



**AGENDA**  
**REGULAR MEETING OF THE CITY COUNCIL OF**  
**THE CITY OF WHITE BEAR LAKE, MINNESOTA**  
**WEDNESDAY, NOVEMBER 9, 2022**  
**7 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 October 25, 2022
- B. Minutes of the City Council Work Session on October 25, 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 – September Environmental Advisory Commission, September Park Advisory Commission, September White Bear Lake Conservation District, October Planning Commission
- B. Resolution accepting the 2023 Enforcement Grant from the Department of Public Safety
- C. Resolution approving Criminal Justice Data Network (CJDN) Joint Powers Agreement and Court Services Amendment Renewal
- D. Resolution approving the Violent Crimes Enforcement Joint Powers Agreement
- E. Resolution approving Raingarden Construction Contract with Sandstrom Land Management
- F. Resolution authorizing a Grant Agreement with Ramsey-Washington Metro Watershed District and requesting grant allocation
- G. Resolution accepting work and authorizing final payment to Ferguson Water Works for the completion of the Water Meter Replacement Project, City Project No. 21-09
- H. Resolution granting a Conditional Use Permit for 3881 Highland Avenue
- I. Resolution granting a Conditional Use Permit for 2300 Highway 96

**5. VISITORS AND PRESENTATIONS**

Nothing scheduled

**6. PUBLIC HEARINGS**

Nothing scheduled

**7. UNFINISHED BUSINESS**

Nothing scheduled

**8. NEW BUSINESS**

- A. Resolution accepting bids and awarding construction contract for the Public Safety Renovation Project, City Project No. 22-09

B. Resolution providing for the sale of General Obligation Capital Improvement Plan Bonds, Series 2022B

**9. DISCUSSION**

A. Land Use and Zoning Applications Review Process

**10. COMMUNICATIONS FROM THE CITY MANAGER**

**11. ADJOURNMENT**



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, OCTOBER 25, 2022  
7 P.M. IN THE COUNCIL CHAMBERS**

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

Mayor Dan Louismet called the meeting to order at 7 p.m. The City Clerk took attendance for Councilmembers Kevin Edberg, Steven Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, Community Development Director Jason Lindahl, Finance Director Kerri Kindsvater, Police Chief Julie Swanson, City Clerk Caley Longendyke, and City Attorney Troy Gilchrist.

**PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF MINUTES**

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

Mayor Louismet requested an amendment to the minutes due to an incomplete sentence. It was moved by Councilmember **Edberg**, seconded by Councilmember **Jones**, to approve the minutes as amended. Motion carried unanimously.

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

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran**, to approve the minutes. Motion carried unanimously.

**3. APPROVAL OF THE AGENDA**

Mayor Louismet noted that there are two memos labeled 4F. The first 4F should be 4E. It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to approve the agenda as presented. Motion carried unanimously.

**4. CONSENT AGENDA**

- A. Resolution Approving a Professional Services Agreement for Building Code Inspection Services with Inspectron, Inc. **Res. No. 13071**
- B. Resolution Authorizing Issuance of Massage Therapist License for Connie Carlblom at Sunbear Salon and Medical Spa **Res. No. 13072**
- C. Resolution Authorizing Advertisement for Bids for Water Treatment Plant Lime Slaker and Feeder Replacement, City Project NO. 22-14 **Res. No. 13073**
- D. Resolution Providing Benefits to Non-Bargaining Employees of the City of White Bear Lake **Res. No. 13074**
- E. Resolution Approving an Agreement with White Bear Lake Area Schools for School Resource Officers **Res. No. 13075**
- F. Resolution Accepting a donation from Walser Polar Chevrolet **Res. No. 13076**

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to approve the consent agenda as presented. Motion carried unanimously.

## 5. VISITORS AND PRESENTATIONS

### A. Bi-annual Police Department Report

Police Chief Swanson presented the Police Department's third quarter report for the City Council. She provided an overview of staffing and said the department is still down from being fully staffed. She highlighted the various community engagement events with police officers and said the department has been staying busy with the events. She reviewed the types of training that officers receive, such as the monthly Use of Force and De-Escalation training, the department's Crisis in Intervention training, team arrests and control concepts, and active shooter response training. Officers have to complete continuing education hours during each three-year cycle of their POST licensure. She said the department is constantly in a training cycle and provides regular trainings to its officers both monthly and quarterly.

Chief Swanson provided information about the Northeast Youth and Family Service Community Advocate Program and the shared case worker between White Bear Lake, Roseville, Mounds View, New Brighton, and Saint Anthony police departments. The case worker helps with a variety of situations that cannot be sufficiently addressed by law enforcement alone or that need follow-up, including people suffering with mental health issues and people in crisis. She said this is an opportunity to help families without the police uniform, and will hopefully reduce the need for law enforcement intervention for situations involving mental health issues in the future, family instability and more. The case workers are also knowledgeable about the available local resources to families based on their needs. Chief Swanson shared information about the new partnership with Masa Consultant who will provide the Public Safety departments with mental health and wellness resources. She provided an overview of the existing partnerships with Ramsey County Violent Crime Enforcement Team, Ramsey County SWAT, Mobile Field Force, Minnesota Bureau of Criminal Apprehension and Ramsey County Suburban Police Departments.

Chief Swanson reported that the department has responded to approximately 17,500 calls for service so far in 2022. She said the number of calls is slightly down and is expecting the total number of calls through the rest of the year to total 22,000. She said number of calls has been down the last three years. For context, the number of calls during a height of emergency response has resulted in a total of 28,000 calls in one year. She provided information about the Civil Service Commission, which oversees the officer hiring process and has been meeting frequently due to recent rounds of hiring. She thanked the Police Department's Reserves, CERT members, and TRIAD members who volunteer their time and support the department, and Citizen's Police Academy students who are meeting weekly to learn about roles and responsibilities of officers and the department.

Councilmember Edberg asked for clarification on the total number of service calls. He said the breakdown of calls and the amount of traffic stops don't add up to the 17,500 total. Chief Swanson said a lot of the service calls are self-initiated field activity, or proactive police patrol, non-emergency citizen assists, response to fraud, non-material thefts, damage to property, and medical calls. In response to Councilmember Edberg's question about the community being safe, Chief



Swanson said people always need to be aware of their surroundings no matter what community they live in. Councilmember Walsh asked if the Northeast Youth and Family Service Community Advocate Program representative is following up with citizens who were in crisis to help prevent a reoccurring crisis. Chief Swanson said the community advocate is reactive to the first call which identifies the person and their needs, but can act in a proactive measure following initial response, making sure that person finds the services they need. She said the department would benefit from a full-time community advocate. Mayor Louismet asked if the department has reached critical mass to being able to respond to calls, on top of the repeat callers. Chief Swanson said the department is still in a good spot and calls are prioritized. She said there are times when it's critical but not on a regular basis. When asked about what is the cause of ending frequent calls, Chief Swanson said it can be a variety of reasons, such as the person getting therapy or getting back on medication. She said the goal is not to incarcerate people who have mental health issues, but to get them the help they need. Mayor Louismet asked Chief Swanson to keep him and Councilmembers updated on when the department gets to a tipping point of needing more resources. Councilmember Edberg agreed that the City Council needs to be ready to respond to the request for more resources in the future. Chief Swanson thanked the Mayor, City Council and administration for equipping officers with tools and resources.

#### B. Quarterly Community Development Report

Community Development Director Lindahl provided the quarterly report for the department. The report's supporting documents included specific data on zoning activity and cases, code enforcement and building permits. He said there has been an increase in building permit activity, specifically for roofing permits. During the third quarter, the City issued 696 roofing permits, significantly higher than the 131 roofing permits issued during the same quarter in 2021. Year to date, the City has issued 895 roofing permits, compared to the 256 year-to-date roofing permits issued the same time last year. For Mahtomedi residents, the City has issued 874 roofing permits during the 2022 year. At the same time last year, only 49 roofing permits were issued. Director Lindahl said the Building Department has been focusing its resources on the services needed for roofing permits, especially with one less staff member in the department. He said City staff is working hard to maintain its responsive service to the community.

Councilmember Edberg wondered how the department is doing financially and if the City accurately projected its revenue sources, considering the fewer construction permits through the school district but increased roofing permits for residents. Councilmember Edberg concluded with comments of appreciation for the department's staff for compiling a comprehensive report. Finance Director Kindsvater responded to the inquiry about revenue projection accurateness, and said the City's revenues for licenses and permits are extremely high. Director Lindahl responded to Mayor Louismet's question about when the influx of roofing permits and inspections will stabilize, and said for now there is a sense of urgency based on the time of year before the snow approaches. He said the department was handling the steady increase in roofing permits after spring and summer storms, but there was a sudden burst of roofing permits, prompting the need for roof inspection support from a third-party service. Mayor Louismet confirmed that the permit fees cover the costs for the third-party service.

#### C. Quarterly Finance and License Bureau Reports

Finance Director Kindsvater provided a quarterly report for the Finance Department and License Bureau. For the Finance Department, she shared that the revenue and expenditure accounts are on track for the fiscal year. She shared that the revenue for licenses and permits is \$392,000 over the projected budget. She credits the final part of the school construction and abundant roofing permits for higher revenue. She also noted that the revenue from park reservation rental fees is up to \$33,000, compared to the projected \$20,000.

For the License Bureau, Director Kindsvater said it continues to be extremely busy with services mainly focused on drivers' license renewals and applications for the enhanced and REAL ID licenses. She said the department handled more than 1,700 drivers' license applications in the month of September, which brings the year-to-date total to 14,574 applications. In September 2021, the department handled 1,300 applications. The year-to-date data for September 2021 is skewed due to the appointment-only schedule during the pandemic. Director Kindsvater reported that customers have told staff that neighboring license bureau offices referred them to the White Bear Lake due to their own staffing shortages and appointment-only services. Director Kindsvater said the revenue from title transactions and dealership work has been less than what it has been in previous years due to automobile supply chain shortages and recent higher loan interest rates. She said there have been more customers with tab renewals and shared that in-person transactions allow the City to retain the fees, instead of the state, which help maintain business operations.

Director Kindsvater responded to Mayor Louismet about how much the City collects for a drivers' license application and if it has changed since the transition to enhanced and REAL ID licenses. She said the license fee is \$8 and has not changed with the implementation of the new required licenses. She said the transactions for the REAL ID take about 20 minutes for a customer with their prepared documents, compared to 5-10 minutes for processing the previous standard IDs. Director Kindsvater agreed with Mayor Louismet's statement that processing fewer transactions per hour for the same fee amount is hard to monetize when factoring labor costs and equipment. Councilmember Jones shared his positive, speedy experience during his recent personal visit to the License Bureau.

## **6. PUBLIC HEARINGS**

### **A. Certify Delinquent Utility Accounts and City Expenses Incurred Servicing Private Properties**

Finance Director Kindsvater shared information on the process of certifying delinquent utility accounts. Each year, the City runs a report for properties with delinquent charges that are beyond 30-days overdue as of June 1. Letters are sent to those properties with a notice that their unpaid dues will be certified to their accounts if not paid by a certain date, as well as information about the scheduled public hearing during the City Council meeting. She was pleased to share that it was the lowest number of letters sent this year compared to the last seven years, meaning property owners are paying their bills. She reported that almost half of the delinquent accounts were brought current following the mailing of notification letters. Property owners who called the City to discuss their unpaid dues receive information about assistant services through Ramsey County if they're not able to pay. She said the City will continue accepting payments through November 18, after which the delinquent utility accounts will be certified.

Director Kindsvater said nuisance charges associated with the City maintaining private properties within the City Code are certified to the County Auditor for collection as special assessments. She

said this typically involves tree removal and lawn care services completed by the City and billed to the property owner. The property owners were also notified about their delinquent assessments. The total for the six unpaid bills, which can be paid by November 18, is \$1,359.

Mayor Louismet opened the public hearing at 8:03 p.m. There being no members from the public wishing to speak, Mayor Louismet closed the public hearing. Mayor Louismet asked if the resolution provides City staff flexibility to amend the list of properties with delinquent accounts before November 18. City Attorney Gilchrist said based on the report, the City may amend the list as property owners make payments, but recommends additional language to future resolutions that allows City staff the flexibility to work with property owners on their delinquent accounts between the time the City Council approves the resolution certifying delinquent charges and the deadline for payments before certification.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Jones**, to approve **Res. No. 13077** certifying delinquent charges related to the municipal utility system assessments. Motion carried unanimously.

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to approve **Res. No. 13078**, certifying delinquent 2022 miscellaneous private property assessments for recovery of expenses. Motion carried unanimously.

## **7. UNFINISHED BUSINESS**

Nothing scheduled

## **8. NEW BUSINESS**

Nothing scheduled

## **9. DISCUSSION**

Nothing scheduled

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

Crawford shared information on the County Road E Corridor Study Community Meeting Workshop scheduled for October 26 in Vadnais Heights. She shared information about the new Parks garbage truck that was purchased. The smaller-sized garbage truck will reduce staff time to collect trash at parks and other public spaces, and will be a cleaner and safer operation for collection. City Manager Crawford reminded the public that the next City Council meeting is Wednesday, November 9 due to Election Day on November 8. She shared appreciation for City staff and gave special thanks for those who regularly interact with members of the public while providing exceptional service.

Councilmember Edberg commented on the vast number of emergency response calls, and said it's important for residents to know about this, so they understand where their taxes are going and the value the City departments provide to the community.

## **11. ADJOURNMENT**

There being no further business before the Council, it was moved by Councilmember **Engstran**, seconded by Councilmember **Jones**, to adjourn the regular meeting at 8:10 p.m. Motion carried

unanimously.

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Dan Louismet, Mayor

**ATTEST:**

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Caley Longendyke, City Clerk



**WORK SESSION MINUTES OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, OCTOBER 25, 2022  
IMMEDIATELY FOLLOWING THE  
REGULARLY SCHEDULED COUNCIL MEETING  
PUBLIC SAFETY TRAINING ROOM**

**Work Session Opened: 8:23 PM**

**In Attendance:** Mayor Louismet, Councilmembers Walsh, Hughes, Jones, Edberg and Engstran. City Manager Crawford, Finance Director Kindsvater, Public Works Director/City Engineer Kauppi, and representatives from Ehlers, Kraus-Anderson and Wold.

Staff stated that bids for the Public Safety Renovation Project came in at \$17,800,000. Whereas, the project cost estimate was \$14,700,000. Kraus-Anderson (KA) shared the increase was due to general industry inflation for materials and labor uncertainty, which had doubled since the City Council approved the final project design.

The City Council discussed value engineering items and ultimately agreed the appearance of the building should not be changed and that the security fencing and automatic gates should not be delayed. It was the consensus of the Council to delay replacing roofing on the existing building (\$350,000) as well as the monument sign (\$100,000).

Staff and the City Council discussed potential earnings from interest on bond proceeds during the project as well as sales tax refunds received annually from the State during the project. It was the consensus of the City Council that the project will be paid for by issuing debt (bonds) and a minimal amount of funds will be contributed from the Community Reinvestment Fund at the end of the project. Any unused project Contingency Funds at the end of the project will be used to replace the roof and add the monument. If no Contingency Funds are available at the end of the project, the Community Reinvestment Fund may contribute funding for the roof replacement. Finally, it was agreed that the 2023 street reconstruction project would be delayed in order to keep bonding within the limits of bank qualifications (under \$10,000,000).

Costs:

Total Project Costs	\$17,801,800
Delay Monument	(\$100,000)
Delay Roof Replacement	<u>(\$350,000)</u>
Adjusted Project Costs	\$17,351,800

Funding:

2022B CIP Bonds - 20 years	(\$6,841,800)
2023A CIP Bonds - 20 years	(\$9,812,000)
Interest earned on Bond Proceeds (Est.)	(\$275,000)
Sales Tax Refund (Est.)	(\$300,000)
Community Reinvestment Fund	<u>(\$123,000)</u>
Total	\$17,351,800

**Work Session Adjourned: 11:04 PM**



**MINUTES  
ENVIRONMENTAL ADVISORY COMMISSION  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
WEDNESDAY, SEPTEMBER 21, 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 Frye, Chris Greene, Bonnie Greenleaf, Rick Johnston, Gary Schroeher (Chair)

**MEMBERS ABSENT:** Jeff Luxford

**STAFF PRESENT:** Connie Taillon, Environmental Specialist

**VISITORS PRESENT:** None

**2. APPROVAL OF AGENDA**

The commission members reviewed the agenda and had no changes. Taillon added 'Good Neighbor Guide' and 'Recycling & Energy Center Tour' to item 7B. Staff Updates.

It was moved by member **Johnston** seconded by member **Bolstad**, to approve the agenda as amended.

Motion carried 6:0.

**3. APPROVAL OF THE MINUTES**

A. Minutes of the Environmental Advisory Commission meeting on August 17, 2022

The commission members reviewed the August 17, 2022 meeting minutes and had the following change: Item 5A., third sentence, change 'Ramsey-Washington Metro Watershed District' to 'Ramsey County Recycling Ambassadors'.

It was moved by member **Greenleaf** seconded by member **Greene**, to approve the minutes of the August 17, 2022 meeting as amended.

Motion carried, 6:0.

**4. VISITORS AND PRESENTATIONS**

None.

**5. UNFINISHED BUSINESS**

A. Draft presentation to Council

The Commission members discussed content to include in the presentation to Council at the joint work session. They will be including future initiative in the presentation to get

feedback from the Mayor and Council. Taillon will email a draft of the future slides that were discussed at the May meeting.

**B. Draft Work Plan**

Commission members reviewed the GreenStep Cities Best Practices and discussed referencing the best practice action numbers to the draft work plan priority items in the Google document. Commission members asked Taillon to email the GreenStep Cities Best Practices actions spreadsheet and link to the Google Doc.

**6. NEW BUSINESS**

**A. Volunteer recognition dinner presentation**

Taillon noted that the volunteer recognition dinner will be at Boatworks on Tuesday October 4<sup>th</sup>. Staff liaisons will present on past accomplishments for each commission. Taillon asked commission members to review the presentation from 2019 and provide feedback on changes to the presentation. Commission members asked Taillon to revise the member list on slide 1, revise the date and title on slide 2 for the state wide commission workshop, update the Expo exhibitor list and photos, remove climate smart steering committee slide, and add slides for the pollinator map, electric lawn equipment promotion, and zero waste policy. Taillon stated that the event will be Zero Waste and that compostable cups, plates, and silverware will be purchased for the event.

**7. DISCUSSION**

**A. Downtown tree replacement**

The commission members discussed tree replacement in the downtown area. Member Bolstad is asking the commission for support to make a formal request to City Council to budget for tree replacements downtown. Members will include this as a discussion item in the upcoming joint work session.

*Commission member left at 8:22pm.*

**B. Staff updates**

- Rotary Nature Preserve

Taillon stated that Rotary Club volunteers planted the phase 1 restoration area on Saturday, September 17<sup>th</sup>. The rest of the phase 1 area will be seeded with native prairie seed later in October.

- WBL raingarden tour September 22nd

Taillon noted that VLAWMO RCWD and RWMWD have partnered to offer a 3-part raingarden tour. On September 22<sup>nd</sup>, the tour will be held in White Bear Lake. The tour will start at the raingardens at 10<sup>th</sup> and Morehead at 6pm. All are welcome to attend.

- VLAWMO good neighbor guide

Taillon passed around the Good Neighbor Guide that VLAWMO recently completed. The guide answers questions about watershed health and provides guidance for



landowners to reduce pollutants and conserve water. The guide is available on VLAWMO's website, and a few hard copies are at City Hall.

- Recycling & Energy Center tour

Taillon stated that she attended a tour of the Recycling and Energy Center on September 20<sup>th</sup> as part of the quarterly Ramsey County Recycling Coordinators meeting. She showed photos of the tipping floor where all trash in Ramsey and Washington Counties is delivered, and the new building addition for the curbside food scraps program that is planned to be in service by late 2023 or early 2024. Trash delivered to this facility is shredded and trucked to an Xcel Energy plant where it is burned to produce electricity. When the food scraps program is in place, the bags of food scraps will be sorted out of the trash and brought to a composting facility.

C. Commission member updates

Chair Schroeder mentioned that he attended the County Road E workshop on September 14<sup>th</sup>. The purpose of the workshop was to gather input from the public on what to do with the corridor. There will be additional workshops divided by City. The White Bear Lake workshop will be held on September 29<sup>th</sup>.

D. Do-outs

New do-out items for September 21, 2022 include:

- Taillon to email 'future project' presentation slides to members
- Taillon to email GreenStep Cities (GSC) spreadsheet and link to Google doc
- Commission members to add GSC numbers to Google doc.
- Taillon to purchase compostable products for volunteer recognition dinner

E. October agenda

The commission members asked Taillon to include the draft work plan and presentation to Council on the October agenda.

**8. ADJOURNMENT**

There being no further business before the Commission, it was moved by member **Johnston** seconded by member **Bolstad** to adjourn the meeting at 8:41 p.m.

Motion carried, 5:0



**MINUTES  
PARK ADVISORY COMMISSION  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
THURSDAY, SEPTEMBER 15, 2022  
6:30 P.M. AT LAKEWOOD HILLS PARK**

**1. CALL TO ORDER AND ATTENDANCE**

Chair Bill Ganzlin called the meeting to order at 6:32 p.m.

**MEMBERS PRESENT:** Bryan Belisle, Victoria Biehn, Mark Cermak, Anastacia Davis, Ginny Davis, Bill Ganzlin, and Mike Shepard

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Andy Wieteki, Parks Working Foreman and Paul Kauppi, Public Works Director/City Engineer

**VISITORS PRESENT:** None

**2. APPROVAL OF AGENDA**

It was moved by member **Bill Ganzlin** seconded by member **Bryan Belisle**, to approve the agenda with an addition to New Business to discuss Hidden Hollow and Bossard Park resident concerns.

Motion carried 7:0.

**3. APPROVAL OF THE MINUTES**

Minutes of August 18, 2022

It was moved by member **Ginny Davis** seconded by member **Victoria Biehn**, to approve the minutes of the August 18, 2022 meeting as presented.

Motion carried, 7:0.

**4. VISITORS AND PRESENTATIONS**

Nothing Scheduled

**5. UNFINISHED BUSINESS**

A. Continued Dog Beach Discussion

Paul Kauppi explained to the Parks Advisory Commission members that starting in February, the Commissions will attend a workshop with the City Council to discuss current and future projects. Topics that will be discussed are budgets and other issues that need City Council's attention. Paul explained this will be the venue that the Commission will bring their recommendation on the dog beach to the City Council. Bill Ganzlin thanked Paul for the update and is excited for the opportunity to work with the City Council.

Bill asked Andy Wietecki how the City will police the dog leash issue since that seems to be the biggest complaint from residents. There is no way to enforce this issue as the Police Department's resources are limited. Andy reported that the City is having issues with staffing the Community Service Officer positions and those positions would usually be the one dispatched to a call of this nature.

Mike Shepard spoke about the complaints that dogs go up the stairs and run onto neighboring properties. Mike made the most visits to the dog beach to monitor how people use the beach and if complaints are truly an issue. Mike did see one dog go up the stairs at the dog beach and found its way to the stairs at the 7<sup>th</sup> Street swim beach and then went back down to the water and back to the dog beach area. Mike recommended gates at both the 7<sup>th</sup> Street and dog beach stairs would eliminate this issue.

Closing the 7<sup>th</sup> Street swim dock was mentioned by a few residents but Bill Ganzlin was against this idea as he believes it is an important asset to the residents in the area. Andy reported that at the last Commission meeting Brian Bonin asked if the City would restrict fishing on the 7<sup>th</sup> Street swim dock as the hooks that are lost are a hazard to those swimming in the lake. Bryan questioned if anyone loses hooks fishing off this dock. Anastacia reported that her son was swimming there this summer and reported the bottom of lake under the dock was full of hooks and lures. The Park Advisory Commission was unanimous that there be no fishing signs installed to protect the swimmers. Mark stated that there are three other docks for people to fish off in the area so it shouldn't be an issue.

The Park Advisory Commission returned to the leash issue topic again. Ginny stated that she isn't a dog owner but is swimming on leash safe for the dog? Anastacia mentioned that in her experience sometimes dogs on leashes can cause problems because when dogs are leashed they tend feel protective of their owner. She also mentioned that the dog park near Otter Lake has no rules for dogs being on leashes but you are instructed that your dog's leash must be in your hands and ready to hook your dog up if they get out of hand.

Anastacia believes that teaching the public how to use the park is an important step. Paul mentioned redesigning the signage with 3 main points on the main sign to make it easier to read and understand the main rules. Then created additional signs that go in depth describing each rule. The Commission agreed that the City should redesign the dog beach signs.

Andy asked the Commission if there are any other potential dog beach/park locations that they should investigate. Both Mike and Bill stated that they looked at all the other locations and discussed them in depth each time suggestions were brought to the Park Advisory Commission. Each time the issue or complaint has been discussed the Commission always comes back that the current location for the dog beach is the best option that the City has. Ginny stated that she believes the City has done their due diligence vetting their options and looking for solutions.

Paul asked if dog waste has been a problem at the dog beach. Most members agreed that dog waste is not an issue. Andy reported that occasionally he finds dog waste under the canoe racks but he finds more along the trail than anywhere else. Andy agreed with the Commission that dog waste is not an issue.

Bill Ganzlin recommend ending the discussion and voting – should the City keep the dog beach open and in its current location. The Park Advisory Commission voted 7:0 to keep the beach at its current location. Anastacia shared that she thinks the Commission works well together on these issues and that it is a work on progress to find new ways to make the dog beach work for everyone.

## **6. NEW BUSINESS**

### **A. Lakewood Hills Park Tour**

The dog beach topic took most of the time this evening so there was no walk tour. One of the biggest topics for discussion was the amount of people that were at the park this evening. Most of the Commission members had to park at the YMCA as there was no open spots in the parking lot. Andy advised the Commission that youth baseball is now utilizing the fields and that has led to increased usage of the park in general. It was a great decision to open these fields up to youth baseball and revitalize park usage.

### **B. Hidden Hollow Playground**

Bryan Belisle received a message from a resident regarding the playground at Hidden Hollow. The resident asked if multi-purpose senior equipment could be incorporated into the park. Andy responded that this is not something we currently have in our budget. As the Commission works through the Parks Capital Improvement plan, we could discuss if this is an item that we want to add to the budget.

### **C. Bossard Park Natural Area**

Bryan Belisle noticed that the natural area of Bossard Park is being taken over by trees. The Parks Department had to clear trees and shrubs that were growing on a neighbor's fence last year. Andy Wieteki and Paul Kauppi will be visiting the site to come up with a plan on what to do with this area.

## **7. DISCUSSION**

### **A. Staff updates**

- Lakewood Hills Playground – Andy reported to the Park Advisory Commission that the playground is on hold until next year. The City hopes to have excavating completed yet this fall.
- Lions Park Shelters – The Parks Department has removed the old shelters. St. Croix

Recreation should be constructing the new shelters over the next couple of weeks.

- Lions Park Restroom Remodel – Andy is working on rearranging items in the budget so we are able to start and complete the remodel project along with the trail expansion.

B. Commission meeting location - Next meeting is back at City Hall for the winter season.

C. Other Business

- Bryan Belisle asked about reviewing the park rental rates and reservation count. This will be put on the next agenda.
- Mark Cermak asked about reviewing the Marketfest comments. The topic was tabled due to the dog beach conversation but we will be added to the next agenda.

## 8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Bill Ganzlin** seconded by member **Mike Shepard** to adjourn the meeting.

Motion carried, 7:0



**White Bear Lake Conservation District  
Regular Board Meeting – Approved Minutes**

Sept 20, 2022, 7:00 p.m., White Bear Lake City Hall Council Chambers  
(6:00 pm LUC meeting)

1. **Roll Call/Quorum** - Present: Chair Bryan DeSmet, Vice Chair Mark Ganz, Secretary/Treasurer Mike Parenteau, Diane Longville, Chris Churchill, Meredith Walburg, Scott Costello, Darren DeYoung, and Susie Mahoney. One director position from Dellwood is vacant. A quorum was present.
2. **Call to Order** - The meeting was called to order at 7:00 pm by Bryan DeSmet.
3. **Approval of Agenda** - Motion to approve the agenda made by Susie Mahoney, seconded, and passed.
4. **Approval of August Board Meetings Minutes** – Motion to approve the August Board meeting minutes made by Mark Ganz, seconded, and passed.
5. **Public Comment's**
  - Steve Smith shared drone photos taken in June and Sept. 2022 of Tally's dock placement asking when will they be enforced to operate with their boundaries, and move their dock, remove cleats, and put up a 'no parking' sign.
6. **New Business**
  - Dellwood Board Director Scott O'Connor submitted his resignation due to a conflict with the Board's scheduled meeting dates. The City of Dellwood is working on appointing a replacement.
7. **Unfinished Business**
  - Permanent Dock Permitting Status – Permanent dock applications can be submitted for review to the WBLCD with an initial a fee of \$5,000, and annual renewal fees of \$1,000. Approved docks are required to have safety markings on them.
  - A letter was sent to the resident at 4955 Lake Ave stating there is no record of a license for a permanent dock at that address, and that the dock needs to be removed before ice-in; old posts of the abandoned dock on site need to be removed also.
  - There are no rules on when docks need to come out, the ice-in date will determine it.
8. **Reports/Action Items**
  - **Executive Committee** – no meeting
  - **Lake Quality Committee** – Mike Parenteau
    - Lake level – currently 923.01 ft; September 2021 the lake level was 923.66 ft
    - Lake temperature – 70° F; in September 2021 it was 69° F; last month it was 71° F
    - Phragmites – Survey and Treatment
      - The survey was done at the end of August and a map was created. The DNR permit was renewed (to treat up to 2 acres) and the treatment, by Lake Management, will take place sometime this week.
      - Last month the Board approved \$2,000 for treatment, but because of increased area that needs to be treated, the cost increased to \$2,763.

- A motion to approve an additional \$1,000 for phragmites treatment, for a total of \$3,000, to come out of account #6045, was made by Mike Parenteau, seconded and passed.

○ **Lake Utilization Committee – Mark Ganz**

- 315 Wildwood Ave. follow up – Letters were sent to neighboring properties, 309 and 321 Wildwood, asking them to stay within their ADUA next year.
- Tally's Dockside follow up – Cleats have not been removed, 'no parking' signs have not been posted, and slips still are not numbered as of yesterday; a letter was sent asking for compliance.

Their lease states that the ADUA for Whitaker Street is for servicing boats, but appears not to be used for that. Next year, there will probably be a need for a different configuration.

- NPQD Rentals follow up – They are still renting jet skis because people are demanding them. They were given a verbal 'cease and desist' until they amend their permit.

It was noted that other companies are renting watercraft without licensing. Board counsel Alan Kantrud stated that these types of businesses are like a transient merchant. We would need a new regulatory structure to license these types of businesses, as we don't currently have one in place that fits these situations.

It was suggested that the Executive Committee review this topic over the winter, and involve the City of White Bear Lake in the discussion too. This issue is causing increasing pressure on the residents who live here.

A complaint was received asking how public property can be used for private business. The WBLCD is limited to what happens on the water only; a letter was sent, and the complaint forwarded to the City. Other issues that are hard to monitor involve private boat owners renting out their boat from the docks in Commercial Bay, or lakeshore owners renting out dock space.

There was discussion as to whether NPQD had a license from the City. A permit is needed from the City to park at the public boat launch.

Mark Ganz will call the Minnetonka Conservation District regarding their policies surrounding these issues.

- 4955 Lake Ave. follow up – As discussed earlier in the meeting, a letter was sent asking them to remove the old pilings immediately, and that there is no grandfathered permanent dock at this address, nor license application or license for it. If the dock is not out by ice-in, they will be ticketed, and the fine is up to \$700/day until it is removed. An application, with the fee structure, was sent with the letter.
- Tally's and Docks of WBL – The photos from earlier this evening show that the docks of Docks of WBL are angled diagonally toward, and encroaching on the Whitaker/Tally's ADUA. The outside dock needs to be placed so that boats can maneuver without encroaching the ADUA.

- **Lake Education Committee**
  - Adopt-A-Drain - Scott Costello reported that 486 drains have been adopted toward the goal of 589 by the end of October. WBL is close to doubling their number of adopted drains, and White Bear Township has only 14 more to go to double their number. Much has been accomplished so far.
  - Social media update – Meredith Walburg will post about the phragmites treatment, the RCWD grants, and registering buoys.
- **Treasurer's Report** – Mike Parenteau
  - Approval of September 2022 Treasurer's Report – Motion to accept the September Treasurer's Report and pay checks #4787 - #4794 made by Mike Parenteau, was seconded and passed.
  - USGS Survey account status – Documents from the project show that monies for the survey were to be paid to the USGS. Mike talked to Perry Jones, who cannot help with this, and is awaiting a call back from the USGS office in Colorado. The monies could be used to purchase some of their maps on our aquifers, etc., or to have someone summarize the survey, and what discuss what we might do in the future should the lake levels drop again.
- **Board Counsel Report** – Attorney Alan Kantrud
  - Paperwork to receive the ORI from the FBI, through the State and BCA, has been processed. There is a nominal fee to use the BCA's platform and system; the fee may be \$100-\$150 a year. We will find out when we sign an agreement with them.
  - Ramsey County water patrol pulled a tree trunk from the water that was outside a buoy near Memorial Park Beach.

9. **Announcements** – The locked file cabinet has been purchased, and still researching computers. A proposal for refreshing the office area will be brought to a future meeting.
10. **Adjournment** – Motion made by Mark Ganz to adjourn at 7:50 pm was seconded, and passed.

ATTEST:

Bryan DeSmet, Chair 

Date: 10-18-2022

Cheri Howe, Administrator 

Date: 10/18/2022





**MINUTES  
PLANNING COMMISSION MEETING  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
MONDAY, OCTOBER 24, 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:** Jason Lindahl, Community Development Director and Ashton Miller, City Planner.

**OTHERS PRESENT:** Andrew Lund and Jim Mackey.

**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 September 26, 2022

Member Enz commented that John Reinhart should be added to others present since he spoke at the meeting.

It was moved by Member **Baltzer** seconded by Member **Enz**, to approve the minutes of the September 26, 2022 meeting as amended.

Motion carried, 7:0.

**4. CASE ITEMS**

A. **Case No. 22-6-CUP:** A request by **3881 Property Group** for a conditional use permit, per code section 1303.030, Subd.4.e in order to convert an existing two-story building into a 14 unit assisted living facility in the R-3 zoning district at the property located at 3881 Highland Avenue.

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

Member Enz asked for clarification on the trash enclosure. Miller explained that because it encroaches onto city property, the city has used it in the past.

Member Berry opened the public hearing.

Jim Mackey, applicant, 1723 Lafond Avenue, he explained that the proposal is very similar to the one approved last year, other than each occupant will not have their own bathroom. They were unable to move forward with the nursing home last year because of a statewide moratorium, so they have shifted to an assisted living facility.

Member Berry closed the public hearing.

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

Motion carried, 7:0.

- B. **Case No. 22-7-CUP:** A request by **B & A Logistics** for a conditional use permit, per code section 1303.180, Subd.4.a for open and outdoor storage as a principal use in order to operate a storage facility for empty shipping containers at the property located at 1801 Birch Lake Boulevard South. **(WITHDRAWN AT APPLICANT'S REQUEST)**
- C. **Case No. 22-8-CUP:** A request by **Lund Family Dentistry** for a conditional use permit, per code section 1303.120, subd.4.b, in order to expand the existing dental clinic at the property located at 2300 Highway 96.

Miller discussed the case. Staff recommended approval subject to a number of conditions laid out in the report.

Member Berry opened the public hearing.

Andrew Lund, applicant, 2300 Highway 96, offered to answer any questions the commissioners may have.

Member Berry wondered if Dr. Lund was agreeable to the conditions that staff included in the resolution of approval. Dr. Lund stated that he was and that his architects were already working to incorporate the necessary changes.

Member West asked if the applicant has spoken with the neighbors. Dr. Lund confirmed that he has discussed with the neighbors and they have a very good relationship.

Member Berry closed the public hearing.

It was moved by Member **Enz** to recommend approval of Case No. 22-8-CUP, seconded by Member **West**.

Motion carried, 7:0.

## 5. DISCUSSION ITEMS

### A. Concept Plan Review Process

Community Development Director Lindahl presented potential changes to the City's land use and zoning application review process. He explained that neighborhood meetings would be required for conditional use permit or zoning map amendment applications. In response to a question from Member Lynch, Lindahl confirmed the CUPs on this evening's agenda would need to hold a neighborhood meeting under the new process.

Member Berry thought the neighborhood meetings would give more people the opportunity to learn about projects by giving more of a heads up, which could then increase feedback.

There were several questions from the Commissioners pertaining to cost and timing. Lindahl explained that the neighborhood meeting would need to fit within the 60 day process, that there would not be a change in application fees since it is the applicants meeting, and that they would be responsible for mailing out notices and providing proof to the City. The added cost incurred by the applicant would not be sizable.

Member West asked how feedback would be gathered from the meetings. Lindahl stated that the applicant will need to have a sign-in sheet and comment cards and will be required to take minutes of the discussion.

Member Enz wondered if one day was enough time for applicants to get the meeting material to the City. Lindahl stated it has not been an issue in the past, and that depending on when the meeting is held, there is some wiggle room to that requirement.

Lindahl explained that staff would include a subsection that gives the City Manager the authority to grant deviations from the meeting requirements. Member Lynch wondered if that meant the City could enact a higher level of public engagement. Lindahl confirmed that it could but also stated that the City could lessen some engagement requires based on public safety or the particulars of the given case.

Member Amundsen asked if there were different requirements for Planned Unit Developments. Lindahl commented that the City has used neighborhood meetings for various projects in the past, which have typically only been PUDs. The proposed changes would solidify the practice and put into code what is required.

Lindahl then provided details on the concept plan review process that would be required of comprehensive plan amendments, rezoning, PUD applications or requests for city financial assistance. The process would also be available to other land use requests where the applicant wants preliminary feedback from the community.

Member Lynch recommended that there be a shelf life to the concept review process. Circumstances may change over the years and if the applicant waits to submit, the feedback collected from the concept review phase may no longer be applicable. He wondered how much longer the Planning Commission meetings will be with the addition of concept plan presentations.

After some more discussion, the Commissioners expressed their general support for the concept plan and neighborhood meeting process as presented by staff.

#### B. City Council Meeting Overview

Lindahl provided a summary of the October 11, 2022 City Council meeting, noting that the Council approved the AALPHA clinic proposal and voted to deny the variance on Birch Lake Boulevard North.

### 6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Baltzer**, seconded by Member **Lynch** to adjourn the meeting at 8:20 p.m.

Motion carried, 7:0



**City of White Bear Lake**  
Police Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Julie Swanson, Police Chief  
**Date:** November 9, 2022  
**Subject:** **Resolution accepting the 2023 Enforcement Grant from the Department of Public Safety**

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## SUMMARY

The Ramsey County Traffic Safety Initiative submitted a grant application to the Minnesota Department of Public Safety (DPS), Office of Traffic Safety (OTS) and was awarded \$859,775.00 for the 2022-2023 fiscal year. The grant is shared among the nine law enforcement agencies within Ramsey County. Saint Paul Police Department serves as the grant coordinator, and each agency receives quarterly reimbursement for overtime from the grant. White Bear Lake Police Department's portion of the grant amounts to \$123,454.00 for the 2023 enforcement year.

## BACKGROUND INFORMATION

The Minnesota Department of Public Safety (DPS), Office of Traffic Safety (OTS) has provided Ramsey County law enforcement agencies with grant funding to conduct a highly-visible, well-publicized traffic safety enforcement program. The grant funding will be used for overtime enforcement to address all traffic safety issues with an emphasis on impaired driving, occupant protection, speed and distracted driving. The DPS has a mandate to promote the safety of those who use public roadways. The National Highway Traffic Safety Administration (NHTSA) provides federal funding to the OTS to design and implement public education and traffic law enforcement programs to fulfill this mandate.

Minnesota uses an interdisciplinary approach by teaming up the "4 E's" of enforcement, engineering, education, and emergency medical and trauma services to implement these strategies. This traffic safety program, called Toward Zero Deaths (TZD) works to create a safe driving culture in Minnesota in which motorists support a goal of zero road fatalities by practicing and promoting safe and smart driving behavior.

## RECOMMENDATION

Staff recommends the City Council approve the attached resolution authorizing the Mayor and City Manager to execute an agreement with the Minnesota Department of Public Safety for the 2023 Enforcement Grant.

## ATTACHMENTS

Resolution

**RESOLUTION NO.**

**RESOLUTION ACCEPTING THE 2023 ENFORCEMENT GRANT  
FOR THE WHITE BEAR LAKE POLICE DEPARTMENT**

**WHEREAS**, the Ramsey County Traffic Safety Initiative submitted a grant application to the Minnesota Department of Public Safety (DPS), Office of Traffic Safety (OTS) and was awarded \$859,775 for the 2022-2023 fiscal year;

**WHEREAS**, the grant is shared among the nine law enforcement agencies within Ramsey County, with Saint Paul Police Department serving as the grant coordinator, and each agency receiving quarterly reimbursement for overtime from the grant;

**WHEREAS**, the White Bear Lake Police Department's portion of the grant amounts to \$123,454 for the 2023 enforcement year; and

**WHEREAS**, the grant funding will be used for overtime enforcement to address all traffic safety issues with an emphasis on impaired driving, occupant protection, speed and distracted driving.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota that the Mayor and City Manager are authorized to accept the 2023 Enforcement Grant;

**BE IT FURTHER RESOLVED** that the City of White Bear Lake Police Department enter into a grant agreement with the Saint Paul Police Department and Minnesota Department of Public Safety, for traffic safety enforcement projects during the period from October 1, 2022 through September 30, 2023; and

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized to execute such agreements and amendments as are necessary to implement the project.

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

Ayes:

Nays:

Passed:

\_\_\_\_\_  
Dan Louismet, Mayor

**ATTEST:**

\_\_\_\_\_  
Caley Longendyke, City Clerk



**City of White Bear Lake**  
Police Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Julie Swanson, Police Chief  
**Date:** November 9, 2022  
**Subject:** **Criminal Justice Data Network (CJDN) JPA and Court Services Amendment Renewal**

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## **SUMMARY**

The City Council will consider adopting a resolution renewing Joint Powers Agreements with the State of Minnesota, Department of Public Safety (DPS) and Bureau of Criminal Apprehension (BCA) to use systems and tools available over the State's criminal justice data communications network (CJDN) for which the City is eligible.

## **BACKGROUND INFORMATION**

The Joint Powers Agreements provide the City with the ability to add, modify and delete connectivity, systems and tools over the five-year life of the agreement and obligates the City to pay the costs for the network connection. The purpose of this Agreement is to create a method by which the City has access to those systems and tools for which it has eligibility, and to memorialize the requirements to obtain access and the limitations on the access. The City is currently a party in these JPAs.

## **RECOMMENDATION**

Staff recommends the City Council adopt the attached resolution authorizing the Mayor and City Manager to execute an agreement between the State of Minnesota and the City of White Bear Lake to provide access to the Criminal Justice Data Network.

## **ATTACHMENTS**

Resolution

**RESOLUTION NO.**

**RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF WHITE BEAR LAKE ON BEHALF OF ITS CITY ATTORNEY AND POLICE DEPARTMENT**

**WHEREAS**, the City of White Bear Lake on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety and Bureau of Criminal Apprehension to use systems and tools available over the State’s criminal justice data communications network for which the City is eligible.

**WHEREAS**, the Joint Powers Agreements further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five-year life of the agreement and obligates the City to pay the costs for the network connection.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of White Bear Lake on behalf of its Prosecuting Attorney and Police Department, are hereby approved.
2. That the Chief of Police is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City’s connection to the systems and tools offered by the State.
3. That the City Prosecutor is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City’s connection to the systems and tools offered by the State.
4. That the Mayor and the City Manager are authorized to sign the State of Minnesota Joint Powers Agreements.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Dan Louismet, Mayor

**ATTEST:**

\_\_\_\_\_  
Caley Longendyke, City Clerk





**City of White Bear Lake**  
Police Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Julie Swanson, Police Chief  
**Date:** November 9, 2022  
**Subject:** Resolution approving the Violent Crimes Enforcement Team JPA

---

## SUMMARY

The City Council will consider adopting a resolution authorizing the Mayor and City Manager to execute a Joint Powers Agreement with the Ramsey County Violent Crime Enforcement Team (VCET).

## BACKGROUND INFORMATION

Since 2007, the White Bear Lake Police Department (WBLPD) has worked with the Ramsey County Sheriff's Office and the Police Departments of Saint Paul, Maplewood, Roseville, New Brighton, and Mounds View on the Ramsey County Violent Crime Enforcement Team (VCET). Assigned officers from the cooperating departments coordinate efforts to investigate, apprehend and prosecute drug offenders, violent offenders, gang members and career criminals. The WBLPD rotates officers through this voluntary assignment. Equipment and supplies necessary to operate VCET are funded through grant proceeds. Some grant proceeds are directed to the City to offset personnel costs, but the majority of those costs are the responsibility of the individual cities. The Joint Powers Agreement for VCET is automatically renewed in annual increments but requires formal renewal every four years. This agreement was last approved by the City Council on May 22, 2018.

## RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing the Mayor and City Manager to renew the Joint Powers Agreement for the Ramsey County Violent Crime Enforcement Team.

## ATTACHMENTS

Resolution

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING RENEWAL OF THE RAMSEY COUNTY VIOLENT CRIME ENFORCEMENT TEAM JOINT POWERS AGREEMENT**

**WHEREAS**, since 2007 the White Bear Lake Police Department has worked with the Ramsey County Sheriff's Office and the Police departments of Saint Paul, Maplewood, Roseville, New Brighton, and Mounds View on the Ramsey County Violent Crime Enforcement Team (VCET);

**WHEREAS**, the Joint Powers Agreement for VCET is automatically renewed in annual increments but requires formal renewal every four years, with this agreement being last renewed by the City Council in May 2018;

**WHEREAS**, assigned officers from the cooperating departments coordinate efforts to investigate, apprehend and prosecute drug offenders, violent offenders, gang members and career criminals;

**WHEREAS**, VCET contributes to the overall mission of the White Bear Lake Police Department and the safety of White Bear Lake residents; and

**WHEREAS**, equipment and supplies necessary to operate VCET are funded through grant proceeds.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota that the Mayor and City Manager are hereby authorized to renew the Joint Powers Agreement of the Ramsey County Violent Crime Enforcement Team.

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

Ayes:  
Nays:  
Passed:

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Dan Louismet, Mayor

**ATTEST:**

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Caley Longendyke, City Clerk



**City of White Bear Lake**  
Engineering Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Connie Taillon, Environmental Specialist/Water Resources Engineer  
**Date:** November 9, 2022  
**Subject:** **Raingarden Construction Contract with Sandstrom Land Management**

---

## SUMMARY

The City Council will consider adopting a resolution approving a construction contract with Sandstrom Land Management for the construction of a raingarden at Lakewood Hills Park and the repair of two existing raingardens.

## BACKGROUND INFORMATION

The City is collaborating with Ramsey-Washington Metro Watershed District (RWMWD) and Ramsey County Soil & Water Conservation Division (SWCD) to construct a curb cut raingarden at Lakewood Hills Park. The City installed the curb cut and pretreatment device for the raingarden in 2021 as part of the Lakewood Hills Park parking lot rehabilitation project, the SWCD prepared the raingarden design plans and bid package, and RWMWD provided a grant to cover 100% of the cost of construction. Through a competitive bid process, RWMWD and the City selected Sandstrom Land Management for a total of \$17,399.75 to construct the curb cut raingarden in the amount of \$12,396. The additional \$5,003.75 is for the repair of two existing curb cut raingardens, one located on Spruce Place and the other on Morehead Avenue.

The City has agreed to pay the lump sum amount of \$17,399.75 to Sandstrom Land Management upon successful completion of the raingarden construction and raingarden repairs. RWMWD has agreed to reimburse the City for their share of the cost:

- For the Lakewood Hills Park raingarden construction, RWMWD has agreed to reimburse the City for 100% of the cost in the amount of \$12,396 through their Stewardship Grant Program.
- For the raingarden on Spruce Place, the City and RWMWD has agreed to split the cost to repair a damaged pretreatment structure. RWMWD has agreed to reimburse the City for 50% of the repair cost in the amount of \$1,683.75. The other half of the repair cost (\$1,683.75) will come from the City's SWPP budget.

For the raingarden on Morehead Avenue, the City will pay 100% of the cost in the amount of \$1,636.25 to repair a portion of the raingarden that was damaged during a utility replacement. The raingarden repair cost will come from the City's Stormwater Pollution Prevention Plan (SWPP) budget.

**RECOMMENDATION**

Staff recommends the City Council adopt the attached resolution approving the raingarden construction contract with Sandstrom Land Management as presented.

**ATTACHMENTS**

Resolution

**RESOLUTION NO.**

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

**WHEREAS**, The Ramsey-Washington Metro Watershed District (RWMWD) administers a Stewardship Grant Program that provides financial assistance for landowners to install raingardens and other stormwater best management practices on their property; and

**WHEREAS**, The City of White Bear Lake, RWMWD, and Ramsey County Soil & Water Conservation Division are partnering to construct a curb cut raingarden at Lakewood Hills Park that meets the requirements of the RWMWD grant program; and

**WHEREAS**, The City of White Bear Lake and RWMWD have agreed to partner on the repair of an existing curb cut raingarden on Spruce Place; and

**WHEREAS**, The City of White Bear Lake has agreed to repair an existing curb cut raingarden on Morehead Avenue that was damaged during a utility replacement; and

**WHEREAS**, Through a competitive bid process, RWMWD and the City of White Bear Lake selected Sandstrom Land Management for construction related to the installation of the curb cut raingarden and raingarden repairs in the amount of \$17,399.75; and

**WHEREAS**, The City of White Bear Lake has agreed to pay the lump sum amount of \$17,399.75 to Sandstrom Land Management upon successful completion of the curb cut raingarden and raingarden repairs; and

**WHEREAS**, RWMWD has agreed to reimburse the City of White Bear Lake for 100% of the Lakewood Hills Park raingarden construction cost in the amount of \$12,396; and

**WHEREAS**, RWMWD has agreed to reimburse the City of White Bear Lake for 50% of the raingarden repair cost on Spruce Place in the amount of \$1,683.75; and

**WHEREAS**, The City of White Bear Lake has agreed to pay for 100% of the raingarden repair cost on Morehead Avenue in the amount of \$1,636.25.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota that the Council hereby authorizes the Mayor and City Manager to execute the Construction Services Agreement with Sandstrom Land Management in the amount of \$17,399.75.

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

**RESOLUTION NO.**

Ayes:  
Nays:  
Passed:

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Dan Louismet, Mayor

**ATTEST:**

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Caley Longendyke, City Clerk



**City of White Bear Lake**  
Engineering Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Connie Taillon, Environmental Specialist/Water Resources Engineer  
**Date:** November 9, 2022  
**Subject:** **Ramsey-Washington Metro Watershed District Grant – Lakewood Hills Park Raingarden**

---

## **SUMMARY**

The City Council will consider adopting a resolution to approve a grant agreement with Ramsey-Washington Metro Watershed District to cover the cost to construct a curb cut raingarden at Lakewood Hills Park.

## **BACKGROUND INFORMATION**

The City is collaborating with Ramsey-Washington Metro Watershed District (RWMWD) and Ramsey County Soil & Water Conservation Division (SWCD) to construct a curb cut raingarden at Lakewood Hills Park. The City installed the curb cut and pretreatment device for the raingarden in 2021 as part of the Lakewood Hills Park parking lot rehabilitation project and the SWCD prepared the raingarden design plans and bid package. City staff applied for a grant through the RWMWD Stewardship Grant Program to cover 100% of the cost of the raingarden construction. RWMWD awarded a grant to the City in the amount of \$12,396.

## **RECOMMENDATION**

Staff recommends the City Council adopt the attached resolution authorizing the City Manager to execute the grant agreement between the City of White Bear Lake and Ramsey-Washington Metro Watershed District. The City will accept reimbursement of the grant upon completion of the project.

## **ATTACHMENTS**

Resolution

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING A GRANT AGREEMENT BETWEEN  
THE CITY OF WHITE BEAR LAKE AND THE RAMSEY-WASHINGTON METRO WATERSHED  
DISTRICT AND REQUESTING THE GRANT ALLOCATION**

**WHEREAS**, The Ramsey-Washington Metro Watershed District (RWMWD) allocates cost share funds for projects that protect and improve water resources within the watershed through their Stewardship Grant Program; and

**WHEREAS**, the City of White Bear Lake is collaborating with RWMWD and Ramsey County Soil and Water Conservation Division to install a curb cut raingarden at Lakewood Hills Park in the City of White Bear Lake that meets the requirements of the RWMWD Stewardship Grant Program; and

**WHEREAS**, RWMWD approved a grant to cover 100% of the cost of construction for the Lakewood Hills Park curb cut raingarden in the amount of \$12,396.

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

1. The grant agreement between RWMWD and the City in the amount of \$12,396 for the curb cut raingarden at Lakewood Hills Park 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:**

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Caley Longendyke, City Clerk





**City of White Bear Lake**  
Engineering Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Paul Kauppi, Public Works Director/City Engineer  
**Date:** November 9, 2022  
**Subject:** **Final Payment to Ferguson Water Works for the 2021 Water Meter Replacement Project, City Project No. 21-09**

---

## SUMMARY

The City Council will consider adopting a resolution authorizing the final payment to Ferguson Water Works for completion of the Water Meter Replacement Project.

## BACKGROUND INFORMATION

Ferguson Water Works has completed all work specified in their contract for the Water Meter Replacement Project. The project originally included replacing residential water meters. In addition to this work, Ferguson Water Works also replaced commercial water meters as outlined in a change order authorized by City Council.

The original contract amount with the authorized change order was \$2,171,841. The value of the work completed is \$2,162,670. This contract is based upon unit prices and the final contract amount is based on actual work performed.

## RECOMMENDATION

Staff recommends the City Council adopt the attached resolution accepting the work and authorizing final payment of \$108,133.50 to Ferguson Water Works for completion of the Water Meter Replacement Project.

## ATTACHMENTS

Resolution

**RESOLUTION NO.**

**RESOLUTION ACCEPTING WORK AND AUTHORIZING FINAL PAYMENT TO FERGUSON  
WATER WORKS FOR THE COMPLETION OF THE WATER METER REPLACEMENT  
PROJECT, CITY PROJECT NO. 21-09**

**WHEREAS**, pursuant to Resolution No. 12764, a written contract signed with the City of White Bear Lake, Ferguson Water Works in the amount of \$1,741,211, has satisfactorily completed the work included in the 2021 Water Meter Replacement Project, in accordance with such contract; and

**WHEREAS**, pursuant to Resolution No. 12814, a change order in the amount of \$430,630 was approved to replace commercial water meters increasing the contract amount to \$2,171,841.

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

**BE IT FURTHER RESOLVED** that the City Manager and City Clerk are hereby directed to issue final payment in the amount of \$108,133.50 for a final contract amount of \$2,162,670 for the 2021 Water Meter Replacement Project.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Dan Louismet, Mayor

**ATTEST:**

\_\_\_\_\_  
Caley Longendyke, City Clerk



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

# MEMORANDUM

**TO:** Lindy Crawford, City Manager  
**FROM:** Jason Lindahl, Community Development Director  
**DATE:** November 9, 2022  
**SUBJECT:** **3881 Property Group Conditional Use Permit / 3881 Highland Avenue / Case No. 22-6-CUP**

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## SUMMARY

The applicant, Jim Mackey, on behalf of the 3881 Property Group, is applying for a conditional use permit (CUP) to use the existing building at 3881 Highland Avenue for a 14-unit assisted living facility. Last year, the applicants applied for, and received, a CUP for a nursing home facility on the same property but approvals expired before the use was enacted. This application is the same as the previous, but each occupant will have their own room rather than the 24 beds previously approved. Based on the findings made in this report, staff finds that the standards for CUPs laid out in City Code Section 1301.050 have been satisfied and recommends approval of the request.

## BACKGROUND INFORMATION

Applicant/Owner: Jim Mackey / 3881 Property Group

Existing Land Use/  
Zoning: Vacant Office Building; zoned R-3: Single Family Residential

Surrounding Land  
Use/Zoning: North: Stellmacher Park; zoned P: Public  
West & South: Single Family; zoned R-3: Single Family Residential  
East: Single Family & Church; zoned R-3: Single Family Residential

Comprehensive Plan: Low Density Residential

Lot Size & Width: Code: 10,500 sq. ft.; 80 feet  
Site: 21,242 sq. ft.; 100 feet

## Planning Commission Action

The Planning Commission reviewed this item during their October 24, 2022 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing where only the applicant spoke to the matter. Jim Mackey explained that the request was similar to the proposal approved last year, but with a change in the type of care provided due to a statewide moratorium on nursing homes. Staff did not receive any written comments

regarding the request. After hearing staff's presentation and comments from the public, there was no further discussion and the commission voted 7-0 to recommend the City Council approve this request.

#### Site Characteristics

The subject site contains an 8,572 square foot, two-story building and four parking spaces. The driveway access for the subject site encroaches slightly onto the Stellmacher Park property, as does the trash enclosure, which has given the City the opportunity to utilize these encroachments in the past.

The property was originally a convent for the neighboring church and then later used as offices by the Knights of Columbus, the Board of Social Ministry and Neighbor to Neighbor. Both past uses and the proposed assisted living facility require more than the four on-site parking spaces (see parking analysis included in the Conditional Use Permit Review condition 6 below). To this end, the City has agreed to lease additional parking to the subject property in the neighboring Stellmacher park to meet the parking needs of previous uses. The previous parking lot lease was established in June of 2007 and was terminated in 2018. The City Attorney is reviewing the details of this lease to ensure the previous terms and conditions meet the newly proposed use. Staff has included a condition of approval requiring the applicant to enter into a lease agreement in a form acceptable to the City Attorney prior to issuance of a building permit.

#### Conditional Use Permit Review

City review authority for CUPs is considered a Quasi-Judicial action. This means the city acts like a judge in evaluating the facts against the applicable review standards. The City's role is limited to applying the review standards to the facts presented by the application. Generally, if the application meets the review standards, it should be approved. The standards for reviewing conditional use permits are detailed in City Code Section 1301.050.

According to City Code Section 1301.050, the City shall consider possible adverse effects of a proposed conditional use. This review shall be based upon (but not limited to) the factors listed below. Based on the findings made in this review, staff recommends approval of the requested conditional use permit.

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Land Use Plan and all other plans and controls.

**Finding:** The 2040 Comprehensive Plan Future Land Use Map guides the subject property low density residential, which is characterized by a density range of 3 to 9 units per acre. The site is nearly one half (0.49) acre. The proposed assisted living facility provides each occupant a room with a bathroom, but the units are not separate dwelling units, so the density of the building is not entirely comparable. The use will be residential rather than office as it has in the past, so will be more consistent with the 2040 Future Land Use Map.

One of the guiding principles in the housing section of the 2040 Comprehensive Plan is to “encourage housing development design that reflects the character of the community while still increasing the quantity and variety of housing options.” The property provides a good opportunity to offer senior assisted living while using an existing building in the neighborhood.

2. The proposed use is or will be compatible with present and future land uses of the area.

**Finding:** The proposed use is compatible with the present and future land uses of the area. The building has been on the property since 1962 and since there are no expansions proposed, the use is not anticipated to significantly impact the surrounding single-family homes that abut on the south and west sides of the property. The applicants are proposing a 6-foot privacy fence along those sides of the property, providing a buffer between the uses.

The city park to the north is not an intensely used park, other than by those in the immediate neighborhood, and there are no plans to expand the facilities at this time, so the continued leasing of the parking lot appears to be compatible. However, the applicant shall show a proof of parking area on their site to demonstrate the site could accommodate the required parking should it be necessary in the future.

3. The proposed use conforms with all performance standards contained herein.

**Finding:** The zoning code first permits “elderly (senior citizen) housing and nursing homes” in the R1-I zoning district as a conditional use, which cascades to the R-3 district, provided that the use is compatible with the surrounding neighborhood, is compliant with the lot width and setback requirements, building code requirements, and that the permanent residents shall be limited to persons who are 55 years of age or over.

There are no proposed changes to the exterior of the building, so staff finds it to be compatible with the surrounding neighborhood. The property exceeds the lot size and width requirements in the zoning district. The south side of the building encroaches a few inches into the required 10-foot side yard setback, but it otherwise meets the setback and height requirements. The building permit review phase will ensure compliance with the building code and the applicant is aware of the age restrictions on the site.

There are also density requirements for senior multi-family rental and owner occupied condo buildings, however this proposal is not classified as senior multi-family housing, rather it fits within the definition of nursing home, which is, “a building having accommodations where care is provided for two (2) or more invalids, infirmed, aged convalescent or physically disabled persons that are not of the immediate family; but not including hospitals, clinics, sanitariums, or similar institutions.” Therefore, density restrictions do not apply.

4. The proposed use will not tend to or actually depreciate the area in which it is proposed.

**Finding:** The applicants will make improvements to the property, including extensive interior renovations that will add value to the property. The building has been vacant for years, and

being able repurpose the structure for assisted senior housing is a benefit to the community.

5. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

**Finding:** The property is served by city water and sewer and the services can accommodate the proposed use. The applicant will need to submit to the Metropolitan Council for SAC (Sewer Availability Charge) determination.

6. Traffic generation by the proposed use is within capabilities of streets serving the property.

**Finding:** The traffic generated will be mainly from staff, with occasional upticks on weekends and holidays from visitors, so is not anticipated to greatly impact the daily traffic in the neighborhood. There are a number of roadways nearby, including Highway 61, County Road F, Cedar Avenue and White Bear Avenue, that are designated as collector streets or greater in the 2040 Comprehensive Plan, meaning they are intended to accommodate higher levels of traffic. The number of major roadways in the area provide multiple routes to the site, dispersing traffic and minimizing the impact on the neighborhood.

The required parking for the site is four stalls plus one for every three beds at the facility, meaning nine stalls are required. There are four stalls on site, so five stalls are needed from the City lot. Consistent with the proposal that was approved last year, it is anticipated that six staff will be on site and will use the City lot, reserving the onsite stalls for guests. Last year, approval was based on a representation that residents would not drive, and staff has included a similar condition that residents not have individual vehicles stored/parked at the leased lot.

#### **RECOMMENDATION**

The Planning Commission and staff recommend approval of the applicant's request, subject to the following conditions:

1. All application materials, maps, drawings and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. The Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State, Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. A building permit shall be obtained before any work begins.
5. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.
6. Regardless of occupancy classification, the residents of the facility shall not have

- individual vehicles stored/parked at the leased lot.
7. No exterior changes are proposed or approved other than the construction of a 6-foot-tall privacy fence along the west and south property lines in the rear yard area.
  8. If reconstructed, the dumpster enclosure shall not be reduced in size; design and location subject to staff approval.
  9. The applicant shall obtain a building permit prior to beginning any work on site. The construction plans shall comply with the Fire memo dated October 6, 2022, attached.
  10. The construction plans shall include work to be performed on the park property, including seal coat, striping plan, and a landscape plan with evergreens along the east side of the lot, subject to approval by city staff. Improvements to be completed prior to the certificate of occupancy.
  11. Prior to the issuance of a building permit, the applicant shall provide a SAC (Sewer Availability Charge) determination letter from the Metropolitan Council.
  12. Prior to the issuance of a building permit, the applicant shall provide a site plan demonstrating a proof of parking area on their site to demonstrate the site could accommodate the required parking should it be necessary in the future.
  13. Prior to the issuance of a building permit, the applicant shall have fully executed the Parking Lot Lease Agreement in a form acceptable to the City Attorney.
  14. Prior to the issuance of a certificate of occupancy, the applicant shall provide proof of having recorded the Resolution of Approval and the Parking Lot Lease Agreement with the County Recorder's Office.

**Attachments:**

Resolution

Zoning/Location Map

Applicant Narrative & Plans

**RESOLUTION NO.**

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR  
3881 HIGHLAND AVENUE WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, 3881 Property Group (Case No. 22-86-CUP) has requested a conditional use permit for an assisted living facility, per code section 1303.030 Subd.4.e, in order to construct an addition at 3881 Highland Avenue;

LEGAL DESCRIPTION: Lot 1, Block 1, Ridgeview Park, Ramsey County, MN (PID # 263022230008)

**WHEREAS**, the Planning Commission held a public hearing as required by the Zoning Code on October 24, 2022; and

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

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

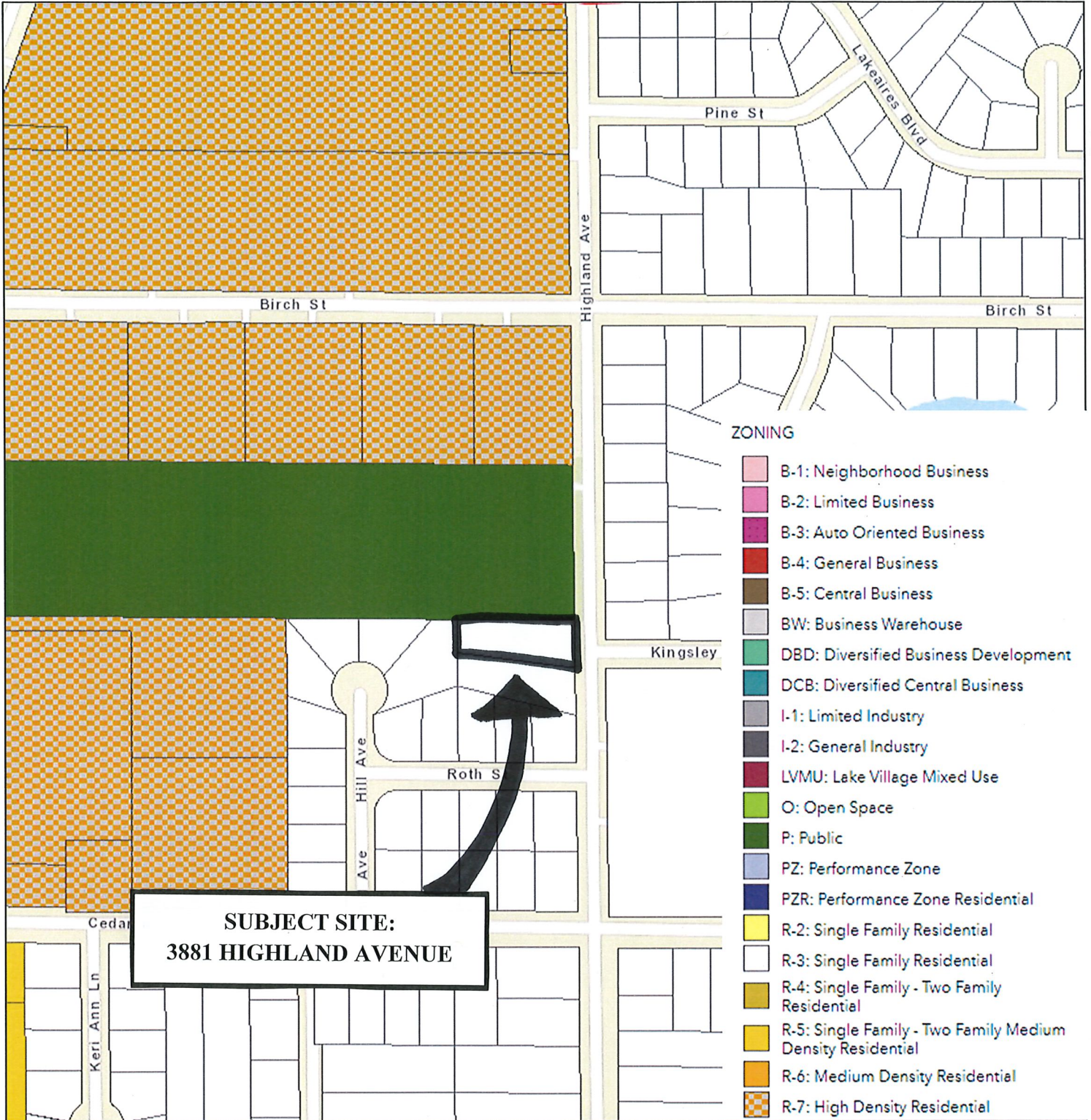
1. The proposal is consistent with the city's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing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

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. The Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State, Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. A building permit shall be obtained before any work begins.
5. The applicant shall verify the property lines and have the property pins exposed at the time







**SUBJECT SITE:  
3881 HIGHLAND AVENUE**



City of  
White Bear Lake  
Planning & Zoning  
651-429-8561

CASE NO. : 22-6-CUP

CASE NAME : 3881 Property Group

DATE : Oct. 24, 2022

X X  
J I M M A C K E Y  
h A R C H I T E C T  
1723 LAFOND AVENUE  
SAINT PAUL MN 55104  
PHONE/FAX (651) 644-0869  
E-MAIL jim.mack@q.com  
X X

## **Senior Assisted Living Facility**

3881 Highland Avenue  
White Bear Lake, MN

### **Scope of Work** (narrative)

The following is a proposed interior remodeling of an existing building with bituminous paving located at 3881 Highland Avenue. The building was originally constructed as a convent followed by the use as an office building. The building is 2 stories in height with a full basement. The building is equipped throughout with an automatic sprinkler system.

We are requesting a Conditional Use Permit (CUP) to remodel the interior spaces to create a 14 bed senior assisted living facility. We feel this would be a good fit for the neighborhood as this property has been unoccupied for a period of time. The proposed work would include the addition of an elevator and numerous bathrooms. An existing kitchen in the lower level would be updated to meet current codes and standards.

No work is planned for the exterior of the building except cleaning of the existing brick and siding.

The building shares a drive with a public park to the north. The owners intend to enter into a lease agreement with the city to use an existing paved parking area beyond the shared access drive to the northwest. The owner would be responsible for maintenance and repair of the parking area. This will require seal coating and striping the area at a minimum. Proposing to plant evergreen/coniferous shrubs along the east edge of the parking area to screen vehicles. While a new parking area could be constructed along the west rear of the property we desire to keep this green space for recreation of the residents.

A new 6' height privacy fence along the west and south property edge of the green space will be installed. The parking spaces along the north side of the building would be reserved for visitors. The staff would park in the leased area.

**An existing trash enclosure will also be repaired and rebuilt as necessary.**

**Please contact the architect with any questions.**

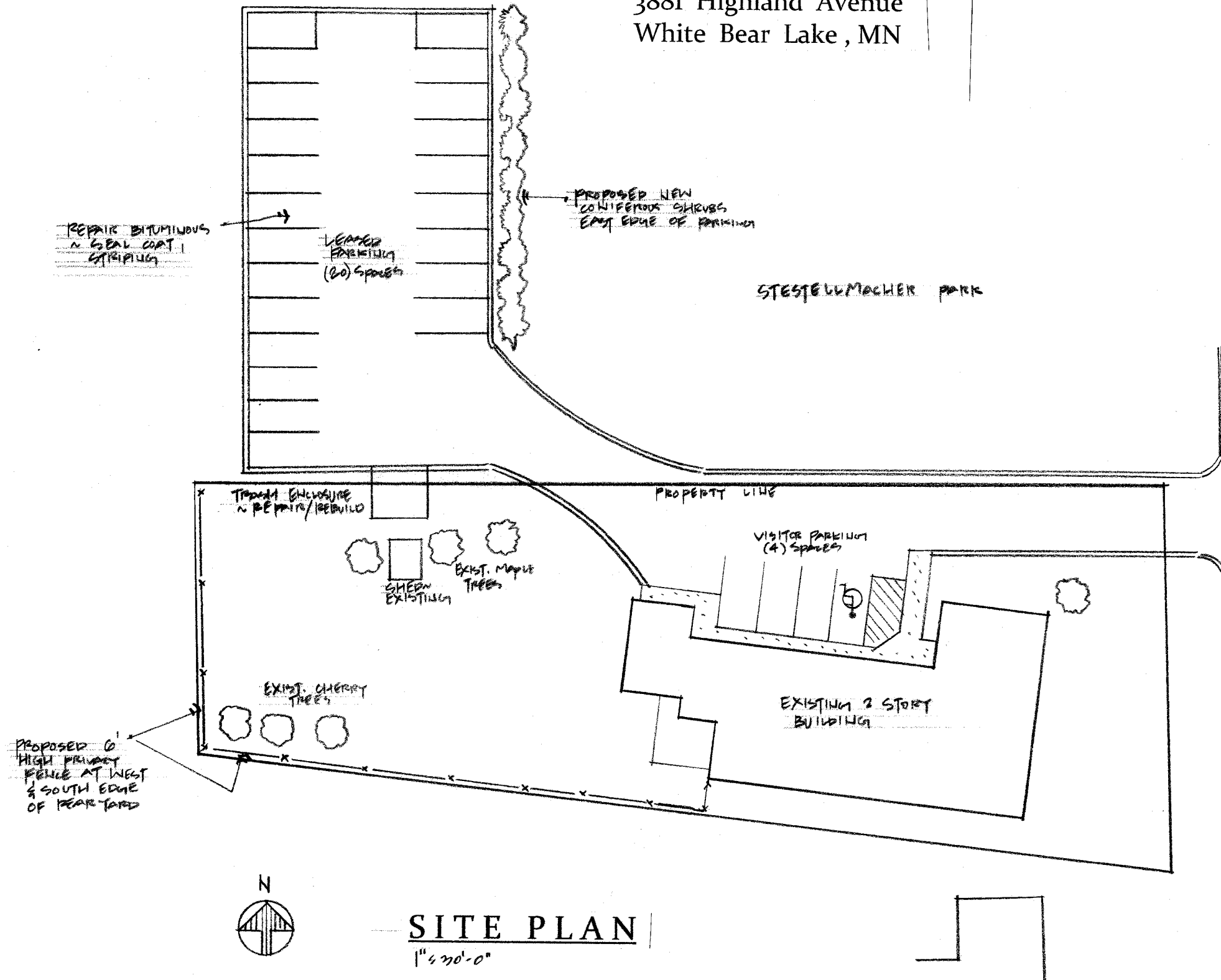
**Thank you for your consideration,**

**Jim Mackey (architect)  
651-644-0869**

**Assisted Living  
Building Remodeling**  
3881 Highland Avenue  
White Bear Lake, MN

**JIM MACKAY  
ARCHITECT**

1723 LAFOND AVENUE  
SAINT PAUL, MN 55104  
PHONE/FAX 651-644-0869  
E-MAIL jim.mack@q.com





Survey Made For:  
 Ms. Khuet Dang  
 3881 Highland Avenue  
 White Bear Lake, MN 55110

# CERTIFICATE OF SURVEY

LAKE AND LAND SURVEYING, INC.

1200 Centre Pointe Curve, Suite 375

Mendota Heights, Minnesota 55120

Phone: 651-776-6211

CLIENT TO CONSULT LAWYER AS TO  
 POSSIBLE SHARED INGRESS AND  
 EGRESS EASEMENT OVER PROPERTY.  
 NO RECORDS WERE PROVIDED BY  
 CLIENT OR OBTAINED BY SURVEYOR  
 REGARDING EASEMENT.

REARRANGEMENT OF WHITE BEAR PARK



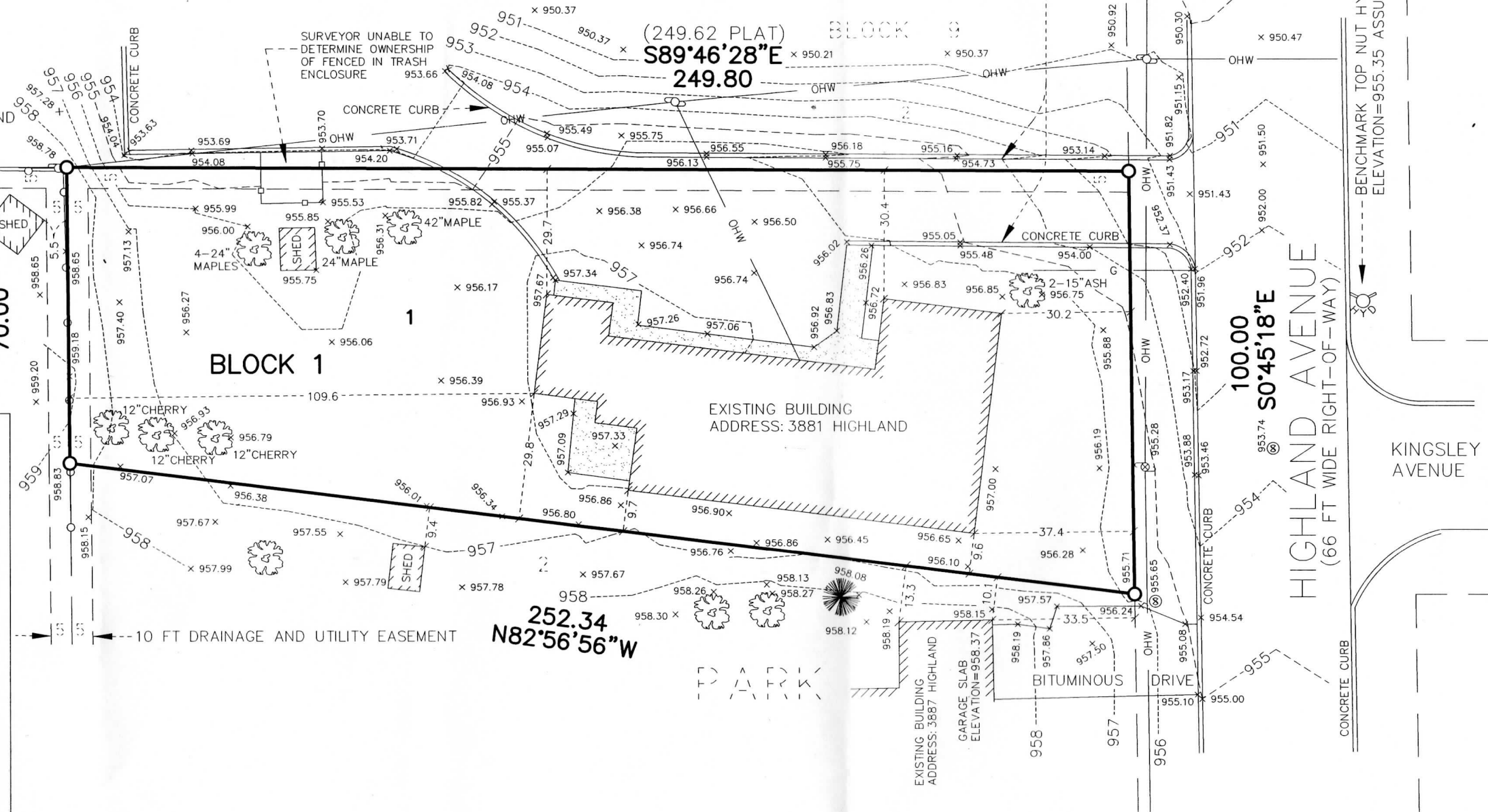
SCALE

1 inch = 30 ft.

## NOTES:

- DENOTES 12 INCH COMMON SPIKE SET WITH WASHER STAMPED RLS 16464 OR AS NOTED.
- DENOTES IRON MONUMENT FOUND SIZE, TYPE, & R.L.S. AS NOTED.
- x 958.09 DENOTES EXISTING SPOT ELEVATION
- 958- DENOTES EXISTING CONTOUR LINE
- DENOTES WOOD FENCE
- DENOTES CHAIN LINK FENCE
- OHW- DENOTES OVERHEAD UTILITY WIRES
- ⊕ DENOTES POWER POLE
- ⊕ DENOTES GAS METER
- ⊕ DENOTES ELECTRIC METER
- ⊕ DENOTES SANITARY MANHOLE
- ☼ DENOTES EXISTING CONIFEROUS TREE
- ☼ DENOTES DECIDUOUS TREE
- DENOTES CONCRETE SURFACE

AREA: 21,242 SQ. FT. OR 0.49 ACRES  
 BASIS OF BEARINGS: RAMSEY COUNTY COORDINATES  
 LAKE & LAND SURVEYING. JOB NO. 2020.047 RP



### Legal Description: (Tax Description)

Lot 1, Block 1, RIDGEVIEW PARK, Ramsey County, Minnesota.

SITE ADDRESS: 3881 HIGHLAND AVENUE, WHITE BEAR LAKE, MN 55120

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

*Jonathan L. Faraci*

May 7, 2020

Jonathan L. Faraci  
 Registered Land Surveyor & Registered Engineer  
 Minnesota Registration No. 16464

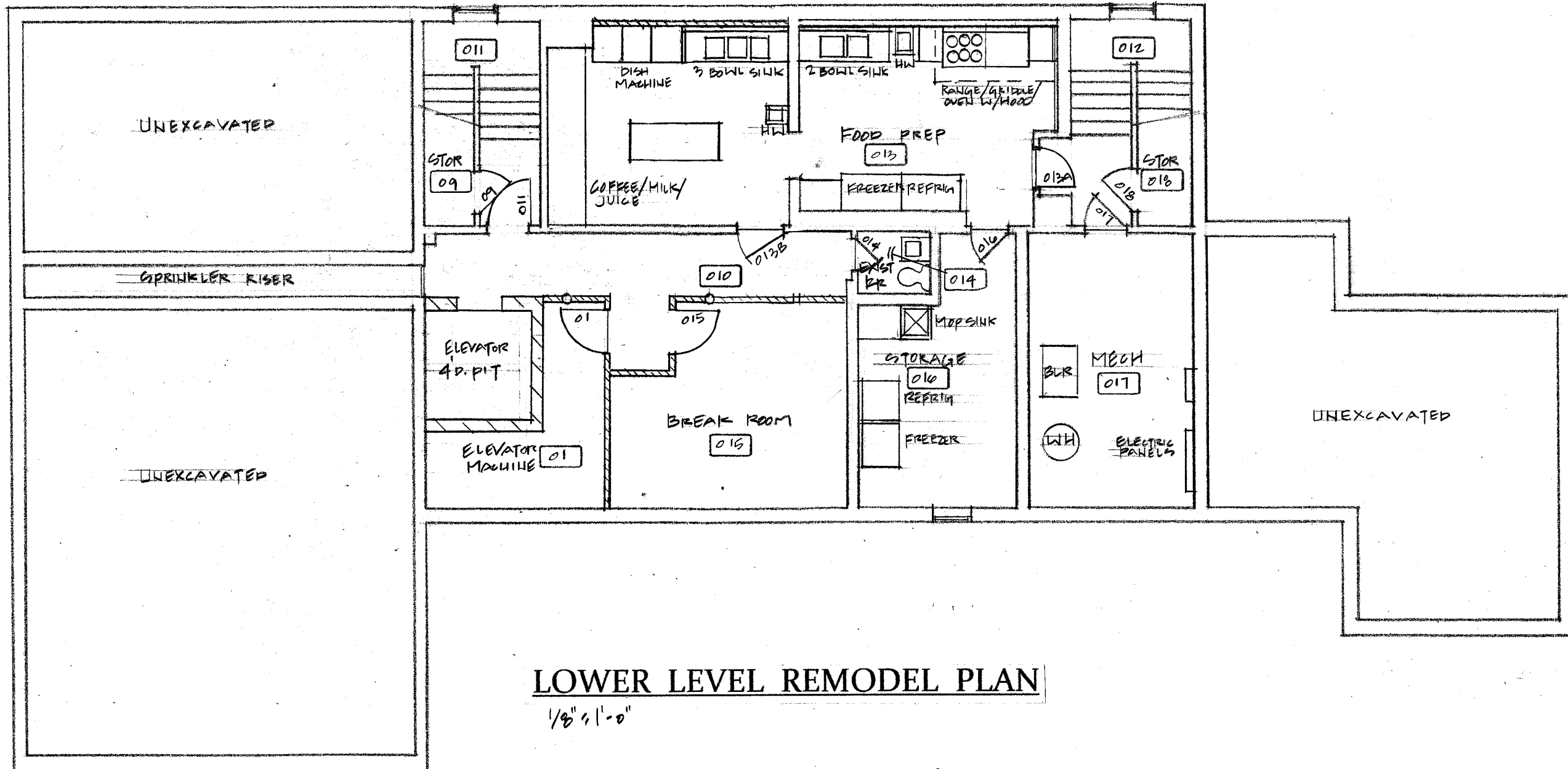
**Assisted Living**  
**Building Remodeling**  
 3881 Highland Avenue  
 White Bear Lake, MN



1723 LAFOND AVENUE  
 SAINT PAUL, MN 55104  
 PHONE/FAX 651-644-0869  
 E-MAIL jim.mack@q.com

I HEREBY CERTIFY THAT THIS  
 PLAN, SPECIFICATION OR REPORT  
 WAS PREPARED BY ME OR UNDER  
 MY DIRECT SUPERVISION AND  
 THAT I AM A DULY LICENSED  
 ARCHITECT UNDER THE LAWS OF  
 THE STATE OF MINNESOTA.

*James A. Mackay*  
 JAMES A. MACKAY  
 DATE 8/11/22 LIC. NO. 23018



**LOWER LEVEL REMODEL PLAN**

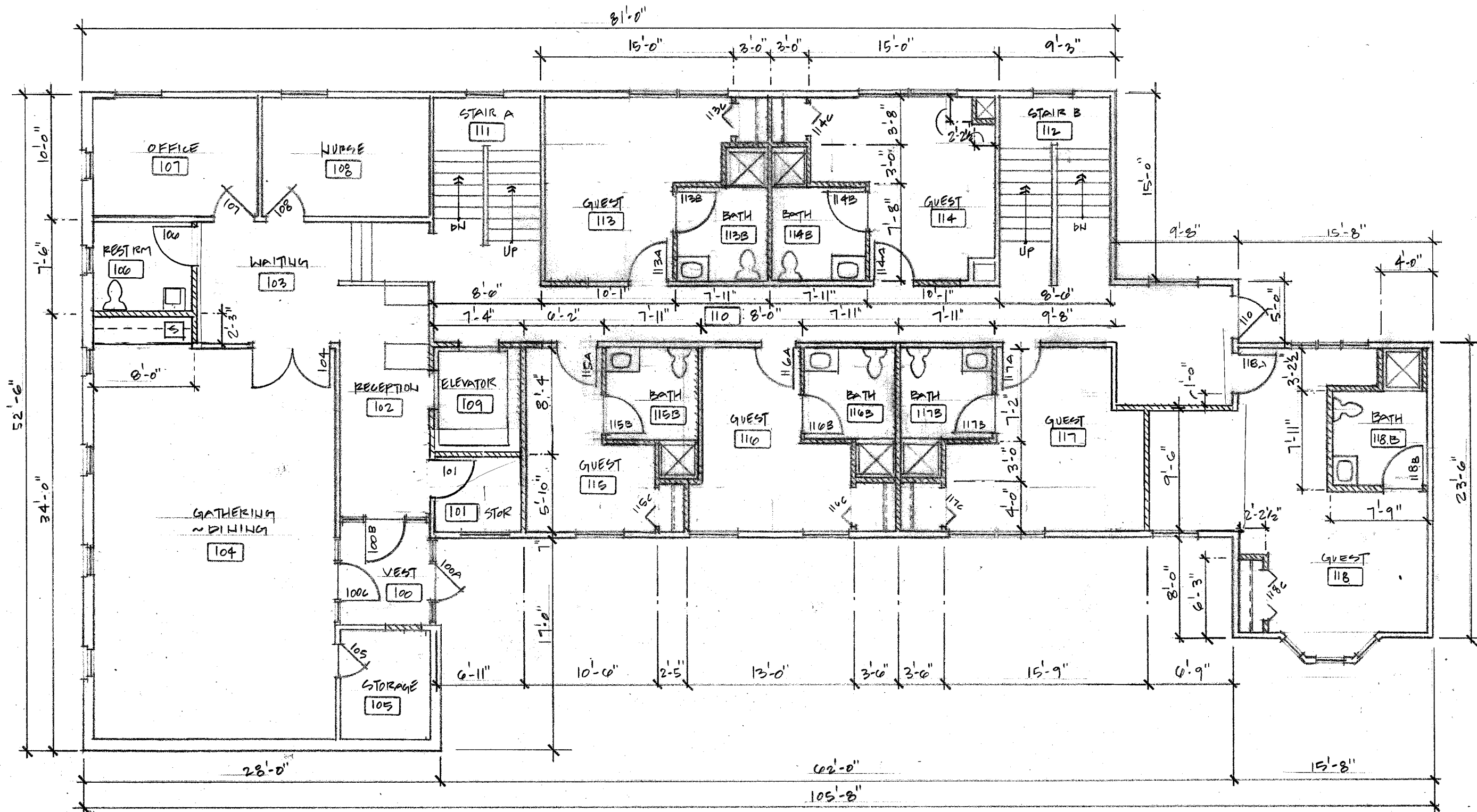
1/8" = 1'-0"

- REMODELING NOTES**
1. FIELD VERIFY ALL DIMENSIONS. DIMENSIONS TO FACE OF GYPSUM BOARD FOR EXTERIOR AND INTERIOR WALLS.
  2. ALL HVAC, ELECTRICAL, PLUMBING AND SPRINKLER DOCUMENTS SHALL BE PROVIDED BY THE CONTRACTORS PERFORMING THE WORK.
  3. VERIFY WITH THE OWNERS FOR ALL FINISHES. SEE ROOM FINISH SCHEDULE.
  4. SEE REMODELING PLANS FOR ADDITIONAL INFORMATION.

**Assisted Living**  
**Building Remodeling**  
 3881 Highland Avenue  
 White Bear Lake, MN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

*James Mackay*  
 JAMES A. MACKAY  
 DATE 8/11/22 LIC. NO. 23018



**MAIN LEVEL REMODEL PLAN**

1/8" = 1'-0"

**REMODELING NOTES**

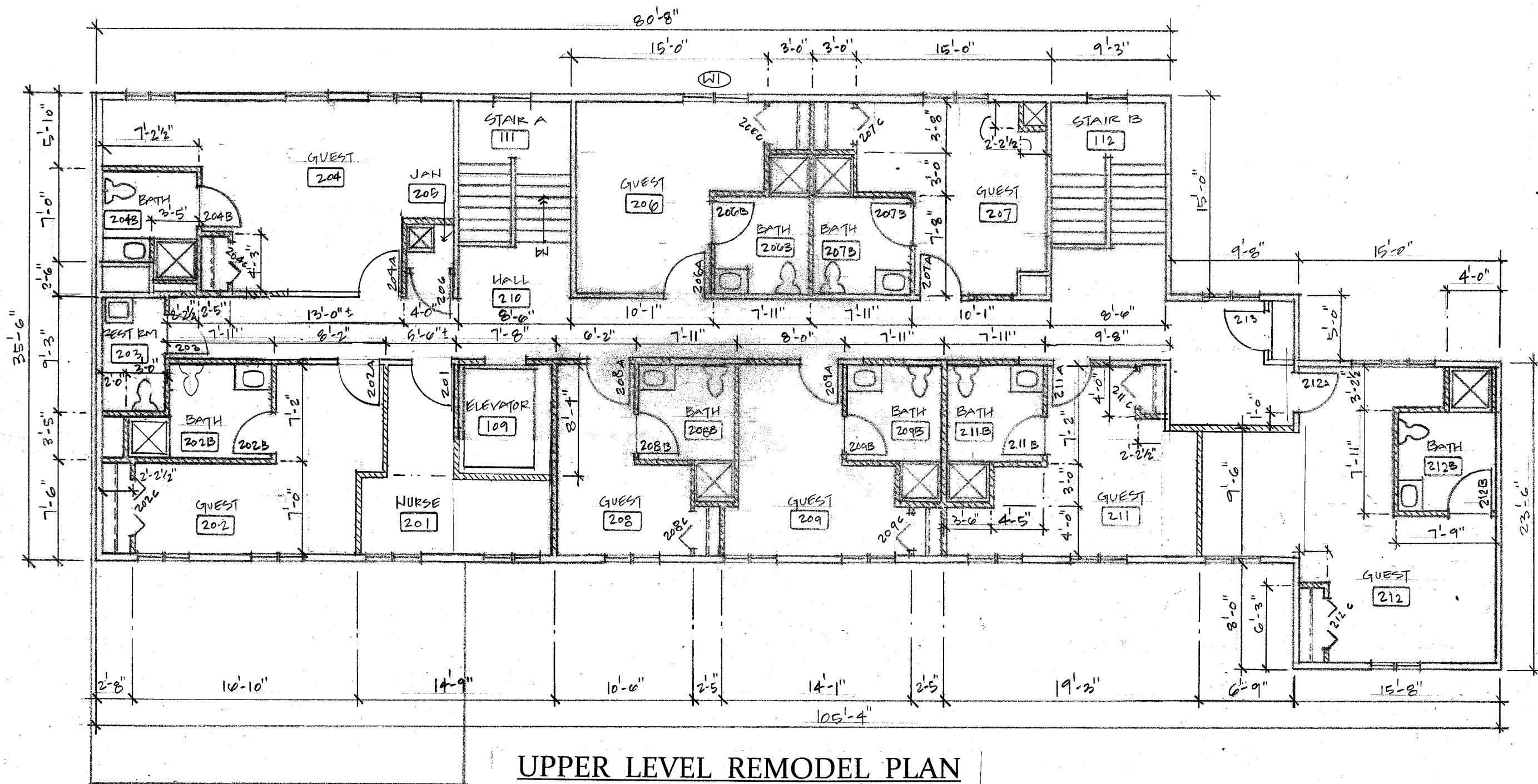
1. FIELD VERIFY ALL DIMENSIONS. DIMENSIONS TO FACE OF GYPSUM BOARD FOR EXTERIOR AND INTERIOR WALLS.
2. ALL HVAC, ELECTRICAL, PLUMBING AND SPRINKLER DOCUMENTS SHALL BE PROVIDED BY THE CONTRACTORS PERFORMING THE WORK.
3. VERIFY WITH THE OWNERS FOR ALL FINISHES. SEE ROOM FINISH SCHEDULE.
4. SEE REMODELING PLANS FOR ADDITIONAL INFORMATION.

**Assisted Living**  
**Building Remodeling**  
 3881 Highland Avenue  
 White Bear Lake, MN



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

*James Mackey*  
JAMES A. MACKEY  
DATE: 8/11/22 LIC. NO. 23018



## UPPER LEVEL REMODEL PLAN

1/8" = 1'-0"

### REMODELING NOTES

1. FIELD VERIFY ALL DIMENSIONS. DIMENSIONS TO FACE OF GYPSUM BOARD @ EXTERIOR AND FACE OF STUDS @ INTERIOR WALLS.
2. ALL HVAC, ELECTRICAL, PLUMBING AND SPRINKLER DOCUMENTS SHALL BE PROVIDED BY THE CONTRACTORS PERFORMING THE WORK.
3. VERIFY WITH THE OWNERS FOR ALL FINISHES. SEE ROOM FINISH SCHEDULE.
4. SEE REMODELING PLANS FOR ADDITIONAL INFORMATION.

**Assisted Living**  
Building Remodeling  
3881 Highland Avenue  
White Bear Lake, MN



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

# MEMORANDUM

**TO:** Lindy Crawford, City Manager  
**FROM:** Jason Lindahl, Community Development Director  
**DATE:** November 9, 2022  
**SUBJECT:** **Lund Family Dentistry Conditional Use Permit / 2300 Highway 96 / Case No. 22-8-CUP**

## SUMMARY

The applicant, Dr. Andrew Lund, is requesting a conditional use permit in order to build an addition to the existing dental office located at 2300 Highway 96. Based on the findings made in this report, both staff and the Planning Commission find that the standards for CUPs laid out in City Code Section 1301.050 have been satisfied and recommend approval of the request.

## BACKGROUND INFORMATION

Applicant/Owner: Lund Family Dentistry / Andrew Lund

Existing Land Use / Zoning: Dental Office; zoned B-1: Neighborhood Business

Surrounding Land Use / Zoning: North: Wetland; zoned R-3: Single Family Residential  
 East: Two unit condo; zoned R-4 Single Family – Two Family Residential  
 West & South: Single family homes; zoned R-4 Single Family – Two Family Residential

Comprehensive Plan: Low Density Residential

Lot Size & Width: Code: 15,000 sq. ft. & 100 feet  
 Site: 40,940 sq. ft. & 120 feet

## Planning Commission Action

The Planning Commission reviewed this item during their October 24, 2022 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing where only the applicant spoke to the matter. Andrew Lund confirmed that he was amenable to the conditions included in the report and that he had amicable relationships with the surrounding neighbors. Staff received one written comment from the neighbor at 4984 Stewart Avenue, Christopher Hughes, who supported the expansion and noted that the clinic has been a good neighbor. After hearing staff's presentation and comments from the public, there was no further discussion and the commission voted 7-0 to recommend the City Council approve this

request.

#### Site Characteristics

The subject site is located east of Morehead Avenue and south of Highway 96 E. The property is somewhat unique in that it is divided by an existing right-of-way. Much of the eastern half contains wetlands and may not be buildable. The dental clinic was originally constructed in 1974 after the property was rezoned from R-4 to LB: Limited Business. A dental clinic was a permitted use in the LB zoning district at that time. In 1983, the Zoning Code was updated, and the LB district was renamed to B-1: Neighborhood Business and a dental clinic became a conditional use in the district. As a conditional use, the expansion requires a public hearing and approval from City Council.

Dr. Lund purchased the property in 2021 and is looking to expand to provide more space for staff and patients. The proposed addition is two stories, consistent with the existing building, with a garage on the basement floor and four new patient chairs, office space, and a break room on the main floor. Staff has included a condition that the basement space not be leased for storage space. The proposal will also expand the parking lot to provide five new parking stalls. Not including the proposed enclosed parking, 17 stalls will be provided in the parking lot and 15 are required.

#### Conditional Use Permit Review

City review authority for CUPs are considered a Quasi-Judicial action. This means the city acts like a judge in evaluating the facts against the applicable review standards. The city's role is limited to applying the review standards to the facts presented by the application. Generally, if the application meets the review standards, it should be approved. The standards for reviewing conditional use permits are detailed in City Code Section 1301.050.

According to City Code Section 1301.050, the City shall consider possible adverse effects of a proposed conditional use. This review shall be based upon (but not limited to) the factors listed below. Based on the findings made in this review, staff recommends approval of the requested conditional use permit.

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Land Use Plan and all other plans and controls.

**Finding:** The 2040 Comprehensive Plan Future Land Use Map guides the subject property as low density residential, which is inconsistent with the existing use as a professional office. The property has been a dental clinic since it was developed in 1974, however, and when the property was rezoned from R-4 to LB, one of the reasons provided was that the proximity to the highway and small amount of buildable area made the parcel a poor option for residential. As a commercial property, the clinic is helping the City achieve one of its 2040 Comprehensive Plan Land Use goals to build a complete community, which is "to create and enhance opportunities for residents to conveniently meet daily needs without having to make long trips."

2. The proposed use is or will be compatible with present and future land uses of the area.

**Finding:** The property is zoned B-1: Neighborhood Business, and the surrounding properties are residential homes. The purpose of the B-1 district is, “to provide for the establishment of local centers of convenient, limited office, retail or service outlets which deal directly with the customer for whom the goods or services are furnished. These centers are to provide services and goods only for the surrounding neighborhoods and are not intended to draw customers from the entire community.” The proposed addition will provide more space for clients, but is not anticipated to greatly increase the capacity to see more patients. Dr. Lund will continue to be the only dentist, and one hygienist who currently works part time will be hired full time, bringing the total to two hygienists. There will not be a huge influx of patients seen every day, parking will be contained on site, and the office will maintain normal business hours. The clinic will still serve the local community and is not anticipated to alter the residential character of the neighborhood. Therefore, staff finds the proposal is compatible with existing and future land uses of the area.

3. The proposed use conforms with all performance standards contained herein.

**Finding:** The addition will meet the front and side yard setback, but the applicant will need to submit the administrative variance application and neighbor agreements for the rear yard setback in order to extend a line of nonconformity. The property will not exceed the 30% impervious surface limitation and will not trigger stormwater requirements. The addition does trigger a number of building code requirements, including the need to have a fire sprinkler system in the addition and for non-compliant areas of the existing building to be upgraded for accessibility to a level commensurate with 20% of the overall value of the project. These aspects will be addressed before a building permit is issued.

One detail to note is that a portion of the addition is proposed to be constructed out of shipping containers. The code lists a number of exterior materials that are prohibited in this zoning district, including metal panels without factory finish, buildings comprised exclusively of metal, pole buildings, galvanized metal and sheet metal, so that portion of the building will need to be faced with an approved finish, and has been included as a condition of approval. Permitted materials include face brick, natural stone, decorative concrete block or concrete panels colored by pigment throughout, stucco, wood, and glass. The material chosen should be consistent with the existing building and should complement the surrounding homes.

4. The proposed use will not tend to or actually depreciate the area in which it is proposed.

**Finding:** The expansion of the building will not depreciate the area in which it is proposed. The architectural design of the expansion will be consistent with the existing building. Although the addition is getting closer to the residential properties to the south, screening will be required to create a buffer between the lots to lessen the impact on the residences. Staff has included a condition that a landscaping plan be submitted at the time of building permit, to ensure an adequate amount of buffer is provided to increase privacy and screening. A letter of credit will be required to ensure landscaping is provided.

Other exterior improvements include expanding and striping the parking lot. There is an accessory structure on the residential property to the south, but since there is no livable space in the garage, the lot should not greatly impact the residence. Staff finds that the five foot setback proposed on the east side of the lot is not sufficient enough space to provide adequate screening and is asking the applicant to provide a seven foot setback. As part of the conditional use permit, staff will allow 18 foot long stalls and a 22 foot wide drive aisle. These changes to the parking lot should be submitted to the City prior to the City Council meeting.

5. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

**Finding:** The property is served by city water and sewer and the utilities have the capacity to serve the proposed addition.

6. Traffic generation by the proposed use is within capabilities of streets serving the property.

**Finding:** The applicant anticipates the addition will increase the ability to see roughly ten more patients a day, so the number of new trips generated will be minimal and will be spread throughout the day as appointments are staggered and most patients spend about an hour at the office. The additional number of vehicles will still be within the capabilities of the streets serving the property. Highway 96 E and Highway 61 are easily accessible from the business, limiting the amount of traffic that will use the surrounding local roads.

#### **RECOMMENDATION**

The Planning Commission and staff recommend approval of the applicant's request, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. The Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State, Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. A building permit shall be obtained before any work begins.
5. Prior to the issuance of a building permit, all plans shall be revised to comply with applicable building and zoning code requirements and shall comply with Fire Department Memo, dated October 6, 2022.
6. A landscaping plan shall be submitted and subject to staff approval.
7. The applicant shall verify the property lines and have the property pins exposed at the

- time of inspection.
8. The basement storage/workshop/garage area shall not be leased out separately from the dental clinic.
  9. The exterior material on the shipping containers shall consist of a permitted wall finish.
  10. The applicant shall extend a letter of credit consisting of 125% of the exterior improvements, which renews automatically every six months. The amount of the letter shall be based on a cost estimate of the exterior improvements, to be approved by the City prior to the issuance of the letter of credit.
  11. The applicant shall reconfigure the parking lot so that the addition on the east side provides a seven foot setback from the shared lot line.

**ATTACHMENTS**

Resolution

Zoning/Location Map

Fire Review Memo, dated 10/6/22

Applicants Narrative (3 pages) & Plans (7 pages)

Neighbor Comment - Hughes

**RESOLUTION NO.**

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR  
2300 HIGHWAY 96 WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, Dr. Andrew Lund (Case No. 22-8-CUP) has requested a conditional use permit for an expansion of an existing dental clinic, per code section 1303.120 Subd.4.b, in order to construct an addition at 2300 Highway 96, White Bear Lake;

LEGAL DESCRIPTION: See Attached;

**WHEREAS**, the Planning Commission held a public hearing as required by the Zoning Code on October 24, 2022; and

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

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

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

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. The Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State, Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. A building permit shall be obtained before any work begins.
5. Prior to the issuance of a building permit, all plans shall be revised to comply with





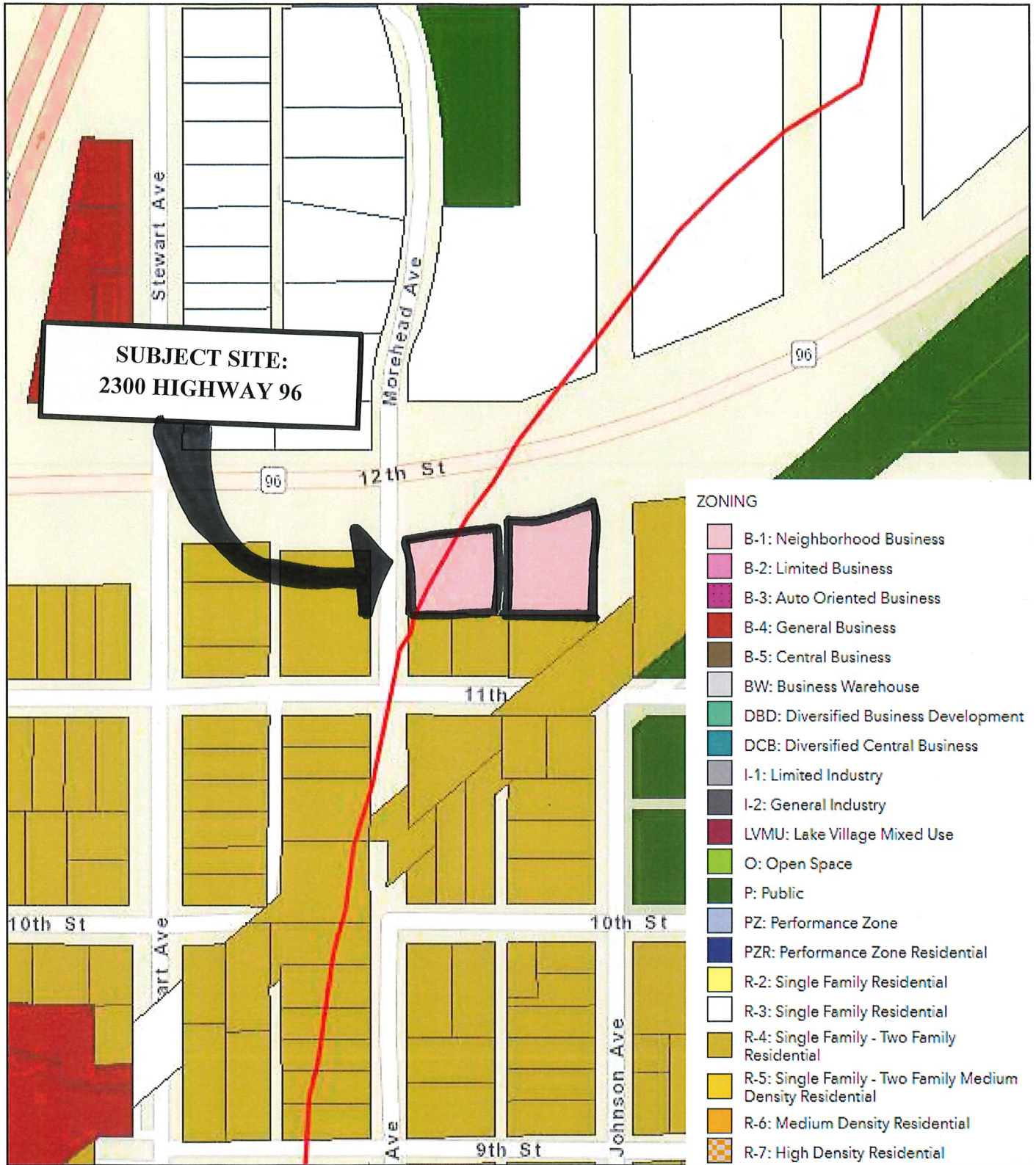
**RESOLUTION NO.**

**LEGAL DESCRIPTION**

Lots 2,3,4,8 and 9, Block 8, AUERBACH'S REARRANGEMENT OF PART OF WHITE BEAR, Ramsey County

AND

That part of Lot 10, lying southerly of a line drawn parallel to and 100 feet southerly from a line described as beginning at a point on the west line of Section 13, Township 30, Range 22, distant 135.1 feet south from the northwest corner thereof; thence east to a point on the extension south of the west line of Block 4, WHITE BEAR, distant 55.1 feet south from the southwest corner of said Block 4; thence continuing east along said last described line a distance of 105.7 feet; thence deflect to the left on a 2 degree 34 minute curve, delta angle 39 degrees 50 minutes, a distance of 150 feet and there terminating; in Block 8, AUERBACH'S REARRANGEMENT OF PART OF WHITE BEAR, Ramsey County, Minnesota.  
(PID #13-30-22-22-0015)



City of  
White Bear Lake  
Planning & Zoning  
651-429-8561

CASE NO. : 22-8-CUP

CASE NAME : Lund Family Dentistry

DATE : Oct. 24, 2022



## City of White Bear Lake Fire Department

4701 Highway 61 N.  
White Bear Lake, Minnesota 55110  
651-429-8568 | [www.whitebearlake.org](http://www.whitebearlake.org)



1. All roads and drive lane shall meet the White Bear Lake Fire Department requirements for widths and turning radiuses. Provide layout showing White Bear Lake Fire Apparatus turning radius overlay on drive lanes.
2. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
3. Install an approved emergency lock box for Fire Department emergency access to building in an **approved location**. Provide keys for emergency access into and throughout the occupancy as required. The White Bear Lake Fire Department will provide instructions for ordering from Knox when requested.
4. A fire sprinkler system shall be installed compliant with provisions of 2016 NFPA Standard 13, Installation of Sprinkler System as indicated by the building department and MSBC 1306. City permit required **prior** to initiation of work.
5. The sprinkler system shall be properly monitored by a qualified monitoring company.
6. Install emergency egress illumination in the means of egress including exit discharge compliant with 2020 MSFC.
7. Install compliant exit signage as required by the 2020 MSFC.
8. Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
9. Provide information concerning combustible interior finish materials used for this project. Interior finish materials shall be classified as required by 2020 MSFC as to flame spread and smoke development characteristics. Interior wall and ceiling finish shall have a flame spread index not greater than that specified in 2020 MSFC for the group of proposed occupancy and location of interior finish. Please furnish product specification sheets listing this information.
10. The required fire-resistance rating of rated construction shall be maintained. Openings through rated construction for the passage of wiring, sleeves, conduit, piping, etc. shall be protected by repair with approved materials which maintains the rating of the construction damaged, altered, breeched or penetrated.



## City of White Bear Lake Fire Department

4701 Highway 61 N.  
White Bear Lake, Minnesota 55110  
651-429-8568 | [www.whitebearlake.org](http://www.whitebearlake.org)



11. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

### **Codes and Standards Used for this Review**

This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.

- 2020 Minnesota State Fire Code
- NFPA 72, 2016 edition
- NFPA 13, 2016 edition





**NORTHERN SHIELD**  
DEVELOPMENT CORPORATION

Date: September 13, 2022

To : Ashton Miller, City Planner

City of White Bear Lake, 4701 Highway 61 White Bear Lake, MN 55110

Via Email : [amiller@whitebearlake.org](mailto:amiller@whitebearlake.org)

**Re: 2300 Hwy 96, White Bear Lake MN – Dr. Lund – Proposed Dental Clinic Expansion**

The proposal is to construct an addition onto the existing structure housing the Lund Family Dentistry offices to allow the expansion of the clinic as shown on the attached drawings. The existing building is 2,800 square feet and the proposed ground floor addition is 1,570 square feet with a basement level below.

Please accept the attached Land Use and Variance Application form and drawings for the above noted address. We are seeking the following approvals to proceed with Building Permit applications;

- \* Conditional Use Permit under the B-1 Neighborhood Business zoning district requirements, including screening requirements from the abutting residential properties.
- \* Administrative Variance for the pre-existing dimensionally non-conforming rear setback.
- \* Variance for >30% impervious surfaces as outlined in the Shoreland Overlay District.

**PROPERTY DESCRIPTION:**

Lots 2,3,4,8 & 9 , Block 8, AUERBACH’S REARRANGEMENT OF PART OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA. And Part of Lot 10 as shown on the survey completed by E.G. Rud and Sons, Inc. 5/13/2022. (Attached with application- Site Survey)

PIN : 13-30-22-22-0015

**SITE STATISTICS:**

PARENT BYLAW: ZONING CODE  
CURRENT ZONING DESIGNATION: B-1 (NEIGHBORHOOD BUSINESS)  
SITE SPECIFIC BYLAW: ---  
PROPOSED ZONING DESIGNATION: N/A

**1.0 LOT STANDARDS**

	REQUIRED	EXISTING	PROPOSED	
MINIMUM LOT WIDTH (ft)	100.0	123.32	EXISTING	
MINIMUM LOT AREA (sq. ft.)	15,000	18,863	EXISTING	
MINIMUM FLOOR AREA (ALL BUILDINGS) (sq. ft.)	> 1,000	1,635	3,341	
YARD SETBACKS	FRONT YARD (ft)	30.0	75.60	EXISTING
	INTERIOR SIDE YARD(S) (ft)	20.0	61.40	21.31
	EXTERIOR SIDE YARD (ft)	30.0	21.60 (□ □ †)	EXISTING
	REAR YARD (ft)	30.0	19.51 (□ □ †)	16.20
MAXIMUM BUILDING HEIGHT (ft)	30.0	EXISTING	30.0	

NOTES: (†) EXISTING CONDITIONS PERMITTED TO REMAIN, NO NEW ADDITIONS OR IMPROVEMENTS ARE PERMITTED TO BE INSTALLED

**ZONING DESIGNATION:**

The property is zoned **B-1 Neighborhood Business**.

Professional offices (includes **dentists** as per the definition) are a 'Conditional Use' for the property and as such a Conditional Use Permit will be required triggering this application process. We understand that this will include both Planning Commission and City Council approval along with a public hearing.

The dental clinic currently and will continue to operate with the following business hours: Monday to Thursday from 8:00am to 5:00pm and is closed Friday through Sunday.

**ADDITIONAL ZONING ORDINANCES :**

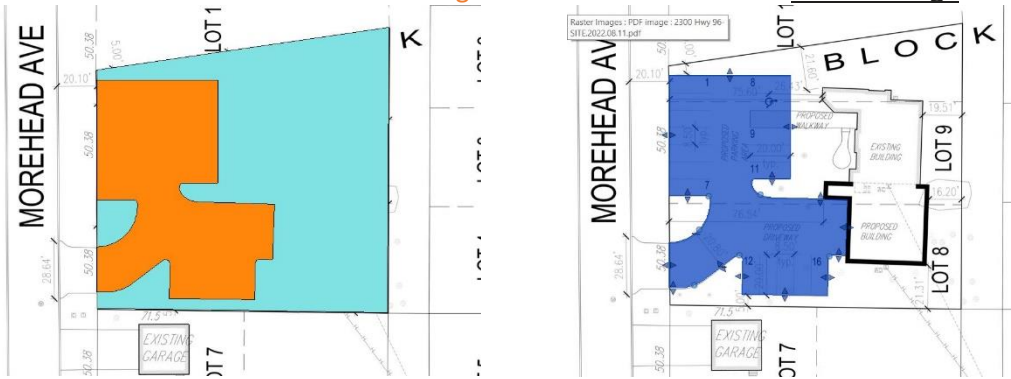
Concurrently with the CUP application for the office use we would like to include the requirements.

- 1) **1302.030 Subd. 7 -Required Fencing, Screening and Landscaping** to ensure that the property will be screened from the abutting residential properties.
- 2) **1302.070 -Land Alteration and Mining** review and approval for site grading and stormwater management. As well as the requirements of Shoreland Overlay District limiting the impervious surface to 30%.

With the current site arrangement for parking and the proposed site alterations the variance consideration would be to allow for a 36% impervious coverage.

Calculations:

**Site Area = 18693 m<sup>2</sup>**      **Parking Lot Area = 6757 m<sup>2</sup>**      = **36% coverage**



We understand that the following are not requirements of the CUP process but would be satisfied before a building permit could be issued.

- 1) **1302.075 Tree Preservation.** Tree Survey to be provided at a later date.
- 2) **1302.0880 Essential Services.** Details to be provided at a later date.

**ADMINISTRATIVE VARIANCE:**

**Rear setback reduction.**

The existing structure has a non-conforming set back of 19.51ft from the rear property line. By law requires the rear setback to be 30ft minimum. We are requesting an administrative variance to allow the new construction to be built with the current non-conforming setback as per zoning code section 1302.040 Subd.4.d . Where an addition is proposed to a pre-existing, dimensionally non-conforming structure or side of a structure, and the proposed addition extends no closer to a property line or other structure than the pre-existing, non-conforming structural encroachment currently on the site, the required building setbacks may be varied by an Administrative Variance”.

**ADDITIONAL NOTES:**

The property is located within the Rice Creek Watershed District [PH. (763) 398-3070]. From online mapping it appears the property is within the “Resource Area of Concern” we are submitting the plans to Rice Creek for clarification if any permits are required.

**CONCLUSION:**

Given the proposed design meets the intent of the zoning standards and requirements and the variances are minor in nature we are hopeful that the City of White Bear Lake is amenable to the noted requests and upon approval from the Planning Commission and Council we can proceed to Building Permit stage.

Thank you in advance for you time and we look forward to working with you on this exciting project.

Sincerely,



Kelly Shelswell  
VP Projects & Operations  
Northern Shield Development Corporation  
705-717-1810

**Attachments:**

Land Use Variance Application form  
Site Survey  
Proposed Site plan  
Drawings both existing and proposed

**SITE STATISTICS**

PARENT BYLAW: ZONING CODE  
 CURRENT ZONING DESIGNATION: B-1 (NEIGHBORHOOD BUSINESS)  
 SITE SPECIFIC BYLAW: ---  
 PROPOSED ZONING DESIGNATION: N/A

**1.0 LOT STANDARDS**

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT WIDTH (ft)	100.0	123.32	EXISTING
MINIMUM LOT AREA (sq. ft.)	15,000	18,863	EXISTING
MINIMUM FLOOR AREA (ALL BUILDINGS) (sq. ft.)	> 1,000	1,635	3,341
YARD SETBACKS	FRONT YARD (ft)	30.0	75.60
	INTERIOR SIDE YARD(S) (ft)	20.0	61.40
	EXTERIOR SIDE YARD (ft)	30.0	21.60 (†)
	REAR YARD (ft)	30.0	19.51 (†)
MAXIMUM BUILDING HEIGHT (ft)	30.0	EXISTING	30.0

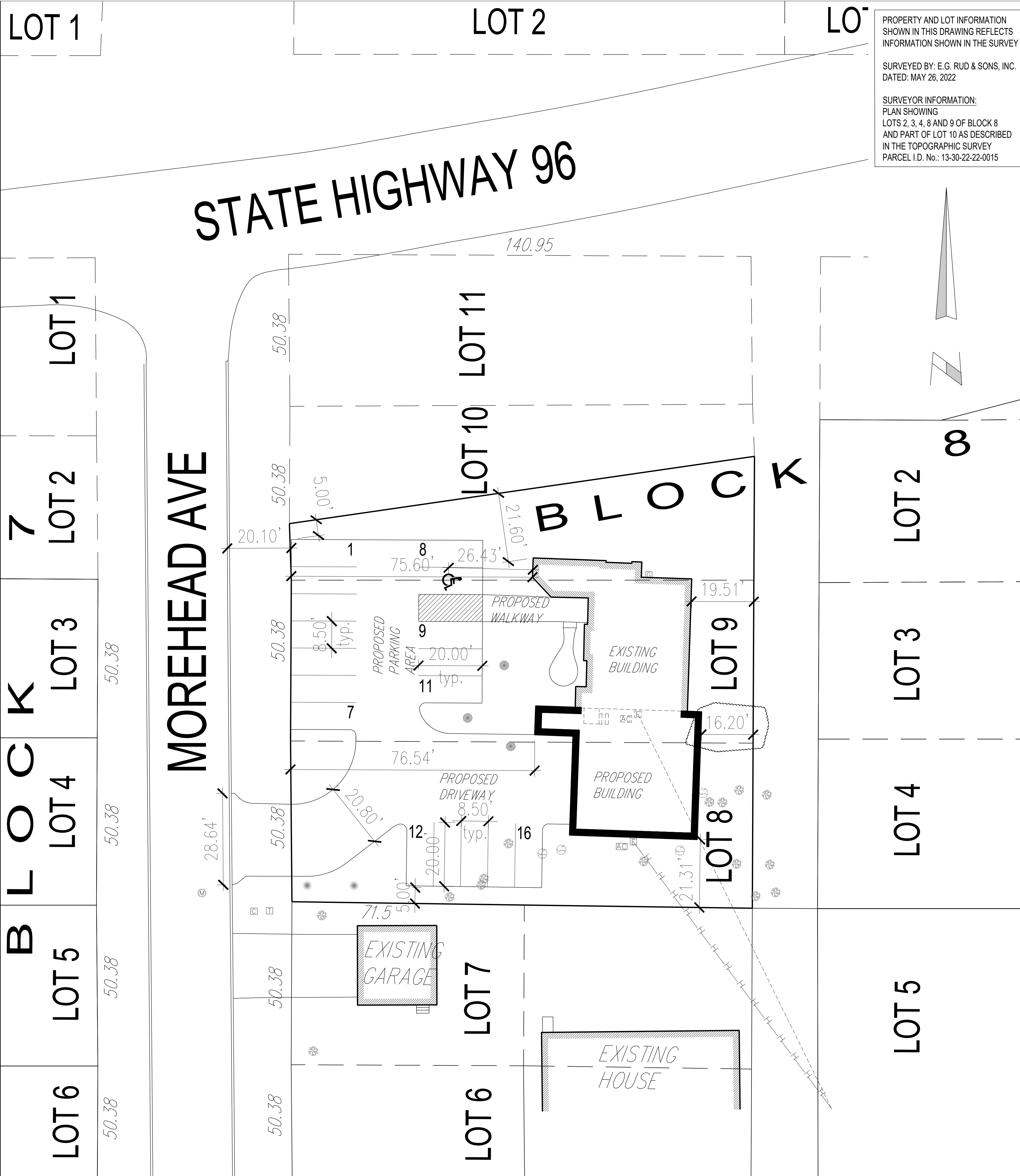
NOTES: (†) EXISTING CONDITIONS PERMITTED TO REMAIN, NO NEW ADDITIONS OR IMPROVEMENTS ARE PERMITTED TO BE INSTALLED

**2.0 BUILDING STANDARDS**

	PERMITTED	EXISTING	PROPOSED
<b>EXTERIOR WALL FINISHES</b>			
FACE BRICK	YES	TBD	TBD
NATURAL STONE	YES	TBD	TBD
DECORATIVE CONCRETE BLOCK ( 1)	YES	TBD	TBD
CAST IN PLACE / PRECAST CONCRETE ( 1)	YES	TBD	TBD
STUCCO	YES	TBD	TBD
EXTERIOR FINISHED WOOD	YES	TBD	TBD
CURTAIN WALL PANELS	YES	TBD	TBD
GLASS	YES	TBD	TBD
DECORATIVE PAINTED CONCRETE BLOCK( 2)	YES	TBD	TBD
MATERIALS THAT RAPIDLY DECAY OR UNSIGHTLY (i.e. GALVANIZED METAL)	NO	TBD	NO
UNFINISHED CLAY TILE	NO	TBD	NO
METAL PANELS WITHOUT FACTORY FINISH WITH PERMANENT SURFACE	NO	TBD	NO
BUILDING COMPRISED EXCLUSIVELY OF METAL	NO	TBD	NO
POLE BUILDINGS	NO	TBD	NO
SHEET METAL	NO	TBD	NO
PLASTIC / FIBERGLASS SIDING ( 3)	NO	TBD	NO
UNADORNED AND/OR PAINTED CONCRETE BLOCK	NO	TBD	NO

	REQUIRED	PROPOSED	COMPLIANCE
ALL ADDITIONS AND EXTERIOR ALTERATIONS IN EXCESS OF 25% OF THE FLOOR AREA OF AN ORIGINAL NON-CONFORMING BUILDINGS MUST BE CONSTRUCTED WITH MATERIALS ABOVE	YES	TBD	YES
ACCESSORY BUILDINGS CONSTRUCTED AFTER THE ORIGINAL BUILDING (OR BUILDINGS) SHALL BE CONSTRUCTED OF MATERIALS COMPARABLE TO THE PRINCIPAL BUILDING AND DESIGNED IN A MANNER CONFORMING TO THE ARCHITECTURAL AND GENERAL APPEARANCE	YES	TBD	TBD

NOTES: (1) MUST BE COLORED WITH PIGMENT IMPREGNATED THROUGHOUT FINISH MATERIAL. APPROVAL OF AN ARCHITECTURAL TREATMENT TO BE RECEIVED BY THE ZONING ADMINISTRATOR  
 (2) ONLY PERMITTED ON ANY BUILDING WALL NOT VISIBLE FROM A PUBLIC RIGHT-OF-WAY  
 (3) PERMITTED IF SIDING IS A COMPONENT OF A FACTORY FABRICATED AND FINISHED PANEL



PROPERTY AND LOT INFORMATION SHOWN IN THIS DRAWING REFLECTS INFORMATION SHOWN IN THE SURVEY

SURVEYED BY: E.G. RUD & SONS, INC. DATED: MAY 26, 2022

SURVEYOR INFORMATION:  
 PLAN SHOWING LOTS 2, 3, 4, 8 AND 9 OF BLOCK 8 AND PART OF LOT 10 AS DESCRIBED IN THE TOPOGRAPHIC SURVEY PARCEL I.D. No.: 13-30-22-22-0015

**NORTHERN SHIELD**  
 DEVELOPMENT CORPORATION

7869 Yonge St. Innesfil L9S 1L4  
 info@nsd-corp.ca  
 705-252-4605

1. THESE DRAWINGS MUST BE CHECKED BY THE OWNER OR CONTRACTOR. ANY ERRORS OR OMISSIONS MUST BE REPORTED IN WRITING TO NORTHERN SHIELD DEVELOPMENT CORP PRIOR TO COMMENCEMENT OF CONSTRUCTION. OWNER OR CONTRACTOR MUST CHECK AND VERIFY ALL SITE CONDITIONS PRIOR TO PROCEEDING WITH THE WORK.
2. ALL DIMENSIONS SHOWN ON THESE DRAWINGS MUST BE CHECKED AGAINST ALL OTHER PROJECTS DRAWINGS. ANY DISCREPANCIES MUST BE REPORTED TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.
3. FOR CONSTRUCTION PURPOSES, USE ONLY THE LATEST APPROVED DRAWINGS LABELED 'ISSUED FOR CONSTRUCTION' AND ACCOMPANIED WITH APPROVED BUILDING PERMIT ISSUED BY AUTHORITIES HAVING JURISDICTION.
4. DO NOT SCALE THE DRAWINGS.

A COLLABORATION WITH:

**ABC Consultants**  
 ARCHITECTURE + BUILDING + CODE  
 (833) 988 - 8ABC [8222]  
 www.abccconsultants.ca

**REVISION SCHEDULE**

REV	ISSUED FOR	DATE
1	CLIENT REVIEW	2022-08-11

PROJECT:

**LUND FAMILY DENTISTRY ADDITION**

2300 HWY 96, WHITE BEAR LAKE, MN 55110

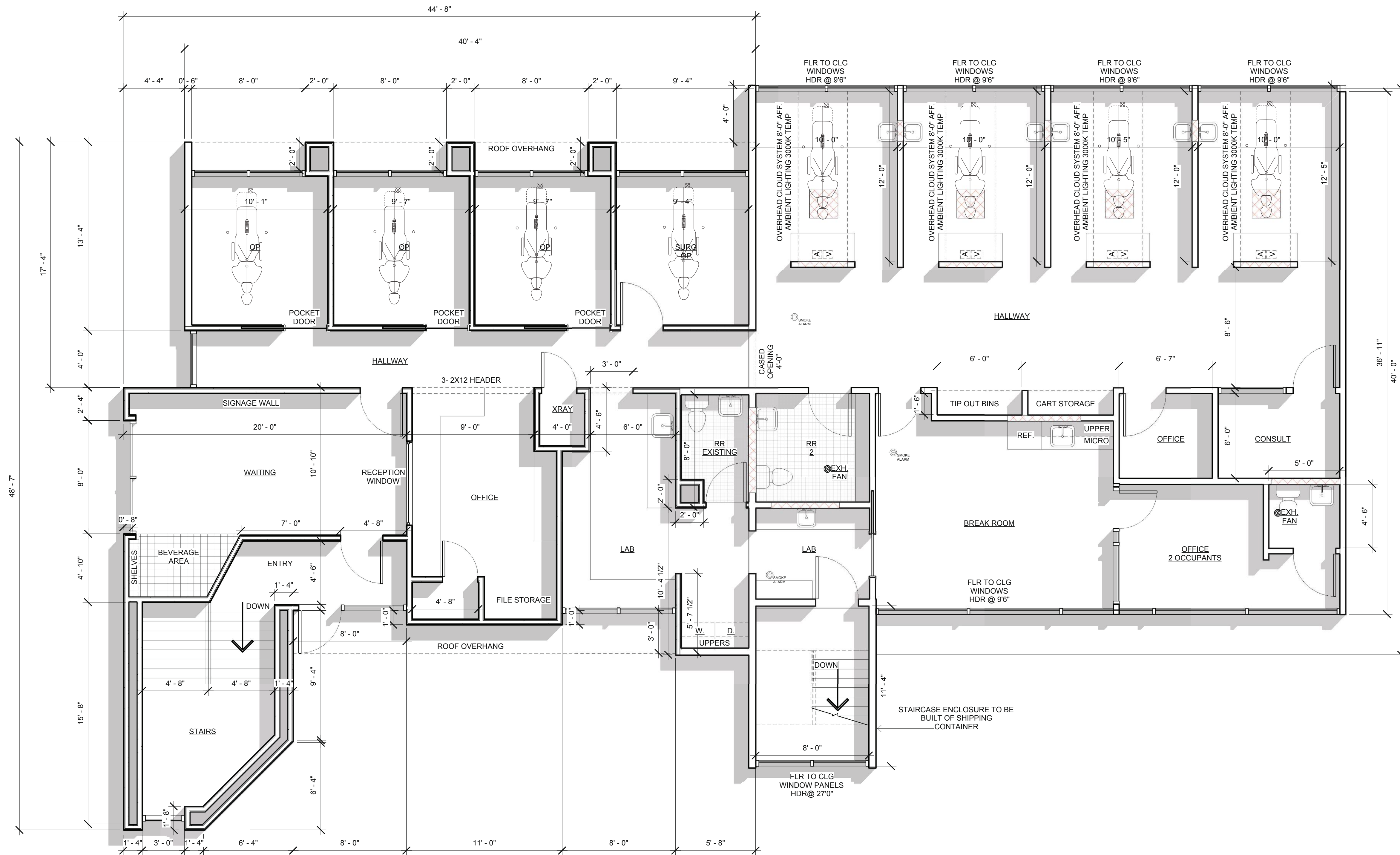
TITLE:

**SITE PLAN**

**SP1**

SCALE: 1/16" = 1'-0"





PRELIMINARY - FLOOR PLAN- GROUND FLOOR ADDITION  
 SCALE: 1/4" = 1' - 0"

FLOOR PLAN  
 SCALE: 1/4" = 1'0"

This drawing is an instrument of service and shall not be used for any other purpose without the express written approval of Rodriguez Design and Development. Submission or distribution of this drawing to other parties in connection with the project is not to be construed as publication in violation of any of the rights of RDD. Any adaptation or violation of the rights of Rodriguez Design shall be prosecuted to the fullest extent possible.

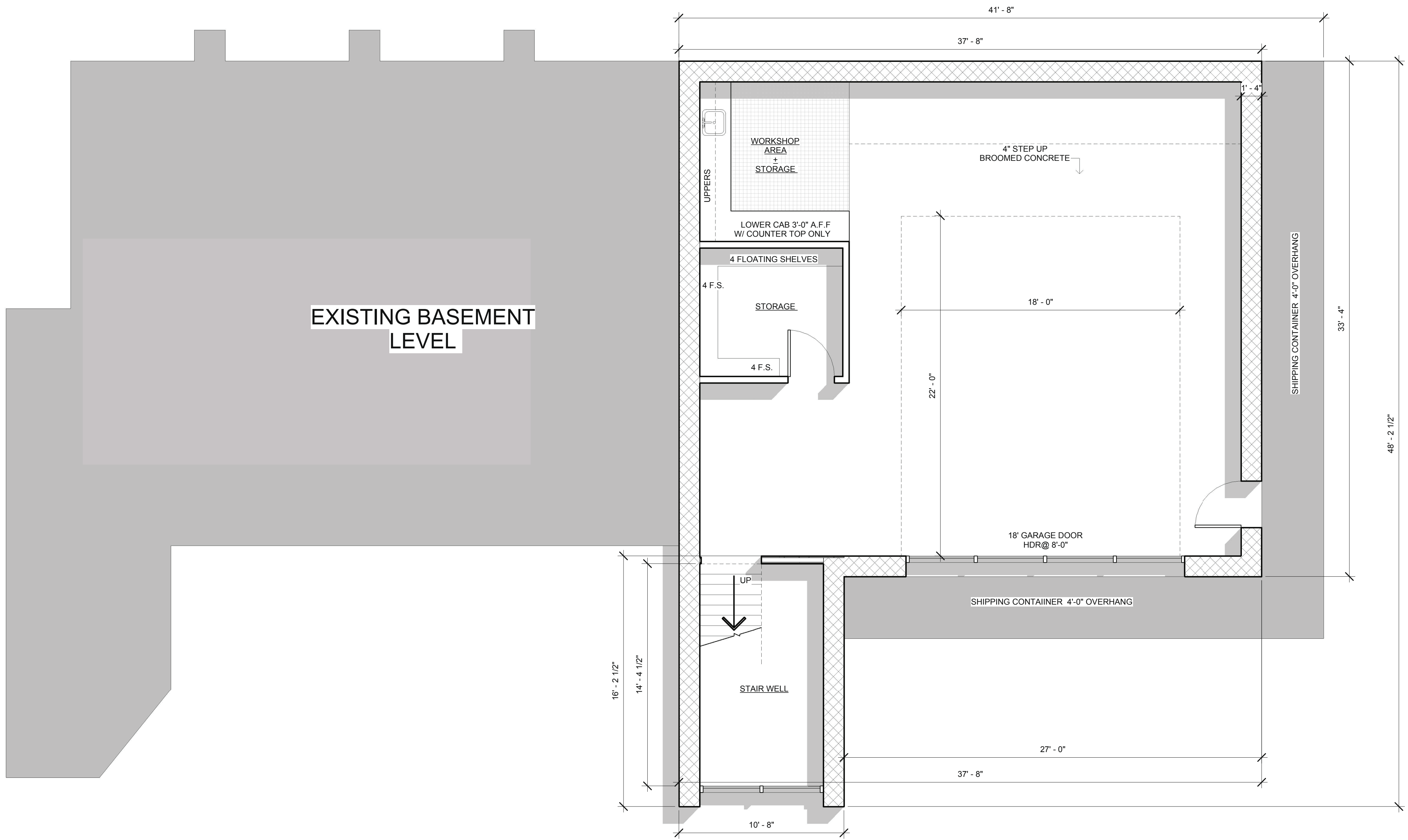
**RODRIGUEZ DESIGN & DEVELOPMENT**  
 PHONE: 210-748-1089  
 EMAIL: JON@RODRIGUEZDD.COM  
 WEBSITE: RODRIGUEZDD.COM

**DR. ANDREW LUND**  
 LUND FAMILY DENTISTRY  
 2300 WHITE BEAR LAKE  
 MN. 55110

DATE:	7.13.22
DRAWN BY:	JR
CHECKED BY:	JR
REVIEWER:	



SHEET NO:  
**A3**  
 FLOOR PLAN



PRELIMINARY - NEW BASEMENT ADDITION  
 SCALE: 1/4" = 1' - 0"

FLOOR PLAN  
 SCALE: 1/4" = 1'0"

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RODRIGUEZ DESIGN & DEVELOPMENT  
 PHONE: 210-748-1089  
 EMAIL: JON@RODRIGUEZDD.COM  
 WEBSITE: RODRIGUEZDD.COM

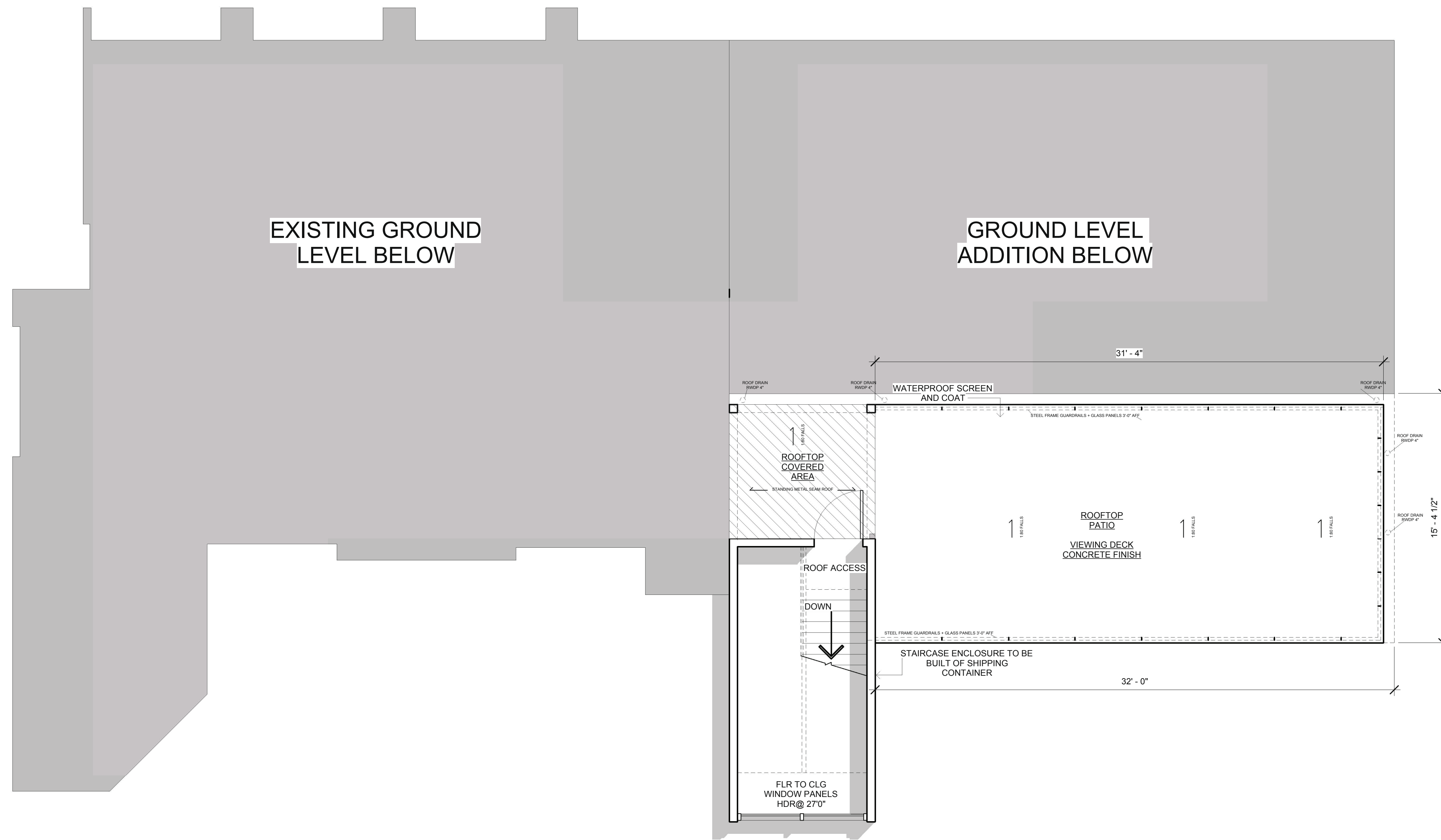
DR. ANDREW LUND  
 LUND FAMILY DENTISTRY  
 2300 WHITE BEAR LAKE  
 MN. 55110

DATE:	7-13-22
DRAWN BY:	JR
CHECKED BY:	JR
REVIEWED:	



SHEET NO:  
**A4**  
 FLOOR PLAN





PRELIMINARY - ROOF TOP VIEWING DECK  
 SCALE: 1/4" = 1' - 0"

FLOOR PLAN  
 SCALE: 1/4" = 1' 0"

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**RODRIGUEZ DESIGN & DEVELOPMENT**  
 PHONE: 210-748-1089  
 EMAIL: JON@RODRIGUEZDD.COM  
 WEBSITE: RODRIGUEZDD.COM

**DR. ANDREW LUND**  
 LUND FAMILY DENTISTRY  
 2300 WHITE BEAR LAKE  
 MN. 55110

DATE:	7.13.22
DRAWN BY:	JR
CHECKED BY:	JR
REVIEWED:	



SHEET NO:  
**A5**  
 FLOOR PLAN



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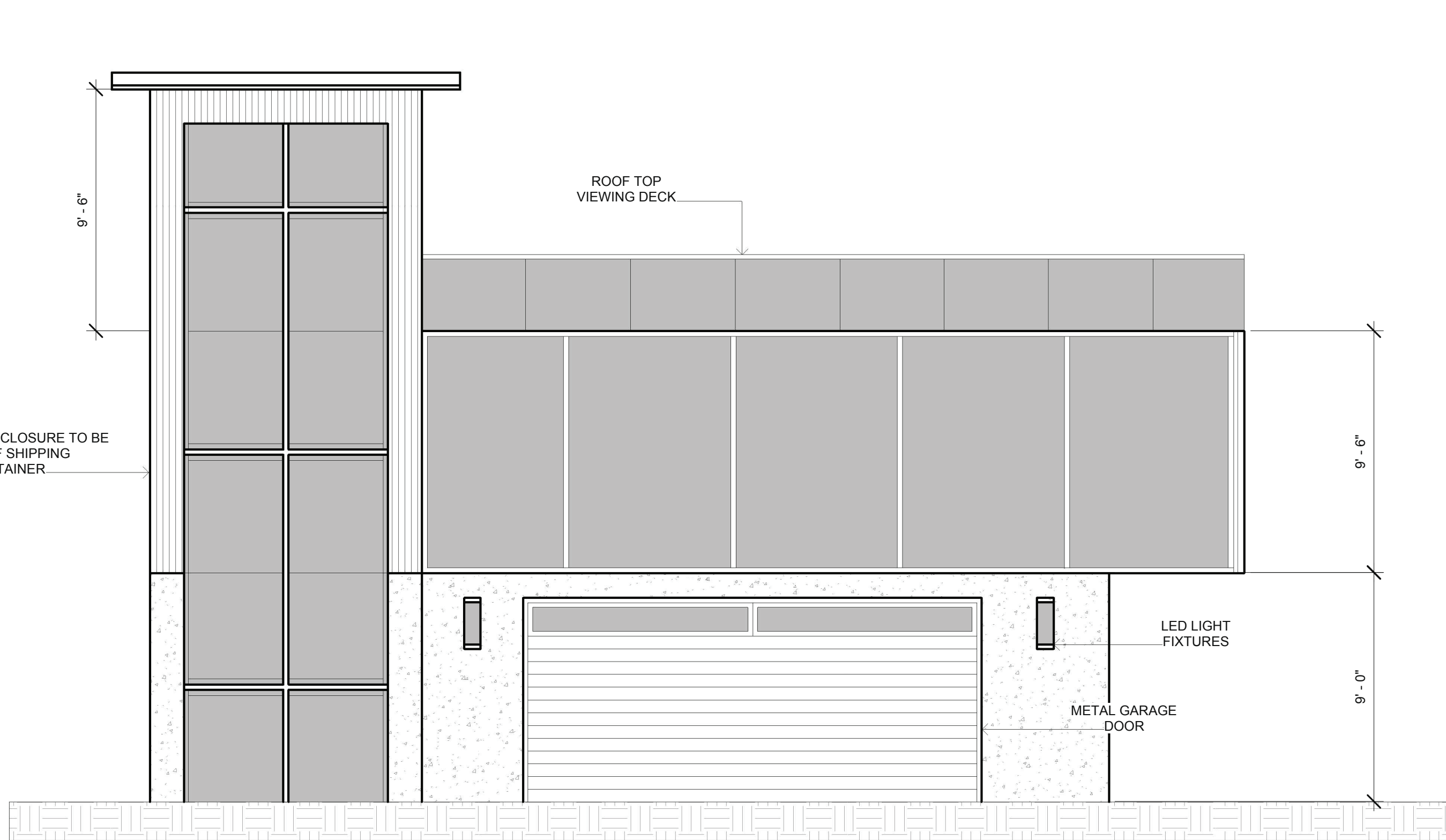
**RODRIGUEZ DESIGN & DEVELOPMENT**  
 PHONE: 210-748-1089  
 EMAIL: JON@RODRIGUEZDD.COM  
 WEBSITE: RODRIGUEZDD.COM

**DR. ANDREW LUND**  
 LUND FAMILY DENTISTRY  
 2300 WHITE BEAR LAKE  
 MIN. 55110

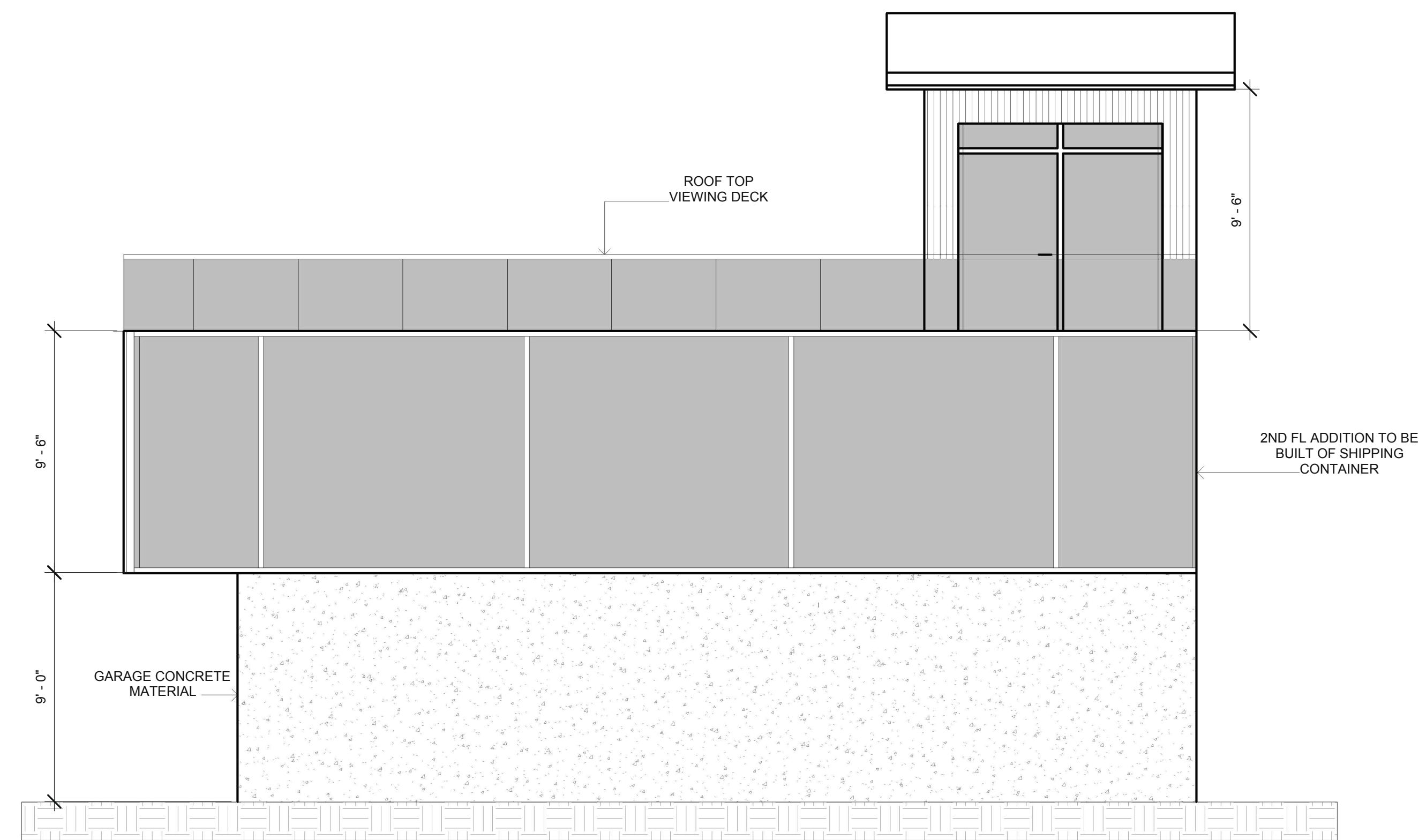
DATE:	7.13.22
DRAWN BY:	JR
CHECKED BY:	JR
REVISIONS:	



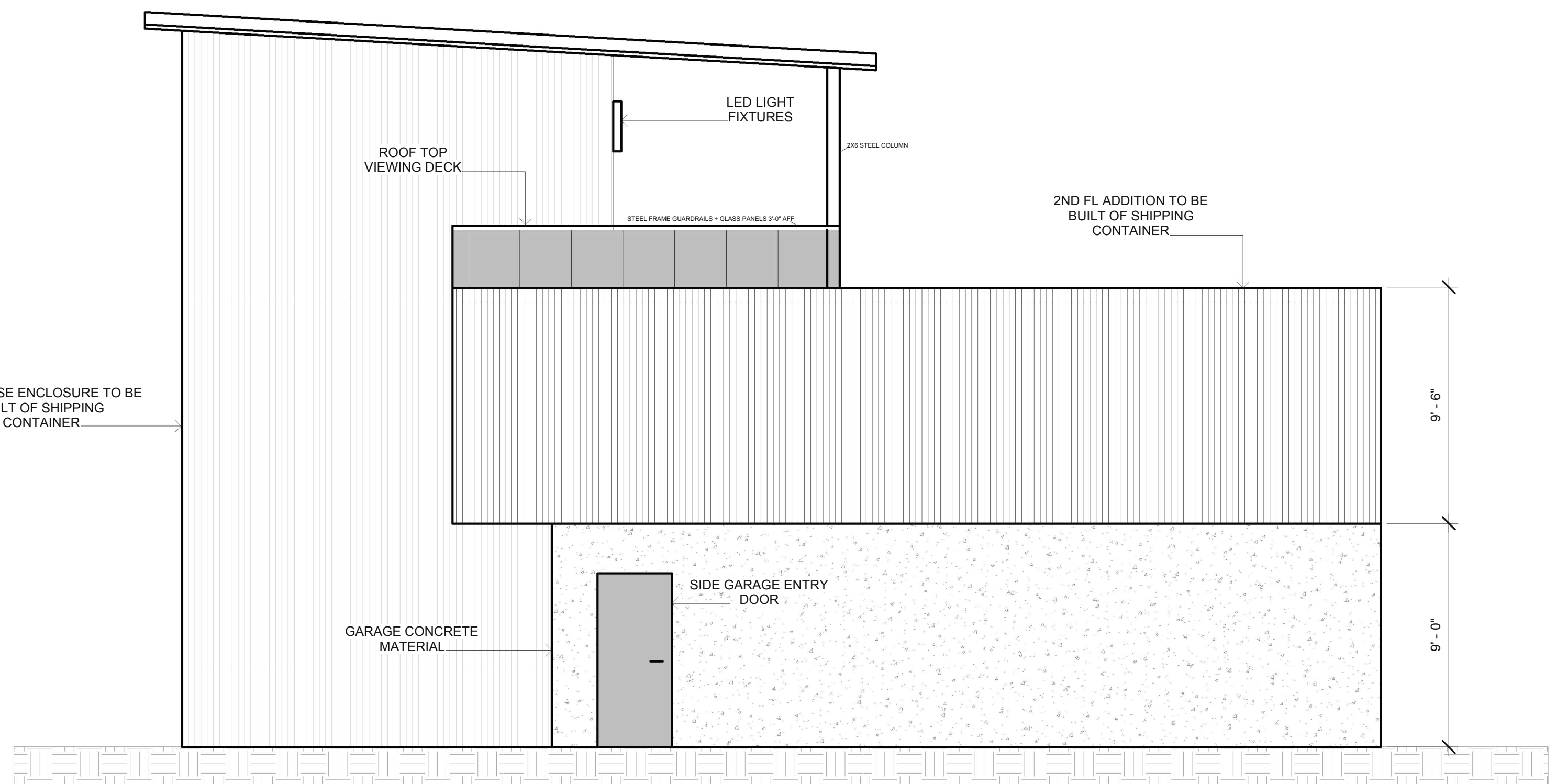
SHEET NO:  
**A6**  
 FLOOR PLAN



FRONT VIEW



REAR VIEW



SIDE VIEW



RENDERING

**EXTERIOR ELEVATIONS**  
 SCALE: 1/4" = 1'0"

## Ashton Miller

---

**From:** Hughes, Christopher <Christopher.Hughes@bsci.com>  
**Sent:** Monday, October 17, 2022 10:05 AM  
**To:** Ashton Miller  
**Subject:** Comments on 22-8-CUP (2300 Highway 96; Andrew Lund)

I live at 4984 Stewart Avenue and received a letter from the City of White Bear Lake Planning Commission regarding 22-8-CUP. I am submitting the comments below for the meeting on 24-Oct-2022.

The existing dental practice predates the construction of my residence in 2004. The dental office is a very good neighbor, and in some ways is actually a better neighbor than a single family residence. The amount of traffic is minimal and is generated only during business hours. The business is empty and entirely quiet on evenings, weekends, and holidays. Nobody is out running a leaf blower at 7:00 a.m. or having a loud party on Saturday night.

An expansion would obviously generate more traffic, but the increase is completely negligible compared to the number of people that use Morehead Avenue as a shortcut to Stewart Avenue and downtown. I would estimate an increase of maybe 1-2 vehicles per hour during business hours, and an increase of that amount is totally insignificant. The dental practice is not open during peak traffic hours in the a.m..

There are no mature trees or other obvious significant environmental impacts related to the expansion. The site is adjacent to a large wetland. Existing regulations to protect the wetland during construction should be strictly enforced. The current landscaping at the dental practice is simple, but tidy and well-maintained. This would be a good opportunity to update the landscaping with better tree choices (oaks versus honey locust) and native plants.

In summary, I see no negative impacts to the surrounding neighborhood from this proposed expansion as long as appropriate construction practices and post-construction restoration activities are enforced. There is a tendency to reflexively object to any expansion or change in the neighborhood. The adjacent homeowner (Hubbs) recently demolished an older home with plans to reconstruct a larger home on the lot. I am ambivalent about that trend (there are both positive and negative aspects to teardowns), but it is undeniable that teardowns are changing the character of the neighborhood far more than this proposed small expansion of a long-term business. I do not see how the city can embrace demolishing small residences and replacing them with much larger homes and simultaneously deny a request for a business to do what is essentially the same thing.

CSH



**Christopher S. Hughes, Ph.D.**

Fellow Statistician  
Business Optimization  
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**City of White Bear Lake**  
Engineering Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Paul Kauppi, Public Works Director/City Engineer  
**Date:** November 8, 2022  
**Subject:** **Receive Bids and Award Contracts for the Public Safety Facility Renovation Project, City Project No. 22-09**

## SUMMARY

The City Council will consider adopting a resolution accepting bids and awarding construction contracts for the Public Safety Facility Renovation Project, City Project Number 22-09.

## BACKGROUND INFORMATION

Pursuant to City Council Resolution 13054, bids for the Public Safety Facility Renovation Project were received on October 11, 2022 where a total of 138 bids were received for 30 separate work scopes.

Overall bid coverage was good, however, upon review of the bids, it is recommended that two of the 30 work scopes be rejected due to errors in the bids received. Those work scopes include WS 14-B – Elevator and WS 32-A – Asphalt Paving. These work scopes will be re-bid or quoted and brought back to the City Council at a later date for consideration.

In addition, upon review, RJ Mechanical, Inc., for WS 22-A is considered non-responsive and will be recommended for rejection due to an error in their bid and the bid awarded to the next lowest bidder.

## Project Financing

Prior to the bid opening, the final project estimate was \$14,700,000. Due to industry uncertainty and large market cost increases, the bids came in at \$17,801,800. Therefore, the City Council held a work session on October 25, 2022 and developed the following project scope and financing plan.

## PROJECT SCOPE

Total Project Cost	\$17,801,800
Delay Monument	\$ (100,000)
<u>Delay Roof Replacement</u>	<u>\$ (350,000)</u>
<b>Total Adjusted Project Cost</b>	<b>\$17,351,800</b>

**FUNDING**

2022B CIP Bonds – 20 years	\$ 6,841,800
2023A CIP Bonds – 20 years	\$ 9,812,000
Interest Earned on Bond Proceeds (estimated)	\$ 275,000
Sales Tax Refund (estimated)	\$ 300,000
<u>Community Reinvestment Fund</u>	<u>\$ 123,000</u>
<b>Total</b>	<b>\$17,351,800</b>

Project Schedule

- November 9, 2022 – City Council awards construction contracts
- March 2023 – Construction begins
- June 2024 – Project substantially complete

**RECOMMENDATION**

Staff recommends the City Council adopt the attached resolution accepting bids and awarding construction contracts for the Public Safety Facility Renovation Project, City Project Number 22-09.

**ATTACHMENTS**

Resolution

**RESOLUTION NO.**

**RESOLUTION RECEIVING BIDS AND AWARDING THE CONSTRUCTION CONTRACTS  
FOR THE PUBLIC SAFETY FACILITY RENOVATION PROJECT**

**WHEREAS**, pursuant to City Council Resolution 13054, construction plans and specifications were approved and advertisement for bids were made;

**WHEREAS**, at 2:00 p.m. on October 11, 2022, sealed bids were received, opened, and tabulated according to law;

**WHEREAS**, 138 individual bids were received for 30 separate work scopes;

**WHEREAS**, the bid submitted by RJ Mechanical, Inc., for work scope WS 22-A is considered a non-responsive bid as it had an error in pricing and is rejected from further consideration;

**WHEREAS**, all bids received for work scope WS 32-A – Asphalt Paving are rejected from further consideration; and

**WHEREAS**, the apparent low responsive and responsible bid was received for the following work scopes from:

	<b>Work Scope</b>	<b>Contractor</b>	<b>Bid</b>	<b>Net Bid</b>
WS 01-J	Construction Final Cleaning	Nice & Clean Co. St. Paul, MN	Base Bid	\$25,000.00
WS 02-A	Demolition	Lloyd’s Construction Services, Inc. Shakopee, MN	Base Bid	\$129,855.00
WS 03-A	Concrete	Ebert, Inc. dba Ebert Construction Corcoran, MN	Base Bid	\$812,200.00
WS 03-B	Structural Precast	Molin Concrete Products Circle Pines, MN	Base Bid	\$1,959,468.00
WS 04-A	Masonry	Harbor City Masonry, Inc. Duluth, MN	Base Bid	\$280,670.00
WS 05-A	Structural Steel – Material Only	Ben’s Structural Fabrication, Inc. Waite Park, MN	Base Bid	\$690,000.00
WS 05-B	Structural Steel – Erection	Red Cedar Steel Erectors, Inc. Menomonie, WI	Base Bid	\$235,000.00
WS 06-A	Carpentry	Century Construction Company Ramsey, MN	Base Bid	\$333,500.00
WS 07-F	Metal Panels	Atomic Architectural Sheet Metal, Inc. Vadnais Heights, MN	Base Bid	\$350,000.00



**RESOLUTION NO.**

WS 07-H	Roofing	Lake Area Roofing & Construction, Inc. Chisago City, MN	Base Bid	\$1,180,699.00
WS 07-L	Interior Sealant	Right-Way Caulking, Inc. Minneapolis, MN	Base Bid	\$44,847.00
WS 08-A	Doors-Frames-Hardware – Material Only	Twin City Hardware Company Oakdale, MN	Base Bid	\$234,000.00
WS 08-D	Specialty Door	Crawford Door Sales Company West St. Paul, MN	Base Bid	\$362,425.00
WS 08-F	Exterior Glass and Glazing	MT Contracting, Inc. Belgrade, MT	Base Bid	\$531,000.00
WS 09-A	Drywall	RTL Construction, Inc. Shakopee, MN	Base Bid	\$351,939.00
WS 09-B	Tile	Advance Terrazzo & Tile Co., Inc. Coon Rapids, MN	Base Bid	\$116,650.00
WS 09-C	Ceiling and Acoustical Treatment	Twin City Acoustics, Inc. New Hope, MN	Base Bid	\$53,690.00
WS 09-D	Flooring – Resilient and Carpet	Acoustics Associates, Inc. Golden Valley, MN	Base Bid	\$80,700.00
WS 09-K	Painting	Mulcahy Nickolaus, LLC Oakdale, MN	Base Bid	\$136,582.00
WS 12-C	Manufactured Casework	Woodside Industries, Inc. Cavalier, ND	Base Bid	\$289,348.00
WS 14-B	Elevator	Otis Elevator Company Roseville, MN	Base Bid	\$109,925.00
WS 21-A	Fire Suppression	NOVA Fire Protection, Inc. Blaine, MN	Base Bid	\$126,750.00
WS 22-A	Plumbing	Kraft Mechanical, LLC Woodbury, MN	Base Bid	\$814,000.00
WS 23-A	HVAC	SCR, Inc. St. Cloud, MN	Base Bid	\$1,562,000.00
WS 26-A	Electrical	Vinco, Inc. Forest Lake, MN	Base Bid	\$1,441,000.00
WS 31-A	Site Clearing and Earthwork	Rachel Contracting, LLC St. Michael, MN	Base Bid	\$1,189,800.00
WS 32-B	Concrete Paving	Pember Companies, Inc. Menomonie, WI	Base Bid	\$168,500.00
WS 32-D.1	Site Fencing	Century Fence Company Forest Lake, MN	Base Bid	\$399,315.00
WS 32-F	Landscape	Autumn Ridge Landscaping, Inc. Loretto, MN	Base Bid	\$87,359.00

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

**RESOLUTION NO.**

1. The City Council hereby receives the bids submitted at the October 11, 2022 letting for the Public Safety Facility Renovation Project.
2. Contracts are hereby approved for the following work scopes:

<b>Work Scope</b>		<b>Contractor</b>	<b>Bid</b>	<b>Net Bid</b>
WS 01-J	Construction Final Cleaning	Nice & Clean Co. St. Paul, MN	Base Bid	\$25,000.00
WS 02-A	Demolition	Lloyd's Construction Services, Inc. Shakopee, MN	Base Bid	\$129,855.00
WS 03-A	Concrete	Ebert, Inc. dba Ebert Construction Corcoran, MN	Base Bid	\$812,200.00
WS 03-B	Structural Precast	Molin Concrete Products Circle Pines, MN	Base Bid	\$1,959,468.00
WS 04-A	Masonry	Harbor City Masonry, Inc. Duluth, MN	Base Bid	\$280,670.00
WS 05-A	Structural Steel – Material Only	Ben's Structural Fabrication, Inc. Waite Park, MN	Base Bid	\$690,000.00
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WS 06-A	Carpentry	Century Construction Company Ramsey, MN	Base Bid	\$333,500.00
WS 07-F	Metal Panels	Atomic Architectural Sheet Metal, Inc. Vadnais Heights, MN	Base Bid	\$350,000.00
WS 07-H	Roofing	Lake Area Roofing & Construction, Inc. Chisago City, MN	Base Bid	\$1,180,699.00
WS 07-L	Interior Sealant	Right-Way Caulking, Inc. Minneapolis, MN	Base Bid	\$44,847.00
WS 08-A	Doors-Frames-Hardware – Material Only	Twin City Hardware Company Oakdale, MN	Base Bid	\$234,000.00
WS 08-D	Specialty Door	Crawford Door Sales Company West St. Paul, MN	Base Bid	\$362,425.00
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WS 09-B	Tile	Advance Terrazzo & Tile Co., Inc. Coon Rapids, MN	Base Bid	\$116,650.00

**RESOLUTION NO.**

WS 09-C	Ceiling and Acoustical Treatment	Twin City Acoustics, Inc. New Hope, MN	Base Bid	\$53,690.00
WS 09-D	Flooring – Resilient and Carpet	Acoustics Associates, Inc. Golden Valley, MN	Base Bid	\$80,700.00
WS 09-K	Painting	Mulcahy Nickolaus, LLC Oakdale, MN	Base Bid	\$136,582.00
WS 12-C	Manufactured Casework	Woodside Industries, Inc. Cavalier, ND	Base Bid	\$289,348.00
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WS 32-F	Landscape	Autumn Ridge Landscaping, Inc. Loretto, MN	Base Bid	\$87,359.00

3. The bid submitted by RJ Mechanical, Inc., for work scope WS 22-A is hereby considered a non-responsive bid as it had an error in pricing and is hereby rejected from further consideration.
4. All bids received for work scope WS 32-A – Asphalt Paving are hereby rejected from further consideration and the City Engineer is hereby authorized to solicit new bids or quotes for this work scope.
5. The Mayor and City Manager are hereby authorized and directed to enter into contract for the approved work scopes according to the plans and specifications therefor approved by the City Council and on file in the office of the City Engineer.
6. 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:

**RESOLUTION NO.**

Ayes:  
Nays:  
Passed:

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Dan Louismet, Mayor

**ATTEST:**

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Caley Longendyke, City Clerk



**City of White Bear Lake**  
Finance Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Kerri Kindsvater  
**Date:** November 9, 2022  
**Subject:** **Authorizing the General Obligation Bond Sale – 2022B Capital Improvement Bonds for the Public Safety Renovation Project**

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## SUMMARY

The City Council will consider authorizing a \$6,990,000 General Obligation (GO) Capital Improvement Plan (CIP) Bond Sale – 2022B to fund a portion of the renovation and expansion of the City's Public Safety Facility.

## 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 general rules in Chapter 475, the City receives further specific guidance from Minnesota Statutes, Chapter 475.521, Capital Improvement Authority, which relate to the issuance of General Obligation (GO) Capital Improvement Bonds used to finance acquisitions or betterments to public buildings.

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 2022B Capital Improvement Bond issue is for a par amount of \$6,990,000 with a total life of 22 years, 20 of those years will have principal payments. This structure reduces the tax levy needed for the first two years of the issue.

The preliminary debt service schedule has a true interest cost of 4.565%, 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 true interest cost includes 75 basis points, or .75%, as a cushion for any changes in the market between the report run date and the actual bond sale. (Therefore, in this scenario, the market rate is considered to be 3.82%)

To offer an interest rate comparison, the 2022A bond issue sold on June 2, 2022 held a true interest cost of 3.2181%, which was slightly lower than the 3.27% true interest cost for the 2018A bond issue.

The annual tax levy to pay the debt service on the 2022B Capital Improvement Bonds will range between \$372,847 and \$566,186. Any short fall in the payment projections would require an increase in the City's commitment to ensure the debt obligation is satisfied.

Current financial plans for the Public Safety Facility project anticipates funding through a second bond issue 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.

Since the project bids came in above the estimated project costs, the City will need to amend the maximum CIP bonds authorized on December 14, 2021. In January 2023, the City will hold a public hearing on the additional bonds needed to finance the entire project and the City Council will be asked to authorize the 2023A GO Capital Improvement Bonds under Minnesota Statutes Chapter 475.521 fund the completion of this project.

**RECOMMENDATION**

Staff recommends the City Council adopt the attached resolution authorizing Ehlers to assist in the bond sale, establishing November 22, 2022 as the meeting for considering the bond sale proposal, setting November 22, 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 - Series 2022B

**RESOLUTION NO.**

**RESOLUTION PROVIDING FOR THE SALE OF \$6,990,000 GENERAL OBLIGATION  
CAPITAL IMPROVEMENT PLAN BONDS, SERIES 2022B**

**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 \$6,990,000 General Obligation Capital Improvement Plan Bonds, Series 2022B (the Bonds), to finance a portion of the renovation and expansion of the Public Safety Facility 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 November 22, 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:**

\_\_\_\_\_  
Caley Longendyke, City Clerk

November 9, 2022

PRE-SALE REPORT FOR

## City of White Bear Lake, Minnesota

\$6,990,000 General Obligation Capital Improvement Plan Bonds,  
Series 2022B



---

**Prepared by:**

Ehlers  
3060 Centre Pointe Drive  
Roseville, MN 55113

**Advisors:**

Shelly Eldridge, Senior Municipal Advisor  
Stacie Kvilvang, Senior Municipal Advisor  
Dan Tienter, Senior Financial Specialist

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**BUILDING COMMUNITIES. IT'S WHAT WE DO.**



## EXECUTIVE SUMMARY OF PROPOSED DEBT

### Proposed Issue:

\$6,990,000 General Obligation (“GO”) Capital Improvement Plan (“CIP”) Bonds, Series 2022B (“Bonds”).

### Purposes:

The proposed, tax-exempt issue will fund a portion of the renovation and expansion of the Public Safety Building for the City of White Bear Lake (“City”). The remaining funding will be included in bonds issued in 2023. The City will pay debt service from ad valorem property tax revenues.

### Authority:

The Bonds are being issued pursuant to Minnesota Statutes, Chapter 475.521, Capital Improvement Authority.

The CIP bonding authority requires a public hearing and 30-day reverse referendum period. Consistent with these requirements, the City drafted a five-year CIP and held a public hearing on December 14, 2021. The 30-day reverse referendum period ended on January 13, 2022, without a petition requesting a vote on the issuance of the Bonds.

Under Chapter 475, all CIP Bonds outstanding may not exceed three percent of estimated market value (EMV) of taxable property for the City, or \$3,156,599,200. Therefore, the total amount of outstanding debt may not exceed \$94,697,976. Currently, the City has \$3,150,000 of outstanding debt (excluding the proposed Bonds) subject to this statutory debt limit. After this proposed issue, the City will remain \$84,557,976 below the statutory debt limit.

In addition, if the Bonds are issued without referendum, Chapter 475 limits the total amount of principal and interest payable in any single year on all Bonds to no more than 0.16% of the EMV for the City. Using the aforementioned EMV, the City may authorize a maximum annual debt service of up to \$5,050,559. For the Bonds, the highest annual principal and interest payment will be \$539,225. As such, debt service on the Bonds remains well below this statutory 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 22 years. Principal on the Bonds will be due on February 1 in the years 2025 through 2044. Interest is payable every six months beginning August 1, 2023. The Bonds will be subject to prepayment at the discretion of the City on February 1, 2032, 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 rating on those bonds is "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 if the bond rating of the insurer is higher than that of the City.

### Basis for Recommendation:

Based on the City's objectives, financial situation and need, risk tolerance, liquidity needs, experience with the issuance of Bonds and long-term financial capacity, as well as the tax status considerations related to the Bonds and the structure, timing and other similar matters related to the Bonds, we are recommending the issuance of Bonds as a suitable option.

### Method of Sale/Placement:

We are recommending the Bonds be issued as municipal securities and offered through a competitive underwriting process. 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. The amount of the premium varies, but it is not uncommon to see premiums for new issues in the range of 2.00% to 10.00% of the face amount of the issue.

For this issue of Bonds, we will determine on the day of sale whether to keep the net premium for project costs or to reduce the size of the issue. The resulting adjustments for the reduction may slightly change the true interest cost of the issue, either up or down.

### Other Considerations:

The City plans to issue two series of bonds to fund the renovation and expansion Public Safety Building. The Bonds, as proposed (Series 2022B) and \$10,000,000 in 2023 (Series 2023A). In total, the City will issue a \$16,990,000 in new debt for the project. Based on the calculations outlined in the Authority section and including the additional debt required for the project, the City will remain below all applicable statutory limits.

### 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 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. To help support the cost of the project and maximum allowable investment income, the City has retained Ehlers to assist with the investment of Bond proceeds.

### Risk Factors:

As outlined above, the City plans to issue two series of bonds to fund the renovation and expansion Public Safety Building. If the City does not issue the second series of bonds, it may not possess sufficient funds to support the cost of the project as contemplated.

The bids came in above the estimated project costs, which requires the City to amend the maximum CIP bonds authorized on December 14, 2021. The City will need to hold a public hearing on the additional bonds needed to finance the entire project. If during that period, the City receives a qualified petition (equal to five percent of the votes casts within the County in the last general election), the Bonds may only be issued following approval by

referendum. In that event, the City may need to explore financing alternatives or contribute additional cash to fund the project.

### 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; and
- Adopt the resolution attached to this Pre-Sale Report.

## PROPOSED DEBT ISSUANCE SCHEDULE

Distribute Official Statement	By the Week of November 7, 2022
Due Diligence Call to Review Official Statement	By the Week of November 7, 2022
Conference with Rating Agency	By the Week of November 7, 2022
City Council Meeting to Award Project Bids	November 9, 2022
Pre-Sale Review by City Council	November 9, 2022
City Council Meeting to Award Sale of the Bonds	November 22, 2022
Estimated Closing Date	December 13, 2022

### Attachments

- Estimated Sources and Uses of Funds
- Estimated Proposed Debt Service Schedule
- 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
Dan Tienter, Senior Financial Specialist	(651) 697-8537
Silvia Johnson, Senior Public Finance Analyst	(651) 697-8580
Alicia Gage, Senior Financial Analyst	(651) 697-8551

# City of White Bear Lake, Minnesota

\$6,990,000 General Obligation CIP Bonds, Series 2022B  
Assumes Current Market BQ AA+ Rates plus 75bps  
20 Years

## Sources & Uses

Dated 12/01/2022 | Delivered 12/01/2022

### Sources Of Funds

Par Amount of Bonds	\$6,990,000.00
<b>Total Sources</b>	<b>\$6,990,000.00</b>

### Uses Of Funds

Total Underwriter's Discount (1.000%)	69,900.00
Costs of Issuance	78,300.00
Deposit to Project Fund	6,841,800.00
<b>Total Uses</b>	<b>\$6,990,000.00</b>



# City of White Bear Lake, Minnesota

\$6,990,000 General Obligation CIP Bonds, Series 2022B

Assumes Current Market BQ AA+ Rates plus 75bps

20 Years

## Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
12/01/2022	-	-	-	-	-
08/01/2023	-	-	202,910.00	202,910.00	-
02/01/2024	-	-	152,182.50	152,182.50	355,092.50
08/01/2024	-	-	152,182.50	152,182.50	-
02/01/2025	230,000.00	3.800%	152,182.50	382,182.50	534,365.00
08/01/2025	-	-	147,812.50	147,812.50	-
02/01/2026	240,000.00	3.850%	147,812.50	387,812.50	535,625.00
08/01/2026	-	-	143,192.50	143,192.50	-
02/01/2027	250,000.00	3.900%	143,192.50	393,192.50	536,385.00
08/01/2027	-	-	138,317.50	138,317.50	-
02/01/2028	260,000.00	3.950%	138,317.50	398,317.50	536,635.00
08/01/2028	-	-	133,182.50	133,182.50	-
02/01/2029	270,000.00	4.000%	133,182.50	403,182.50	536,365.00
08/01/2029	-	-	127,782.50	127,782.50	-
02/01/2030	280,000.00	4.050%	127,782.50	407,782.50	535,565.00
08/01/2030	-	-	122,112.50	122,112.50	-
02/01/2031	295,000.00	4.100%	122,112.50	417,112.50	539,225.00
08/01/2031	-	-	116,065.00	116,065.00	-
02/01/2032	305,000.00	4.150%	116,065.00	421,065.00	537,130.00
08/01/2032	-	-	109,736.25	109,736.25	-
02/01/2033	315,000.00	4.200%	109,736.25	424,736.25	534,472.50
08/01/2033	-	-	103,121.25	103,121.25	-
02/01/2034	330,000.00	4.250%	103,121.25	433,121.25	536,242.50
08/01/2034	-	-	96,108.75	96,108.75	-
02/01/2035	345,000.00	4.300%	96,108.75	441,108.75	537,217.50
08/01/2035	-	-	88,691.25	88,691.25	-
02/01/2036	360,000.00	4.350%	88,691.25	448,691.25	537,382.50
08/01/2036	-	-	80,861.25	80,861.25	-
02/01/2037	375,000.00	4.400%	80,861.25	455,861.25	536,722.50
08/01/2037	-	-	72,611.25	72,611.25	-
02/01/2038	390,000.00	4.450%	72,611.25	462,611.25	535,222.50
08/01/2038	-	-	63,933.75	63,933.75	-
02/01/2039	410,000.00	4.500%	63,933.75	473,933.75	537,867.50
08/01/2039	-	-	54,708.75	54,708.75	-
02/01/2040	425,000.00	4.550%	54,708.75	479,708.75	534,417.50
08/01/2040	-	-	45,040.00	45,040.00	-
02/01/2041	445,000.00	4.600%	45,040.00	490,040.00	535,080.00
08/01/2041	-	-	34,805.00	34,805.00	-
02/01/2042	465,000.00	4.700%	34,805.00	499,805.00	534,610.00
08/01/2042	-	-	23,877.50	23,877.50	-
02/01/2043	490,000.00	4.750%	23,877.50	513,877.50	537,755.00
08/01/2043	-	-	12,240.00	12,240.00	-
02/01/2044	510,000.00	4.800%	12,240.00	522,240.00	534,480.00
<b>Total</b>	<b>\$6,990,000.00</b>	<b>-</b>	<b>\$4,087,857.50</b>	<b>\$11,077,857.50</b>	<b>-</b>

## Yield Statistics

Bond Year Dollars	\$91,170.00
Average Life	13.043 Years
Average Coupon	4.4837748%
Net Interest Cost (NIC)	4.5604448%
True Interest Cost (TIC)	4.5650271%
Bond Yield for Arbitrage Purposes	4.4584429%
All Inclusive Cost (AIC)	4.6862590%

## IRS Form 8038

Net Interest Cost	4.4837748%
Weighted Average Maturity	13.043 Years

Series 2022B GO CIP Bonds | SINGLE PURPOSE | 10/ 6/2022 | 7:52 AM





# City of White Bear Lake, Minnesota

\$6,990,000 General Obligation CIP Bonds, Series 2022B

Assumes Current Market BQ AA+ Rates plus 75bps

20 Years

## Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	105% Overlevy
02/01/2023	-	-	-	-	-
02/01/2024	-	-	355,092.50	355,092.50	372,847.13
02/01/2025	230,000.00	3.800%	304,365.00	534,365.00	561,083.25
02/01/2026	240,000.00	3.850%	295,625.00	535,625.00	562,406.25
02/01/2027	250,000.00	3.900%	286,385.00	536,385.00	563,204.25
02/01/2028	260,000.00	3.950%	276,635.00	536,635.00	563,466.75
02/01/2029	270,000.00	4.000%	266,365.00	536,365.00	563,183.25
02/01/2030	280,000.00	4.050%	255,565.00	535,565.00	562,343.25
02/01/2031	295,000.00	4.100%	244,225.00	539,225.00	566,186.25
02/01/2032	305,000.00	4.150%	232,130.00	537,130.00	563,986.50
02/01/2033	315,000.00	4.200%	219,472.50	534,472.50	561,196.13
02/01/2034	330,000.00	4.250%	206,242.50	536,242.50	563,054.63
02/01/2035	345,000.00	4.300%	192,217.50	537,217.50	564,078.38
02/01/2036	360,000.00	4.350%	177,382.50	537,382.50	564,251.63
02/01/2037	375,000.00	4.400%	161,722.50	536,722.50	563,558.63
02/01/2038	390,000.00	4.450%	145,222.50	535,222.50	561,983.63
02/01/2039	410,000.00	4.500%	127,867.50	537,867.50	564,760.88
02/01/2040	425,000.00	4.550%	109,417.50	534,417.50	561,138.38
02/01/2041	445,000.00	4.600%	90,080.00	535,080.00	561,834.00
02/01/2042	465,000.00	4.700%	69,610.00	534,610.00	561,340.50
02/01/2043	490,000.00	4.750%	47,755.00	537,755.00	564,642.75
02/01/2044	510,000.00	4.800%	24,480.00	534,480.00	561,204.00
<b>Total</b>	<b>\$6,990,000.00</b>	<b>-</b>	<b>\$4,087,857.50</b>	<b>\$11,077,857.50</b>	<b>\$11,631,750.38</b>

## Significant Dates

Dated	12/01/2022
First Coupon Date	8/01/2023

## Yield Statistics

Bond Year Dollars	\$91,170.00
Average Life	13.043 Years
Average Coupon	4.4837748%
Net Interest Cost (NIC)	4.5604448%
True Interest Cost (TIC)	4.5650271%
Bond Yield for Arbitrage Purposes	4.4584429%
All Inclusive Cost (AIC)	4.6862590%

## IRS Form 8038

Net Interest Cost	4.4837748%
Weighted Average Maturity	13.043 Years



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

**MEMORANDUM**

**To:** Lindy Crawford, City Manager  
**From:** Jason Lindahl, Community Development Director  
**Date:** November 9, 2022  
**Subject:** Land Use & Zoning Applications Review Process

**SUMMARY**

Staff will lead the City Council through a discussion regarding potential changes to the City’s land use and zoning review process. Specifically, staff will outline processes for both pre-application concept plan review and developer led neighborhood meetings. These processes stem from the “Guiding Future Development” recommendation from the Housing Taskforce Report and are intended to help inform and involve the public in the planning process. Both processes were presented to the Planning Commission during their October meeting and a summary of that discussion is provided below. Staff will use the Council’s feedback to help draft a zoning ordinance text amendment for future formal review.

**BACKGROUND**

The City Council reviewed recommendations from the Housing Taskforce report during the June and July work sessions. As a result of those discussions, the City Council directed staff to prioritize, sequence and assign these recommendations as listed below.



The Council assigned the “Guiding Future Development” recommendation to the Planning Commission. This recommendation addressed the development review process and review and update of the City development (zoning and subdivision) regulations. The development review process includes both a pre-application concept plan review and developer led neighborhood meeting. The zoning and subdivision regulations review process has been added to the 2023 budget and is scheduled begin in the second half of next year.

An outline of the pre-application concept plan review and developer led neighborhood meeting

processes is attached for your reference. The Planning Commission reviewed these processes during their October 24, 2022 meeting. The Commission asked several questions about cost and timing. Staff answered that while these processes would add time and some expense to the development review process, many communities use these processes to help engage the community in the planning process and developers find them valuable because they allow them to gauge community support for a project earlier in the review process before making a more costly investment in finalized plans. Overall, the Commission was supportive of the processes and thought they would encourage increased community participation earlier in the planning process.

**RECOMMENDATION**

This item is for review and discussion only. Staff will use any feedback from the City Council to help draft a zoning ordinance text amendment for future formal review by the Planning Commission and City Council.

**ATTACHMENTS**

Potential Changes to the City's Land Use and Zoning Applications Review Process

## **Potential Changes to the City's Land Use and Zoning Applications Review Process**

Recommended changes to the city's land use and zoning application review process are outlined below and include two parts: (1) a pre-application concept plan review process and (2) a formal neighborhood meeting process. While the concept plan review process is new, neighborhood meetings have been used periodically in the past without a formal process.

### **Neighborhood Meeting**

1. **Purpose & Intent.** It is the city's intent to expand and enhance the dissemination of information to the residents and to encourage greater involvement by the community in the planning process.
2. **Applicability.** Applicants for concept plan review or conditional use permits or zoning map amendments located adjacent to or within any portion of a residential zone must host and facilitate a neighborhood meeting in accordance with the procedures listed below. The city may also require a neighborhood meeting for other land use applicants, as determined necessary and appropriate. Required neighborhood meetings are separate and distinct from any public hearing required pursuant to state law.
3. **Scheduling.**
  - a. Applicants must schedule required neighborhood meetings to take place only after the city has accepted either pre-application concept plan review or a formal land use or zoning application and at least one week before the planning commission concept plan review or the statutorily required public hearing on the subject application.
  - b. Meetings must be scheduled Monday through Thursday evenings after 6:30 p.m., although meetings may not take place on any of the following dates:
    - On a holiday, as that term is defined in Minnesota Statutes, Section 645.44;
    - On October 31;
    - On the evening of a major political party caucus; or
    - On the date of an election being held within the city's boundaries.
  - c. The applicant must host the meeting and present the proposed project for questions and comments from those in attendance.
4. **Notice And Invitation**
  - a. Notice of required neighborhood meetings must be mailed at least 10 days before the meeting to those names and addresses listed on the public hearing notice list provided by the Community Development department. The area of notification may be modified

by city staff based on the specific project. The notice and invitation must include at least the following:

- Date, time, and location of the meeting;
  - Project location map;
  - General project description; and
  - Contact information for the applicant, including an email address, project website and a telephone number.
- b. The applicant must make available to the public a complete description of the proposed project necessitating the application, including copies of printed materials and maps, where appropriate. This information must also be available through a project website that allows the public to ask question and provide comments directly to the developer.
- c. The applicant must provide a sign-in sheet at the meeting to be signed at the option of those in attendance. The applicant must also take minutes at the meeting. A copy of this information must be provided to city staff no more than one day following the neighborhood meeting.
- d. The schedule of meeting dates for Planning Commission, Parks Advisory Commission and City Council to consider the application, as applicable, must be provided to those in attendance at the meeting, if those dates are known.
- e. A copy of the meeting invitation must also be emailed to the members of the Planning Commission, City Council, and Community Development Director. A list of these individuals and their email addresses must be provided to the applicant by the Community Development department.
5. Modification Of Requirements. The city recognizes that not all land use applications or circumstances are similar in nature and certain situations may warrant deviating from the express requirements of this section for reasons that cannot necessarily be predicted or contemplated within a rigid set of policy provisions. To that end, the City Manager is authorized to permit deviations from any of the neighborhood meeting requirements of this section upon determining that such deviation is reasonable under the circumstances. This subsection is not to be interpreted to act as a mechanism through which an applicant may request or apply for deviations, but rather is intended solely to provide city staff with the flexibility to initiate a deviation when circumstances warrant.

### **Concept Plan Review**

1. Purpose & Intent. The purpose of the pre-application concept plan review is to help inform and involve the public in the planning process and allow developers to gain feedback

directly from the public, Planning Commission and City Council prior to preparing a full formal application. Feedback and opinions expressed by the city as part of a concept plan review are for guidance only and are not to be considered binding. Comments provided during the concept plan review may help inform/influence future plans if the developer chooses to proceed with a future formal development application.

2. **Applicability.** Any applicant for approval of a land use or zoning application may request a preliminary (pre-application) concept plan review to explore the concept ideas and all other pertinent general information related to a possible future formal application. The concept plan review process is a required pre-application steps for those applications that may include a comprehensive plan amendment, rezoning, planned unit development (PUD) or city financial assistance.
3. **Schedule.** The concept plan review process shall follow the following schedule.
  - a. **Neighborhood Meeting.** The developer hosts a neighborhood meeting to review a concept plan and solicit resident feedback. These meetings shall follow the Neighborhood Meeting requirements outlined above. City officials and/or staff may attend the neighborhood meeting, but only to observe the dialog between the developer and neighborhood and answer “procedure” questions.
  - b. **Planning Commission.** The Planning Commission review is intended as a follow-up to the neighborhood meeting. The objective of this meeting is to identify major issues and challenges in order to inform subsequent review and discussion. The meeting includes a presentation by the developer of conceptual sketches and ideas, but not detailed engineering or architectural drawings. No staff recommendations are provided, the public is invited to offer comments, and planning commissioners are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.
  - c. **City Council.** The City Council review is intended as a follow-up to the neighborhood meeting and Planning Commission review and would follow the same format as the Planning Commission review. No staff recommendations are provided, the public is invited to offer comments, and council members are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.
4. **Next Steps.** The developer may choose to use feedback gathered through the concept plan review process to help prepare a future formal application.