



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, APRIL 12, 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 March 22, 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. Acceptance of Minutes: January & February White Bear Lake Conservation District, February Environmental Advisory Commission, March Planning Commission
- B. Resolution approving use of Railroad Park Gazebo for a free concert by the 204th Army Band
- C. Resolution approving a temporary liquor license for a Church of St. Pius X fundraiser event
- D. Resolution approving transfer of off-sale liquor and tobacco licenses for Say, Inc. dba Summit Liquor
- E. Resolution approving a request by Jim & Lynn Dierking for a setback variance at 4743 Lake Avenue
- F. Resolution approving a request by James Sanchez for a minor subdivision at 5008 Stewart Avenue
- G. Resolution accepting bids and awarding contract for the 2022 Bituminous Seal Coating Project, City Project No. 22-02
- H. Resolution accepting bids and awarding contract for the 2022 Crack Sealing Project, City Project No. 22-03
- I. Resolution accepting bids and awarding contract for the 2022 Sanitary Sewer Lining Program, City Project No. 22-04
- J. Resolution authorizing a municipal safety grant agreement between the City of White Bear Lake and Minnesota Department of Labor and Industry and requesting the safety grant allocation
- K. Resolution authorizing proposed master partnership contract between the City of White Bear Lake and Minnesota Department of Transportation

5. VISITORS AND PRESENTATIONS

- A. Law Enforcement Memorial Proclamation
- B. Arbor Day Proclamation
- C. Recognition of departing Environmental Advisory Commission member – Robert Winkler

6. PUBLIC HEARINGS

Nothing scheduled

7. UNFINISHED BUSINESS

- A. Resolution approving a request by the Pitlick's for a setback variance at 4264 Cottage Park Road

8. NEW BUSINESS

- A. Resolution approving a request by Jeff McDonnell / Tice Estate for a preliminary plat at 1788 Highway 96 E
- B. Resolution approving a request by McNeely Music center for five variances at 4910 Highway 61
- C. Resolution accepting bids and awarding contract for the 2022 Pavement Rehabilitation Project, City Project No. 22-01
- D. Resolution approving the sale of General Obligation Bonds for 2022 Street Improvement Projects

9. DISCUSSION

- A. Seating in public right-of-way

10. COMMUNICATIONS FROM THE CITY MANAGER

- A. Quarterly Community Development Reports
- B. Ramsey County Bruce Vento Regional Trail Community Meeting Notice

11. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MARCH 22, 2022
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ROLL CALL

Mayor Dan Louismet called the meeting to order at 7:00 p.m. The City Clerk took attendance for Councilmembers Kevin Edberg, Heidi Hughes, Dan Jones and Bill Walsh. Councilmember Steven Engstran was excused. Staff in attendance were City Manager Lindy Crawford, Public Works Director / City Engineer Paul Kauppi, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on March 8, 2022

Mayor Louismet corrected the roll-call vote on page 7: Hughes Nay and Edberg Aye on the Purple Line item.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to approve the Minutes of the March 8, 2022 City Council meeting as amended.

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

Mayor Louismet moved item 4C to 8B and 4F to 8C under New Business.

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

Motion carried unanimously.

4. CONSENT AGENDA

- A. Resolution approving extended hours for Tally's music night on the 4th of July. **Resolution No. 12950**
- B. Resolution ordering a public hearing for the Storm Water Pollution Prevention Program (SWPPP). **Resolution No. 12951**
- C. ~~Resolution authorizing a letter of support for Ramsey County Parks' Regional Solicitation Application for funding to extend the Bruce Vento Trail.~~
- D. Resolution authorizing a letter of support for Washington County's Regional Solicitation application for roadway reconstruction and modernization on Trunk Highway (TH) 120 (Century Ave). **Resolution No. 12953**
- E. Resolution authorizing a letter of support for Twin Cities Habitat for Humanity Solicitation Application for funding from Ramsey County. **Resolution No. 12954**

- F. ~~Resolution of support for a legislative solution for the lake level of White Bear Lake.~~
- G. Resolution approving a request by Jacqueline Mager for a time extension to an approved Recombination Subdivision at 1996 Elm Street. **Resolution No. 12956**

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

Motion carried unanimously.

5. VISITORS AND PRESENTATION

Nothing scheduled

6. PUBLIC HEARINGS

Nothing scheduled

7. UNFINISHED BUSINESS

- A. Second reading of an Ordinance adopting a Redistricting Plan for the City of White Bear Lake

City Clerk Coustry reported that tonight is second reading of a Redistricting Ordinance, something that is done every 10 years after new Census populations are ascertained. She said, the purpose of redistricting is to balance ward populations as nearly as possible, in a compact and contiguous manner.

Ms. Coustry highlighted two changes to ward boundaries in which 117 Boatworks Commons residents moved from Ward 2 to Ward 1, and a population of 93 residents within a two-block area between Spruce Place & Dorothy Avenue and between McKnight Road & Howard Avenue were moved from Ward 5 into Ward 4. Ramsey County will be sending polling place notifications to residents affected by these Ward changes. She said, the Redistricting Ordinance before Council this evening consists of a written description of these changes along with a new boundary map.

As part of the Ordinance approval process, Mayor Louismet opened the public hearing at 7:05 p.m. There being no comments from the public, Mayor closed the public hearing.

Councilmember Hughes asked for clarification whether two homes directly north of the Boatworks Commons would be moving into Ward 2 as well. Redistricting Commission members Tim Geck and Mark Sather clarified that the homes, being north of the VFW, would remain in Ward 2.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to adopt **Ordinance No. 22-3-2055** a Redistricting Plan which changes the boundaries between Wards in order to balance the number of residents in each Ward.

Motion carried unanimously.

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to adopt **Resolution No. 12957** establishing the title and summary approval of Ordinance 22-3-2055.

Motion carried unanimously.

8. NEW BUSINESS

- A. Resolution reestablishing ward and precinct boundaries and designating polling places for elections

City Manager Crawford reported that as a result of the redistricting effort the City Council is required to reestablish ward and precinct boundaries and designate polling places for 2022 elections in the City of White Bear Lake. Noting a change in state legislative districts, Ms. Crawford explained that two precincts in Ward 3 are now combined into one precinct. She presented the polling locations as follows:

Ward 1, Precinct 1	City Hall Council Chambers, 4701 Highway 61
Ward 2, Precinct 1	Library, 2150 2nd Street
Ward 3, Precinct 1	Sunrise Middle School Gym, 2399 Cedar Avenue
Ward 4, Precincts 1 & 2	Golfview Building, 2449 Orchard Lane
Ward 5, Precinct 1	St. Stephen’s Lutheran Church, 1965 County Road E

It was moved by Councilmember **Jones** seconded by Councilmember **Hughes**, to adopt **Resolution No. 12958** reestablishing ward and precinct boundaries and designating polling places for elections.

Motion carried unanimously.

- B. Resolution authorizing a letter of support for Ramsey County Parks’ Regional Solicitation Application for funding to extend the Bruce Vento Trail.

City Engineer/Public Works Director Kauppi reviewed the history of the Bruce Vento Trail (BVT), a Ramsey County project, which predates the Rush Line (now Purple Line). He explained that the BVT is part of the US Bike Route 41, a national bike route that takes you from St. Paul to the Canadian border (basically along Hwy 61) and connects to US Bike Route 45 from St. Paul to the Gulf of Mexico.

Mr. Kauppi stated that in 2016, Ramsey County focused on the segment north of Buerkle Road to County Road J, which is being tackled in two phases. Phase I goes from Buerkle Road to Highway 96 along a trail that would be constructed immediately adjacent to the rail line. Phase II (north of 96) presented right of way constraints along the railway and Highway 61, which prompted Ramsey County to study alternate routes for reaching County Road J. Mr. Kauppi reported on several community engagement efforts by Ramsey County which led to the BVT being aligned on Bald Eagle Avenue north to Bald Eagle Lake, then following east around the lake to Bald Eagle Regional Park.

Ms. Crawford clarified that this resolution seeks permission for the City Manager to sign a letter of support for Ramsey County’s regional funding solicitation request. In addition to being part of the City’s Comprehensive Plan, she said, this letter is similar to two past letters of support, the most recent which was approved by Council last April.

In response to Councilmember Walsh, Mr. Kauppi explained that Ramsey County is requesting regional solicitation funding from the Metropolitan Council. Also, the trail portion along Bald Eagle Avenue, would be on the east side of the road where the sidewalk would be widened and upgraded to a multi-use trail.

In response to Mayor Louismet's question about the timeline for Phase II, Mr. Kauppi explained that Ramsey County kicked a study in 2021 for this portion and will continue to work with the City and the Township for another year or two.

Councilmember Jones attended both the pre-Covid BVT meetings and stated that all in attendance were adamant that the trail should follow the railroad along Highway 61. He stated the future is walking and biking and he supported this alternate design in the absence of the ability to acquire right-of-way from the railroad.

Councilmember Edberg added that the City has also provided public engagement opportunities related to the BVT in its adoption of the Comprehensive Plan and especially during the Highway 61 redesign. Extensive opportunity has been made available for the public to comment on the BVT and he supported this resolution.

It was moved by Councilmember **Jones** seconded by Councilmember **Edberg**, to adopt **Resolution No. 12952** authorizing a letter of support for Ramsey County Parks' Regional Solicitation Application for funding to extend the Bruce Vento Trail.

Motion carried unanimously.

C. Resolution of support for a legislative solution for the lake level of White Bear Lake.

City Manager Crawford reported that most recently the Department of Natural Resources (DNR) analyzed the maximum authorized volumes in groundwater use permits within a 5-mile radius of the lake, evaluated the impact of that use on water levels of the lake, and set a collective annual withdrawal limit for the lake. That analysis, she said, revealed a limit of 55 gallons per day, per person based upon 2020 census data, leaving no water for schools, hospitals, medical offices, government buildings, nor any other commercial, industrial or agricultural uses.

Seeking legislative relief from this court order, Ms. Crawford explained that Senator Housley introduced a bill with bipartisan support from Senators Chamberlain and Wiger as co-authors. In February, the bill was heard at the Senate committee, and in its draft form, was shared with and generally supported by other affected communities including Lake Elmo, Hugo, Lino Lakes, Oakdale, White Bear Township, Stillwater, Mahtomedi, Vadnais Heights, and North St. Paul.

Ms. Crawford forwarded a resolution of support for Council's consideration, which broadly encouraged the legislation to pass a bill to assist with this regional matter. To her knowledge, this resolution of support had already been adopted by the cities of Lake Elmo, Oakdale, Vadnais Heights, and North St. Paul.

Mayor Louismet added that he attended the initial Senate hearing with City Manager Crawford and, the bottom line is, the DNR's interpretation of the judge's order leaves cities with a water drawl amount that just is not workable. He encouraged the City Council to pass the resolution for some relief from this court order.

Councilmember Jones mentioned the City of White Bear Lake had reduced its water usage by 20% and he did not know how the City was going to cut more water use, noting that we are giving away free toilets to save every drop. He supported this resolution whole-heartedly, stating he did not believe the judge looked at the science. That said, he noted that White Bear Lake residents use 75 – 90 gallons of water per person / per day and he asked people to picture what 90 gallons looks like – we can always do better.

Councilmember Edberg asked for this resolution to be pulled from the consent agenda in order to emphasize connections to the other exorbitantly expensive policy outcomes that would be detrimental to our community, including lake augmentation and systems conversions to implement the use of surface water. In his opinion, the judge may have gotten the law right, but it's not clear that the science was right, consequently he did not trust the math which means there cannot be a policy. He thanked Senators Housley, Chamberlain, Wiger and others who support this legislation.

Councilmember Walsh referenced posts on social media about cities circumventing the judicial branch of government with this legislative angle. He stated that there is a perfect balance between the branches of the government. In this case the plaintiffs took the DNR to court and won because the DNR was not enforcing the law as it was written. He explained that this is an opportunity for the legislature to add clarity to the law for the courts, with the correct intent.

It was moved by Councilmember **Edberg** seconded by Councilmember **Walsh**, to adopt **Resolution No. 12955** support for a legislative solution for the lake level of White Bear Lake.

Motion carried unanimously.

9. DISCUSSION - Nothing scheduled

10. COMMUNICATIONS FROM THE CITY MANAGER

- A. Ramsey County Smoke-Free Housing Updates from the MN Association for Nonsmokers

11. 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 7:43p.m.

Motion carried unanimously.

Dan Louismet, Mayor

ATTEST:

Kara Coustry, City Clerk

REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 pm (Zoom meeting)
Minutes of January 18, 2022

APPROVAL DATE: Approved 2/15/22

1. **CALL TO ORDER** the January 18, 2022 meeting of the White Bear Lake Conservation District was called to order by Chair Bryan DeSmet at 7:00 pm by Zoom
2. **ROLL CALL** Present were: Chair Bryan DeSmet, Vice Chair Mark Ganz, Directors: Scott Costello, Mike Parenteau, Susie Mahoney, Meredith Walburg, Chris Churchill, Darren DeYoung, and Scott O'Connor absent was Sec/Treas Diane Longville A quorum was present.
3. **AGENDA** – Chair DeSmet asked for any changes. Motion DeSmet/second to add under New Business discussion of Establish Ordinary High Water location vote all aye Passed
4. **APPROVAL OF MINUTES OF** – November 2021 board meeting. Motion (Costello/second) to make clerical correction of numbering of items all aye passed.
5. **PUBLIC COMMENT TIME** – Brian McGoldrick of Docks of White Bear discussed the lake levels at which adjustments to the extension of the docks from 300 ft. would be allowed. Court documents state the level is 923.5 which we are currently below. He requests that the 2005 lake study be redone to review many items, boat traffic, water quality, total amount of boats etc. He understands it is expensive but would like to see the WBLCD try to get funding possible grants or other government funding if possible.
6. **NEW BUSINESS** – Ordinary High Water Location after discussion of how the measurement should take place the following changes are to be made to ordinance 5 Motion DeSmet/second to incorporate the following changes
Location – Ordinary High Water benchmark - measure from where ADUA starts the 300 ft. for dock measurement will be from the OHW mark.
Also included a discussion of requiring a survey company to determine the starting point for dock measurement for each commercial bay property.
Alan Kantrud and Mike Parenteau will review the Ordinance and make the necessary changes to the code and will bring the revision to the February 2022 meeting.

Board Nominations – Mike Parenteau nominated Bryan DeSmet to continue as Chair, Mark Ganz to continue as Vice Chair and Diane Longville to continue as Sec/Treas. Bryan DeSmet and Mark Ganz accepted the nomination, Diane was absent at this time. Any new nominations can be submitted to Kim vote will take place at February meeting

7. **UNFINISHED BUSINESS** – Ordinance changes

Ordinance 2021-03 Markings on items left in the water over the winter

2nd^t Reading

Motion (DeSmet/second) to be as changed in 1st reading vote all aye passed

ORDINANCE NO. 2021-03

AN ORDINANCE AMENDING THE DISTRICT CODE TO FURTHER DEFINE DOCK REGULATIONS ON WHITE BEAR LAKE

THE BOARD OF THE WHITE BEAR LAKE CONSERVATION DISTRICT DOES ORDAIN THAT THE TEXT OF ORDINANCE 5 SECTION 3.01 SUBDIVISION 1.1a IS HEREBY AMENDED (see italicized text) TO READ:

Section 3.01. Subdivision 1. The following regulations are applicable as provided.

Subd. 1.a. No dock, buoy, mooring, or other structure shall be so located as to: (1) obstruct navigable waters, (2) obstruct reasonable use or access to any other dock, buoy, mooring or other structure authorized under this ordinance, (3) present a potential safety hazard, or (4) come within ten feet of any other structure. No dock, buoy, mooring area or other structure shall be located or designed so that it unreasonably or unnecessarily requires or tends to encourage using it to encroach on any other authorized dock use area. *No dock shall be left in the waters beyond December 1st without its vertical supports and terminus being clearly marked with reflective tape or paint visible to a distance of 100 ft. to ensure their visibility to off-season (winter) users in the interest of public safety.* Mooring buoys must meet additional standards for size, color and marking as specified by State of Minnesota Administrative Rule 6110.1500, which also requires that no buoy may be placed in state waters without first obtaining a permit from the sheriff of the county.

8. REPORTS/ACTION ITEMS

Executive Committee – No meeting

9. Lake Quality Committee – Mike Parenteau

- Lake froze over date 12/7/21
- Grants are available for new year will apply

10. Lake Utilization Committee – LUC reviewed the following applications and recommends Board to approve or table the following for 2022 permits. Motion Ganz/second to approve or table the following each voted on individually Vote All aye

- White Bear Yacht Club – Mark spoke to Chris at the Yacht Club discussed rates as being classified as commercial they rent out slips to members up to \$2500 per slip they will adjust their fees to be paid using commercial fee schedule. Requested to be approved with revised fees being sent. Vote all approved
- Cottage Park – approved
- Scott Bohnen – Tabled will submit revised application and drawing next month
- Derek Skeie – approved
- Birchwood Village – Tabled questions on application no representative attended LUC meeting
- Chateauguet Condo Assoc - Approved

11. Lake Education – Scott Costello

March will be annual cleanup with boy scouts will be like last year with covid rules, no lunch, assigned areas to groups for clean-up. WBLCD will provide the trash bags. Scott will purchase

12. Treasurer's Report – Motion (DeSmet/Second) approval of December 31, 2021 and January 18, 2022 Treasurer's reports payment of check numbers 4738-4741 vote All Aye passed.

13. Board Counsel – Alan Kantrud

Have not been told name of new water patrol officer yet. Nothing new in regards to ice activities

14. Announcements – Please send your non-conflict of interest forms to Kim required by auditor.

15. Adjournment – Motion (DeSmet/Second) Move to adjourn. All aye Passed.

Meeting adjourned

ATTEST:

Kim Johnson: Kim Johnson

Executive Administrative Secretary

Date: 1/18/22

Bryan DeSmet: Bryan DeSmet

Board Chair

Date: 1/18/22

REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT

7:00 PM WHITE BEAR LAKE CITY COUNCIL CHAMBERS

Minutes of the February 15th, 2022 MEETING

1. CALL TO ORDER of the February 15th, 2022 meeting of the White Bear Lake Conservation District was made by Chair Bryan DeSmet at 7:00pm.

2. ROLL CALL- Present: Chair Bryan DeSmet, Scott Costello, Mike Parenteau, Meredith Walberg, Chris Churchill, Darren DeYoung, Diane Longville, Scott O'Connor. Absent: Mark Ganz, Susie Mahoney. A quorum was present.

3. AGENDA- Motion by Parenteau to take LUC items off agenda and to move these to the March Meeting and to accept this agenda as amended; seconded and all voted aye, passed.

4. APPROVAL OF MEETING MINUTES-Motion by DeSmet to approve January 18th, 2022 minutes; seconded and all voted aye, passed.

5. PUBLIC COMMENT TIME-None.

6. NEW BUSINESS-The Boat Wake Study findings were discussed. We have an ordinance that addresses wakes but could wait and see what the legislature and Minnetonka does before we do anything. It was suggested that we could rewrite our ordinance and be proactive as a possibility. We should evaluate if wakes and erosion are a real problem. More input is needed. Meredith to summarize questions for a letter to be sent to the Wake Study group and requested the public to please send in comments and questions for this letter. Also, more boater education is needed.

7. UNFINISHED BUSINESS-Board elections for 2022: Bryan DeSmet for Chair, Mark Ganz for Vice Chair, Mike Parenteau for Treasurer. Additional nominations called three times, no additional nominations. All voted aye, passed.

Public hearing for ordinance language concerning Ordinary High Water (OHW) to be at the March 15th meeting.

8. REPORTS/ACTION ITEMS-

EXECUTIVE COMMITTEE-They met and discussed the ordinance changes and St. Germain Bay sign.

9. LAKE QUALITY COMMITTEE-Waiting to hear back from the DNR on our EWM grant application.

10. LAKE UTILIZATION COMMITTEE-No report.

11. LAKE EDUCATION-Scott/Meredith: Lake cleanup is March 12th. It was requested that photos of the cleanup be sent for posting on our social media page.

12. TREASURER'S REPORT-Motion by Diane Longville to accept and pay checks #4742 thru #4746, seconded and all voted aye, passed.

13. BOARD COUNSEL REPORT-Alan absent, but notified Bryan there are two BWI's reported on the Lake.

14. ANNOUNCEMENTS-None.

15. ADJOURNMENT-Motion to adjourn, seconded, all voted aye, passed.

ATTEST: Bryan DeSmet Chair _____ Mark Ganz Vice Chair _____

February 15th, 2022



**MINUTES
ENVIRONMENTAL ADVISORY COMMISSION
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
WEDNESDAY, FEBRUARY 16, 2022
6:30 P.M. IN THE CITY HALL CONFERENCE ROOM**

1. CALL TO ORDER AND ATTENDANCE

Chair Gary Schroeher called the meeting to order at 6:37 p.m.

MEMBERS PRESENT: Sheryl Bolstad, Chris Greene, Bonnie Greenleaf, Rick Johnston,
Gary Schroeher (Chair)

MEMBERS ABSENT: None

STAFF PRESENT: Connie Taillon, Environmental Specialist

VISITORS PRESENT: None

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had no changes.

It was moved by member **Johnston** seconded by member **Greenleaf**, to approve the agenda as presented.

Motion carried 5:0.

3. APPROVAL OF THE MINUTES

A. Minutes of January 19, 2022

The commission members reviewed the January 19, 2022 meeting minutes and had the following changes: 4d, visitors and presentations, line 2 add 'Washington Square' after 'Members stated that...'; line 6 change 'Judy noted that the Caucus for Climate is...' to 'Judy noted that the Minnesota Precinct Caucuses are...'; line 7 add 'regarding climate change' after '...NEMCA has selected five resolutions...'. 5c, Unfinished Business, change vice president to vice chair.

It was moved by member **Greene** seconded by member **Johnston**, to approve the minutes of the January 19, 2022 meeting as amended.

Motion carried, 5:0.

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. UNFINISHED BUSINESS

A. Draft presentation to Council

The commission members reviewed the draft presentation and discussed comments

from member Johnston. Chair Schroeder will revise the presentation for review at the March meeting. Chair Schroeder asked Taillon to provide information on the number of drains adopted in the City and a list of City owned electric lawn equipment to include in the presentation. Taillon stated that she will work with the City Manager to determine a date for the presentation.

B. Draft 2022 Work Plan

Members discussed the draft work plan priority list. The 'reduce recycling contamination workshop' received the most votes. Members decided to change the name from 'workshop' to 'education' to allow for other educational opportunities such as a news article or Expo displays. Member Johnston suggested that for each goal listed, members should come up with a problem statement as to why the goal is worth their effort, what would they like to see as an outcome, and what steps are needed to reach that outcome. Each member chose two or three topics from the list that they will work on. Member Bolstad offered to create a Google doc for entering work plan goal details.

C. Environmental Resources Expo

Taillon stated that the Marketfest coordinator emailed an invitation to hold the Environmental Resources Expo at the July 28, 2022 Marketfest event. Commission members all agreed to host the event at Marketfest again this year on July 28, 2022. Taillon will email the Marketfest coordinator and reserve July 28, 2022 for the Environmental Resources Expo. Commission members asked staff to include the Expo spreadsheet on the March agenda for further discussion.

6. NEW BUSINESS

A. VLAWMO Pool Guidance

Taillon asked if the members had any review comments on the draft pool draining guidance created by VLAWMO. Member Greene stated that draining pool water to a storm sewer is the same as directly draining to a waterbody. He suggested changing the language in step 4 to include streets, catch basins, and storm sewer. Taillon will pass this comment on to VLAWMO.

7. DISCUSSION

A. Staff updates

- Rotary Park restoration project planning

Taillon noted that the City is working with Rotary Club to identify restoration projects in Rotary Park. The project planned for the 2022 season will be a 2,800 square foot seeded area and 560 square foot planted area located south of the parking lot and east of the trail.

- VLAWMO MS4 SWPPP tips webinar

Taillon mentioned that the Environmental Advisory Commission is invited to attend the MS4 tips webinar hosted by VLAWMO. The webinar is scheduled for February

17th and 22nd from 11:30am to 12:00pm.

- 2022 street project and raingarden program
Taillon stated that the curb cut raingarden program will be offered again this year for residents on the 2022 street renovation project. The program was announced at the public meeting late last year, and a brochure sent to all residents on the project.

B. Commission member updates

The commission members did not have any updates.

C. Do-outs

New do-out items for February 16, 2022 include:

- Chair Schroeher will revise the presentation and bring to the March meeting for review.
- Staff to research City electric lawn equipment inventory and number of drains adopted in the City.
- Commission members to create a problem statement, list possible results, and define steps to achieve the results for each goal assigned to them in the work plan list.
- Member Bolstad to create a Google doc for entering work plan goal details.
- Staff to email the Marketfest coordinator and reserve July 28, 2022 for the Environmental Resource Expo.
- Staff to email pool brochure comments to Nick.
- Staff to invite the new City Manager to the April commission meeting.
- Chair Schroeher to invite Prairie City to the April commission meeting.

D. March agenda

The commission members decided to meet virtually in March because two members will be out of town during that meeting. Taillon stated that the new City Manager would like to introduce herself at a future meeting. Chair Schroeher asked Taillon to invite her to the next in person meeting on April 20th. Chair Schroeher will also see if Prairie City USA could attend the in person April meeting instead of the March virtual meeting. Taillon will include the draft presentation, work plan, and Environmental Resources Expo on the March agenda.

8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Greenleaf** seconded by member **Greene** to adjourn the meeting at 8:30 p.m.

Motion carried, 5:0



**MINUTES
PLANNING COMMISSION MEETING
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, MARCH 28, 2022
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ATTENDANCE

Chair Jim Berry called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Mike Amundsen, Ken Baltzer, Jim Berry, Pamela Enz, Mark Lynch, Erich Reinhardt and Andrea West

MEMBERS ABSENT: None

STAFF PRESENT: Samantha Crosby, Planning & Zoning Coordinator and Ashton Miller, Planning Technician.

OTHERS PRESENT: Amy & Conner McCall, James Sanchez, Dagmara Larsen, Lynn & Jim Dierking, Daniel Winden, Oliver Din, Karin Doyle & Paul Rhode.

2. APPROVAL OF AGENDA

It was moved by Member **Lynch** seconded by Member **Baltzer**, to approve the agenda as presented.

Motion carried, 7:0

3. APPROVAL OF THE MINUTES

A. Minutes of February 28, 2022

It was moved by Member **Enz** seconded by Member **Baltzer**, to approve the minutes of the January 31, 2022 meeting as presented.

Motion carried, 7:0.

4. CASE ITEMS

A. Case No. 22-2-P: A request by **Jeff McDonnell / Tice Estate** for a Preliminary Plat, per Code Section 1402.020, to subdivide one parcel into five lots in order to construct two twin homes and two single-family residences at the property located at 1788 Highway 96 E.

Crosby discussed the case. Staff recommended approval of the request as proposed with a number of conditions.

In response to a question from Member Lynch, Crosby confirmed that the request is to divide the single lot into five and that no variances are required. Member Lynch asked if

the lots with the proposed twin homes could also be used for single family and whether the park cut through would be paved. Crosby replied that single family homes could be constructed on any of the lots and that the path would not be paved; there would just be a curb cut.

Member Lynch then asked if the path could be paved in the future if it becomes heavily used. Crosby reported there will be an easement covering the area, so working within the parameters of how that easement is described, future City Councils could choose to pave it.

Member Enz sought to confirm that the access easement was included in the current proposal. Crosby stated it is a condition of approval. An existing drainage and utility easement will become a drainage, utility, and access easement.

Member Amundsen commented that the applicants have listened to the neighbors and reduced the number of units proposed and eliminated the need for variances.

Member Berry opened the public hearing.

Paul Rhode, 1823 Park Avenue, stated that there will be lots of issues with park visitors using the cul-de-sac for parking. He asked if no parking signs will be put on one side of the road, since emergency vehicles already have difficulty fitting down the street. He questioned how the City will access the storm sewers with the holding ponds above. He noted the importance of testing the soil before development because there used to be a dump in the area.

Member Berry stated that residents in the neighborhood could request no parking signs if they wanted.

Jeff McDonnell, Tice-Hause Design Build, applicant. He stated that the proposal meets code and the engineering has been defined. The Engineering Department has had the chance to look at the proposal and has not raised concern over the location of the holding ponds. He expressed concern regarding the access easement because people will be walking through private property. It is not defined in any way, so people may walk outside the easement area.

Member Lynch noted that access easements exist in other places throughout the City. He asked the applicant if it would be better if the trail was paved. Mr. McDonnell responded that if they are going to allow the access, it should be done right, whether that is paving or fencing off the trail. He opposes an undefined access across private property.

Member Berry confirmed that the applicant wants to restrict the area used for access from encroaching too far into the private property. Mr. McDonnell stated that the

access is not required by code, but if the City is going to make it a condition of approval, it should be done properly. As proposed, the access reduces property value and negatively affects the owners of the private property.

Mr. McDonnell requested that the black locust on the property not count towards the tree preservation requirements. He explained that the State of Minnesota classifies it as a noxious tree. The large number of black locust on the property dramatically skews the replacement plan. Since they are not allowed to plant the species back, he does not think it should be counted in the replacement plan.

Member Enz sought to confirm that the applicant is requesting the condition regarding black locust be removed. Mr. McDonnell replied that the trees are spreading rapidly, which creates an unfair burden on the developers. Overall, he is ok with increasing the amount of trees planted or park dedication, but it should be taken into account that these trees are defined by the State of Minnesota as noxious and should be removed.

Member West asked if the applicant knew the number of black locust on the property and if there are a lot of other types of trees on the lot as well. Mr. McDonnell did not have the numbers off the top of his head, but directed the Commissioners to look in their packets. He has no issue with the rest of the tree replacement plan.

Member Enz reported that it looked like about 25 black locust were shown on the plans. She asked what a solution would look like to the applicant. Mr. McDonnell replied they are looking for a negotiated number that alleviates the burden.

Member Lynch asked if this is something that can be negotiated between staff and the applicant. Crosby stated that when the Zoning Code is updated, noxious species will not count towards the preservation. She added that the tree preservation calculation is like a sliding scale ratio in relation to the number of trees on site to the number of trees removed. If the trees are not counted as removal, they do not get to be counted as on site, so she is not sure there is a big difference in the calculation with the trees and without the trees.

Member Baltzer asked if condition 18 could be removed. Crosby requested the second sentence of the condition be retained.

Member Enz stated that she tends to agree with the applicant regarding the access easement, noting potential liability and insurance issues.

Member Lynch believes that the path should be delineated.

Mr. McDonnell agreed with the Commissioners, stating the developer is willing to give access to the park, but it needs to be marked to keep everyone safe.

Member Berry closed the public hearing.

In response to a question from Member Berry, Crosby confirmed that a condition could be added to the resolution requiring the access be paved.

Member Reinhardt commented that he would be supportive of a condition requiring the access to be paved.

Member Lynch wondered about the width of the easement. Crosby replied that the curb cut at the street will be at least vehicular width because the easement is also for vehicular access to maintain the stormwater ponds. It will be plenty wide to support a paved walking path.

Member Berry asked about renaming the easement. Crosby read condition number 7 that requires an east to west access easement.

Member Amundsen asked if making the path a right-of-way would solve the issue. Crosby replied that it is probably not preferred by the City Engineer.

Member Baltzer noted that the pavement does not need to be as wide as the easement. He thought the condition should limit the width of the easement between three to five feet. He wants to prevent a ten foot wide strip of pavement from being constructed.

Crosby suggested that if they wanted, the Commissioners could add a separate condition requiring that a pedestrian path from the end of the cul-de-sac to the park be paved.

Member Amundsen moved to recommend a motion for two amendments, first to amend condition 18 striking the first sentence pertaining to black locust and, second, adding a condition for a paved trail as noted by staff.

Member Reinhardt proposed that condition 7 be amended to say a paved east-west easement to allow for walking and to be less than the width of a motorized vehicle to point out that they do not want cars driving on the path. In response to a suggestion from Member Berry, he stated they could also phrase it as "up to five feet wide" to really spell out that they do not want a large path.

Member Amundsen thought the condition should be separate and that the design of the path be at the discretion of the City Engineer and Planner. He did not think the Planning Commission should define conditions so specifically because City staff are the experts.

Crosby read what she had jotted down as an added condition: "a pedestrian path between the end of the cul-de-sac and the west property line shall be paved."

Member Enz seconded the motion to amend the conditions. Motion carried, 7:0.

It was moved by Member **Amundsen** to recommend approval of Case No. 22-2-P as amended, seconded by Member **Lynch**.

Motion carried, 7:0.

- B. Case No. 22-7-V:** A request by **McNeely Music Center** for the following five variances: A five foot variance from the ten foot (east) side yard setback, a six foot variance from the 30 foot setback from the (west) side abutting a public right-of-way, and a six foot variance from the 30 foot front yard (south) setback, all per Code Section 1303.150, Subd.5.c; a parking variance, per Code Section 1302.050, Subd.8.cc, to allow 18 parking spaces; and a variance from the 50% limit on the use of metal panels as an exterior building material, per Code Section 1303.150, Subd.6.c, to allow 69%, all in order to demolish the existing building and reconstruct a new music center on generally the same footprint at the property located at 4910 Highway 61.

Crosby discussed the case. Staff recommended approval of four variances and denial of the one pertaining to the metal siding.

Member Amundsen asked if the City would be apt to support the metal panel variance if the same flat looking material used at the Walser dealerships was proposed. Crosby replied yes, in that case, the variance would be similar to what has previously been approved.

Member Enz asked why the proposed design does not meet code. Crosby stated the code allows up to 50% of the siding to be corrugated metal. The difficulty that she is running into is how to differentiate the material that is being proposed from pole barn type siding. There are some nuances, such as shape of the corrugation and depth of the gauge, but those are pretty nebulous and hard to nail down. She noted that the applicants could probably speak more to the issue.

Member Reinhardt added that the limit is likely to dissuade people from building cheap pole barn type structures.

Member Lynch was not sure he would support the variance even if it were the flat material because there is no hardship. He wondered if the maple tree in the front would be preserved.

Member Berry opened the public hearing.

Dagmara Larsen, MSR Design, architectural firm representing the applicant. She asked the Commissioners to approve the 69% material variance. She posited that someone could put up cheap material on 50% of the building. They are proposing higher quality

material, creating a memorable building and bringing a spark to the area. The material has a champagne sheen to it and in different light conditions will have different reflections, which will bring interest. It is a higher gauge, cost, and quality than any pole barn material. The flat panels do not bring any interest, so they are not preferred. Ms. Larsen confirmed that it is their intent to preserve the tree.

Member Baltzer asked where they anticipate students to come from. Ms. Larsen responded that most of the clientele will be young children and teens from nearby high schools, but will be open to all ages. Most students will be dropped off by their parents.

Member Baltzer stated he likes the project, but thinks it is in the wrong location. Highway 61 cuts off North Campus from the music center. Years ago a child was killed crossing the highway, which is why they built a big fence along the road, which stops directly in line with the applicants building. He is very concerned with children crossing the road, especially since there is no crossing signal at 8th Street. Ms. Larsen replied that she did not think the life safety issues should play into whether the variances are approved or not.

Ms. Larsen pointed to condition 4 that limits the studios to one student. The studios are small, so it is rare there will be more than one teacher and one student, but she does not want to exclude two siblings.

Member Amundsen asked if the limit is fire code related. Crosby replied no, it was in relation to the number of available parking stalls.

Member Enz expressed that she did not know how the City would be able to regulate that condition.

Member Amundsen wondered if the applicants would be open to doing just one EIFS wall. Ms. Larsen explained that they would want to stay true to the design, so would like to use the metal panels on all four walls.

Member Lynch asked if the metal panels will create a glare for vehicles and nearby homes. Ms. Larsen stated the finish is going to be almost a matte finish. It is shiny, but not reflective.

Member West followed up with a question on whether the material will be like the cars that have the mica finish. Ms. Larsen stated it will be similar to aluminum windows and doors that have a champagne color to them. Ms. Larsen clarified that the material is described as corrugated, but it is not the same as the material used on pole barns. It is really there to create depth depending on how the light hits it.

Member Berry closed the public hearing.

Member Lynch moved to amend condition 4 to allow two students in each studio. Member West seconded the motion. Member Enz stated she does not believe the condition should be included at all, since it will be hard to regulate. Member Lynch withdrew the motion.

Member Enz asked a procedural question about recommending approval of the proposal as requested by the applicants. Member Berry explained that a motion could be made to recommend approval of all variances, rather than as recommended by staff.

Member Lynch recommended removal of condition 4. Member West seconded the motion. Motion carried, 7:0.

Member Berry stated he has been involved the past several years in the creation of the Arts District. The intention was to draw in projects exactly like this one into the Arts District, rather than on the opposite side of Highway 61. He thinks that eventually the applicants may want to move over to where the students will be. He is in favor of the request overall.

Member Lynch stated that he does not see the hardship, so he is not in support of the metal panel variance, but will vote in favor of the project in its entirety because he thinks it is a great idea.

Member Reinhardt stated that with the quality of design proposed, he does not believe anyone will equate the building with a pole barn.

It was moved by Member **Enz** to recommend approval of Case No. 22-7-V as amended and as proposed by the applicant, seconded by Member **Reinhardt**.

Member Amundsen sought to clarify that the motion was to approve all five variances against staff's recommendation to deny the metal panel variance. Member Enz confirmed that was her motion.

Motion carried, 5:2. Member Baltzer and Member Amundsen opposed.

- C. Case No. 22-6-V:** A request by **Jim & Lynn Dierking** for a six foot variance from the 15 foot setback from a side property line, per Code Section 1303.040, Subd.5.c.2, in order to construct a mudroom nine feet from the property line at the property located at 4743 Lake Avenue.

Miller discussed the case. Staff recommended approval of the request as proposed.

Member Lynch asked if the variance would be needed if the garage were attached. Crosby answered garages have different side yard setbacks, so a variance would still be needed.

Member Berry opened the public hearing.

Jim Dierking, 4743 Lake Avenue, applicant, stated that he was available to answer any questions the Commissioners may have. He does not think there is an alternative location for this addition.

Member Berry closed the public hearing.

It was moved by Member **Lynch** to recommend approval of Case No. 22-6-V, seconded by Member **Baltzer**.

Motion carried, 7:0.

- D. Case No. 22-1-LS:** A request by **James Sanchez** for a minor subdivision to untie two historic lots of record, per Code Section 1302.030, Subd.3.c, at the property located at 5008 Stewart Avenue.

Miller discussed the case. Staff recommended approval of the request as proposed.

Member Berry opened the public hearing.

James Sanchez, 2284 Randy Avenue, applicant, he asked if his bond would be remitted if he sold lot 8. Crosby stated the new owner would need to submit a bond in its place and it would not be released until the garage is built.

Member Amundsen commented that the request is straightforward and he supports it.

It was moved by Member **Baltzer** to recommend approval of Case No. 22-1-LS, seconded by Member **Amundson**.

Motion carried, 7:0.

5. DISCUSSION ITEMS

- A. City Council Summary Minutes of March 8, 2022.

Member Amundsen asked about the new proposal from the residents at 4264 Cottage Park. Crosby explained that the City Council asked the applicants to redesign the proposal with an additional two foot setback. It does not have to come back to the Planning Commission for review.

Member West wondered when the Housing Task Force recommendations will be revisited. Crosby believed that a Council workshop will be planned soon. She offered to inform the Commissioners if she hears anything further.

B. Park Advisory Commission Minutes of March 17, 2022 – Meeting Canceled.

No Discussion

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Baltzer** seconded by Member **Enz** to adjourn the meeting at **8:31** p.m.

Motion carried, 7:0

DRAFT



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kara Coustry, City Clerk
Date: April 12, 2022
Subject: 204th Army Band Concert at Railroad Park

SUMMARY

The City Council will consider approving exclusive use of Railroad Park to the 204th Army Band for purposes of performing a free concert in the community.

BACKGROUND INFORMATION

Staff received a special event application from the 204th Army Band requesting use of a park and electricity in order to give a free concert in White Bear Lake. After clearing this request with Main Street Inc. and Manitou Days event coordinators, Railroad Park Gazebo was determined as the best, most visible location for this free community event, set to occur on Monday, July 11, 2022 at 7:00 p.m. for just over an hour of time. The band takes care of their own set up and take down, but would require access to electricity. Once set up is complete, the group has been instructed to park at City Hall in order to maintain adequate parking in the downtown for attendees and shoppers.

The 204th Army Band is based at Fort Snelling, Minnesota and their history includes receiving World War II campaign credits from service in Central Europe, the Rhineland, and Ardennes-Alsace. Performances include a 1994 commemoration of the 50th anniversary of D-Day in Normandy France, events in 2004 in Rome observing the 60th anniversary of the Liberation of Italy, as well as being the first Reserve Band selected to fill in for the United States Military Academy Band at West Point.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution approving exclusive use of Railroad Park for a free concert by the 204th Army Band on the evening of July 11, 2022.

ATTACHMENTS

Resolution

RESOLUTION NO.

**A RESOLUTION APPROVING THE USE OF RAILROAD PARK BY 204th ARMY BAND
FOR A FREE COMMUNITY CONCERT IN WHITE BEAR LAKE, MN**

WHEREAS, staff received a special event application from the 204th Army Band requesting the use of a park and electricity in order to perform a free concert in the community; and

WHEREAS, after clearing the event with Main Street Inc. and Manitou Days event planners, Railroad Park Gazebo was determined to be the best location for a free concert on Monday, July 11, 2022; and

WHEREAS, the City Council desires to promote a free, family friendly community event in downtown White Bear Lake.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota approves the free use of Railroad Park as follows:

204th Army Band
Free Concert at Railroad Park Gazebo
Monday July 11, 2022
7:00 p.m. – 8:30 p.m.

BE IT FURTHER RESOLVED that use of Railroad Park Gazebo includes electric at the facility.

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: Lindy Crawford, City Manager
From: Kara Coustry, City Clerk
Date: April 12, 2022
Subject: Temporary liquor license for St. Pius Xtravaganza

SUMMARY

The City Council will consider approving a one-day temporary liquor license for St. Pius Xtravaganza – a church fundraiser.

BACKGROUND INFORMATION

State Statute 340A.404 Intoxicating liquor, on-sale licenses, subd. 10. states that the governing body of a municipality may issue to religious, or other nonprofit organization in existence for at least three years, a temporary license for the on-sale of intoxicating liquor in connection with a social event within the municipality sponsored by the licensee. The license may authorize the on-sale of intoxicating liquor for not more than four consecutive days, and may authorize on-sales on premises other than premises the licensee owns or permanently occupies.

St. Pius X Church meets the criteria set forth in state statute and has requested a temporary on-sale liquor license for a summer fundraiser event, referred to as St. Pius Xtravaganza, on Saturday, June 4, 2022. The event will consist of social hour, dinner, raffles, and an auction. All activities will be held on church property in the Activity Center from 5:00 p.m. – 11:00 p.m. The event is open to the public, but requires advanced ticket purchase.

An experienced bartender and 1-2 helpers plan to sell beer and wine from a portable stand to participants verified to be over 21 years of age. Several non-alcohol-consuming adult parishioners will monitor activities throughout the night and alcohol service will cease at 10:30 p.m., a half an hour before event conclusion.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution approving a temporary liquor license for the Church of St. Pius X on June 4, 2022.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION APPROVING ISSUANCE OF A
TEMPORARY LIQUOR LICENSE TO CHURCH OF ST. PIUS X**

WHEREAS, the City of White Bear Lake received an application from the Church of St. Pius for a temporary liquor license to serve beer and wine in the Activity Center of the Church property on June 4, 2022; and

WHEREAS, the Church of St. Pius X meets criteria set forth in state statutes for a temporary on-sale liquor license; and

WHEREAS, an experience bartender plans to sell beer and wine to participants verified to be over 21 years of age as part of a fundraising event; and

WHEREAS, the church has provided the required proof of liquor liability insurance which covers the event; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota hereby approves a temporary liquor license as follows:

Church of St. Pius X
3878 Highland Avenue
White Bear Lake, MN 55110
Saturday, June 4, 2022
Activity Center
5:00 p.m. – 10:30 p.m.

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: Lindy Crawford, City Manager
From: Kara Coustry, City Clerk
Date: April 12, 2022
Subject: Transfer of off-sale liquor and tobacco licenses for Summit Liquor

SUMMARY

The City Council will consider adopting a resolution approving the transfer of an off-sale liquor license and a tobacco license to Say LLC – soon to be new lease holders of Summit Liquor.

BACKGROUND INFORMATION

Solomon Haile (the applicant), on behalf of Say LLC, submitted an application for an off-sale liquor license and tobacco license at Summit Liquor located at 2000 East County Road E in White Bear Lake. The store currently has its off-sale and tobacco licenses under S & S Liquor Store LLC, dba Summit Liquor.

Having experience as a liquor store owner in Denver, CO., the applicant is expected to pass his background check, however, the Police Department is still working through that process. License approval at this time would be contingent upon receipt of a favorable background, an executed ownership agreement (set for closing on April 15), and receipt of the required liquor liability insurance covering the store.

Licenses would be valid on the date of receipt of all previously mentioned items, through the current business cycle ending March 31, 2023.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution approving the liquor license and tobacco license transfer to Say, LLC, contingent upon receipt of a favorable background check report, ownership agreement and valid liquor license insurance coverage as required by the State.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION APPROVING THE TRANSFER OF AN OFF-SALE LIQUOR LICENSE AND TOBACCO LICENSE FOR SAY LLC, DBA SUMMIT LIQUOR IN WHITE BEAR LAKE

WHEREAS, an application for an off-sale liquor license and tobacco license has been made by Solomon Haile on behalf of Say LLC, dba Summit Liquor; and

WHEREAS, the establishment currently has both of these licenses and is located at 2000 East County Road E, White Bear Lake, MN; and

WHEREAS, the Police Department are in the process of completing a background investigation on the proposed new owner of Summit Liquor.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota approves an off-sale liquor license and a tobacco license as follows:

Solomon Haile on behalf of
Say LLC
dba Summit Liquor
2000 East County Road E
White Bear Lake, MN 55110

BE IT FURTHER RESOLVED that said license approvals are contingent upon receipt of a favorable background investigation, final execution of an ownership agreement for the location and receipt of valid liquor liability insurance.

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
Community Development Department

MEMORANDUM

TO: Lindy Crawford, City Manager
FROM: Ashton Miller, Planning Technician
DATE: April 12, 2022
SUBJECT: Dierking Variance / 4743 Lake Avenue / Case No. 22-6-V

SUMMARY

The City Council will consider a request for a six-foot variance from the fifteen-foot side yard setback in order to construct a mudroom nine feet from the west property line.

BACKGROUND INFORMATION

The subject site is located on the north side of Lake Avenue, south of 4th Street and east of Morehead Avenue. The lot contains a single-family home and a two-car detached garage that accesses 4th Street. The portion of the property that is north of Lake Avenue is 15,437 square feet in size. It is 111 feet wide along Lake Avenue and tapers to 68 feet wide along 4th Street.

The subject site is zoned R-2, Single Family Residential and S, Shoreland Overlay, as are the properties to the east and west. The properties to the north are zoned R-4, Single Family - Two Family Residential and S. According to Ramsey County, the home was constructed in 1880.

Alternative locations for the mudroom were considered, particularly on the east side of the kitchen where an entrance to the home already exists. As stated in their narrative, the applicants note that due to a lack of access from Lake Avenue, all of their guests must enter through the back door. Staff has historically not supported curb cuts along Lake Avenue, so acknowledges the impediment of not having a functioning front entry and the desire to retain a rear entrance for visitors. Additionally, a change in grade and a tree in the yard are cited as to why the alternative is not a suitable location for the addition.

The 120 square foot mudroom is proposed to be nine feet from the property line at its closest. As the lot widens, the setback will be increased to 10.75 feet, which is fairly standard in this neighborhood and throughout the City. It will not be closer to the property line than the existing garage, which is 2.3 feet from the property line at its closest, and since it will be in line with the garage, it should not affect neighbors' views of the lake.

The proposed addition complies with other aspects of the code. It will meet the rear and front yard setbacks and the exterior materials (siding, roof, etc.) will match those on the existing home. Rear yard cover will not be impacted with the addition in this location and the amount of impervious surface will remain below the 30% allowed by right.

The City has a high level of discretion when approving or denying a variance because the burden of proof is on the applicant to show a practical difficulty. If the proposal is deemed reasonable (meaning that it does not have an adverse effect on neighboring properties, it is consistent with the Comp Plan, and it is in harmony with the intent of the Zoning Code) then the criteria have been met.

Summary

Staff recommended approval of the setback variance to the Planning Commission. The Planning Commission held a public hearing on March 28th. No one other than the applicant spoke at the meeting. The Commission voted unanimously, 7-0, to recommend approval of the variance as presented.

RECOMMENDATIONS

The Planning Commission recommends the City Council adopt the attached resolution approving the request.

Attachments:

Resolution of Approval
Site Plan

RESOLUTION NO.

**RESOLUTION GRANTING A VARIANCE FOR 4743 LAKE AVENUE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (22-6-V) has been submitted by Jim & Lynn Dierking to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 4743 Lake Avenue

LEGAL DESCRIPTION: Lot 2, Block 57 of the town of White Bear, Ramsey County, Minnesota, bounded by a line commencing 31 feet East of the Northwest corner of said Block and running East 68 feet along North Line; thence in a straight line in a Southeasterly direction 148 feet to a point on Southeast boundary of said Block, 141.7 feet from Southeast corner; thence in a Southwesterly direction along Southeast boundary of said Block, 111 feet (this point being 113.5 feet East of Southwest corner of said Block); thence in a straight line in a Northwesterly direction 195 feet to a point of beginning together with riparian rights. (PID #: 133022320031)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A 6 foot variance from the 15 foot setback from a side property line, per code section 1303.040, Subd.5.c.2, in order to construct a mudroom 9 feet from the property line; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on March 28, 2022; and

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

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

1. The requested variance will not:
 - a. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - c. Increase the danger of fire or endanger the public safety.
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. The variance is a reasonable use of the land or building and the variance is the minimum required to accomplish this purpose.

RESOLUTION NO.

- 3. The variance will be in harmony with the general purpose and intent of the City Code.
- 4. The variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- 5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.

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

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

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Kara Coustry, City Clerk

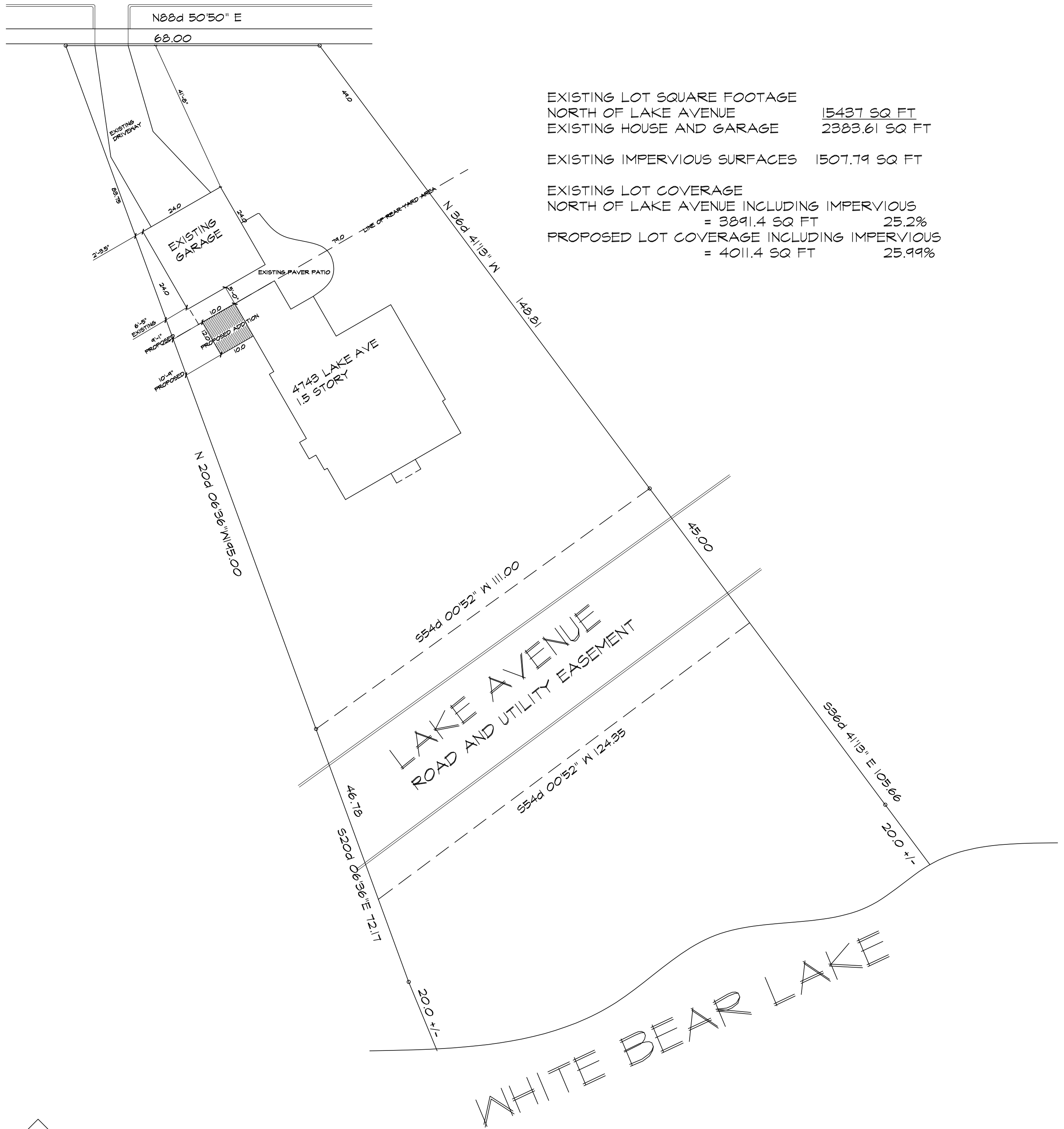
RESOLUTION NO.

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

Applicant's Signature

Date

4TH STREET

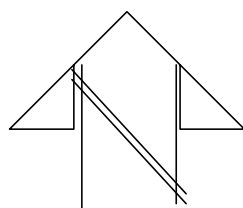


EXISTING LOT SQUARE FOOTAGE
 NORTH OF LAKE AVENUE 15437 SQ FT
 EXISTING HOUSE AND GARAGE 2383.61 SQ FT

EXISTING IMPERVIOUS SURFACES 1507.79 SQ FT

EXISTING LOT COVERAGE
 NORTH OF LAKE AVENUE INCLUDING IMPERVIOUS
 = 3891.4 SQ FT 25.2%

PROPOSED LOT COVERAGE INCLUDING IMPERVIOUS
 = 4011.4 SQ FT 25.99%



SCALE 20'=1'-0"



City of White Bear Lake
Community Development Department

M E M O R A N D U M

TO: Lindy Crawford, City Manager
FROM: Ashton Miller, Planning Technician
DATE: April 12, 2022
SUBJECT: Sanchez Lot Split / 5008 Stewart Avenue / Case No. 22-1-LS

SUMMARY

The City Council will consider a request for a minor subdivision in order to untie two historic lots of record. A public hearing is not required for this type of lot split.

BACKGROUND INFORMATION

The subject site is located on the east side of Stewart Avenue and south of Highway 96. There is currently a single-family home on the south half of the property. A garage and shed were recently demolished in anticipation of the lot split. The lot is 14,146 square feet in size and 100 feet wide.

The subject site is zoned R-4, Single Family and Two Family Residential, as are all of the immediately surrounding properties.

The two historic lots of record were platted in 1886 (Auerbach's rearrangement of part of White Bear), although the City does not have a record of when the lots were tied together. According to Ramsey County, the home was constructed in 1912 and the recently removed garage was built in 1976. The City required the garage to be removed before the lot could be divided because code does not allow for an accessory structure on a lot without a principal structure.

The seventy percent (70%) rule allows two historic lots of record to be "untied" when they meet seventy percent of current size and width standards. The table below denotes the lot requirements for the R-4 Zoning District, 70% of that, and the proposed lot sizes. As shown, the two properties will be greater than 70% in both size and width, so can be untied and utilized as residential lots.

	R-4 Zoning District Requirements	Seventy Percent Rule	Proposed Lots
Size	7,200 sq. ft.	5,040 sq. ft.	7,118 & 7,189 sq. ft.
Width	60 feet	42 feet	50 feet

The Zoning Code requires residential lots to have a garage, so at least a single car garage will need to be built for the existing single family home. The applicant has agreed to submit a \$10,000 bond to

ensure the garage is constructed on lot 8 within one year of approval of the lot split and staff has included that as a condition of approval.

Although not in the Shoreland Overlay district, both parcels are limited to 30% impervious surface. A tree preservation plan and park dedication will be required at the time building permits are submitted for new construction. Finally, the new parcel will have access to sewer and water.

The City's discretion in approving or denying a minor subdivision is limited to whether or not the proposed subdivision meets the standards outlined in the Zoning Ordinance and Subdivision Regulations. If it meets these standards, the City must approve the subdivision. Staff has reviewed the request for compliance with the Subdivision Regulations and the Zoning Code and finds that the applicable requirements have been met.

Summary

Staff recommended approval of the minor subdivision to the Planning Commission. The Planning Commission heard the case on March 28th. No one spoke at the meeting. The Commission voted unanimously, 7-0, to recommend approval of the minor subdivision as presented.

RECOMMENDATIONS

The Planning Commission recommends the City Council adopt the attached resolution of approval.

ATTACHMENTS

Resolution of Approval
Survey

RESOLUTION NO.

**RESOLUTION GRANTING A MINOR SUBDIVISION FOR 5008 STEWART AVENUE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (22-1-LS) has been submitted by James Sanchez to the City Council requesting approval of a minor subdivision from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 5008 Stewart Avenue

EXISTING LEGAL DESCRIPTION: Lot 8 & 9, Block 7 of Auerbach's Rearrangement of White Bear, Ramsey County, Minnesota (PID: 133022220022)

PROPOSED LEGAL DESCRIPTIONS:

(Parcel A) Lot 8, Block 7, Auerbach's Rearrangement of White Bear, Ramsey County, Minnesota.

(Parcel B) Lot 9, Block 7, Auerbach's Rearrangement of White Bear, Ramsey County, Minnesota.

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: Approval of a minor subdivision to split one lot into two; and

WHEREAS, the Planning Commission has reviewed this proposal on March 28, 2022; and

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

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

1. The proposal is consistent with the City's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.

RESOLUTION NO.

6. Traffic generation will be within the capabilities of the streets serving the site.

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Within 6 months after the approval of the survey by the City, the applicant shall record the survey along with the instruments of conveyance with the County Land Records Office or the subdivision shall become null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of either lot.
4. The applicants shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with two final, recorded copies of the Certificate of Survey.
5. The applicants shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
6. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
7. No construction permits may be issued for improvements prior to approval and recording of the survey and approving resolution.
8. A surety bond or letter of credit from a City approved institution shall be established for the amount of \$10,000 to be released upon passing final inspection of the garage on Lot 8. The garage shall be built within one year of approval of the lot split.
9. The park dedication fee shall be collected for Lot 9 at the time when a building permit is issued.
10. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit for Lot 9.
11. Water and sewer hook-up fees shall be collected at the time when a building permit is issued.

RESOLUTION NO.

12. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit.

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

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

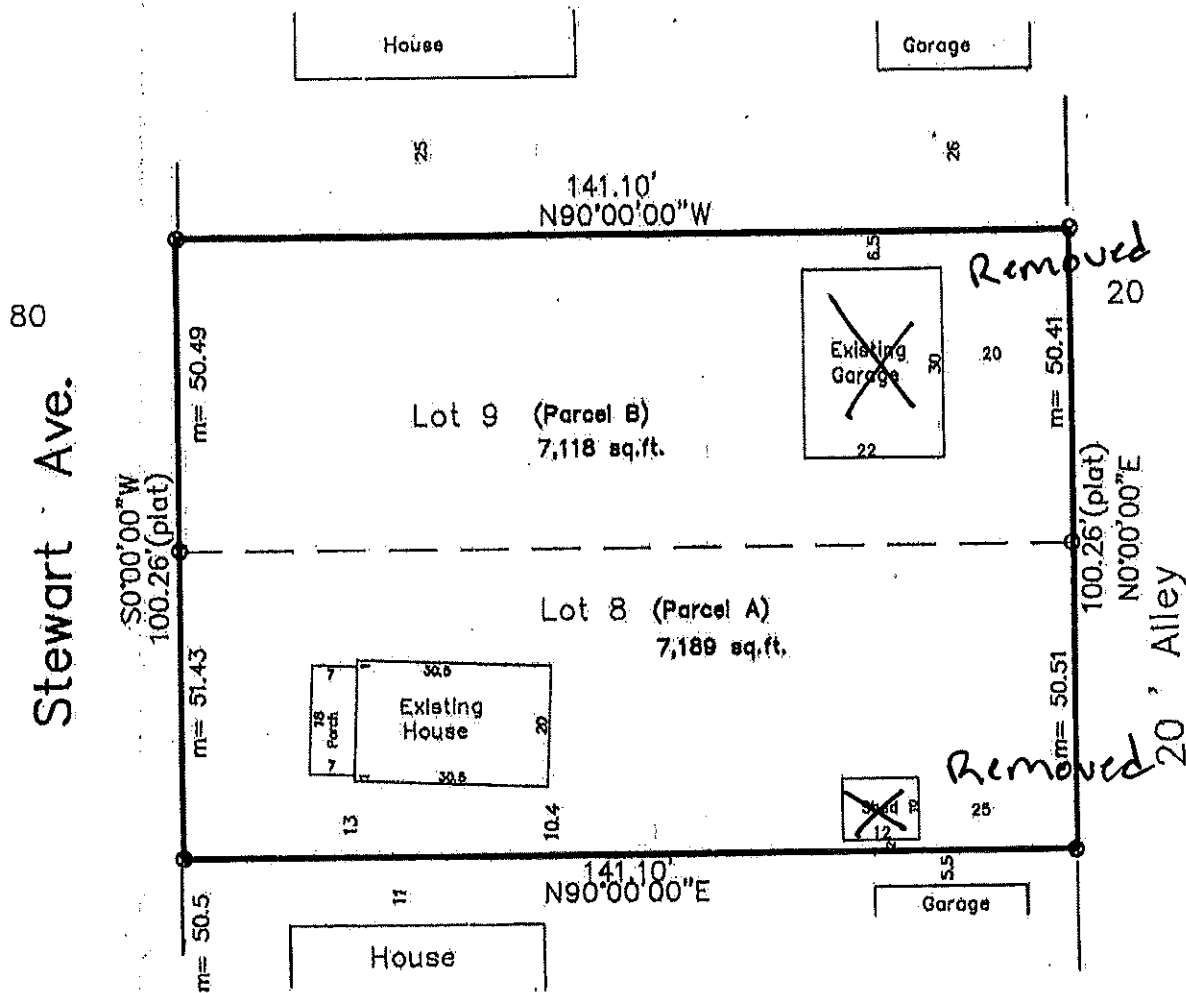
Applicant's Signature

Date

Certificate of Survey

& Proposed Lot Split

For: James Sanchez
5008 Stewart Ave.



Proposed Legal Descriptions

Parcel A--Lot 8, Block 7, Auerbach's Rear, to White Bear, Ramsey County, Minnesota.

Parcel B--Lot 9 Block 7, Auerbach's Rear, to White Bear, Ramsey County, Minnesota.

SCALE: 1 Inch = 30 feet \odot Denotes Iron Job No.: 137-917

\odot Denotes Iron found
Bearings shown are on an assumed datum.

I hereby certify that this is a true and correct representation of a survey of the boundaries of the above describe land and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land.

Earth Science Assoc.
37445 Grand Ave.
North Branch, Mn. 55056

Dated this 30 day of July 2017 By: Mathew T. Kytoneh
Mathew T. Kytoneh - Minn. Reg. No. 18213



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: April 12, 2022
Subject: **Authorizing Advertisement for Public Bids for the 2022 Bituminous Seal Coating Project, City Project 22-02**

SUMMARY

The City Council will consider adopting a resolution authorizing advertisement for public bids for the 2022 Bituminous Seal Coating Project.

BACKGROUND INFORMATION

The Engineering and Public Works Departments are preparing for the 2022 Bituminous Seal Coating Project by patching streets, contracting for joint and crack sealing and preparing specifications for seal coating. The City undertakes seal coating projects on a regular basis to maintain the wearing surface of the streets, seal small cracks to prevent water penetration and improve the overall appearance of the roadway.

In 2022, we are proposing to perform seal coating of City streets in various locations throughout the city. Some of these streets were last seal coated in 2015. Other streets were reconstructed or milled & overlaid in 2016 and are now showing signs of wear. It is important to seal the surface of these streets before they degrade to a point where more extensive maintenance is needed.

All proposed streets will be seal coated using trap rock as the cover aggregate. The trap rock is a durable, hard, crushed rock which will provide a double surface with a nice appearance. We anticipate that the 2022 Bituminous Seal Coating Project will be completed before October.

Various streets have been identified as candidates for seal coating in 2022. However, the Engineering and Public Works Departments will reevaluate all city streets in the next several weeks to determine if they remain good candidates for seal coating this year, or if additional streets need to be added. The streets which are proposed for rehabilitation (either reconstruction or mill & overlay) within the next five years have been excluded due to their planned improvements.

The seal coating project is proposed to be funded from the Construction Fund which provides \$275,000 in the 2022 budget. We anticipate completing a seal coating project annually and have been programmed into the Capital Improvement Plan.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing advertisement for public bids for the 2022 Bituminous Seal Coating Project.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS
FOR THE 2022 BITUMINOUS SEAL COATING PROJECT
CITY PROJECT NO: 22-02**

WHEREAS, as part of the City's Pavement Management Program, a bituminous seal coating project is completed annually; and

WHEREAS, the City Engineer has prepared plans and specifications for the 2022 Bituminous Seal Coating Project – City Project No. 22-02, and has presented such plans and specifications to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the Public Works Director/City Engineer shall prepare and solicit an advertisement for bids upon the making of such improvement. The advertisement shall be published for 10 days, shall specify the work to be done, and shall state that bids will be received by the Public Works Director/City Engineer. Bids will be opened by the City Engineer and City Clerk, will then be tabulated and will be considered by the Council.

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

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: April 12, 2022
Subject: **Authorizing Advertisement for Public Bids for the 2022 Crack Sealing Project
City Project 22-03**

SUMMARY

The City Council will consider adopting a resolution authorizing advertisement for public bids for the 2022 Crack Sealing Project.

BACKGROUND INFORMATION

As part of the City's ongoing Pavement Management Program, the Engineering Department is preparing for the 2022 Crack Sealing Project. The City undertakes crack sealing projects on a regular basis to maintain the wearing surface of the streets and seal cracks to prevent water penetration into the base and subbase where it weakens the street and causes failures. It is important to seal the cracks in these streets before the surface degrades to a point where more extensive maintenance is needed.

The crack sealing project involves cleaning of random cracks in bituminous street pavements with a router and then filling the cracks with a hot, liquid, rubberized sealant. The crack sealing process is accomplished ahead of the sealcoating operation so that the smaller random cracks not sealed by the crack sealing contractor are sealed by the seal coat emulsion. On streets that are five years old or have been resurfaced in the last five years, we are also evaluating the edge of the pavement along the lip of the concrete gutter. With any street, gaps can form along this joint over time. By sealing these gaps, water is prevented from penetrating into the base of the street.

Various streets have been identified as candidates for crack sealing in 2022. However, the Engineering and Public Works Departments will reevaluate all city streets in the next several weeks to determine if they remain good candidates for crack sealing this year, or if additional streets need to be added. The crack sealing project is proposed to be funded from the Construction Fund which provides \$100,000 in the 2022 budget. We anticipate completing a crack sealing project annually and have been programmed into the Capital Improvement Plan.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing advertisement for public bids for the 2022 Crack Sealing Project.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS
FOR THE 2022 CRACK SEALING PROJECT
CITY PROJECT NO: 22-03**

WHEREAS, as part of the City’s Pavement Management Program, a crack sealing project is completed annually; and

WHEREAS, the City Engineer has prepared plans and specifications for the 2022 Crack Sealing Project – City Project No. 22-03, and has presented such plans and specifications to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the Public Works Director/City Engineer shall prepare and solicit an advertisement for bids upon the making of such improvement. The advertisement shall be published for 10 days, shall specify the work to be done, and shall state that bids will be received by the Public Works Director/City Engineer. Bids will be opened by the City Engineer and City Clerk, will then be tabulated and will be considered by the Council.

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

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: April 12, 2022
Subject: **Authorizing Advertisement for Public Bids for the 2022 Sanitary Sewer Lining Program, City Project 22-07**

SUMMARY

The City Council will consider adopting a resolution authorizing advertisement for public bids for the 2022 Sanitary Sewer Lining Program.

BACKGROUND INFORMATION

Since 1994, the City has invested over \$2 million installing liners in sanitary sewer mains which are difficult to maintain due to access constraints, root intrusion problems, frequent backup problems and/or pipe failures. These improvements have been a major factor (along with regular cleaning and inspection by the Public Works Department) in the reduction of sanitary sewer main backups. Liners also seal pipe joints, preventing groundwater from entering the sewer main (known as “infiltration”). Installing liners rather than new pipe minimizes the cost because the liners do not require excavation of the roadway or easement area, disturbance of existing water, storm sewer or other private utilities or the disruption of service to customers.

The Engineering Department is preparing for the 2022 Sanitary Sewer Lining Program and has identified various mains as candidates to be included. However, the Engineering and Public Works Departments will reevaluate sewer mains in the next several weeks in order to prioritize the best candidates for lining. All of the sanitary sewer mains recommended for lining in the 2022 Program are prone to root intrusions, have cracks in the pipe, misaligned joints or pipe failures which create flow restrictions or prevent routine maintenance operations.

This project is proposed to be funded from the Sewer Improvement Fund which provides \$125,000 in the 2022 budget.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing advertisement for public bids for the 2022 Sanitary Sewer Lining Program.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS
FOR THE 2022 SANITARY SEWER LINING PROGRAM
CITY PROJECT NO: 22-07**

WHEREAS, the City selects various sanitary sewer mains to include as part of the City's annual Sanitary Sewer Lining Program; and

WHEREAS, the City Engineer has prepared plans and specifications for the 2022 Sanitary Sewer Lining Program – City Project No. 22-07, and has presented such plans and specifications to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the Public Works Director/City Engineer shall prepare and solicit an advertisement for bids upon the making of such improvement. The advertisement shall be published for 10 days, shall specify the work to be done, and shall state that bids will be received by the Public Works Director/City Engineer. Bids will be opened by the City Engineer and City Clerk, will then be tabulated and will be considered by the Council.

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

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: April 10, 2022
Subject: Minnesota Department of Labor and Industry Safety Grant Application

SUMMARY

The City Council will consider approving a grant agreement with the Minnesota Department of Labor for funding to purchase a new utility locator.

BACKGROUND INFORMATION

Staff applied for a MNOSHA Safety Grant through the Minnesota Department of Labor and Industry to assist the City in purchasing a new utility locator which will allow Public Works staff to more safely locate our underground utilities. A grant in the amount of \$3,350.00 was awarded to the City for this purchase through the program. The remainder of the funds necessary for the purchase were included in the City's 2022 budget.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing the City Manager to execute the agreement for the Minnesota Department of Labor and Industry Safety Grant.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION AUTHORIZING A MUNICIPAL SAFETY GRANT AGREEMENT BETWEEN THE CITY OF WHITE BEAR LAKE AND MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY AND REQUESTING THE SAFETY GRANT ALLOCATION

WHEREAS, the State of Minnesota Department of Labor and Industry allocates funding for workplace safety improvements; and

WHEREAS, the City has had an on-site hazard survey conducted and met the requirements of the grant; and

WHEREAS, the Minnesota Department of Labor and Industry approved a MNOSHA safety grant in the amount of \$3,350.00; and

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

1. The agreement between the State of Minnesota Department of Labor and Industry and the City in the amount of \$3,350.00 for a MNOSHA Safety Grant for the replacement of an underground utility locator is hereby approved.
2. The City Manager is hereby authorized to execute the agreement on the City's behalf.

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

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: April 12, 2022
Subject: Master Partnership Contract with the State of Minnesota

SUMMARY

The City Council will consider adopting a resolution approving a master partnership contract with the Minnesota Department of Transportation (MnDOT) to facilitate payment for miscellaneous services.

BACKGROUND INFORMATION

The State of Minnesota through MnDOT has prepared a Master Partnership Contract which cities and counties can enter into with the State to facilitate payment for miscellaneous services either agency provides to the other. The City may occasionally request from MnDOT testing of materials at the MnDOT laboratory or replacement of light bulbs in traffic control signals. The agreement will be in place and only used if work is requested by either party. The proposed agreement would be effective for five years and may be renewed in the future if agreed to by both parties.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution approving a Master Partnership Contract with the State of Minnesota (MnDOT) through June 30, 2027.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION APPROVING A MASTER PARTNERSHIP CONTRACT
WITH THE STATE OF MINNESOTA**

WHEREAS, the Minnesota Department of Transportation wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

WHEREAS, the Minnesota Department of Transportation and local governments are authorized by Minnesota Statutes sections 471.59, 174.02 and 161.20 to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

WHEREAS, the parties wish to be able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write “work orders” against a master contract would provide the greatest speed and flexibility in responding to identified needs.

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

1. That the City Council of the City of White Bear Lake enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the Council.
2. That the Mayor and City Manager are authorized to execute such contract, and any amendments thereto.
3. That the City Manager is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts may provide for payment to or from the Minnesota Department of Transportation, and that the City Manager may execute such work order contracts on behalf of the City of White Bear Lake without further approval by this Council.

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

Proclamation

WHEREAS, there are approximately 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the White Bear Lake Police Department; and

WHEREAS, nearly 58,170 assaults against law enforcement officers in 2019, resulting in approximately 17,560 injuries; and

WHEREAS, since the first recorded death in 1786, almost 22,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS, 619 names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 472 officers killed in 2021, of which 319 were from COVID-19 and 147 officers killed in previous years; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 34th Annual Candlelight Vigil, on the evening of May 13, 2022; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the Minnesota Law Enforcement Memorial Association's Annual Candlelight Vigil, on the evening of May 15, 2022; and

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year from May 11-17, 2022; and

WHEREAS, May 15, 2022 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families; and

WHEREAS, the service and sacrifice of Ramsey County Suburban Law Enforcement officers killed in the line of duty will be honored during the Suburban Ramsey County Law Enforcement Memorial Ceremony on May 19, 2022.

NOW THEREFORE, BE IT RESOLVED that the White Bear Lake City Council formally designates May 11-17, 2022 as Police Week in the City of White Bear Lake, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.



In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of White Bear Lake to be affixed this 12th day of April, 2022.

Dan Louismet, Mayor

Proclamation

*Arbor Day
May 19, 2022*

WHEREAS, the City of White Bear Lake has historically been committed to maintaining the urban forest in City parks and throughout the City by adding to and replacing its valuable tree stock; and

WHEREAS, the City annually confirms its commitment to the urban forest by promoting public awareness of forestry issues through tree planting projects, tree pruning and maintenance seminars, invasive species control projects and other educational opportunities; and

WHEREAS, the City recognizes Arbor Day as an annual occasion during which the community pauses to recognize the importance of trees and their impact on our environment and daily lives and encourages public awareness of urban forestry issues; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas and beautify our community and park system; and

WHEREAS, trees are a source of joy and spiritual renewal; and

WHEREAS, the Mayor and City Council desire to extend their support for, and recognition of, the importance of trees within our City.

NOW, THEREFORE, I, Dan Louismet, Mayor of the City of White Bear Lake, do hereby proclaim May 19, 2022, as Arbor Day in White Bear Lake and with fellow members of the City Council, the Park Board and City staff do hereby call upon all White Bear Lake residents to participate in the annual Arbor Day observance.



In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of White Bear Lake to be affixed this 12th day of April 2022.

Dan Louismet, Mayor



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kara Coustry, City Clerk
Date: April 12, 2022
Subject: Recognition of departing Environmental Advisory Commission member

Robert "Bob" Winkler has submitted his resignation as a volunteer member of the Environmental Advisory Commission. Mr. Winkler served the City of White Bear Lake in this capacity since 2018.

Connie Taillon, Environmental Specialist/Water Resources Engineer, will say a few words of recognition about Mr. Winkler, and the Mayor will present him with his bear.



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Samantha Crosby, Planning & Zoning Coordinator
Date: April 12, 2022
Subject: Pitlick Residence Expansion / 4264 Cottage Park Road / Case No. 22-2-V

SUMMARY

The City Council will consider a request for a 29.5-foot variance from the 35-foot street-side setback in order to expand the single-family residence northward by 24 feet. The variance would allow the west wall of the addition to be 5 feet, 6 inches from the side street property line with a 3-foot-wide eave overhang.

BACKGROUND INFORMATION

Due to the lack of a stated practical difficulty, staff had recommended denial of the request. The Planning Commission held a public hearing on February 28, 2022. One neighbor spoke in favor of the request. Due to the location of the home on the lot, the Commission felt as though some amount of variance is warranted, but that the requested variance was too much, particularly given the size of the structure. On a 5-2 vote the Commission also recommended denial.

The City Council considered the request at their March 8th meeting. After considering the applicant's testimony, the Council unanimously voted to continue the item to the first meeting in April in order to provide the applicant time to revise the plans accordingly.

The applicant submitted revised plans, attached, so the Council may continue their discussion.

RECOMMENDATION

Review the attached revised plans and determine whether or not the request is reasonable and a practical difficulty exists. If the Council ultimately desires to approve the request, a resolution of approval is also attached.

ATTACHMENTS

Resolution of Approval
 Site Plan, Elevations & Floor Plans (6 pages), received March 25, 2022

RESOLUTION NO.

**RESOLUTION GRANTING A SETBACK VARIANCE FOR 4264 COTTAGE PARK ROAD
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (22-2-V) has been submitted by Tyler & Sara Pitlick to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 4264 Cottage Park Road

LEGAL DESCRIPTION: Lots 27 and 28, Block 2 of Cottage Park, except the following described portion of said Lot 28, viz: Beginning at a point on the S'ly line of said Lot 28, distant 20 feet W'ly from the SE'ly corner of said Lot 28; thence diagonally to a point on the E'ly line of said Lot 28, 86 feet NE'ly from the SE'ly corner of said Lot 28, thence SW'ly on the E'ly line of said Lot 28, to the SE'ly corner of Lot 28; thence 20 feet W'ly to the point of beginning, according to the recorded plat thereof on file and of record in the office of the Register of Deeds in and for Ramsey County, State of Minnesota, AND that portion of Lot Four (4) in Block Three (3) of South Shore Addition described as follows; to-wit: Beginning at the Northwest (NW) corner of Lot Four (4), Block Three (3), South Shore Addition, thence Southeasterly (SE'ly) a distance of Ten (10) feet along the old shore line of White Bear Lake; thence diagonally in a Southwesterly (SW'ly) direction of Fifty (50) feet to a point on the Westerly (W'ly) line of said Lot 4, said point being fifty-three (53) feet Southerly (S'ly) from the Northwesterly (NW'ly) corner of said lot 4; thence Northeasterly (NE'ly) fifty-three feet to the point of beginning. (PID: 233022420033)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A 29.5 foot variance from the 35 foot setback along a side abutting a public right-of-way, per code section 1303.040, Subd.5.c.1, in order to expand the single-family residence northward by 24 feet, to allow for a bedroom addition 5 feet 6 inches from the west lot line; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on February 28, 2022; and

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

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

1. The requested variance will not:

RESOLUTION NO.

- a. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - c. Increase the danger of fire or endanger the public safety.
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. The variance is a reasonable use of the land or building and the variance is the minimum required to accomplish this purpose.
 3. The variance will be in harmony with the general purpose and intent of the City Code.
 4. The variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. The applicant shall file the encroachment agreement with the County Recorder's Office prior to the issuance of a building permit.
4. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.
5. The west side of the addition shall be guttered to direct run-off away from the public right-of-way.
6. The addition may not be expanded in the future by an administrative variance to extend an existing line of nonconformity as the proximity of the addition to the west property line is considered conforming by the granting of this variance.
7. A building permit shall be obtained before any work begins.
8. The applicant shall mitigate impervious area above 30% according to code. Prior to the issuance of a building permit, the applicant shall provide a stormwater mitigation plan, subject to approval by the Stormwater Engineer.

RESOLUTION NO.

9. The mitigation feature shall be maintained by the homeowner so that it functions to design specifications.

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

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

Applicant's Signature

Date

THIS PROJECT SHALL BE CONSTRUCTED TO THE CURRENT MN RESIDENTIAL BUILDING CODE, INCORPORATING THE AMENDED 2020 MRC AND MN RULES 1322 RESIDENTIAL ENERGY CODE.

GENERAL NOTES:

THE BUILDER SHALL VERIFY THAT SITE CONDITIONS ARE CONSISTENT WITH THESE PLANS BEFORE STARTING WORK. WORK NOT SPECIFICALLY DETAILED SHALL BE CONSTRUCTED TO THE SAME QUALITY AS SIMILAR WORK THAT IS DETAILED. ALL WORK SHALL BE DONE IN ACCORDANCE WITH INTERNATIONAL BUILDING CODES AND LOCAL CODES. LOCAL CODE AND VARIANCE REVIEW TO BE DONE BY OTHERS.

WRITTEN DIMENSIONS AND SPECIFIC NOTES SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND GENERAL NOTES. THE ENGINEER/DESIGNER SHALL BE CONSULTED FOR CLARIFICATION IF SITE CONDITIONS ARE ENCOUNTERED THAT ARE DIFFERENT THAN SHOWN, IF DISCREPANCIES ARE FOUND IN THE PLANS OR NOTES, OR IF A QUESTION ARISES OVER THE INTENT OF THE PLANS OR NOTES. CONTRACTOR SHALL VERIFY AND IS RESPONSIBLE FOR ALL DIMENSIONS (INCLUDING ROUGH OPENINGS).

- 1 ALL CONTRACTORS MUST FAMILIARIZE THEMSELVES WITH ALL FEDERAL, STATE AND LOCAL LAWS, ORDINANCES, BUILDING CODES, AND ANY REGULATIONS WHICH IN ANY MANNER, AFFECT THOSE ENGAGED IN OR EMPLOYED ON THE WORK, OR THE MATERIALS OR REQUIREMENTS USED, OR WHICH- IF ANY WAY- AFFECT THE CONDUCT OF THE WORK, FI NOT SPECIFICALLY STATED ON THE PLANS OR IN THE SPECIFICATIONS, THE APPROPRIATE CODE SHALL GOVERN SIZES, QUALITIES, AND QUANTITIES OF ALL WORK.
2. VERIFY LOCATION & INVERT ELEVATION AT SANITARY SERVICE. PENETRATION THRU FOOTING MAY BE NECESSARY.

THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND PROPER FUNCTION OF PLUMBING, HVAC AND ELECTRICAL SYSTEMS. THE GENERAL CONTRACTOR SHALL NOTIFY THIS OFFICE WITH ANY PLAN CHANGES REQUIRED FOR DESIGN AND FUNCTION OF PLUMBING, HVAC AND ELECTRICAL SYSTEMS.

THIS OFFICE SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS AND METHODS, ACTS OR OMISSIONS OF THE CONTRACTOR OR SUBCONTRACTOR, OR FAILURE OF ANY OF THEM TO CARRY OUT WORK IN ACCORDANCE WITH THE CONSTRUCTION DOCUMENTS. ANY DEFECT, ERRORS OR OMISSIONS DISCOVERED IN THE CONSTRUCTION DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THIS OFFICE BEFORE PROCEEDING WITH WORK. REASONABLE TIME NOT ALLOWED THIS OFFICE TO CORRECT THE DEFECT SHALL PLACE THE BURDEN OF COST AND LIABILITY FROM SUCH DEFECT UPON THE CONTRACTOR.

THIS STRUCTURE SHALL BE ADEQUATELY BRACED FOR WIND LOADS UNTIL THE ROOF, FLOOR AND WALLS HAVE BEEN PERMANENTLY FRAMED TOGETHER AND SHEATHED.

INSTALL WATERPROOF GYPSUM BOARD AT ALL WATER SPLASH AREAS

ALL RECESSED LIGHTS IN INSULATED CEILINGS TO HAVE THE I.C. LABEL.

FRAMING NOTES:

PROVIDE POSITIVE VENTILATION AT EA. END OF EA. RAFTER SPACE AT VAULTED CEILING AREAS.
PROVIDE FIRE BLOCKING, DRAFT STOPS AND FIRE STOPS AS PER I.B.C. SEC. R502.12.
PROVIDE POSITIVE CONNECTIONS AT EACH END OF ALL POSTS AND COLUMNS TO RESIST LATERAL DISPLACEMENT.

GENERAL PORCH/DECK NOTES:

ATTACH DECK LEDGER WITH LAG BOLTS/SCREWS THAT PENETRATE INTO RIM JOIST OR WALL STUDS PER MINNESOTA CODE REQUIREMENTS.

BEAMS AND HEADERS:

ALL HEADERS TO BE (2) 2x10 SPF UNLESS OTHERWISE NOTED. IF ANY BEAMS OR HEADERS ARE NOTED ON THE PLAN, DEPTH OF SUCH SHALL NOT BE EXCEEDED.

MIN. DBL STUDS @ ALL WINDOW AND DOOR OPENINGS LARGER THEN 6 FT, AND POINT LOADS UNLESS OTHERWISE NOTED.

BEAM HEADER SUPPLIER TO VERIFY THAT ALL BEAMS AND HEADERS WILL SUPPORT ROOF AND FLOOR LOAD TRUSS LOADS PRIOR TO CONSTRUCTION.

TRUSSES:

TRUSSES SHALL BE ATTACHED TO WALL ASSEMBLY WITH METAL CONNECTOR CAPABLE OF RESISTING MIN. UPLIFT FORCE OF TABLE R802.11 EXPOSURE B OR THE VALUES GIVEN IN THE TRUSS DESIGN DRAWINGS.

WALL PANEL NOTES:

B.P. BRACED WALL PANEL
3'-4" MIN. LENGTH w/ 7/16" OSB OR 1/2" PLYWOOD AND 8d COMMONS 3" o/c AT ALL PANEL EDGES, 6" o/c FIELD.

I.B.P. INTERIOR BRACED WALL PANEL

1/2" GYP. BD PER R 602.10.3(5); 1/2 GWB EACH SIDE w/ #6 X 1 1/4 TYPE S OR W SCREWS PERS ASTM C1002 @ 7" o/c @ ALL SUPPORTS

A.B.P. ALTERNATE BRACED WALL PANEL

2'-8" MIN. WIDTH w/ 7/16" OSB OR 1/2" PLYWOOD AND 8d COMMONS 3" o/c AT ALL PANEL EDGES, 6" o/c FIELD & (2) A.B. PER PANEL LOCATED AT 1/4 POINTS & 1800# MIN. HOLDDOWN EACH END *HPAHD22 OR STD10)

ALL BRACED WALL PANELS TO BEGIN WITHIN 10'-0" FROM EACH END OF A BRACED WALL LINE.
DISTANCE BETWEEN ADJACENT EDGES OF A BRACED WALL PANEL SHALL BE NO GREATER THAN 20'-0".

BUILDING PERFORMANCE:

HEAT LOSS CALCULATIONS SHALL COMPLY WITH THE REQUIREMENTS OF REGIONAL AND LOCAL CODES. ALL EXHAUST FANS TO BE VENTED DIRECTLY TO THE EXTERIOR. ALL PENETRATIONS OF THE BUILDING ENVELOPE SHALL BE SEALED WITH CAULK OR FOAM.

FLASHING NOTES:

(IRC. R103.8 FLASHING)
ALL OPENINGS TO THE EXTERIOR MUST BE CAULKED AND FLASHED. FLASHING IS REQUIRED WHERE ALL ROOF & VERTICAL SURFACES MEET, AT WALL AND ROOF INTERSECTIONS, AND WHERE SIDING MATERIAL CHANGES.

ICE DAM PROTECTION:

1 LAYER OF 40# COATED ROOFING OR COATED CLASS C BASE SHEET SHALL BE APPLIED FROM THE EAVES TO A LINE 12" INSIDE THE EXTERIOR WALL LINE

ATTIC:

- VENTILATION- NET FREE AREA TO BE EQUAL TO 1/50TH OF THE ATTIC AREA, OR 1/300TH OF THE ATTIC AREA PROVIDED WITH AT LEAST 50% IN THE UPPER PORTION OF ROOF WITH THE BALANCE IN VENTED SOFFIT.
- PROVIDE ATTIC ACCESS TO ENCLOSED ATTIC AREAS 30 SQ FT OR GREATER, WITH A CEILING HGT 30" OR GREATER. ACCESS SHALL BE 22"x30" AND PLACED IN A READILY ACCESSIBLE LOCATION. IF PLACED IN A WALL, THE ACCESS SHALL BE A MINIMUM OF 22" WIDE BY 30" TALL

FIRE BLOCKING:

- PROVIDE FIRE BLOCKING AROUND ALL OPENINGS BETWEEN FLOORS PER R302.11

- ENCLOSED SPACE UNDER STAIRS THAT IS ACCESSED BY A DOOR OR ACCESS PANEL SHALL HAVE WALLS, UNDER-STAIR SURFACE AND ANY SOFFITS PROTECTED BY MIN. 1/2" DRYWALL

- GARAGE AND IT'S ATTIC IS REQUIRED TO BE SEPARATED FROM THE DWELLING AND IT'S ATTIC BY NOT LESS THAN 1/2" DRYWALL FASTENED PER TABLE R702.3.5. IF DWELLING EXTENDS ABOVE GARAGE, THEN GARAGE CEILING TO BE PROTECTED WITH NOT LESS THAN 5/8" TXPE- X GYPSUM ATTACHED PERPENDICULAR TO THE FRAMING USING MIN. 1-7/8" 6D NAILS OR EQUIV. SCREWS 6" O.C.
ALL STRUCTURE THAT SUPPORTS REQUIRED SEPARATION IS TO BE PROTECTED WITH 1/2" GYPSUM FASTENED PER TABLE 702.3.5

- WALL AND CEILING FINISHES ARE REQUIRED TO HAVE NOT MORE THAN 200/240 FLAME SPREAD/ SMOKE DEVELOPED WHEN TESTED IN ACCORDANCE WITH ASTM E 84 OR UL 723.

ALTERNATE TESTING IS ALLOWED TO NFPA 286 PROVIDED IT MEETS REQUIREMENTS 1-5 OF SECTION R302.9.4. FOAM PLASTIC INSUL. THAT IS NOT SEPARATED FROM THE BUILDINGS INTERIOR WITH THE REQUIRED 1/2" DRYWALL, 23/32" WOOD PANEL OR OTHER THERMAL BARRIER TESTED IN ACCORDANCE WITH NFPA 275 IS REQUIRED TO HAVE NOT MORE THAN A 75/450 FLAME SPREAD/SMOKE DEVELOPED WHEN TESTED IN ACCORDANCE WITH ASTM E 84 OR UL 723.

DRAFT STOPPING: (IF NEEDED)

- PROVIDE DRAFT STOPPING WHEN THERE IS CONCEALED SPACE BETWEEN FLOORS PER R302.12
- INSTALL DRAFT STOPPING CONSISTING OF MIN. 1/2" DRYWALL OR 3/8" WOOD STRUCTURAL PANEL PARALLEL TO FLOOR FRAMING SO CONCEALED SPACE DOES NOT EXCEED 1,000 SQ. FT. DRAFT STOPPING SHALL DIVIDE CONCEALED SPACES INTO APPROX. EQUAL AREAS. THE INTEGRITY OF DRAFT-STOPPING SHALL BE MAINTAINED.

SMOKE ALARMS:

PROVIDED AND INSTALLED PER IRC SECTION 313.2.1 PROVIDED HARDWIRED AND INTERCONNECTED SMOKE ALARMS IN EVERY BEDROOM AND IN THE CORRIDOR GIVING ACCESS TO THE BEDROOMS. AT LEAST ONE PER FLOOR- INCLUDING BASEMENTS WHERE NO BEDROOMS EXIST, AND HABITABLE ATTICS.
- IONIZING SMOKE ALARMS SHALL BE INSTALLED NO CLOSER THAN 20' TO COOKING APPLIANCES
- IONIZING SMOKE ALARMS WITH A SILENCING SWITCH SHALL NOT BE INSTALLED CLOSER THAN 10" TO COOKING APPLIANCES
- PHOTOELECTRIC SMOKE ALARMS SHALL NOT BE INSTALLED CLOSER THAN 6" TO COOKING APPLIANCES
- ALARMS ADJACENT BATHROOMS. NO ALARMS SHALL BE INSTALLED WITHIN 3' HORIZONTALLY OF A TUB OR SHOWER CONTAINING BATHROOM UNLESS THIS INTERFERES WITH OTHER PLACEMENT REQUIREMENTS.

CARBON MONOXIDE ALARMS:

PROVIDED AND INSTALLED PER MINNESOTA STATUE 299F.50
PROVIDE HARDWIRED AND INTERCONNECTED CO ALARMS OUTSIDE OF AND WITHIN 10 FEET OF EVERY BEDROOM OR SLEEPING.
- CO ALARM IS REQUIRED ON EVERY LEVEL THAT CONTAINS A BEDROOM OR SLEEPING AREA.
- CO ALARM IS REQUIRED INSIDE BEDROOMS WHEN THAT BEDROOM OR ATTACHED BATHROOM CONTAINS A FUEL FIRED APPLIANCE.
*INTERCONNECTION MAY BE ACHIEVED BY USE OF A UL217 OR UL2034 LISTED WIRELESS SYSTEM.
* EXCEPTIONS: EXISTING SPACES, WHERE INTERIOR FINISHES ARE NOT REMOVED EXPOSING THE STRUCTURE, MAY HAVE BATTERY OPERATED SMOKE OR CO ALARMS THAT ARE NOT INTERCONNECTED.
- ALL REQUIRED ALARMS MUST BE INSTALLED AND OPERATIONAL AT TIME OF FINAL BUILDING INSPECTION.

DOOR AND WINDOW NOTES:

EVERY BEDROOM SHALL BE PROVIDED WITH AN EGRESS WINDOW WITH FINISH SILL HEIGHT NOT GREATER THAN 44" ABOVE THE FINISH FLOOR HEIGHT AND SHALL HAVE A MINIMUM OPENABLE AREA OF 5.7 SQ. FT. EGRESS WINDOWS SHALL NOT HAVE AN OPENABLE AREA LESS THAN 20" WIDE OR 24" HIGH.

DOORS BETWEEN GARAGE AND LIVING AREA SHALL BE 1-3/4" TIGHT FITTING SOLID CORE DOORS WITH A RATING OF 120 MINUTES.

GARAGE DOORS TO BE SECTIONAL, OVERHEAD DOORS

FOUNDATION NOTES:

ALL FOOTINGS TO REST ON CLEAN, FIRM UNDISTURBED SOIL. STEP FOOTINGS A REQUIRED TO MAINTAIN REQUIRED DEPTH BELOW FINISH GRADES.

CONCRETE STRENGTH, 3,000 PSI AT 28 DAYS FOR ALL SLABS. (FOUNDATION DESIGN BASED ON 2,500 PSI).
3,000 PSI AT 28 DAYS FOR ALL OTHER CONDITION.
MAXIMUM SLUMP, 4"

CONCRETE EXPANSION ANCHORS SHALL BE 'SIMPSON WEDGE-ALL STUD ANCHORS' OR EQUIVALENT.

INFILTRATION.
ALL OPENINGS IN THE EXT. BLDG. ENVELOPE SHALL BE SEALED AGAINST AIR INFILTRATION. THE FOLLOWING AREAS MUST BE SEALED.

- * JOINTS AROUND WINDOW AND DOOR FRAMES
- * JOINTS BETWEEN WALL CAVITY AND WINDOW/DR. FME.
- * JOINTS BETWEEN WALL AND FOUNDATION
- * JOINTS BETWEEN WALL AND ROOF
- * JOINTS BETWEEN WALL PANELS
- * UTILITY PENETRATIONS THROUGH EXTERIOR WALLS

ADHERED MASONRY VENEER SHALL BE INSTALLED IN ACCORDANCE WITH SECTION R703.12.1, SECTION 703.7.1 AND ARTICLE 3.3C OF TMS 602 OR IN ACCORDANCE WITH MANUF. INSTRUCTIONS.
LATH INSPECTION MAY BE REQUIRED.

HOUSE/ GARAGE DRAINAGE NOTES:

TIE WELL DRAINAGE INTO HOUSE DRAINAGE. (TYP.)

GARAGE FLOOR DRAINS SHALL NOT CONNECT TO SANITARY DISCHARGE TO DAYLIGHT TO RUN ACROSS A GREEN SPACE OR OTHER PERVIOUS SURFACE BEFORE MAKING IT TO THE CURB OR STORM DRAIN.

GENERAL PLUMBING AND VENTING NOTES:

PROVIDE AIR BARRIER PROTECTION FOR INSULATION BEHIND/ BELOW TUB/SHOWER UNITS INSTALLED ON EXTERIOR WALLS AS REQ'D BY ENERGY CODE.

ALL PLUMBING SHALL BE ADEQUATELY PROTECTED FROM FREEZING.

OPENINGS AROUND VENTS, PIPES, DUCTS, CABLES AND WIRES SHALL BE PROTECTED WITH AN APPROVED MATERIAL, MEETING ASTM E136 TO RESIST THE FREE PASSAGE OF FLAME AND PRODUCTS OF COMBUSTION.

INSTALL WATERPROOF GYPSUM BOARD AT ALL WATER SPLASH AREAS TO MINIMUM 70" ABOVE SHOWER DRAINS.

EXHAUST ALL VENTS AND FANS DIRECTLY TO OUTSIDE VIA METAL DUCTS

BATHROOM VENTILATION REQUIRED.

EERO REQUIREMENTS:

BASEMENTS, HABITABLE ATTICS AND EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE EMERGENCY ESCAPE AND RESCUE OPENING (EERO). WHERE BASEMENTS CONTAIN SLEEPING ROOMS, AN EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL BE PROVIDED IN EACH SLEEPING ROOM, BUT NOT REQUIRED IN THE ADJOINING AREAS OF THE BASEMENT. THE REQUIRED EERO SHALL OPEN DIRECTLY INTO A PUBLIC WAY, OR TO A YARD OR COURT THAT OPENS TO THE PUBLIC WAY.
- REQUIRED DIMENSIONS ARE AS FOLLOWS AND ARE MEASURED TO THE EDGE OF THE CLEAR OPENING: MAX. SILL HEIGHT ABOVE FINISHED FLOOR- 44" ; MIN. OPENING AREA OF 5.7 SQ FT, EXCEPT GRADE FLOOR OPENINGS SHALL HAVE 5.0 SQ FT MIN.; MIN. OPENING HGT. OF 24" MIN. OPENING WIDTH OF 20"
- OPENINGS SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE USE OF TOOLS, KEYS OR SPECIAL KNOWLEDGE.

GRADING NOTES:

- 1 CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES.
- 2 PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.
- 3 FINAL GRADE TO CONVEY SURFACE DRAINAGE TOWARD LOT LINES AND SWALS.
- 4 AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED TO REMOVE TREES, VEGETATION, ROOTS AND OTHER OBJECTIONABLE MATERIAL AND STRIPPED OF TOPSOIL.

EROSION CONTROL NOTES:

- 1 INSTALL SILT FENCE PRIOR TO ANY EXCAVATION OR CONSTRUCTION.
- 2 MINIMIZE SITE DISTURBANCE BY TIGHT CONTROL OF EXCAVATION LIMITS.
- 3 IT IS RECOMMENDED THE CONTRACTOR COVER ALL EXPOSED SOIL WITH MULCHED STRAW OR WOOD CHIPS TO MINIMIZE SOIL EROSION.
- 4 DISPERSION TRENCHES SHALL OVERFLOW ONTO NATIVE UNDISTURBED GROUND. NO SITE DISTURBANCE BELOW TRENCHES.

EXTERIOR MATERIALS:

ROOF VENT	8x8 ROOF VENTS
SHINGLES	240# OR 320-340#
GUTTERS	
FASCIA	
FRIEZE	
WINDOW	
WINDOW SIDES	
CORNER TRIM	
	FRONT ENTRY:
CORNER CAPITAL (FRONT ENTRY)	
HORIZ. SIDING	
SHAKE SIDING	

DECKING MATERIAL:

DECKING	
DECK BAND BOARD	
WRAPPED POSTS	
EXT. FINISH	
OVER INSUL.	

EXTERIOR TRIM SCHEDULE:

TRIM A: 1X4 OSC TRIM
TRIM B: 1X6 WINDOW TRIM
TRIM C: 1X8 TRANSITION TRIM
TRIM D: 1X10 GARAGE DOOR TRIM
TRIM E: 1X12 CORNER TRIM

FACE FRAME

ROUGH-IN SCHEDULE:

12"	10"x83" R.O.
15"	13"x83" R.O.
18"	16"x83" R.O.
21"	19"x83" R.O.
24"	22"x83" R.O.
30"	28"x83" R.O.

EXTERIOR MATERIAL COLORS:

SHINGLES	
MAIN LAP SIDING	
VERTICAL SIDING	
SHAKE SIDING	
DOOR TRIM	
FRONT DOOR COLOR	
WINDOW TRIM	
FRIEZE TRIM	
3" CORNER TRIM	
6" CORNER TRIM	
DECKING	
RAILINGS	
DECK TRIM	

WINDOW & DOOR TRIMMER SCHEDULE:

WINDOWS AND PATIO DOORS MANUF:

WINDOWS IN 8'-1 1/8" WALLS & ALL EXT. DOORS	81-3/4"
WINDOWS IN 9'-1 1/8" WALLS	96"
EXTERIOR SWING DOORS	81-3/4"
INTERIOR SWING DOORS	81-1/2"
BI-FOLD DOORS	80-1/2"
*FRAME 1-1/4" WIDER THEN STATED DOOR WIDTH	
POCKET DOORS	83-3/4"
*FRAME DOUBLE THE STATED DOOR WIDTH *IF PKD FRAME IS NOT ON SITE, LEAVE FRAMING OPEN ABOVE, AND FRAME DOWN TO IT AFTERWARDS	

INTERIOR MATERIAL COLORS:

INTERIOR MILLWORK	
INTERIOR STAIN	
INTERIOR HARDWARE	
INTERIOR WALL PAINT	

PROJECT SCOPE: HOUSE ADDITION

HOUSE: 1,654 FINISHED SQUARE FEET

LOWER FLOOR- NEW 35'x24' = 840 SQ FT
UPPER FLOOR- NEW 35'x24' = 840 SQ FT
2 ADDITIONAL BEDROOMS, BATHROOM, STORAGE, FAMILY ROOM

PLAN NOTES

SHEET:

A-1

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BUILDER: Dry Tech Co

3483 Fenway Blvd Circle N
Hugo, MN 55038 651-775-7978

Client: Tyler & Sara Pitlick
4264 Cottage Park Rd
White Bear Lake, MN 55110

DATE

11/23/2021

REVISION

3/25/2022

PLAN NOTES

SHEET:

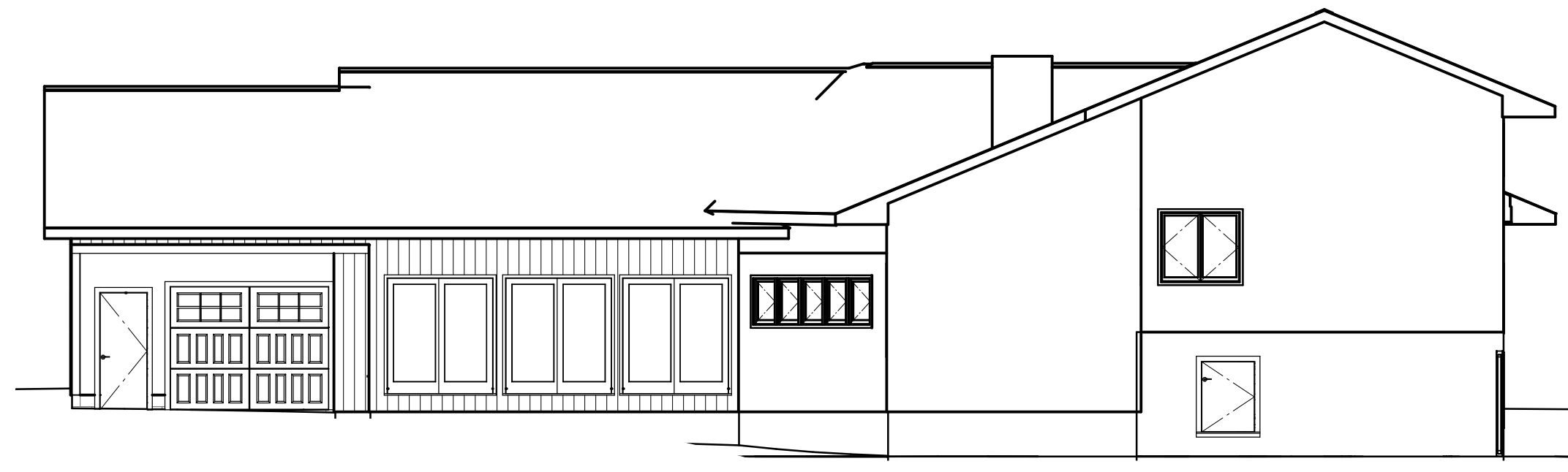
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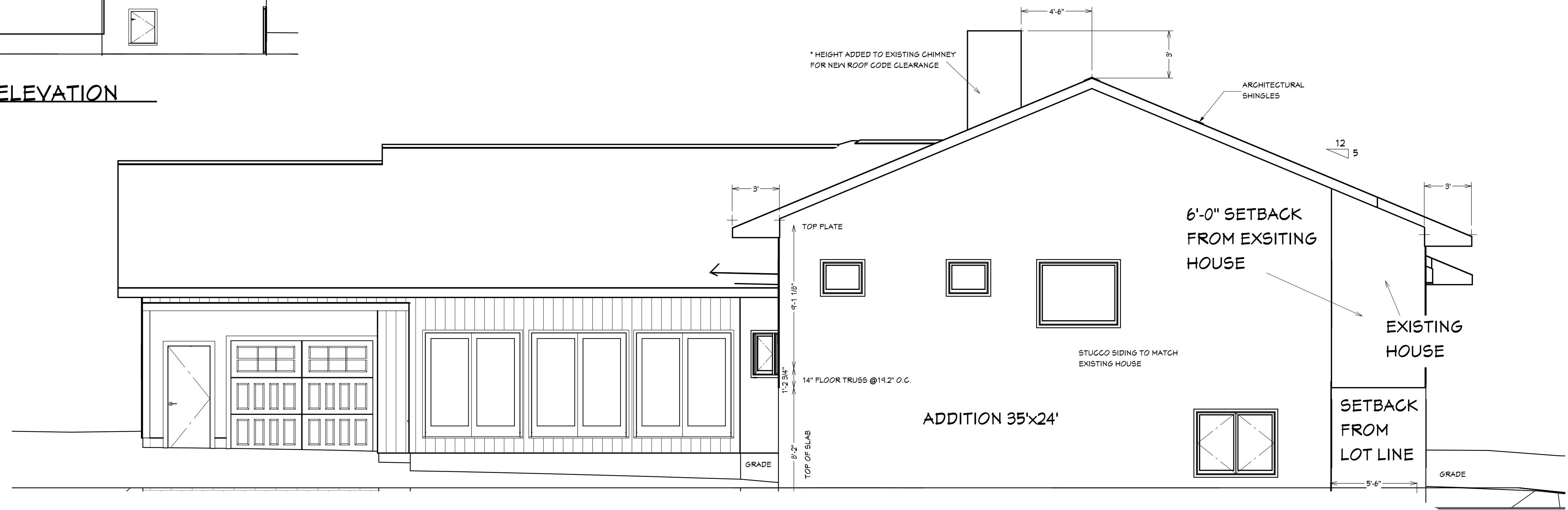
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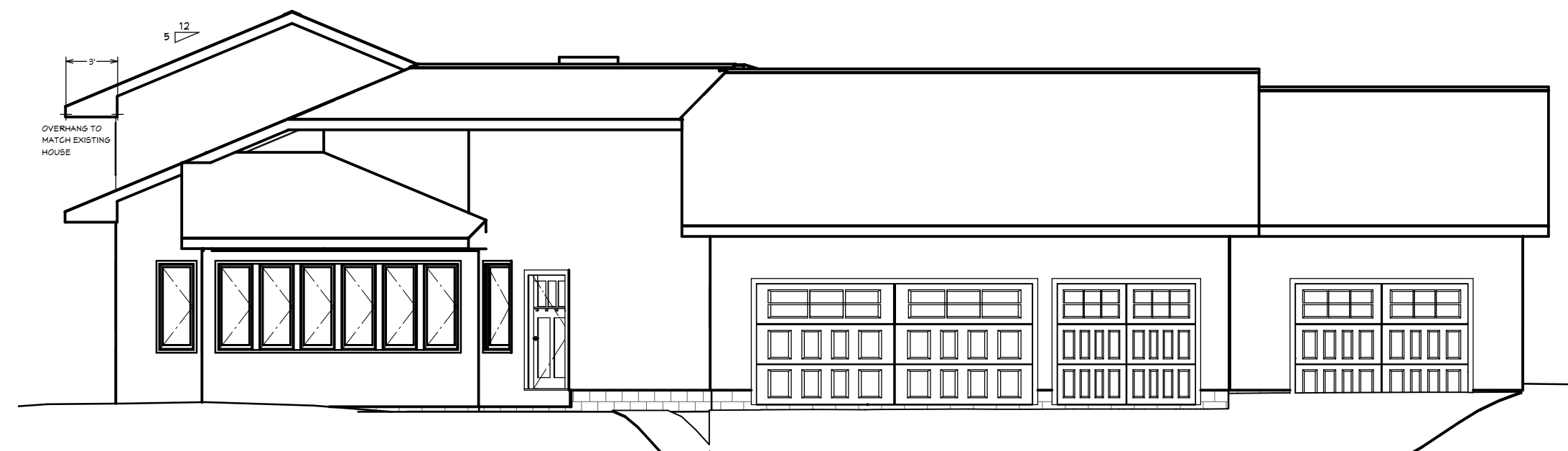
EXISTING NORTH (BACK) ELEVATION

1/8"=1'-0



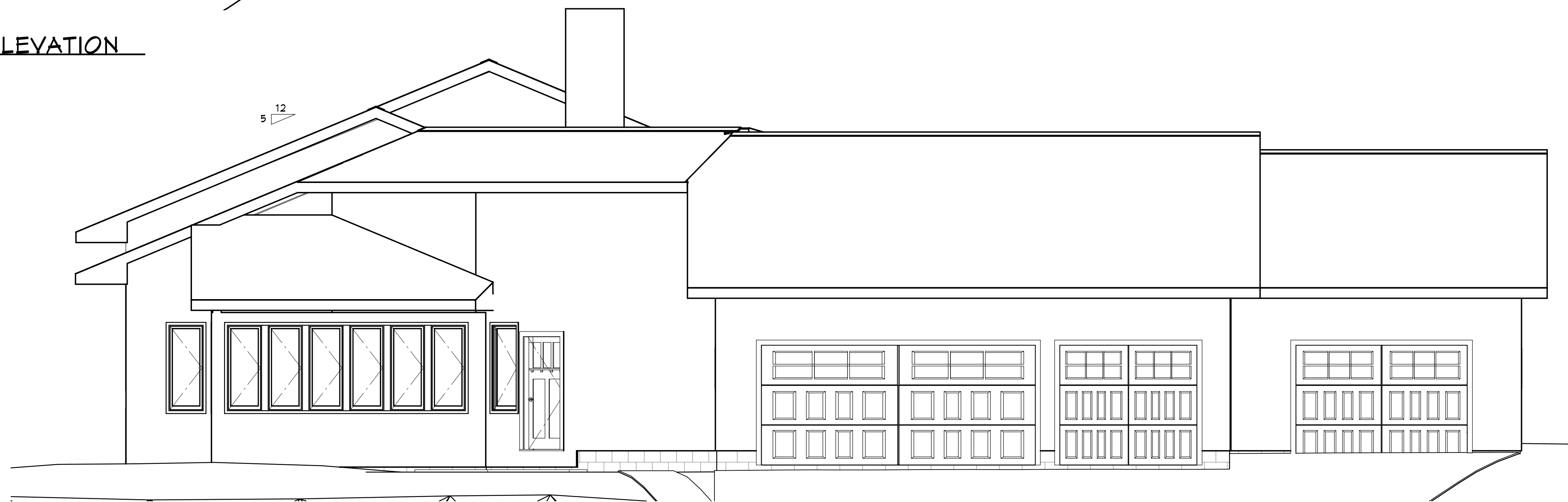
NEW NORTH (BACK) ELEVATION

1/4"=1'-0



EXISTING SOUTH (FRONT) ELEVATION

1/8"=1'-0



NEW SOUTH (FRONT) ELEVATION

1/4"=1'-0

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ELEVATIONS

SHEET:
A-2

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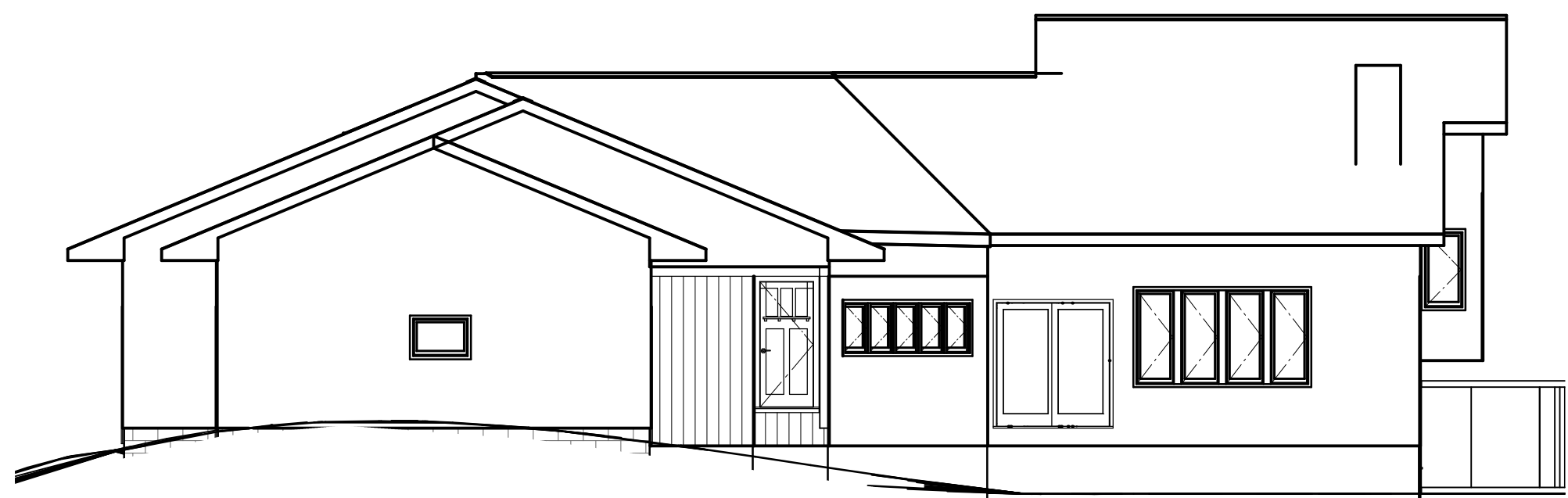
EXISTING WEST (LEFT) ELEVATION

1/8"=1'-0



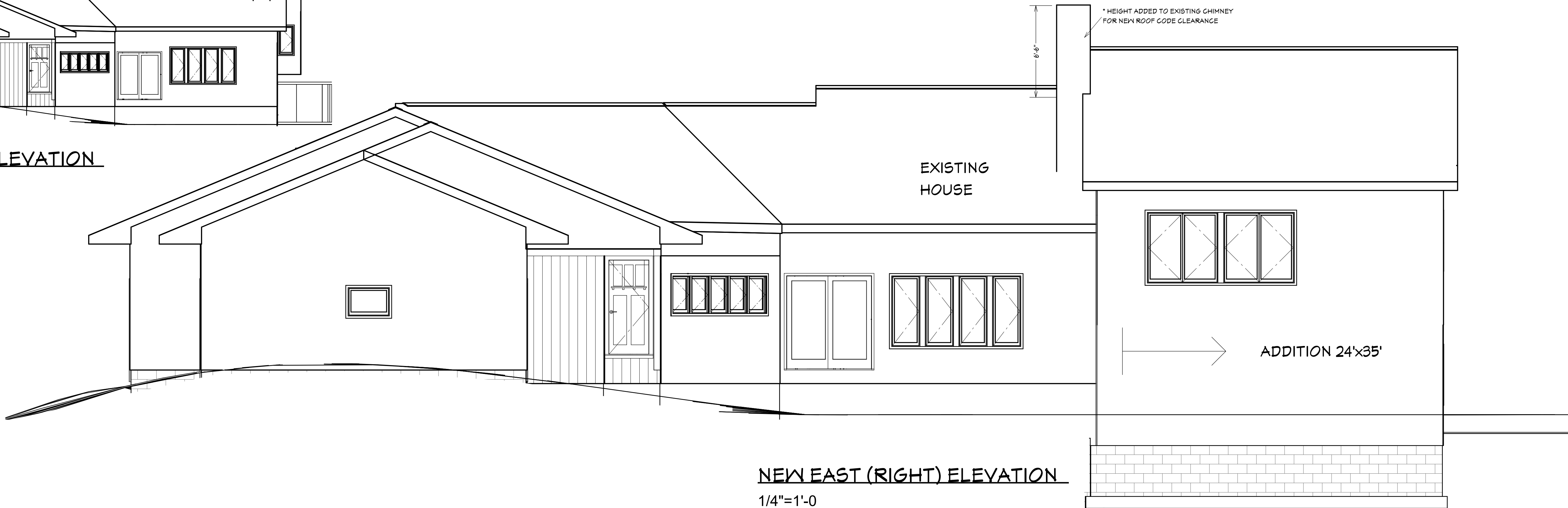
NEW WEST (LEFT) ELEVATION

1/8"=1'-0



EXISTING RIGHT ELEVATION

1/4"=1'-0



NEW EAST (RIGHT) ELEVATION

1/4"=1'-0

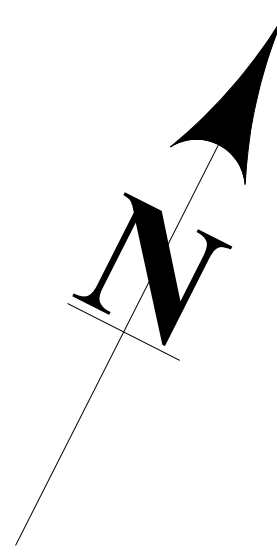
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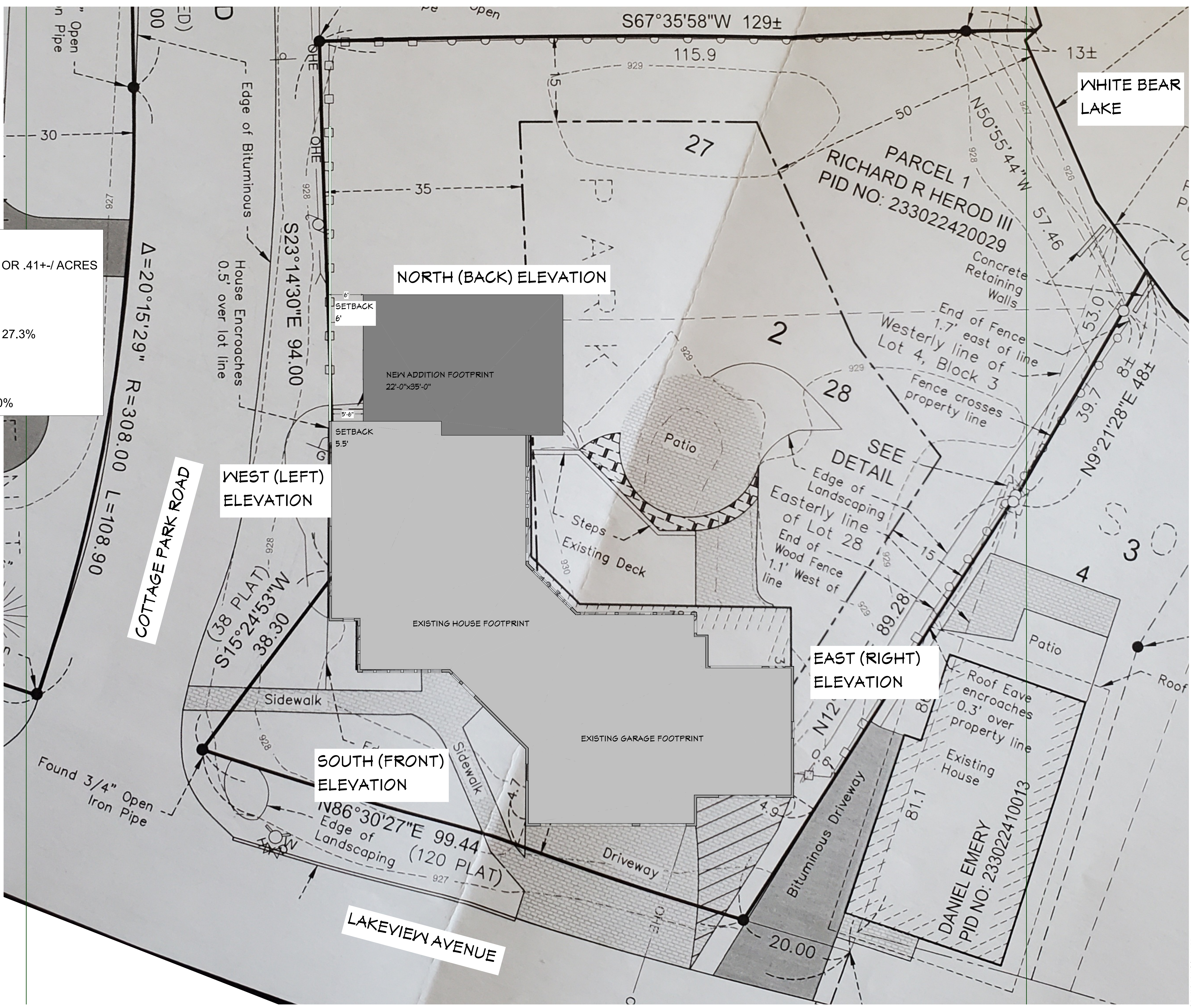
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ELEVATIONS	
SHEET:	A-3

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PRELIM SITE PLAN SURVEY NOTES:
 TOTAL ACREAGE OF PARCEL 1: 17,848 +/- SQ FT OR .41+/- ACRES
 EXISTING HOUSE = 3,230 SQ FT
 EXISTING DRIVEWAY = 525 SQ FT
 EXISTING SIDEWALKS/PATIO = 1,118 SQ FT
 TOTAL EXISTING IMPERVIOUS = 4,873 SQ FT OR 27.3%
 PROPOSED IMPERVIOUS CALCULATION:
 HOUSE ADDITION = 840 SQ FT
 TOTAL FINAL IMPERVIOUS = 5,713 SQ FT OR 32.0%



PRELIM SITE PLAN
 1/8"=1'-0"

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BUILDER: Dry Tech Co 3483 Fenway Blvd Circle N Hugo, MN 55038 651-775-7978	Client: Tyler & Sara Pitlick 4264 Cottage Park Rd White Bear Lake, MN 55110
DATE 11/23/2021	REVISION 3/25/2022
PRELIM SITE PLAN	SHEET: A-6



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Samantha Crosby, Planning & Zoning Coordinator
Date: April 12, 2022
Subject: Rose's Park View Addition / 1788 Highway 96, Case No. 22-2-P

SUMMARY

The City Council will consider a request by the Tice Estate for a Preliminary Plat to subdivide one lot into 5: one lot for the existing single-family residence facing Highway 96, two duplex lots and two single-family lots – for a total of 6 new units.

BACKGROUND INFORMATION

The Planning Commission considered a request for an almost identical proposal in January that consisted of 8 units, rather than 6. The City Council supported the Planning Commission's recommendation for denial by 4-1. Consequently, the applicant has amended the request to reduce the number of units by 2. No variances are required.

The subject site is located on the south side of County Highway 96 East, just east of Columbia Park (White Bear Township) and is 1.85 acres in size. The site contains one single-family residence and is extremely flat with 99 mature trees scattered throughout. There is a 33-foot-wide utility easement that runs north-south along the western boundary of the property and a 60-foot-wide utility easement that runs east-west through the property in line with Clarence Street.

The property is zoned R-4 - Single and Two Family Residential, as are the properties to the east. The property to the south is zoned P - Public Facilities. The parcel to the west (the township park) is zoned R-2 - "Urban Residential". The properties across Highway 96, to the north, are zoned R-3 - Single Family Residential.

The R-4 zoning district requires an 80-foot lot width and 5,000 square feet per unit for a duplex. It requires a 60-foot lot width and a 7,200 square foot lot area for a single-family residence. The proposal meets code.

The R-4 zoning district requires an average of 25 feet from the front, 10 feet from the sides and 30 feet from the rear. The proposal meets code.

For duplexes, the code requires one fully-enclosed parking space. For single-family residential, the code requires a two-car garage. The proposal meets code.

Sewer and water service mains already run east-west through the property in the area where the new public street will be extended. The new units will utilize the same services that serve the rest of the existing neighborhood.

As you may recall, the City Attorney recently determined that the landowner has the right to access the Clarence Street end. The new public street meets all the requirements for public dedication. The development of this parcel into a cul-de-sac type subdivision has been envisioned for many years and the roadway capacity of the feeder streets are sufficient to handle the projected 58 trips per day increase in traffic generated by this project (per ITE).

Two infiltration basins will be located along the west edge of the property. The existing utility easement will be re-dedicated as a 'drainage and utility' easement and the City will assume responsibility for maintenance of these features. Because the City will maintain the stormwater, a Stormwater Operation and Maintenance Agreement is not required. However, a curb cut for vehicular access at the west end of the cul-de-sac will be required.

The tree preservation calculation has not been updated, but the landscape plan has been. The correct number of trees are shown and the proposal meets code.

Building elevations and floor plans have not been provided because they are not relevant to the review process. The applicant, who owns a design/build construction company, may custom build for clients or may sell the vacant lots to others.

Staff is recommending a pedestrian easement at the end of the cul-de-sac order to provide the neighborhood the right to access (by foot) the Township park. The Township supports this connection. The cut-through need not be paved or plowed, but will preclude the owners of these lots from erecting a fence in this area.

The City is asking for an escrow deposit of \$2,500 to cover the legal costs of a plat opinion and drafting/finalizing a development agreement, consistent with similar requests.

City's discretion in approving or denying a preliminary plat is limited to whether or not the proposed plat meets the standards outlined in the Zoning Ordinance and Subdivision Regulations. If it meets these standards, the City must approve the plat. The standards outlined in the zoning and subdivision ordinances have all been met, therefore there is little room for discretion and staff recommends approval.

Summary

The Planning Commission held a public hearing on March 28th. Only one neighbor spoke at the meeting. The applicant requested that the pedestrian connection between the cul-de-sac and the township park be paved. In response, the Commission voted to add a condition requiring such.

The applicant also asked to be alleviated of the requirement to count Black Locust in the tree replacement calculation, as they are listed as a "restricted noxious weed" by the MN

Department of Agriculture. In response, the Commission voted to remove that condition. With these two changes, the Commission unanimously recommended approval.

RECOMMENDATION

The Planning Commission recommends the City Council adopt the attached resolution of approval.

ATTACHMENTS

Resolution of Approval
Preliminary Plat graphic

RESOLUTION NO.

**RESOLUTION APPROVING A PRELIMINARY PLAT OF
ROSE'S PARK VIEW ADDITION AT 1788 COUNTY HIGHWAY 96 EAST
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (22-1-P) has been submitted by the Tice Estate to the City Council requesting a Preliminary Plat from the City of White Bear Lake at the following site:

ADDRESS: 1788 County Highway 96 East

EXISTING LEGAL DESCRIPTION: The west ten (10) rods of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section twenty-two (22), Township thirty (30), Range twenty-two (22), except the south 3 acres thereof, according to the United States Government Survey thereof, subject to Easement for drainage ditch and roads as now established upon said premises, including easement for improvement of Highway 96, the taking now pending. (PID #: 233022220161)

PROPOSED LEGAL DESCRIPTION: Lots 1 through 5, Block 1, Rose's Park View Addition

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A Preliminary Plat, per Chapter 1400, in order to subdivide one lot into 5: one lot for the existing single-family residence, two duplex lots and two single-family lots; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on February 28, 2022; and

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

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

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

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

RESOLUTION NO.

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

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

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

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

RESOLUTION NO.

8. A pedestrian path between the end of the cul-de-sac and the west property line shall be paved.
9. No construction permits may be issued to the applicants for improvements on this subdivision site prior to approval and recording of the subdivision's Final Plat.
10. No new construction may adversely impact the adjacent parcels with respect to drainage.
11. At least one tree per lot shall be planted within the right-of-way, in addition to the tree replacement requirement of the zoning code.

Prior to City Council approval of the final plat:

12. The applicant shall revise the plans to comply with Engineering Memo dated March 8, 2022. Final construction level design drawings shall be provided to and approved by the Engineering Department.
13. An initial escrow deposit of \$2,500 shall be established to cover outside legal costs of drafting a plat opinion and development agreement. Actual costs may vary.
14. A development agreement shall be finalized.

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

15. Provide proof of having executed and recorded the resolution of approval and the final plat.
16. Submit a final grading and drainage plan to be approved prior to the issuance of a building permit.
17. Extend a letter of credit consisting of 125% of the exterior improvements, which renews automatically every year until released in writing by the City. The amount of the letter shall be based on a cost estimate of the outside and public improvements, to be approved by the City prior to the issuance of the letter of credit. The applicant shall also provide a timetable in which such improvements will be completed.
18. A development agreement shall be entered into prior to Council consideration of the final plat.
19. Show all surveyed trees on the tree preservation plan.

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

20. A final grading and drainage plan shall be submitted for that lot. Frost footings shall be

RESOLUTION NO.

constructed 42 inches below existing grade unless otherwise approved by the Building Official.

- 21. Watershed District approval shall be obtained prior to issuance of a grading permit for any of the proposed lots within the subdivision.
- 22. The Metropolitan Council's SAC (Sewer Availability Charge) and City SAC and WAC (Water Availability Charge) for the lot must be paid.
- 23. Park dedication shall be collected at the time of building permit for each lot.
- 24. Water and sewer hook-up fees shall be collected for each new lot within the subdivision at the time that the building permit is issued for that lot.

Prior to the release of the letter of credit:

- 25. Any relevant terms entered into by the development agreement shall be satisfied.
- 26. The applicant shall provide an as-built drawing meeting the current engineering requirements for such.
- 27. All replacement trees must be planted and have survived one full growing season.
- 28. The street trees, and any other required plantings, have been installed and have survived one full growing season.
- 29. The applicants shall provide the City with the required the two reproducible mylar copies of the final plat.
- 30. Durable iron monuments shall be set at all angle and curve points on the outside boundary lines of the plat and also at all block and lot corners and at all intermediate points on the block and lot lines indicating changes of direction in the lines and witness corners.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

RESOLUTION NO.

ATTEST:

Kara Coustry, City Clerk

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

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

Berry Tice, Executor, Tice Estate

Date



City of White Bear Lake
Community Development Department

M E M O R A N D U M

To: Lindy Crawford, City Manager
From: Samantha Crosby, Planning & Zoning Coordinator
Date: April 12, 2022
Subject: McNeely Music Center / 4910 Highway 61, Case No. 22-7-V

SUMMARY

The City Council will consider a request for five variances in order to demolish the existing building and construct a new music center on generally the same footprint located at 4910 Highway 61:

- A 5-foot variance from the 10-foot (east) side yard setback requirement,
- A 6-foot variance from the 30-foot setback requirement from (west) side abutting a public right-of-way,
- A 6-foot variance from the 30-foot front yard (south side) setback requirement,
- A parking variance to allow 18 parking spaces, and
- A variance from the 50% limit on the use of metal panels as an exterior building material to allow 69%.

BACKGROUND INFORMATION

The proposed use is a two-story building that will house nine teaching studios on the upper two floors and a four-room recording studio in the basement. There will be a lounge/reception area on the main level. The applicant envisions recitals occurring in the lounge area, but this would be scheduled only when lessons are not occurring.

The site is located at the northeast corner of 8th Street and Highway 61. It is a wedged-shape lot that is 13,295 square feet in size. The site currently contains a two-story office building and 18 parking stalls. The existing building does not meet the setbacks from the west, south or east, the parking lot does not meet the setbacks from both the north and the west, and is three stalls short of complying with parking requirements.

The property is zoned B-4 - General Business. The directly abutting properties to the north, east and south are also zoned B-4. The property across Highway 61 to the west is zoned DCB - Diversified Central Business. The property directly to the east is a city-owned parking lot, constructed in 2002. The properties to the east and south of the public lot are zoned R-4 - Single and Two Family Residential.

The property was platted in 1871. The site was originally developed as a single-family

residence. It appears that at some point in the past it may have been a gasoline service station, as there is a letter in the address file from the MPCA (Minnesota Pollution Control Agency) in 1994. The letter details a petroleum tank release (leak) and the corrective actions that were taken to the satisfaction of the MPCA.

A review of the city's files revealed that the parking lot to the east of the subject site was dedicated to the City (specifically for the construction of parking) as a joint venture of the previous owner of the subject site and Bill Foussard, owner of WB Country Inn / Rudy's Redeye Grill. The stalls in the public parking lot were attributed to the subject site (which at the time was a ReMax office) during the day and WB Country Inn/Rudy's in the evenings. So, while the public lot is available for use on a first-come first serve basis, the stalls cannot be attributed to the site in evening hours to off-set parking code requirements.

In 1996, the City granted five variances for: lot width, parking, two hard-surface setbacks and a building setback (see resolution included in applicant's packet for details). The current office building was constructed in 1997. In 1998, the City granted an 8-foot setback variance for a 32 square foot monument sign.

A 5-foot variance from the 10-foot (east) side yard setback requirement

The plans show the east building wall six feet from the east property line, but the applicant has requested a 5-foot variance as this is one of the five variances that was previously approved for the existing building in 1996 and also due to the thickness of the curtain wall needed for the metal panels. The east side of the building currently has a "stepped" façade that will be reconstructed as a straight wall. So, the new east wall will be a continuous distance from the property line, which is a slight expansion of the building. Also, the new building will be up to 28 feet tall when the existing building is about 26 feet 8 inches tall; also a slight expansion. Since the applicant is reshaping the footprint in this area, it is possible to relocate the wall to meet code.

In 1996, the variance was supported based on the "narrow, irregular shape of the lot". On a corner lot, the shorter of the two-side abutting the public right-of-way is the front. Therefore, the south side of the lot is the front. The B-4 zoning district requires a 100-foot lot width and the subject site is only 60.47 feet wide along the south side. This narrowness of the parcel from east-to-west supports the need for deviation from the code standards on the east (or west) side. Given the previously approved variance, and the lack of any known adverse impacts of this variance over the past 26 years, staff supports the variance as requested.

There is a back stoop and stairs that extends into this setback area. If a stoop is the minimum size required by the building code it is considered a permitted encroachment. This stoop is one foot wider and five feet longer than the minimum required by code. The reason was to provide a more substantial landing for the hauling of trash and equipment. By incorporation herein, the new stoop is considered part of the requested variance.

A 6-foot variance from the 30-foot setback requirement from (the west) side abutting a public right-of-way

The existing building is 28 feet from the west property line when 30 feet is required. There is indication in the City's files that the current office building was a rebuild of a former office building. Given that this is not one of the five variances granted in 1996, staff assumes that the proximity of the west wall to the west property line was an existing condition at the time the building was constructed and therefore a variance was deemed un-necessary.

The requested variance is for 24 feet from the west property line. The building is being expanded by 3.9 feet and, again, the applicant is asking for a little bit of "wobble room" due to the thickness of the curtain wall for the metal panels. Given the same rationale outlined above, the narrow width of the lot (east-to-west) and the existence of a similar non-conformity without any known adverse impacts, staff supports the variance as requested.

A six-foot variance from the 30-foot front yard (south side) setback requirement

The existing building is only 24 feet from the south property line. This is not one of the five variances that was previously approved for the existing building. The staff report from 1996 points out that a 30-foot setback is required by code, but the site plan clearly dimensions a 25-foot setback from the south property line. Current staff suspects the omission was an oversight of previous staff; there should have been six variances granted instead of five.

Because of the irregular shape of the lot, a building with a west wall that is parallel to Highway 61, with right-angled corners produces a south wall that is not parallel to 8th Street. The west half of the south side building wall meets the 30-foot setback requirement. Only the very southeast corner of the building does not comply – a total of 83 square feet. Given the nominal amount of encroachment and given the lack of any known adverse impacts of this non-conformity over the past 26 years, staff supports the variance.

A parking variance to allow 18 parking spaces

This was also one of the five variances granted in 1996, however, with the change of use the variance no longer applies. The wording of this request is vague because the parking code does not list a comparable use. The "other uses" section of the parking code exists exactly for this reason:

"Other uses not specifically mentioned herein shall be determined on an individual basis by the City Council. Factors to be considered in such determination shall include (without limitation) size of the building, type of use, number of employees, expected volume and turnover of customer traffic, and expected frequency and number of delivery or service vehicles."

The applicant's written narrative provides an explanation of the nature of the use and the amount of parking demand they expect the use to generate. They anticipate the peak hours for the nine teaching studios will be between 3 p.m. and 8 p.m. and the peak hours for the basement recording studio will be after 6 p.m. Nine teaching studios consisting of one teacher and one student each generates a demand for 18 parking spaces, if everyone drives. However, staff agrees that not everyone will drive; there will be some amount of walking, biking, or drop-off/pick-up. With only half hour classes, the drop-off/pick-up may not be the majority of the

students but given that there is a separate lane available for this function (which could stack two vehicles at the south end) staff believes that the off-set would be comparable to the demand generated by the recording studio in the basement. And while it cannot be counted towards on-site requirements, there is both the public lot next door and on-street parking available along 8th Street that could be utilized.

Ultimately, the management of the facility has the ability to adjust operations. For example, if necessary, they could stagger the timing/schedule of the teaching studios, or add a 10-minute delay between each class, to allow students the ability to clear out before the next students show up. Being that the parking demand actually generated by the proposal will not be completely known until operations are in full swing, staff has included a condition regarding the resolution of parking issues should they arise. This is a condition that has been used in the past for projects such as The Barnum Apartments, Flips Gymnastics and White Bear Animal Hospital.

A variance from the 50% limit on the use of metal panels as an exterior building material to allow 69%

The prefinished metal wall panels are limited by the zoning code to no more than 50% of the aggregate wall area. The proposed building elevations are 100% metal panels on the south, east and southeast facades. The panels also comprise 45% of the north façade and 41% of the west façade. The applicant has indicated the metal panels are pricey and may not be used if their budget doesn't allow. Therefore, they have also provided graphics which show the EFIS (Exterior Finish Insulation System) material that would be used instead if the metal panels are beyond reach.

In the past, the City has granted variances from the 50% limitation for both Walser Polar Mazda and Walser Polar Chevrolet. Their siding was aluminum composite material (ACM) which is a flat design that appears tile-like; very different from traditional sheet metal panels. While the proposed siding is not generic sheet metal, because of the corrugated profile, it is difficult to differentiate from it. Staff trusts that the architect has done a wonderful job and the building will look quite elegant. Nonetheless, we do not see a true practical difficulty to support the variance, nor are we able to draw a clear line between the style proposed here and more standard sheet metal panels. For these reasons, staff recommends denial of this part of the request. If the applicant has the budget to utilize this material, the amount could be reduced so that it does not exceed 50%.

Other

As referenced above, the site will be maintaining the access to 8th Street, to allow for a one-way south bound drop-off/pick-up lane and to allow vehicles the ability to access south-bound Highway 61 via 8th Street. Staff encouraged the maintenance of this access opening. The applicant is asking to reduce the width of the drive-aisle to 12 feet in the area adjacent to the building to provide for more pedestrian space and greater protection of the glass wall from things like plows. Staff has included a couple minor modifications to maintain the possibility of emergency vehicle use of this aisle.

The project does not exceed 10,000 square feet of new or reconstructed impervious area; therefore, the City's stormwater management requirements are not triggered.

A bike rack is required by code. The rack must be the type that allows the bicycle to be locked at the frame, rather than the tires.

Finally, one of the variances was not discovered until March 22nd. The fifth variance was added to the request, but to be thorough, the adjacent property owners will be re-noticed prior to the City Council meeting, and the City Council should open up the floor to the public in case anyone would like to speak.

The City has a high level of discretion when approving or denying a variance because the burden of proof is on the applicant to show a practical difficulty. If the proposal is deemed reasonable (meaning that it does not have an adverse effect on neighboring properties, it is consistent with the Comprehensive Plan, and it is harmony with the intent of the zoning code) then the criteria have been met.

Summary

Staff recommended approval of the setback and parking variances but denial of the metal panel variance. The Planning Commission held a public hearing on March 28th. No one other than the applicant spoke at the meeting. The applicant asked that the Commission approve the exterior material variance pointing out that it is only a 19% difference. The applicant also requested that the language of condition #4 be revisited because some students may be siblings. The Commission voted to delete condition #4 completely, as any parking concerns are amply addressed by condition #5. With that one revision, on a 5-2 vote, the Commission recommended approval of all five variances.

RECOMMENDATIONS

The Planning Commission recommends the City Council adopt the attached resolution of approval.

ATTACHMENTS

- Resolution of Approval
- Existing Conditions Survey
- Proposed Site Plan
- Sheet Metal Exhibit

RESOLUTION NO.

**RESOLUTION GRANTING FIVE VARIANCES
FOR 4910 HIGHWAY 61
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (22-7-V) has been submitted by the Manitou Fund MMC LLC, to the City Council requesting approval of four variances from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 4910 Highway 61

LEGAL DESCRIPTION: That part of Lots 1, 2 and 3, in Block 23, White Bear, lying North of the Northern Pacific Railroad Company right-of-way and Easterly of Trunk Highway No. 61, all of which lies Southerly of the following described line: Commencing at the Southwest corner of the Northeast Quarter of the Northeast Quarter of Section 14, Township 30 North, Range 22 West; thence South 89 degrees 49 minutes West (assumed bearing) along the South line of said Quarter Quarter a distance of 466.28 feet to the Easterly Highway right-of-way of Trunk Highway No. 61 as monumented; thence South 14 degrees 24 minutes 42 seconds West 44.25 feet along said Easterly right-of-wayline to the point of beginning of the line be herein described; thence South 73 degrees 29 minutes 09 seconds East 120.88 feet to the Northwesterly right-of-way line of said railroad and there terminating. (PID: 143022140008); and

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: Five variances in order to demolish the existing building and reconstruct a new music center on generally the same footprint: a 5 foot variance from the 10 foot side yard setback requirement; a 6 foot variance from the 30 foot setback requirement from a side abutting a public right-of-way; and a 6 foot variance from the front yard setback, all per code section 1303.150, Subd.5.c; a parking variance, per code section 1302.050, Subd.8.cc to allow 18 parking spaces; and a variance from the 50% limit on the use of metal panels as an exterior building material, per code section 1303.150, Subd.6.c, to allow 69%;

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on March 28, 2022; and

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

RESOLUTION NO.

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

1. The requested variances will not:
 - a. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - c. Increase the danger of fire or endanger the public safety.
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. Because of the narrow, irregular shape of the lot, the setback variances are a reasonable use of the land or building and the variances are the minimum required to accomplish this purpose.
3. Because the setback variances have been in place for the past 26 years with no known adverse impacts, the variances will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
4. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variances.

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

1. All materials submitted with this application, including the plans and drawings dated March 23, 2022, and the descriptive information also dated March 23, 2022, shall become part of the building permit.
2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. This variance approval shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the sign resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. Should on-street parking generated by the proposed use become a nuisance in the future, the property owner will work with the City to adjust practices or modify procedures to ensure that the amount of parking provided is sufficient to accommodate the demand created.

RESOLUTION NO.

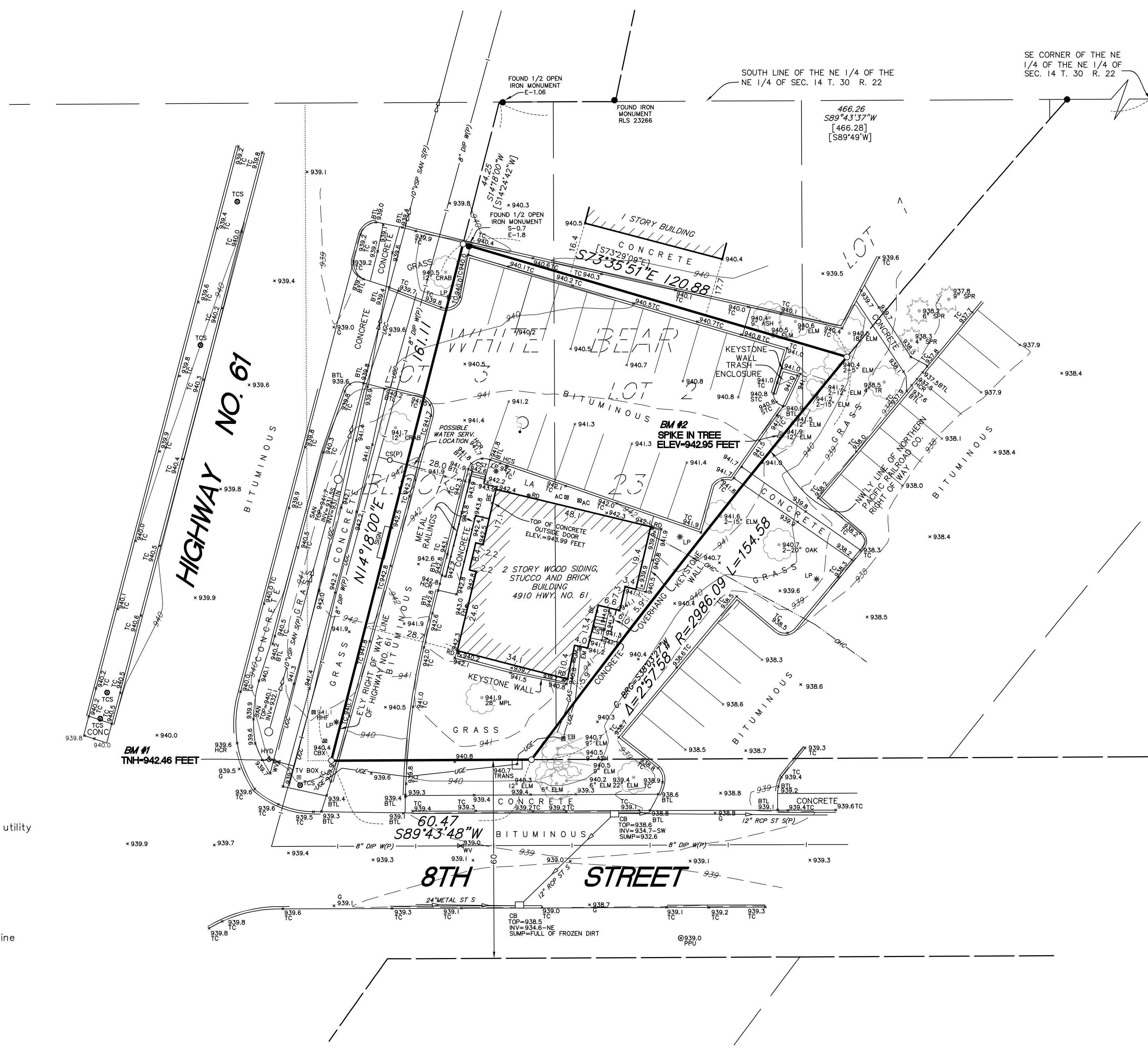
5. No signs or signage locations are approved. Any signage shall require approval of a separate sign permit.
6. If waste/recycling receptacles exceed 75 gallons in size, they shall either be stored internal to the building or screened by a masonry enclosure designed to match the building.
7. Any rooftop mechanical equipment will be positioned far enough away from the edge of the building so that it is not visible from the public right-of-way or adjacent residential, or be screened from view.
8. If contaminated soils are encountered, the proper procedures shall be followed.
9. The applicant shall obtain a building permit prior to beginning any work.

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

10. The applicant shall comply with the Fire Department memo dated February 18, 2022. The site plan shall be revised to widen the south side turning radius of the Highway 61 access opening, remove the northernmost bollard, and use surmountable curb between the hatched area of the parking lot and the sidewalk, all subject to fire department approval.
11. Provide a landscape plan, to comply with code including tree preservation and replacement calculations, if any - plan to be approved by staff.
12. The applicant shall provide building materials samples to be approved by staff.
13. The applicant shall provide soil borings within the building footprint to show suitability for construction.
14. No new lighting is requested or approved. If any new lighting is desired, the applicant shall provide a photometric plan and lighting details. Pole height shall not exceed 20 feet on top of a maximum 2-foot-tall base. The light sources shall be shielded from view from Highway 61, 8th Street and the east. Plan and details subject to staff approval.
15. Provide a bike rack detail, subject to staff approval.
16. Provide a SAC (Sewer Availability Charge) determination letter from the Metropolitan Council.
17. Obtain any necessary permits from MnDOT and the watershed district and provide a copy to the City.

LEGEND

- Denotes iron monument set marked with P.L.S. No. 44890
- Denotes found iron monument
- AC Denotes air conditioner
- BE Denotes building entrance
- BM Denotes bench mark
- BTL Denotes beavertail curb
- CB Denotes catch basin
- CBX Denotes communication box
- CS Denotes curb stop
- CST Denotes concrete step
- DIP Denotes ductile iron pipe
- EB Denotes electric box
- EM Denotes electric meter
- FH Denotes fire hookup
- G Denotes gutter
- GM Denotes gas meter
- HCR Denotes disabled ramp
- HCS Denotes disabled sign
- HHF Denotes fiber optic hand hole
- HYD Denotes fire hydrant
- INV Denotes structure invert
- LA Denotes landscaping
- LP Denotes light pole
- OHC Denotes overhead communication line
- (P) Denotes per plan
- PPU Denotes power pole with underground utility
- RCP Denotes reinforced concrete pipe
- RD Denotes roof drain
- SAN Denotes sanitary manhole
- SAN S Denotes sanitary sewer
- ST S Denotes storm sewer
- STC Denotes top of surmountable curb
- TC Denotes top of concrete curb
- TCS Denotes traffic control sign
- TRANS Denotes transformer
- UGC Denotes underground communication line
- UGE Denotes underground electric line
- W Denotes water line
- WV Denotes water valve
- CRAB Denotes Crabapple tree
- SPR Denotes Spruce tree
- TR Denotes deciduous tree



BENCHMARKS (BM)

- (NAVD 88)
- 1.) Top of top nut of fire hydrant in the northeast quadrant of 8th Street and Highway No. 61. Elevation = 942.46 feet
 - 2.) Top of spike in south face of 12" Elm tree 48'- feet northeast of the northeast corner of building. Elevation = 942.95 feet

DESCRIPTION OF PROPERTY SURVEYED

(Per Warranty Deed Doc. No. A04843315)

That part of Lots 1, 2 and 3, in Block 23, White Bear, lying North of the Northern Pacific Railroad Company right-of-way and Easterly of Trunk Highway No. 61, all of which lies Southerly of the following described line: Commencing at the Southwest [Southeast] corner of the Northeast Quarter of the Northeast Quarter of Section 14, Township 30 North, Range 22 West; thence South 89 degrees 49 minutes West (assumed bearing) along the South line of said Quarter Quarter a distance of 466.28 feet to the Easterly Highway right-of-way of Trunk Highway No. 61 as monumented; thence South 14 degrees 24 minutes 42 seconds West 44.25 feet along said Easterly right-of-way line to the point of beginning of the line be herein described; thence South 73 degrees 29 minutes 09 seconds East 120.88 feet to the Northwesterly right-of-way line of said railroad and there terminating.

Abstract property
Property is located in Ramsey County, Minnesota.

PLAT RECORDING INFORMATION

The plat of White Bear was filed of record on July 8, 1871.

[] Bearings and/or dimensions listed within brackets are per plat or record documents.

TITLE COMMITMENT

This survey was prepared without the benefit of current title work. Easements, appurtenances, and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a current title insurance commitment or attorney's title opinion.

GENERAL NOTES

- 1.) Survey coordinate basis: Ramsey County coordinate system (North American Datum of 1983 Coordinates, final adjustment December 17, 1991)
- 2.) At the time fieldwork was performed for this survey, there was a significant amount of snow on the ground. Physical features were located to the best of our ability, but there may be additional features that were not visible and, therefore, not shown hereon.

UTILITY NOTES

- 1.) Utility information from plans and markings was combined with observed evidence of utilities to develop a view of the underground utilities shown hereon. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. In addition, Gopher State One Call locate requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is required, excavation and/or a private utility locate request may be necessary.
- 2.) Other underground utilities of which we are unaware may exist. Verify all utilities critical to construction or design.
- 3.) Some underground utility locations are shown as marked onsite by those utility companies whose locators responded to our Gopher State One Call, ticket numbers 213620775 and 213490740.
- 4.) Contact GOPHER STATE ONE CALL at 651-454-0002 (800-252-1166) for precise onsite location of utilities prior to any excavation.

AREA

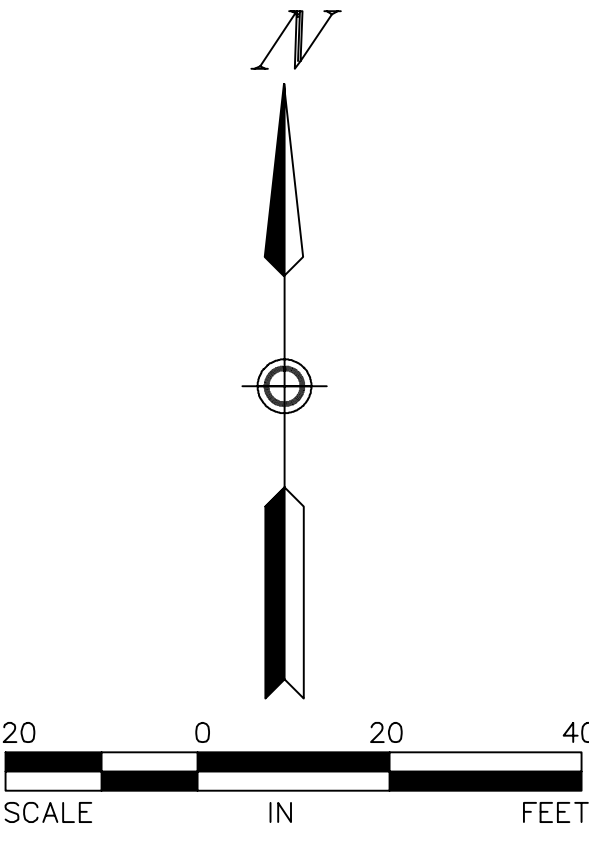
13,295 square feet or 0.305 acres

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 1st day of February, 2022

SUNDE LAND SURVEYING, LLC.

By: *Leonard F. Carlson*
Leonard F. Carlson, P.L.S. Minn. Lic. No. 44890



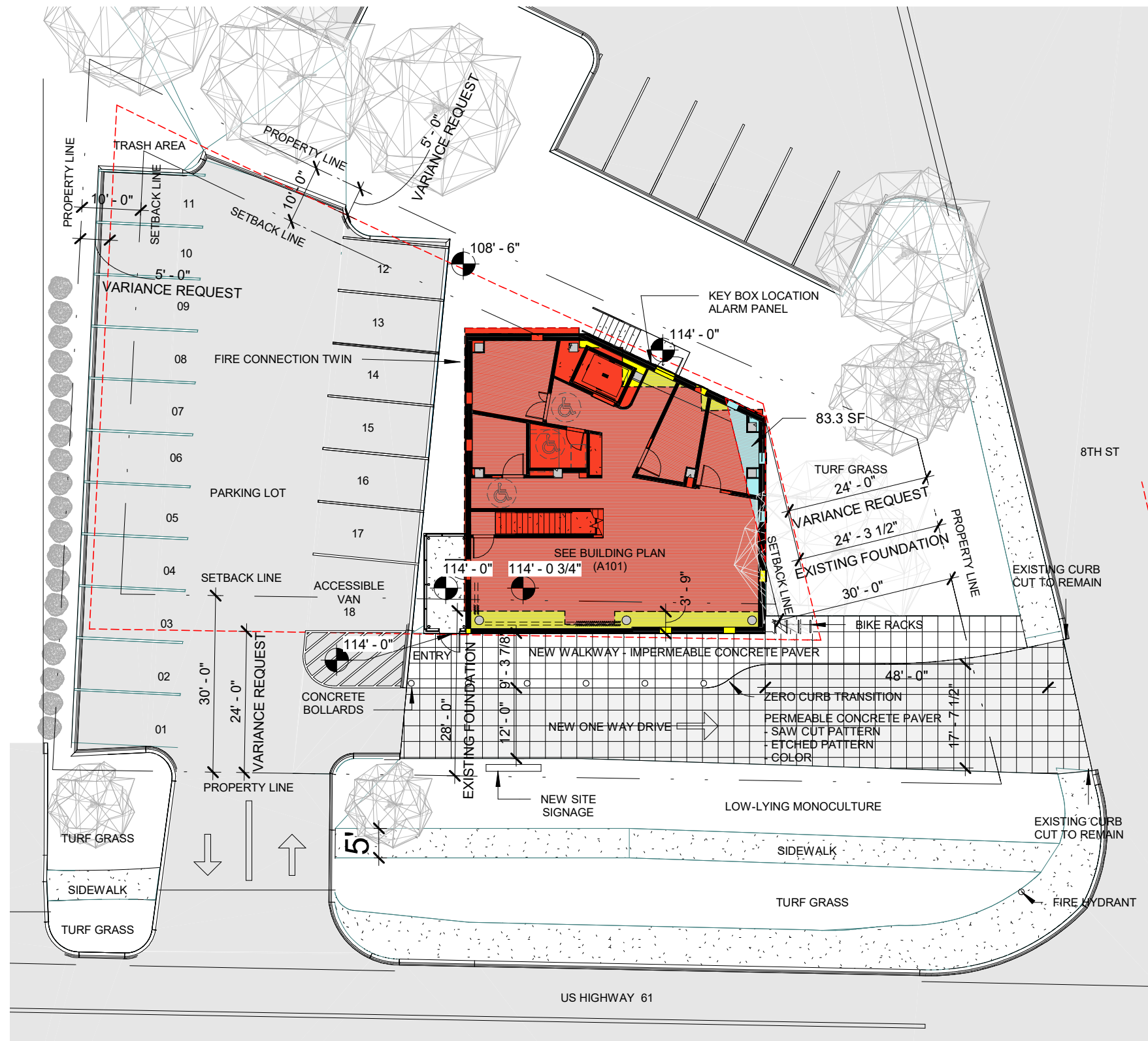
Revision	By	Date
	JMD	

Drawing Title:
**BOUNDARY, LOCATION, TOPOGRAPHIC
and UTILITY SURVEY FOR:
MANITOU FUND**
Of: 4910 HWY. NO. 61, WHITE BEAR LAKE, MN

SUNDE
LAND SURVEYING
www.sunde.com

Main Office:
9001 East Bloomington Freeway (35W) • Suite 118
Bloomington, Minnesota 55420-3435
952-881-2455 (Fax: 952-888-9526)

Project: 2021-146	Bk/Pg: 953/67	Date:
Township: 30	Range: 22	Section: 14
File: 2021146001.dwg		Sheet: 1 of 1



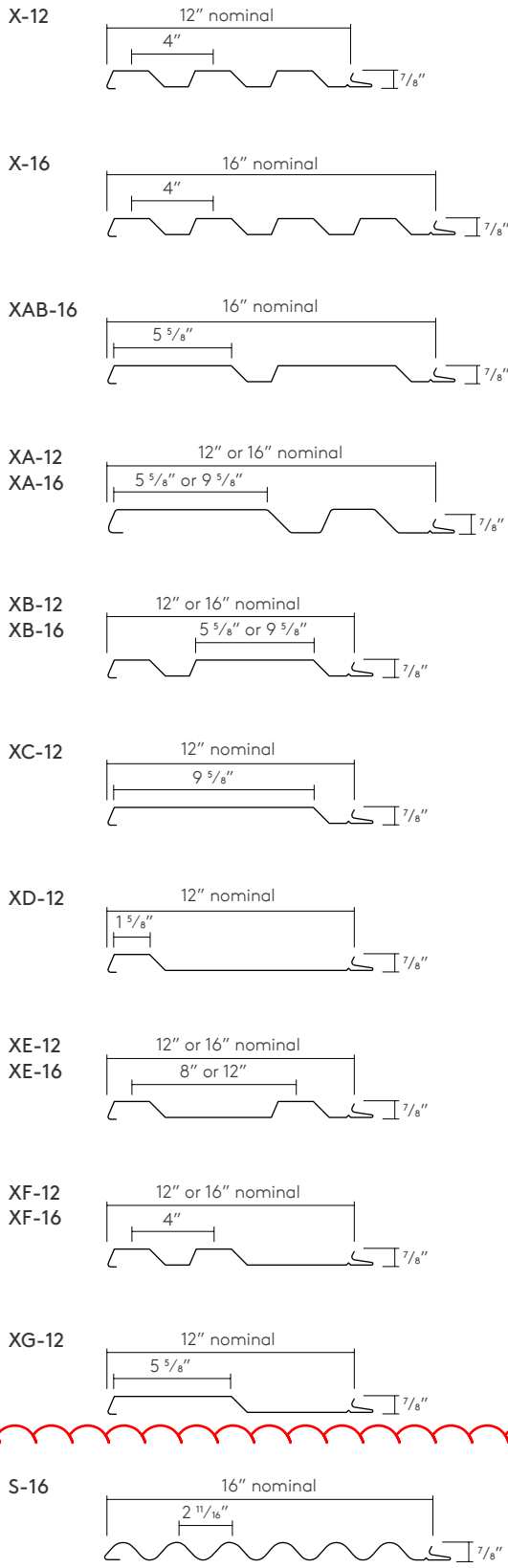
GENERAL NOTES:

THESE DRAWINGS ADDRESS SETBACK ENCROACHMENT SCOPE. THE DEVELOPMENT OF SITE LIGHTING AND SITE UTILITIES SCOPE WILL BE DOCUMENTED IN CONSTRUCTION DOCUMENTATION PHASE OF THE PROJECT AND WILL BE INCLUDED IN BUILDING PERMIT DOCUMENTATION SET OF DRAWINGS.



1 SITE PLAN FOR VARIANCE

A001-a 3/64" = 1'-0"



The asymmetrical shape of the X-12 panel was created in the early 1990's, since then it has become one of the most popular profiles selected by architects for use on buildings of all types.

- Concealed clip and fastener design
- Weather resistant or rainscreen rear ventilated application
- Ideal for new or retrofit projects
- Smooth surface standard, stucco embossed texture optional
- All PVDF painted finishes available
- Perforated options available
- Optional factory caulking available

Panel Depth:
 $7/8"$ (22mm)

Cover Width:
12" (305mm) or 16" (406mm)

Lengths:
5' (1.52m) to 30' (9.14m) standard.
Shorter and longer lengths available

Galvalume / Zinalume Painted Steel Options:
18 GA (1.19mm) / 20 GA (.91mm) /
22 GA (.76mm) / 24 GA (.60mm)

Aluminum Options:
.050 GA (1.27mm) / .040 GA (1mm)

Stainless Steel Options:
20 GA (.91mm) / 22 GA (.76mm) / 24 GA (.60mm)

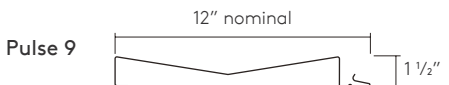
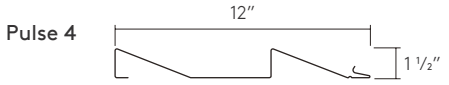
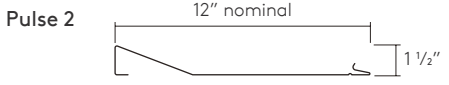
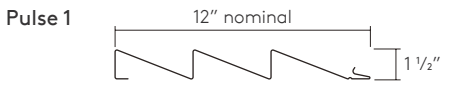
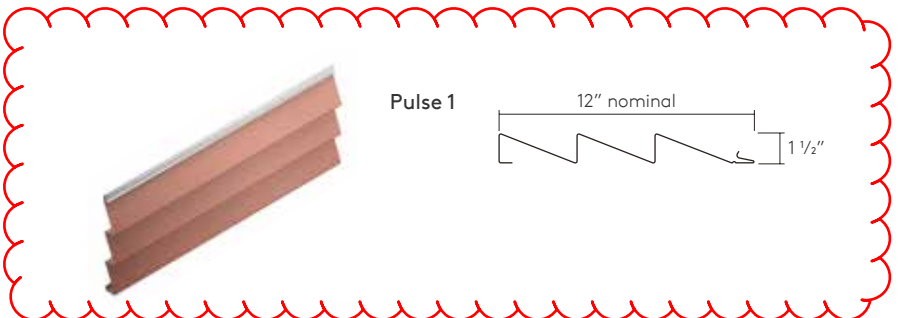
Zinc Options:
18 GA (1.19mm) / 20 GA (1.0mm) / 22 GA (.91mm)

Natural Copper Options:
20 oz. / 16 oz.

Application:
Horizontal or vertical



Easy Integration
Common joint allows multiple panel integration with Pulse Series® and Matrix Series®



Clip detail

With five panel profiles as well as complementary extruded aluminum trims and miter seam corners, the angular integrated Pulse Wall Series adds a nice dimension to help facilitate the next design.

- Ideal for new or retrofit projects
- Five unique angular profiles
- Concealed clip / fastener design
- Weather resistant or rain screen rear ventilated application
- Smooth surface standard; stucco embossed optional
- All PVDF painted finishes available
- Perforated options available
- Optional factory caulking
- Horizontal or vertical

Panel Depth:
1 1/2" (38mm)

Cover Width:
12" (305mm)

Lengths:
5' (1.52m) to 30' (9.14m) standard.
Shorter and longer lengths available

Galvalume / Zinalume Painted Steel Options:
18 GA (1.19mm) / 20 GA (.91mm) /
22 GA (.76mm) / 24 GA (.60mm)

Aluminum Options:
.050 GA (1.27mm) / .040 GA (1mm)

Stainless Steel Options:
22 GA (.76mm) / 24 GA (.60mm)

Zinc Options:
20 GA (1.0mm) / 22 GA (.91mm)

Natural Copper Options:
20 oz. / 16 oz.

Application:
Horizontal or vertical





City of White Bear Lake
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: April 12, 2022
Subject: Award of Contract for the 2022 Pavement Rehabilitation Project (City Project No. 22-01)

SUMMARY

The City Council will consider adopting a resolution awarding a contract for the 2022 Pavement Rehabilitation Project.

BACKGROUND INFORMATION

At the bid opening on April 6, 2022, five (5) bids were received for the 2022 Pavement Rehabilitation Project with Park Construction Company of Minneapolis submitting the lowest base bid at \$2,435,304.31. Based on our past experience with Park Construction Company, they are qualified to complete this work.

The bid also included unit prices for private driveway work which will be at the discretion of individual property owners who will pay separately for that work. Bid alternates A1, A2, and A3 provide unit prices for the extra driveway work and bid totals based on estimated quantities. Staff recommends that the Council award the contract with these driveway bid alternates included for a total amount of \$92,650. A review of the tabulation sheet demonstrates that we continue to experience very competitive bids on projects here in White Bear Lake.

FINANCING

The total construction contract amount is \$2,527,954.31. The total project cost is estimated at \$2,995,424, which includes related legal and administrative costs, as well as a five percent (5%) contingency for any unforeseen costs. The project will be financed through a combination of bond issue proceeds and special assessments to benefiting property owners.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution accepting the bids and awarding the contract to Park Construction Company for the base bid amount of \$2,435,304.31 plus Bid Alternates A1, A2 and A3 in the amount of \$92,650 for a total contract of \$2,527,954.31.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT FOR THE
2022 PAVEMENT REHABILITATION PROJECT, CITY PROJECT NO. 22-01**

WHEREAS, pursuant to Resolution 12946 of the City Council, construction plans and specifications were approved and advertisement for bids were made; and

WHEREAS, bids were received, opened, and tabulated according to law, and the following bids were received complying with the advertisement:

Contractor	Total Base Bid	Alt Bid A1 Driveway 2" Bituminous	Alt Bid A2 Driveway 6" Concrete	Alt Bid A3 Sod Type A (Handwork)
Park Construction Company	\$2,435,304.31	\$23,000	\$65,550	\$4,100
Arnt Construction Company, Inc.	\$2,531,471.52	\$48,000	\$69,730	\$6,000
North Valley, Inc.	\$2,593,785.15	\$47,600	\$95,190	\$5,240
Dresel Contracting Inc.	\$2,684,291.74	\$48,100	\$82,840	\$2,640
T.A. Schifsky & Sons, Inc.	\$2,730,581.92	\$70,000	\$104,500	\$8,000

WHEREAS, it appears that Park Construction Company is the lowest responsible bidder.

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

1. The Mayor and City Clerk are hereby authorized and directed to enter into contract with Park Construction Company, in the amount of \$2,527,954.31 which includes the \$2,435,304.31 total base bid plus Bid Alternates A1, A2 and A3 in the amount of \$92,650 according to the plans and specifications therefor approved by the City Council and on file in the office of the City Engineer.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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
Finance Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kerri Kindsvater
Date: April 12, 2022
Subject: **Authorizing the General Obligation Bond Sale – 2022A for Street Improvements**

SUMMARY

The City Council will consider authorizing a \$3,025,000 General Obligation (GO) Bond Sale – 2022A to fund the City’s portion of the 2022 Street Improvement project costs.

BACKGROUND INFORMATION

Minnesota Statutes Chapter 475 authorizes cities to issue bond obligations to borrow money and gives guidance on the rules for the types of bonds and their purposes that are available to issue. In addition to following the rules in Chapter 475, the City also receives further guidance from Minnesota Statutes Chapter 429 which relate to the issuance of General Obligation (GO) Improvement Bonds used to finance public improvements for roads.

In issuing GO bonds, the City pledges its full faith and credit to the obligation payment, meaning it must use any asset or any amount of tax levy to pay principal and interest on the bond obligation for its entire term. This type of bond is the most secure which leads to generally lower interest rates and is the most inexpensive method for a city to finance their capital needs.

As stated above, the 2022A Improvement Bond issue is for a par amount of \$3,025,000 with a 15-year life. The preliminary debt service schedule has a true interest cost of 3.126%, this is the actual cost of borrowing the funds taking in to account the ancillary fees and costs and the factors related to the time value of money. The economic landscape for interest costs appears to be rebounding to levels seen pre-pandemic. Though the true interest cost for this issue is higher than the 1.29% for the 2021A bond issue, it is slightly lower than the 3.27% true interest cost for the 2018A bond issue.

The City’s financing plan for the 2022A Improvement Bonds includes a special assessment component for property owners benefiting from the street improvement project. Special assessments for residential properties within the project area have a 15-year term, which aligns with the bond term. The plan calculation anticipates collection of \$786,357 in assessments, which will be used to pay the annual debt service payment due.

Given these financing details and assessment amounts to be received, the annual tax levy range for the Street Improvement debt service is \$199,185 to \$203,920. Any short fall in the payment projections would require an increase in the City's commitment to ensure the debt obligation is satisfied.

The 2022A Improvement Bonds do not include any funding for the Public Safety Facility Project. The City Council will be asked to authorize 2022B GO Capital Improvement Bonds authorized under Minnesota Statutes Chapter 475.521 to finance acquisitions or betterments to public buildings later this year when legislative funding and project costs are finalized. The City anticipates funding for the Public Safety Facility to come through two bond obligations, one in the fall of 2022 and a second in 2023. This plan allows the City to remain under the annual \$10M Bank Qualification Limit, which increases the number of potential bidders because banks can bid on these issues and decreases the interest rate on the bond issue.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing Ehlers to assist in the bond sale, establishing May 10, 2022 as the meeting for considering the bond sale proposal, setting May 10, 2022 as the date for awarding the bond sale, and authorizing Ehlers and City staff to participate in preparation of the official statement for the bond issue.

ATTACHMENTS

Resolution

Pre-sale report for \$3,025,000 General Obligation Bonds, Series 2022A

RESOLUTION NO.

**RESOLUTION PROVIDING FOR THE SALE OF
\$3,025,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2022a**

WHEREAS, the City Council of the City of White Bear Lake, Minnesota has heretofore determined that it is necessary and expedient to issue the City's \$3,025,000 General Obligation Improvement Bonds, Series 2022A (the "Bonds"), to finance costs associated with the 2022 Street Improvement Projects in the City; and

WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

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

1. Authorization; Findings. The City Council hereby authorizes Ehlers to assist the City for the sale of the Bonds.
2. Meeting; Proposal Opening. The City Council shall meet at 7:00 p.m. on May 10, 2022, for the purpose of considering proposals for and awarding the sale of the Bonds.
3. Official Statement. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

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

April 12, 2022

PRE-SALE REPORT FOR

City of White Bear Lake, Minnesota

**\$3,025,000 General Obligation Improvement Bonds,
Series 2022A**



Prepared by:

Ehlers
3060 Centre Pointe Drive
Roseville, MN 55113

Advisors:

Shelly Eldridge, Senior Municipal Advisor
Stacie Kvilvang, Senior Municipal Advisor

BUILDING COMMUNITIES. IT'S WHAT WE DO.

EXECUTIVE SUMMARY OF PROPOSED DEBT

Proposed Issue:

\$3,025,000 General Obligation Improvement Bonds, Series 2022A

Purposes:

The proposed issue includes financing for the 2022 Street Improvement Projects. The General Obligation Improvement Bonds, Series 2022A (the “Bonds”) debt service will be paid from special assessments and property taxes.

Authority:

The Bonds are being issued pursuant to Minnesota Statutes, Chapters 429 and 475.

Under M.S. 429 when the City assesses at least 20% of the project costs, the Bonds can be a general obligation without a referendum and will not count against the City’s debt limit.

The Bonds will be general obligations of the City for which its full faith, credit and taxing powers are pledged.

Term/Call Feature:

The Bonds are being issued for a term of 16 years (15 principal payments). Principal on the Bonds will be due on February 1 in the years 2024 through 2038. Interest is payable every six months beginning February 1, 2023.

The Bonds will be subject to prepayment at the discretion of the City on February 1, 2031 or any date thereafter.

Bank Qualification:

Because the City is expecting to issue no more than \$10,000,000 in tax exempt debt during the calendar year, the City will be able to designate the Bonds as “bank qualified” obligations. Bank qualified status broadens the market for the Bonds, which can result in lower interest rates.

Rating:

The City’s most recent bond issues were rated by S&P Global Ratings. The current ratings on those bonds are “AA+”. The City will request a new rating for the Bonds.

If the winning bidder on the Bonds elects to purchase bond insurance, the rating for the issue may be higher than the City’s bond rating in the event that the bond rating of the insurer is higher than that of the City.

Basis for Recommendation:

Based on the City's objectives, our advisory relationship and characteristics of various municipal financing options, we are recommending the issuance of General Obligation Bonds as a suitable option to finance the city's 2022 street project debt based on:

- The issuance is consistent with the City's practices for financing its capital needs.
- General Obligation pledge can result in lower interest rates than most other financing options.
- The expectation this form of financing will meet the City's objectives for term, prepayment flexibility and structure of repayment.
- The method of sale process identified complies with City policy as well as best practices endorsed by the Government Finance Officers Association (GFOA).

Method of Sale/Placement:

We will solicit competitive bids for the purchase of the Bonds from underwriters and banks.

We will include an allowance for discount bidding in the terms of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of their compensation in the transaction.

If the Bonds are purchased at a price greater than the minimum bid amount (maximum discount), the unused allowance may be used to reduce your borrowing amount.

Premium Pricing:

In some cases, investors in municipal bonds prefer "premium" pricing structures. A premium is achieved when the coupon for any maturity (the interest rate paid by the issuer) exceeds the yield to the investor, resulting in a price paid that is greater than the face value of the bonds. The sum of the amounts paid in excess of face value is considered "reoffering premium." The underwriter of the bonds will retain a portion of this reoffering premium as their compensation (or "discount") but will pay the remainder of the premium to the City.

For these Bonds we have been directed to use the net premium to reduce the size of the issue. The resulting adjustments may slightly change the true interest cost of the issue, either up or down.

Review of Existing Debt:

We have reviewed all outstanding indebtedness for the City and find that there are no refunding opportunities at this time.

We will continue to monitor the market and the call dates for the City's outstanding debt and will alert you to any future refunding opportunities.

Continuing Disclosure:

Because the City has more than \$10,000,000 in outstanding debt (including this issue) and this issue is over \$1,000,000, the City will be agreeing to provide certain updated Annual Financial Information and its Audited Financial Statement annually, as well as providing notices of the occurrence of certain reportable events to the Municipal Securities Rulemaking Board (the "MSRB"), as required by rules of the Securities and Exchange Commission (SEC). The City is already obligated to provide such reports for its existing bonds and has contracted with Ehlers to prepare and file the reports.

Arbitrage Monitoring:

The City must ensure compliance with certain sections of the Internal Revenue Code and Treasury Regulations ("Arbitrage Rules") throughout the life of the issue to maintain the tax-exempt status of the Bonds. These Arbitrage Rules apply to amounts held in construction, escrow, reserve, debt service account(s), etc., along with related investment income on each fund/account.

IRS audits will verify compliance with rebate, yield restriction and records retention requirements within the Arbitrage Rules. The City's specific arbitrage responsibilities will be detailed in the Tax Certificate (the "Tax Compliance Document") prepared by your Bond Attorney and provided at closing.

The Bonds may qualify for one or more exception(s) to the Arbitrage Rules by meeting 1) small issuer exception, 2) spend down requirements, 3) bona fide debt service fund limits, 4) reasonable reserve requirements, 5) expenditure within an available period limitations, 6) investments yield restrictions, 7) de minimis rules, or; 8) borrower limited requirements.

The City has retained Ehlers to assist you in complying with these rules..

Investment of Bond Proceeds:

Ehlers can assist the City in developing a strategy to invest your Bond proceeds until the funds are needed to pay project costs.

Risk Factors:

Special Assessments: We have assumed 15%, or \$117,954, of the assessments will pre-paid and we have assumed that assessments will be levied as projected. If the City receives a significant amount of pre-paid assessments above the estimated prepaid level or does not levy the assessments, it may need to increase the levy portion of the debt service to make up for lower interest earnings than the expected assessment interest rate.

Other Service Providers:

This debt issuance will require the engagement of other public finance service providers. This section identifies those other service providers, so Ehlers can coordinate their engagement on your behalf. Where you have previously used a particular firm to provide a service, we have assumed that you will continue that relationship. For services you have not previously required, we have identified a service provider. Fees charged by these service providers will be paid from proceeds of the obligation, unless you notify us that you wish to

pay them from other sources. Our pre-sale bond sizing includes a good faith estimate of these fees, but the final fees may vary. If you have any questions pertaining to the identified service providers or their role, or if you would like to use a different service provider for any of the listed services please contact us.

Bond Counsel: Kennedy & Graven, Chartered

Paying Agent: Bond Trust Services Corporation

Rating Agency: S&P Global Ratings (S&P)

Summary:

The decisions to be made by the City Council are as follows:

- Accept or modify the finance assumptions described in this report
- Adopt the resolution attached to this report.

PROPOSED DEBT ISSUANCE SCHEDULE

Pre-Sale Review by City Council:	April 12, 2022
Due Diligence Call to review Official Statement:	Week of April 25, 2022
Distribute Official Statement:	Week of April 25, 2022
Conference with Rating Agency:	Week of April 25, 2022
City Council Meeting to Award Sale of the Bonds:	May 10, 2022
Estimated Closing Date:	June 2, 2022

Attachments

- Estimated Sources and Uses of Funds
- Estimated Proposed Debt Service Schedule
- Bond Buyer Index
- Resolution Authorizing Ehlers to Proceed with Bond Sale

EHLERS' CONTACTS

Shelly Eldridge, Senior Municipal Advisor	(651) 697-8504
Stacie Kvilvang, Senior Municipal Advisor	(651) 697-8506
Silvia Johnson, Public Finance Analyst	(651) 697-8580
Alicia Gage, Senior Financial Analyst	(651) 697-8551

City of White Bear Lake, Minnesota

\$3,025,000 General Obligation Improvement Bonds, Series 2022A
Assumes Current Market BQ AA+ Rates plus 25bps

Sources & Uses

Dated 06/02/2022 | Delivered 06/02/2022

Sources Of Funds

Par Amount of Bonds	\$3,025,000.00
Prepaid Assessments	117,954.00
Total Sources	\$3,142,954.00

Uses Of Funds

Total Underwriter's Discount (1.200%)	36,300.00
Costs of Issuance	50,000.00
Deposit to Capitalized Interest (CIF) Fund	57,051.29
Deposit to Project Construction Fund	2,995,424.00
Rounding Amount	4,178.71
Total Uses	\$3,142,954.00

City of White Bear Lake, Minnesota

\$3,025,000 General Obligation Improvement Bonds, Series 2022A

Assumes Current Market BQ AA+ Rates plus 25bps

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
06/02/2022	-	-	-	-	-
02/01/2023	-	-	57,051.29	57,051.29	57,051.29
08/01/2023	-	-	42,967.50	42,967.50	-
02/01/2024	180,000.00	2.050%	42,967.50	222,967.50	265,935.00
08/01/2024	-	-	41,122.50	41,122.50	-
02/01/2025	185,000.00	2.300%	41,122.50	226,122.50	267,245.00
08/01/2025	-	-	38,995.00	38,995.00	-
02/01/2026	185,000.00	2.500%	38,995.00	223,995.00	262,990.00
08/01/2026	-	-	36,682.50	36,682.50	-
02/01/2027	185,000.00	2.650%	36,682.50	221,682.50	258,365.00
08/01/2027	-	-	34,231.25	34,231.25	-
02/01/2028	190,000.00	2.750%	34,231.25	224,231.25	258,462.50
08/01/2028	-	-	31,618.75	31,618.75	-
02/01/2029	195,000.00	2.800%	31,618.75	226,618.75	258,237.50
08/01/2029	-	-	28,888.75	28,888.75	-
02/01/2030	195,000.00	2.850%	28,888.75	223,888.75	252,777.50
08/01/2030	-	-	26,110.00	26,110.00	-
02/01/2031	200,000.00	2.900%	26,110.00	226,110.00	252,220.00
08/01/2031	-	-	23,210.00	23,210.00	-
02/01/2032	205,000.00	2.950%	23,210.00	228,210.00	251,420.00
08/01/2032	-	-	20,186.25	20,186.25	-
02/01/2033	205,000.00	3.000%	20,186.25	225,186.25	245,372.50
08/01/2033	-	-	17,111.25	17,111.25	-
02/01/2034	210,000.00	3.050%	17,111.25	227,111.25	244,222.50
08/01/2034	-	-	13,908.75	13,908.75	-
02/01/2035	215,000.00	3.100%	13,908.75	228,908.75	242,817.50
08/01/2035	-	-	10,576.25	10,576.25	-
02/01/2036	220,000.00	3.100%	10,576.25	230,576.25	241,152.50
08/01/2036	-	-	7,166.25	7,166.25	-
02/01/2037	225,000.00	3.150%	7,166.25	232,166.25	239,332.50
08/01/2037	-	-	3,622.50	3,622.50	-
02/01/2038	230,000.00	3.150%	3,622.50	233,622.50	237,245.00
Total	\$3,025,000.00	-	\$809,846.29	\$3,834,846.29	-

Yield Statistics

Bond Year Dollars	\$27,183.26
Average Life	8.986 Years
Average Coupon	2.9792092%
Net Interest Cost (NIC)	3.1127472%
True Interest Cost (TIC)	3.1264021%
Bond Yield for Arbitrage Purposes	2.9682842%
All Inclusive Cost (AIC)	3.3486035%

IRS Form 8038

Net Interest Cost	2.9792092%
Weighted Average Maturity	8.986 Years

City of White Bear Lake, Minnesota

\$3,025,000 General Obligation Improvement Bonds, Series 2022A

Assumes Current Market BQ AA+ Rates plus 25bps

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	CIF	Net New D/S	105% of Total	Assessments	Levy/(Surplus)
02/01/2023	-	-	57,051.29	57,051.29	(57,051.29)	-	-	-	-
02/01/2024	180,000.00	2.050%	85,935.00	265,935.00	-	265,935.00	279,231.75	78,982.95	200,248.80
02/01/2025	185,000.00	2.300%	82,245.00	267,245.00	-	267,245.00	280,607.25	76,688.10	203,919.15
02/01/2026	185,000.00	2.500%	77,990.00	262,990.00	-	262,990.00	276,139.50	74,393.26	201,746.24
02/01/2027	185,000.00	2.650%	73,365.00	258,365.00	-	258,365.00	271,283.25	72,098.40	199,184.85
02/01/2028	190,000.00	2.750%	68,462.50	258,462.50	-	258,462.50	271,385.63	69,803.56	201,582.07
02/01/2029	195,000.00	2.800%	63,237.50	258,237.50	-	258,237.50	271,149.38	67,508.70	203,640.68
02/01/2030	195,000.00	2.850%	57,777.50	252,777.50	-	252,777.50	265,416.38	65,213.86	200,202.52
02/01/2031	200,000.00	2.900%	52,220.00	252,220.00	-	252,220.00	264,831.00	62,919.00	201,912.00
02/01/2032	205,000.00	2.950%	46,420.00	251,420.00	-	251,420.00	263,991.00	60,624.16	203,366.84
02/01/2033	205,000.00	3.000%	40,372.50	245,372.50	-	245,372.50	257,641.13	58,329.30	199,311.83
02/01/2034	210,000.00	3.050%	34,222.50	244,222.50	-	244,222.50	256,433.63	56,034.46	200,399.17
02/01/2035	215,000.00	3.100%	27,817.50	242,817.50	-	242,817.50	254,958.38	53,739.60	201,218.78
02/01/2036	220,000.00	3.100%	21,152.50	241,152.50	-	241,152.50	253,210.13	51,444.76	201,765.37
02/01/2037	225,000.00	3.150%	14,332.50	239,332.50	-	239,332.50	251,299.13	49,149.90	202,149.23
02/01/2038	230,000.00	3.150%	7,245.00	237,245.00	-	237,245.00	249,107.25	46,855.06	202,252.19
Total	\$3,025,000.00	-	\$809,846.29	\$3,834,846.29	(57,051.29)	\$3,777,795.00	\$3,966,684.75	\$943,785.07	\$3,022,899.68

Significant Dates

Dated	6/02/2022
First Coupon Date	2/01/2023

Yield Statistics

Bond Year Dollars	\$27,183.26
Average Life	8.986 Years
Average Coupon	2.9792092%
Net Interest Cost (NIC)	3.1127472%
True Interest Cost (TIC)	3.1264021%
Bond Yield for Arbitrage Purposes	2.9682842%
All Inclusive Cost (AIC)	3.3486035%

City of White Bear Lake, Minnesota

\$668,403 General Obligation Improvement Bonds, Series 2022A

Assessments - 15 Years

2% over TIC - Equal Principal

Assessments

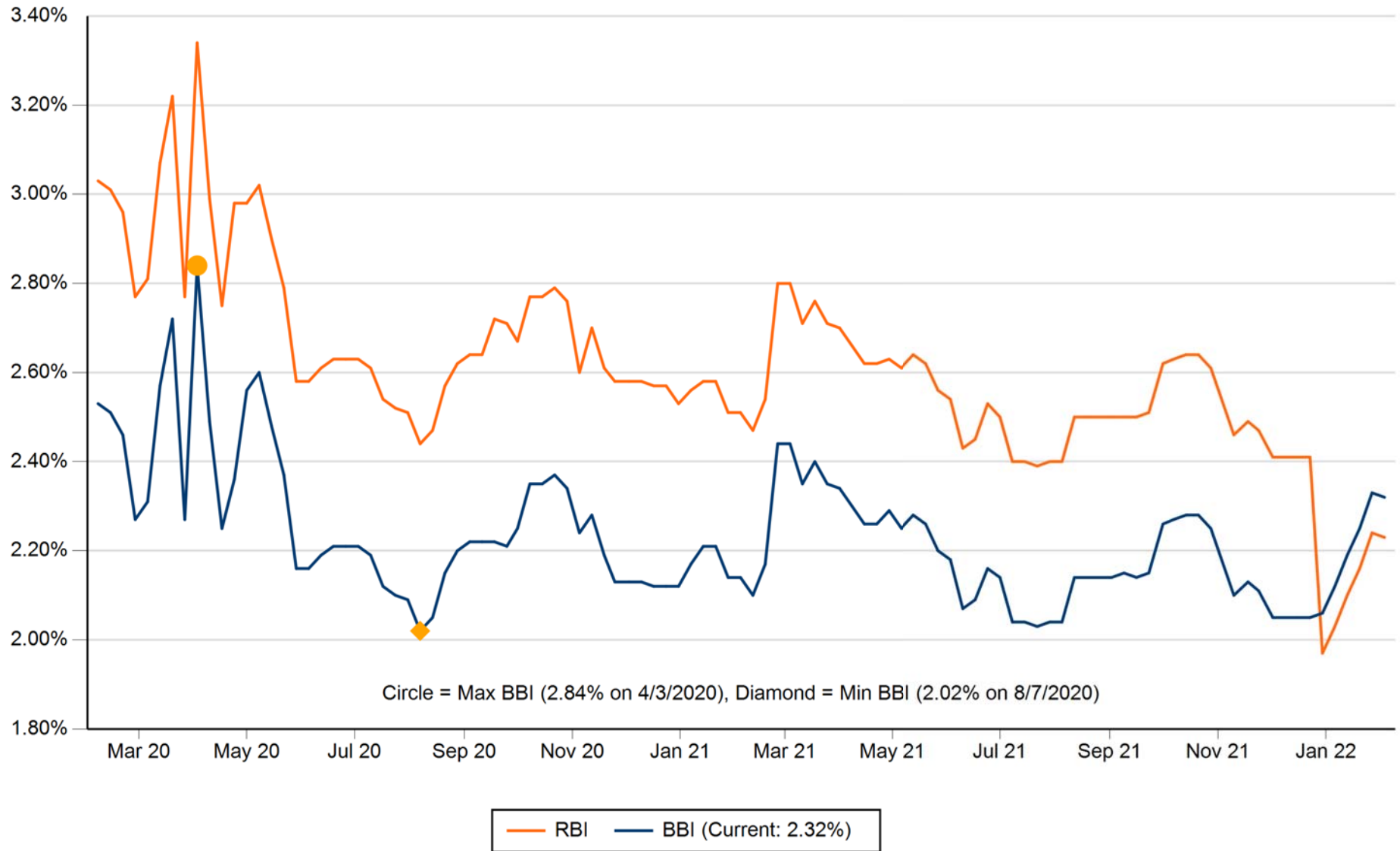
Date	Principal	Coupon	Interest	Total P+I
12/31/2023	44,560.20	5.150%	34,422.75	78,982.95
12/31/2024	44,560.20	5.150%	32,127.90	76,688.10
12/31/2025	44,560.20	5.150%	29,833.06	74,393.26
12/31/2026	44,560.20	5.150%	27,538.20	72,098.40
12/31/2027	44,560.20	5.150%	25,243.36	69,803.56
12/31/2028	44,560.20	5.150%	22,948.50	67,508.70
12/31/2029	44,560.20	5.150%	20,653.66	65,213.86
12/31/2030	44,560.20	5.150%	18,358.80	62,919.00
12/31/2031	44,560.20	5.150%	16,063.96	60,624.16
12/31/2032	44,560.20	5.150%	13,769.10	58,329.30
12/31/2033	44,560.20	5.150%	11,474.26	56,034.46
12/31/2034	44,560.20	5.150%	9,179.40	53,739.60
12/31/2035	44,560.20	5.150%	6,884.56	51,444.76
12/31/2036	44,560.20	5.150%	4,589.70	49,149.90
12/31/2037	44,560.20	5.150%	2,294.86	46,855.06
Total	\$668,403.00	-	\$275,382.07	\$943,785.07

Significant Dates

Filing Date	1/01/2023
First Payment Date	12/31/2023

2 YEAR TREND IN MUNICIPAL BOND INDICES

Weekly Rates February, 2020 - February, 2022



Source: The Bond Buyer

The Bond Buyer "20 Bond Index" (BBI) shows average yields on a group of municipal bonds that mature in 20 years and have an average rating equivalent to Moody's Aa2 and S&P's AA.

The Revenue Bond Index (RBI) shows the average yield on a group of revenue bonds that mature in 30 years and have an average rating equivalent to Moody's A1 and S&P's A+.



Resolution No. _____

Councilmember _____ introduced the following resolution and moved its adoption:

**Resolution Providing for the Sale of
\$3,025,000 General Obligation Improvement Bonds, Series 2022A**

- A. WHEREAS, the City Council of the City of White Bear Lake, Minnesota has heretofore determined that it is necessary and expedient to issue the City's \$3,025,000 General Obligation Improvement Bonds, Series 2022A (the "Bonds"), to finance costs associated with the 2022 Street Improvement Projects in the City; and
- B. WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

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

- 1. Authorization; Findings. The City Council hereby authorizes Ehlers to assist the City for the sale of the Bonds.
- 2. Meeting; Proposal Opening. The City Council shall meet at 7:00 p.m. on May 10, 2022, for the purpose of considering proposals for and awarding the sale of the Bonds.
- 3. Official Statement. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

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

Ayes:
Absent:
Nays:
Passed: .

Dan Louismet, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor & City Council
From: Lindy Crawford, City Manager
 Tracy Shimek, Housing & Economic Development Coordinator
Date: April 12, 2022
Subject: Seating in Public Right of Way

SUMMARY

In an effort to support local restaurants that were particularly challenged by the COVID-19 pandemic, the City implemented an interim administrative review process to consider requests to use public right-of-way (ROW) for outdoor seating, including sidewalks and parking spaces.

Staff has received requests from establishments to continue use of public ROW spaces for outdoor seating again this year. Due to the fact that COVID-19 mitigation efforts and precautionary guidelines have largely been lifted, staff is seeking guidance from the City Council on how to respond to these requests.

BACKGROUND INFORMATION

In 2020 and 2021, with City Council support, staff implemented a temporary administrative review process for restaurants, bars and tap rooms to request temporary approval to expand or add outdoor seating on private property or the public ROW, including sidewalks and public parking spaces.

Because of reduced traffic and demand for parking during 2020 and 2021, the use of public parking ROW had a minimal impact on parking accessibility in Downtown. Given the return to normal operations, the use of public parking for such uses would be incompatible with the current level of parking demand. Consistent with both the temporary review process and more permanent approvals, uses of public ROW that adversely impede pedestrian movement and safety would not be eligible for approval.

While there is not a codified review process in the City's Municipal Code, staff has found records of various approaches to consider such requests in addition to the administrative approval process used in 2020 and 2021:

- Formal Council Approval (year of action noted in parentheses):
 - Cobblestone Café (4760 Washington Square) received approval for an expanded liquor license which allowed them to serve alcohol in their outdoor seating. Staff

has not found records of any formal approval for the outdoor seating; however, the ongoing use was acknowledged in the liquor license approval (2002).

- The Chocolate Spoon (Shoppes at Banning & 5th, 2202 5th Street) (2003) recommended for approval by committee described in the following section and received Council approval as a consent agenda item.
 - Zam-Zam (4687 Bald Eagle, currently Pizza Man/Mr. Sesame) received approval for outdoor seating by Council approval as a consent agenda item (2007).
 - Big Wood Brewery (2222 4th Street) received approval at the same time a liquor license extension was approved (2014).
- Committee approval process for downtown requests: Three-person administrative review by Planner, Ward 2 Councilmember and Main Street President
 - Olives Pizza (4746 Washington Square, currently Brickhouse) (2014)
 - No formal approval required:
 - Pizza Man (4687 Bald Eagle): internal correspondence from the City Manager's office noted that downtown had a formal review process not applicable to other areas in the City (2012).

Use of private outdoor space, while typically not requiring a separate permit or approvals, is generally approved in the land use approval and building permitting process. Outdoor uses involving alcohol additionally require review by the Police and Administration Departments.

Due to the fact various approaches have been used for approval, and that institutional memory of processes is sometimes lost as a result of staff turnover, this topic is being brought to the City Council as a discussion item. If Council is amenable to considering such requests, staff would recommend formalizing and codifying a process for future requests after researching how other similarly situated communities consider and evaluate them.

RECOMMENDATIONS

Staff seeks a general consensus from the City Council on whether to move forward with researching and recommending a formal review process to consider requests to use public ROW for outdoor seating. Furthermore, staff would not recommend the continued use of public parking to provide for seating, and would recommend any approvals be limited to the consideration of other public ROW spaces such as sidewalks. Staff is not requesting any formal action from City Council at this time, simply direction.

ATTACHMENTS

None

CITY OF WHITE BEAR LAKE FIRST QUARTER 2022 LAND USE ACTIVITY

	JANUARY	FEBRUARY	MARCH	YTD (3/31/22)
SIGN PERMITS	2	6	3	11
ZONING PERMITS	1	0	2	3
OTHER PERMITS	2	7	6	15
ZONING LETTERS ¹	1	1	0	2
ZONING CALLS ²	0	0	0	0
ADMINISTRATIVE VARIANCES	1	0	0	1
LAND USE CASES*	4	1	6	11
QUESTIONS / INQUIRIES	46	42	65	153
MEETINGS	19	27	23	69
SITE INSPECTIONS	0	2	2	4
ENFORCEMENT LETTERS	1	0	0	1
OTHER / MISC [^]	2	0	2	4
TOTAL	79	86	109	274

1. A zoning letter indicates that a commercial property is being sold or refinanced.
2. A zoning call indicates that a residential property is being sold or refinanced.

JANUARY LAND USE CASES

Public Safety Building Expansion
Cabin 61 Variances
Anderson Variance
Rooney Final Plat

FEBURARY LAND USE CASES

Pitlick Variance

OTHER MISCELLANEOUS

January: Tice Plat continued
Hisdahl's Sign Variance continued

March: Two car dealer licenses

MARCH LAND USE CASES

Tice Plat
Dierking Variance
Sanchez Lot Split
McNeely Music Center Variances
Old Stewart SHOP (withdrawn)
Firstat CUP (withdrawn)

WHITE BEAR LAKE 1st QUARTER BUILDING PERMIT DATA

January 1- March 31

	2022	2021	CHANGE
PERMIT TOTALS:			
Comm./Ind. (New)	0	0	0
Comm./Ind. (Alt)	6	17	-11
S.F. Dwelling (New)	1	1	0
S.F. Dwelling (Alt)	123	147	-24
Garage Only	4	2	2
Other Building Permits	8	5	3
Demolition	1	3	-2
Electrical	129	121	8
All Other Permit Types	224	235	-11
ALL PERMIT TYPE TOTALS:	496	531	-35

PERMIT VALUATION:

Comm./Ind. (New)	\$0	\$0	\$0
Comm./Ind. (Alt)	\$6,361,150	\$4,242,960	\$2,118,190
S.F. Dwelling (New)	\$489,980	\$1,500,000	-\$1,010,020
S.F. Dwelling (Alt)	\$3,110,470	\$2,687,172	\$423,298
Garage Only	\$82,000	\$49,500	\$32,500
Fire Suppression	\$2,006,711	\$216,209	\$1,790,502
Heating (HVAC)	\$15,760,605	\$2,396,733	\$13,363,872
Other Building Permits	\$234,000	\$43,550	\$190,450
VALUATION TOTALS:	\$28,044,916	\$11,136,124	\$16,908,792

PERMIT FEES:

Comm./Ind. (New)	\$0	\$0	\$0
Comm./Ind. (Alt)	\$29,795	\$23,390	\$6,405
S.F. Dwelling(New)	\$3,687	\$8,672	-\$4,985
S.F. Dwelling (Alt)	\$37,479	\$36,140	\$1,339
Garage Only	\$1,535	\$861	\$674
Other Building Permits	\$2,622	\$1,109	\$1,513
Demolition	\$200	\$13,800	-\$13,600
Electrical	\$12,331	\$11,579	\$752
All Other Permit Types	\$169,759	\$41,237	\$128,522
PERMIT FEE TOTALS:	\$257,408	\$136,788	\$120,620
PLAN FEES:	\$67,523	\$25,246	\$42,277
TOTAL PERMIT & PLAN FEES:	\$324,931	\$162,034	\$162,897

Park Fees	\$1,200	\$0	\$1,200
SAC Fees	\$54,670	\$27,335	\$27,335

Code Enforcement Violations by Ward

First Quarter 2022

Ward	1	2	3	4	5	Total
Refuse / Exterior Storage	1	1	0	0	0	2
Inoperable Vehicle(s)	1	1	0	0	1	3
Parking (including on grass)	0	2	0	0	4	6
Weeds	0	0	0	0	0	0
Miscellaneous	2	4	0	1	3	10
Structure Maintenance	0	0	0	1	0	1
Complaints	4	8	0	2	8	22
Proactive / City Initiated	0	0	0	0	0	0

Ward	1	2	3	4	5	Total
# of Cases Open	0	5	0	2	6	13
# of Cases Closed	2	3	0	0	2	7

Ward	1	2	3	4	5	Total
County Citations	0	0	0	0	0	0

Ramsey County is planning the Phase 2 Extension of the **BRUCE VENTO REGIONAL TRAIL**

Help Ramsey County Parks & Recreation re-envision a section of the Bruce Vento Regional Trail as a 13.3 mile trail from downtown Saint Paul to the county boundary in White Bear Township.

An extension of the Bruce Vento Regional Trail will stretch the remaining 3.5 miles of the corridor between Whitaker Street and County Road J. The map shows the recommended alignment of the regional trail corridor.

The Bruce Vento Trail is an important community asset, and the new trail connections will benefit residents and businesses in the adjacent neighborhoods while also drawing new audiences to the trail system!



Project Goals



Create high quality community spaces that promote a welcoming user experience for all people, all ages and all abilities.

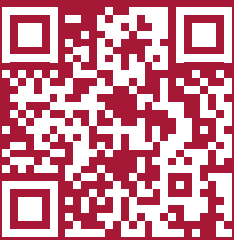


Increase access to regional and local trail facilities within the White Bear Lake and White Bear Township communities.



Provide a regional trail facility and site amenities that complement the area's natural resources and incorporate sustainable and resilient design.

Engagement Opportunities



Visit the project website to learn more and share your feedback:

**[ramseycounty.us/
VentoPhase2](https://ramseycounty.us/VentoPhase2)**

Community Meeting

White Bear Lake City Hall
4701 Hwy 61 N.,
White Bear Lake, MN 55110
Thursday, April 21, 5 - 7 p.m.



**RAMSEY
COUNTY**

Parks & Recreation