act created for the offices.

Compliance with the federal REAL ID Act is critical as it sets minimum-security standards for state-issued licenses or identification and allows citizens with the Enhanced ID to travel to certain countries without a passport. However, given the security benefits granted through the REAL ID and the Enhanced ID, the application processing time doubled from that needed to process the previous Standard ID. As Deputy Registrar offices accepted the workload changes for data entry and extended customer contact time to handle transactions, the State did not increase the per transaction fee for driver's licenses from the \$8.00 set as the filing fee for the handling the previous Standard ID applications.

The City of White Bear Lake's License Bureau experienced a steady change in customer transactions from the Standard ID to the REAL ID options each month following the implementation of the new identification card system as citizens sought compliance with the State mandates for use by October 2020, which the State extended to October 2021 due to the pandemic.

Since the \$8.00 filing fee does not cover the employee costs to provide the Enhanced and REAL ID services, the License Bureau began losing money as the number of these ID applications increased during the months of 2019. It is not financially feasible to increase the staff count to

assist additional driver's license applicants each day until the office's revenues can support the required operating expenditures to maintain a fund balance.

The following schedule compares the filing fee rates from before the system implementations and transfer of duties to the Deputy Registrar offices, the current rates and requested rates to support office operations for financial stability.

Transaction Type	Rates as of 1/1/2014	Rates as of 8/1/2019	Requested Rates as of 7/1/2021
Drivers Licenses	\$8.00	\$8.00	\$16.00
Long Forms (Title Changes)	\$10.00	\$11.00	\$17.00
Short Forms (Tab Renewals)	\$6.00	\$7.00	\$10.00

As a Deputy Registrar office struggling to meet the demands of the public and the State we serve, the passage of the increased filing fees for these services we provide are critical this session.

As of January 11, 2021, the Minnesota House of Representatives introduced HF 54 to increase the deputy register filing fees. Rep. Steve Elkins sponsored the legislation on behalf of the Minnesota Deputy Registrars Association. The Minnesota Senate's companion bill remains to be introduced at this time.

Identify 50% of funding needed to proceed with Public Safety building project

The White Bear Lake Fire Department, first established in 1888, now provides fire suppression and prevention services, special rescue operations and an ambulance service to White Bear Lake and several surrounding communities. The area is served by two stations, one located on the north side of White Bear Lake next to City Hall. The north fire station was constructed in 1961 at a time when the department received a few hundred calls per year and had not yet entered into the ambulance service.

There have been significant changes in the industry over the past several decades including, but not limited to, health and safety standards that prescribe separate zones for contaminated gear and areas where personnel train, rest and do reports. Proper air exchange and handling within the station is an industry standard, which did not exist when the building was constructed. The equipment used today has also changed and is, in most cases, much larger. As one example, the type of ladder truck that the City ordered was limited due to the height of the doors on the station. The collective impact of the overall size of the equipment and the need to add equipment in order to continue to provide adequate service over the last 60 years has created space issues. The Fire Department itself has changed significantly since this building was constructed; most notably call volumes have grown from a few hundred each year in the 1960's to 4,411 in 2019.

In addition to providing full-time fire and ambulance services, the City operates a police department with 31 sworn officers that also provide service to the community of Gem Lake. In 1993, when the first phase of the public safety building expansion was completed, construction of a police squad garage was intended to follow. However, being an historic, fully-developed community without opportunity for development led infrastructure improvements, the demands of the City's aging infrastructure took precedent.

Currently, the Police Department has four (4) indoor parking spots and 18 total vehicles in their fleet. Two of the four spots are the secured sally port reserved for suspect booking. Today's police squads are equipped with technology and tools that need to stay warm in the winter and cool in the summer. With no indoor parking, squads are left idling and are rotated through the current available indoor parking spots to keep them from getting too warm or too cold. In addition to indoor parking of squad vehicles, the Police Department has a general need for secure, indoor storage for evidence and equipment.

Even more importantly, the urgency to move forward with a project stems from recent concerns related to officer safety as police departments and police vehicles have become the target of vandalism and violence. In addition to exposure of police squads, the parking area lacks basic security and leaves officers, firefighters and other staff members exposed to an easily accessible public street as they enter and exit the facility.

The City has conducted a space needs study and developed a site master plan, which produced cost estimates for a project to include construction of a new fire apparatus bay and police squad garage at \$10,500,000. If the City were to move forward with a 2022 project, it would be compelled to bond for all associated costs. The City is requesting assistance with 50% of the funding for a project, which benefits the broader regional service area, or \$6,250,000.

Seek legislative relief for cities impacted by District Court's order

In 2018, the District Court ruled on a lawsuit against the DNR related to permitting activities that purportedly contributed to the declining water levels of White Bear Lake; the City was an intervening party on the side of the defendants. The District Court ruled in favor of the plaintiffs; this ruling was appealed to the Court of Appeals and ultimately heard by the Minnesota Supreme Court, which remanded the case back to the Court of Appeals to be heard within application of the MERA statute. Ultimately, the Court of Appeals upheld the district court's ruling and subsequent Order. Included in this Order is the requirement that a total residential watering ban be enforced when the lake level drops below 923.5 feet, and to continue until the lake has reached an elevation of 924 feet. The average lake level, as recorded since 1924, is 923.14, which is below the defined threshold. Furthermore, if this ban had been in place, no residential watering would have been allowed between for ten (10) years between 2006 – 2016.