



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, SEPTEMBER 13, 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 August 23, 2022
- B. Minutes of the City Council Work Session on August 23, 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: July White Bear Lake Conservation District, July Park Advisory Commission, August Planning Commission
- B. Resolution approving an on-sale intoxicating and Sunday liquor licenses for Little Village
- C. Resolution approving a special event application for Big Wood Brewery
- D. Resolution approving a special event application for The Village Sports Bar
- E. Resolution approving a special event application for Downtown White Bear Lake Main Street
- F. Resolution authorizing the White Bear Lake Area Hockey Association to conduct charitable gambling at Bear Town Bar and Grill
- G. Resolution authorizing Merrick, Inc. to conduct charitable gambling at the Little Village
- H. Resolution accepting a donation from the White Bear Lake Lions Club Foundation
- I. Resolution accepting a donation from the White Bear Lake Rotary Club
- J. Resolution approving a Memorandum of Understanding for an Oak Knoll Pond Spent Lime Feasibility Study
- K. Resolution authorizing a cost share grant agreement between the City of White Bear Lake and VLAWMO
- L. Resolution approving a Special Home Occupation Permit at 3696 Glen Oaks Ave
- M. Resolution authorizing an agreement for building inspection services with the City of Vadnais Heights
- N. Resolution approving an amendment to a Conditional Use Permit for Tside 1, LLC

5. VISITORS AND PRESENTATIONS

- A. Constitution Week Proclamation
- B. Bi-annual Fire Department Report

6. PUBLIC HEARINGS

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. NEW BUSINESS

- A. First Reading of an Ordinance Rezoning the Property Located at 2228 4th Street
- B. Sale of Armory Building
- C. Final Stage Planned Unit Development – 3600 and 3646 Hoffman Road- Schafer Richardson
- D. Resolution Authorizing Solicitation of Bids for the Public Safety Facility Project
- E. Classification and Compensation Study
- F. 2023 Preliminary Budget and Tax Levy

9. DISCUSSION

Nothing schedule

10. COMMUNICATIONS FROM THE CITY MANAGER

11. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, AUGUST 23, 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 Steven Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Councilmember Kevin Edberg was excused. Staff in attendance were City Manager Lindy Crawford, City Engineer Paul Kauppi, 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 August 10, 2022

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

B. Minutes of the City Council Work Session on August 10, 2022

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

C. Minutes of the City Council Work Session on August 16, 2022

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

3. APPROVAL OF THE AGENDA

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

4. CONSENT AGENDA

- A. Acceptance of Minutes: June and July Environmental Advisory Commission
- B. Resolution Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment Roll and Setting Hearing on a Proposed Assessment Roll for the 2022 Pavement Rehabilitation Project **Resolution No. 13032**
- C. Resolution Accepting Bids and Awarding Contract for the 2022 Sanitary Sewer Lining Program **Resolution No. 13033**
- D. Resolution Authorizing the City Manager to Write a Letter of Support for Metropolitan Council's 2023-2024 Clean Water Fund Request **Resolution No. 13034**
- E. Resolution Approving a Special Event Application for White Bear Lake Area Schools at Railroad Park **Resolution No. 13035**

F. Resolution Approving a Single Event On-sale Liquor License Extension & Outdoor Music for Carbone's Pizzeria & Pub **Resolution No. 13036**

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

5. VISITORS AND PRESENTATIONS

A. Quarterly Sports Center Report

City Manager Crawford introduced and provided an overview of the quarterly Sports Center report. She said the Sports Center has been busy with hockey camps, learn-to-skate programs, a regional hockey tournament and its annual skate show. She shared information about the new training equipment, including a dry-land center and RapidShot training systems. She reported that the city is in the process of installing solar panels on the roof, as well as other energy-efficient improvements that will help with cost savings. City Manager Crawford reported that sales are down \$28,000 from the same time in 2021. She said this was due to an unusual large influx of revenue that occurred in 2021 from postponed events from 2020. Revenue totals are now leveling out to comparable amounts from before the pandemic, and even slightly higher at this time in 2019. She reported there is a slight decrease in rentals of the Boatworks Commons community room and a slight increase in rentals at the Armory.

6. PUBLIC HEARINGS

A. Wellhead Protection Plan Amendment

City Engineer Kauppi provided an introduction to the Wellhead Protection Plan amendment. He shared that the state requires municipalities with wells to submit a Wellhead Protection Plan every 10 years. The first part of the plan was presented to City Council in December 2021. The second part focuses on the goals and strategies to protect the city's wells and steps to protect the area from where the water is drawn. A public hearing is required before submitting the second part of the report to the Minnesota Department of Public Health (MDH). Environmental Scientist Mark Sherrill of Short Elliot Hendrickson, Inc., the city's consultant for the plan, presented the second part of the protection plan. He presented areas of a map that signified the wellhead protection area and the drinking water supply management area. The areas are rated on a vulnerability scale, indicating the time period of the vertical recharge to the source water aquifer. Sherrill explained the reporting requirements of the Plan, including inventory of potential contaminant sources, action steps to implement the Plan and an alternative water contingency strategy. He said the state offers grant money to help address potential contaminant sources, like sealing unused and abandoned private wells.

Councilmember Walsh asked about the status of wells in the city. City Engineer Kauppi said if the wells are not in use, they are required to be sealed. Unregistered wells are sealed as they are discovered. Councilmember Jones asked if the city can require property owners to seal unkept wells. City Attorney Gilchrist said there is state statute that requires the sealing of a well under certain conditions. In response to Councilmember Hughes' questions, Sherrill shared why some areas are more vulnerable to contaminants than other areas and clarified the Plan is focused on protecting the source water aquifer, not tracking the volume of water.

Mayor Louismet opened the public hearing at 7:21 p.m. There being no members from the public wishing to speak, Mayor Louismet closed the public hearing.

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to adopt **Resolution No. 13037** adopting the City's Wellhead Protection Plan amendment. Motion carried unanimously.

7. UNFINISHED BUSINESS

Nothing scheduled

8. NEW BUSINESS

Nothing scheduled

9. DISCUSSION

Nothing scheduled

10. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Crawford shared information about an upcoming credentialed CPR class on September 6 at the South Fire Station. More information about the class was on the city's website.

11. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to adjourn the regular meeting at 7:22 p.m. Motion carried unanimously.

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



**MINUTES
WORK SESSION OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, AUGUST 23, 2022
6:30 PM IN THE 2ND FLOOR BOARD ROOM
CITY HALL**

Work Session Opened: 6:30 PM

In Attendance: Mayor Louismet, Councilmembers Walsh, Hughes, Jones, and Engstran. City Manager Crawford and City Attorney Gilchrist

Councilmember Edberg was excused and submitted a memo to the City Manager for distribution to the Mayor, Council and City Attorney regarding his thoughts on the topic.

Gilchrist recapped the discussion from the previous City Council meeting on August 10, 2022 regarding the potential interim ordinance on cannabis products and tobacco shops and additional research conducted since the meeting. The Council analyzed information from other communities and discussed rewording the definition of "cannabis products" and revising the exception language in the proposed interim ordinance. The consensus of the Council was to consider two separate interim moratorium ordinances, one regarding cannabis products and another regarding tobacco shops, at their regular meeting on September 27, 2022.

Work Session Adjourned: 6:48 PM

WHITE BEAR LAKE CONSERVATION DISTRICT

Board Meeting Minutes

July 19, 2022, White Bear Lake City Hall Council Chambers

(6 pm LUC meeting cancelled)

Approved August 16, 2022

1. **Roll Call/Quorum**-Present: Bryan DeSmet, Diane Longville, Meredith Walburg, Mike Parenteau, Scott O'Connor, Susie Mahoney, Darren DeYoung, Chris Churchill; Board Council Alan Kantrud (Absent: Mark Ganz, Scott Costello) A quorum was present.
2. **Call to Order**- The meeting was called to order by Bryan DeSmet at 7:00 pm.
3. **Approval of Agenda**-Motion to approve by Parenteau, seconded by DeYoung and passed.
4. **Approval of June Board Meeting Minutes**-Motion by DeYoung, seconded by Walburg and passed.
5. **Public Comment Time**-Steve Smith has a 24' pontoon at the Docks of WB and because of the Tally's gas dock configuration, he has trouble getting his pontoon out. When boats are tied on the south side of that dock, especially on band night when the boats tie off two and sometimes three deep, he and others can't get their pontoons out at all. He suggested boats not be tied on that side of the dock. The District will handle this as a formal complaint and send a letter and talk to Tally's about this problem.
6. **New Business**-None
7. **Unfinished Business**-Buoy in Birchwood, Susie Mahoney called Washington County Sheriff and was told to move it herself. Alan will call deputy.
8. **Reports/Action Items**

-**Executive Committee**-No report

-**Lake Quality Committee**-

-Lake level is 923.56, 4.8" below last month, low rain and high evaporation.

-Lake Temperature- 78 degrees, last month it was 74 degrees.

-Lake Survey and Treatment- Survey was done on June 30th and 32.7 acres was found. The treatment was done on July 13th and Steve McComas will check results in a few weeks.

-**Lake Utilization Committee**-

-Tally's dock was to be reconfigured, it needs to be checked.

-4711 Lake Ave, boats have been reduced to four from five.

-4955 Lake Ave, dock has been rebuilt except for one section, no longer falling down.

-City of Birchwood dock amendment- Dana Klemp spoke for Birch dock. Birch dock was moved over ten feet and is longer, approved by City of Birchwood. We just got this amendment a day ago and haven't had time to evaluate the change. This item is tabled.

-Manitou Island Swim Area permit-Motion by DeSmet to approve, seconded by Longville and Passed.

-Lake Education Committee

- Invasive Yellow Iris is now on our web site and in social media, no feedback yet if anyone has found it on their property. Letters being sent to property owners where it was found.
- A brochure has been made and can be sent out and distributed at Marketfest on July 28th.
- Motion by Walburg, seconded by DeYoung, to spend up to \$100 for printing of brochure and motion passed. Any comments on brochure, please send to Meredith by Friday.
- Looking for volunteers for July 28th Marketfest booth from 6 to 9pm to give out information on invasive Yellow Iris and Adopt A Drain, we are up to 443 adopted drains.
- Social Media has new office hours posted.

-Treasurers Report

- Motion by Parenteau to approve checks #4771 thru 4779 seconded by O'Connor and passed
- USGS Survey account has a balance of 599.68 for lake level study. We could use it for a final report with topics of our choice with suggestions from the board. What questions could we ask? Meredith asked, why we can't stop the outflow from the lake; good question. Please email the District with more questions and topics.

-Board Council Report

- Alan reported that we need a number from the BCA called an ORI number which comes from the FBI to allow us to charge someone with a gross misdemeanor, he is working on getting the District a ORI number, more about this next month.
- Alan is going to take more drone pictures of the commercial docks to study. Also suggested a vice chair for the LUC to help Mark handle meetings when he is away.

9. Announcements-None

10. Adjournment-Motion by O'Connor to adjourn, seconded by DeYoung and passed.

ATTEST:

Bryan DeSmet, Chair *Bryan DeSmet* Date 8-16-2022
 Cheri Howe, Administrative Asst. *Cheri Howe* Date 8/16/2022



**MINUTES
PARK ADVISORY COMMISSION
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
THURSDAY, JULY 21, 2022
6:30 P.M. AT PODVIN PARK**

1. CALL TO ORDER AND ATTENDANCE

Acting Chair Mike Shepard called the meeting to order at 6:30 p.m.

MEMBERS PRESENT: Bryan Belisle, Mark Cermak, Mike Shepard, Anastacia Davis and Ginny Davis

MEMBERS ABSENT: Victoria Biehn, Bill Ganzlin

STAFF PRESENT: Paul Kauppi, Public Works Directory / City Engineer

VISITORS PRESENT: Council Member Heidi Hughes

2. APPROVAL OF AGENDA

It was moved by member **Bryan Belisle** seconded by member **Mark Cermak**, to approve the agenda.

Motion carried 5:0.

3. APPROVAL OF THE MINUTES

Minutes of April 21, 2022

It was moved by member **Bryan Belisle** seconded by member **Ginny Davis**, to approve the minutes of the June 16, 2022 meeting as presented.

Motion carried, 5:0.

4. VISITORS AND PRESENTATIONS

Nothing Scheduled

5. UNFINISHED BUSINESS

Nothing Scheduled

6. NEW BUSINESS

A. Pizza Party

The Park Advisory Commission enjoyed a pizza dinner and provided summer updates.

B. Podvin Park Tour

Overall things looked good on the Commission's walk around the park. Podvin Park was

fairly clean with only a few scattered pieces of trash. The Commission questioned whether the open area east of the hockey rink might be a good future location for pickle ball courts.

C. Dog Beach

The discussion started with a summary of dog beach concerns from Councilmember Hughes. Councilmember Hughes asked the commission to consider recommending closing the dog beach at the end of the 2022 season. The concerns consisted of the following:

- Dogs crossing along the shoreline to adjacent private property
- Owners allowing their dogs to go on the swim dock
- Owners not having control of their dogs and having them off leash
- Dogs fighting and being aggressive towards other dogs
- Pet waste left in the area and not picked up
- Busiest times was the weekends, but well used all the time

Councilmember Hughes also asked about other potential areas to relocate the beach to including the area between the Matoska boat launch and the bridge to Manitou Island.

Commission members generally feel that the dog beach is a great amenity to the community and well used. Members had not seen the issues presented other than at times dogs being off leash. It was brought up whether or not the swim dock was appropriate or needed with Memorial Beach just up the road and would remove a conflict point with the dog beach. Commission members felt that they should look into the issue more and make some visits to the dog beach to observe the issues presented. Their personal findings will be brought to the next Commission meeting on August 18, 2022 which will be relocated to Matoska Park so that the dog beach can be visited. A recommended action will be brought to the council once enough research and feedback are gathered.

7. DISCUSSION

A. Staff updates

- Paul updated the Commission on the status of Lion's park restroom and shelter improvements. The shelters have been ordered and should be shipped and installed soon. The design of the restrooms is being refined to better match the available funding.
- Paul discussed the request by Council to receive an annual update from the Parks Commission. More detail to come as far as format and date.

B. Commission member updates – Feedback about Marketfest booth

- Overall Marketfest booth went well and members got some good feedback.
- There were many requests for Pickleball courts to be added to City parks.
- Maps were great but is there a better electronic map / application that could be used to make more mobile friendly with the QR code.
- Staff will review feedback forms and summarize for review at a future meeting.

C. Other Business

- No other discussion

8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Mark Cermak** seconded by member **Bryan Belisle** to adjourn the meeting.

Motion carried, 5:0



**MINUTES
PLANNING COMMISSION MEETING
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, AUGUST 29, 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: Peter Orth, Lisa Beecroft, Barb McIntyre, Karol & Jim Durdle, Vicki & Si Ford, Karen Sheib, Sara Hanson, Fritz Knaak, Terry Kellerman, Katie Anthony.

2. APPROVAL OF AGENDA

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

Motion carried, 7:0

3. APPROVAL OF THE MINUTES

A. Minutes of July 25, 2022

It was moved by Member **Baltzer** seconded by Member **Enz**, to approve the minutes of the July 25, 2022 meeting as presented.

Motion carried, 7:0.

4. CASE ITEMS

- A. **Case No. 21-1-SHOPa1:** A request by **Barbara McIntyre** for a 3 year renewal of a Special Home Occupation Permit, per Code Section 1302.120, in order to continue operating a dog grooming business out of the home at the property located at 3696 Glen Oaks Avenue.

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

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

It was moved by Member **Baltzer** to recommend approval of Case No. 21-1-SHOPa1, seconded by Member **Lynch**.

Motion carried, 7:0.

- B. **Case No. 22-2-O:** A request by the **City of White Bear Lake** for consideration of the proposed land use designation of the Armory, per Code Section 1303.245, Subd.1.c, and rezoning from P – Public Facilities to B-5, Central Business for the property located at 2228 4th Street.

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

Member Berry opened the public hearing.

Attorney Fritz Knaak, representing Kellerman Events Center, stated that his client, as a business owner, is very sensitive to changes in the downtown area, especially as they relate to access and parking. His client has tried to work with the city in the past in purchasing the Armory to maintain its use as a public facility. The proposed use by the Historical Society needs to be fully analyzed. He stated that it is hard for surrounding business owners to approve of the change without knowing the full proposal. He requested that the proposal be tabled until there has been an opportunity for business owners to review the proposed use.

Sara Hanson, Executive Director of the White Bear Lake Area Historical Society (WBLAHS), provided information regarding the use of the Armory as a museum. She stated that an exhibit on the ski otters was a test run during Marketfest this summer for the programming they would like to provide. The preservation easement limits what can be done to the building, but they are planning to restore the front, turn the kitchen into a meeting space, remodel the offices, and replace the elevator and roof. She explained that there are no other specific plans at this time, rather they are looking to secure support from the City Council on the transfer of the Armory, so the organization can go out and campaign for funding.

Member West asked Ms. Hanson if the flow of people would be comparable to the number of people that visited the ski otter exhibit. Ms. Hanson replied that she did not think there would be as many people on typical days, unless during events like Marketfest, and that due to the short run of the exhibit, there was more urgency to visit.

Member Reinhardt wondered if there were plans to rent out the offices or hold events in that space. Ms. Hanson answered that it is unlikely that they would rent the offices because they need the space. She would like to hold events, such as a gala, film screening, or presentation. Generally, those events would be held during the day.

Member Berry asked about traffic flow and if events will be hosted on weekdays. Ms. Hanson replied that she does not believe that traffic will increase and may possibly be less than what is currently generated. She stated that for the most part, events will be during the weekday and not competing with weekend evening activities.

Terry Kellerman, Kellerman Event Center, 2222 4th Street, commented that he was not sure who would be running the museum and wondered if the state would be in charge. He is a part of the Economic Development Corporation and they have been working on addressing the parking issues in downtown for some time. They had plans to purchase the green house on the corner of 3rd Street and Cook Avenue to use for parking space before the WBLAHS bought it. He is concerned that the WBLAHS will extend the Armory back to where the house is now, which will reduce the number of parking spaces available for his business.

Member Reinhardt asked if Mr. Kellerman's concern was more with the Armory itself or the space behind. Mr. Kellerman replied that he is worried about the access behind his building being closed off. He bought the building because of the opportunity for double store fronts, and any changes to the rear lot will impact him. Mr. Kellerman added that his other main concern is that he does not want to see people from the Minnesota historical society running the museum and picking what is on the curriculum.

Member Enz asked how other business owners in the downtown area are reacting to the proposal. Mr. Kellerman answered that he has talked to some neighbors and the notice was posted to social media where it was met with a lot of negative feedback.

Member Reinhardt asked if there was a more ideal use for the space. Mr. Kellerman replied that the historical society is a good fit in the building as long as they do not plan to expand and shut off access to other businesses.

Sara Hanson, WBLAHS, offered answers to some of the questions raised by Mr. Kellerman. The museum would be run by the White Bear Lake Area Historical Society, as a private nonprofit corporation, not the state. They will be the sole owner of the building, like they are at the Fillebrown House. She explained that because of both the property's listing on the National Register of historic places and the preservation easement, there are limits as to what can be done to the building. She acknowledged that the Hanifl's have purchased the home on the corner for the WBLAHS with a three year time frame should they need to expand. She noted that proposed expansion would need to go before the Planning Commission and City Council, but at this time, there is no plan to expand.

Lisa Beecroft, Beecroft Marketing and Events, she explained that she has worked on Manitou Days, has run Marketfest for the last few years, and Explore White Bear, the tourism group for the City, which is where she started getting involved in the historical

society. It is a great draw for the community. Ms. Beecroft explained that she is on the Mainstreet Board and is currently the interim president. When the notice for the rezoning of the Armory was posted to the Mainstreet social media page, several business owners expressed concern because they did not know much about it, but no one felt strongly one way or the other regarding the proposal and no one has come to her with any concerns.

Terry Kellerman asked what the hurry is with the proposal. He thinks there are still unanswered questions, mainly around parking, that should be addressed before the Planning Commission makes a recommendation.

Member Berry closed the public hearing.

Member Berry commented that the Commissioners should focus on the findings as laid out in the report when deciding how they would vote the recommended action.

Member Amundsen asked if the property would continue to be zoned Public if the sale did not go through. Lindahl confirmed that the B-5, Central Business rezoning would be contingent on the sale of the property to the WBLAHS. The rezoning request has been brought before the Planning Commission in anticipation of the sale of the Armory.

Member Amundsen then clarified that the proposal is just for the rezoning, not the sale of the property.

Member Lynch asked about possible expansion, since there is public land between the Armory and the house on the corner. Lindahl stated that the parking lot is zoned Public and owned by the City, so it would not be eligible for expansion of the Armory without a rezoning and subdivision of the lot.

It was moved by Member **Amundsen** to recommend approval of Case No. 22-2-O, seconded by Member **Baltzer**.

Motion carried, 7:0.

- C. **Case No. 22-2-PUD:** A request by **Schafer Richardson** for development phase approval of a Planned Unit Development, per Code Section 1301.070, in order to construct 244 units of multi-family apartments in two buildings at the properties located at 3600 and 3646 Hoffman Road.

Lindahl discussed the case. Staff recommended approval of the request as proposed with a number of conditions listed in the report. After discussions with the applicant, staff recommended that condition number four be amended to use a ratio of 0.75 bicycle parking stalls/unit be required and that 75% of all stall be inside.

Member Amundsen asked about the use of the phrase “final stage”. Lindahl stated that it is in the second of three stages, but that it is the last time it will be in front of the Planning Commission.

Member Amundsen wondered if the number of three bedroom units was reduced because the height of the building was reduced by one story. He was disappointed that so many three bedroom units were removed from the proposal, since everything he reads indicates those types of units are missing. He was supportive of the five story building.

Lindahl replied that the applicants may better speak to the design changes made in response to the feedback from the City Council.

Member West commented that because the City Council did not support TIF funding for the site, the applicants took the affordable housing component out of the proposal, which she was disappointed to see, and she wondered how this would impact the City’s housing goals in the 2040 Comprehensive Plan. She asked where affordable units would go, since there is very little land left in the City to develop. She is concerned that the City cannot meet its goals.

Lindahl stated that the affordable units were removed based on feedback from the Council and that the City will not be making any progress towards the goals in the Comprehensive Plan to provide more affordable housing as part of this proposal. Staff is still working with the City Council on the recommendations from the Housing Task Force on forming goals and policy directions.

Member Berry opened the public hearing.

Karol Durdle, 1847 Birch Lake Avenue, expressed disappointment for the loss of many of the three bedroom units. She thought it seemed that the City was more concerned with where bikes would go than where kids would sleep, since it is very hard for families with multiple children to find housing. She wished the affordable units were still part of the request.

Katie Anthony, Schafer Richardson, Vice President of Development, spoke to the affordability and three bedroom units component. The company has been working with the City for months on including affordable housing in the project. As an organization, they recognize the importance of affordable housing in the community. However, there are limited financial tools to provide such housing. She hopes the community will work to see the value of affordable housing, otherwise it will not happen. The feedback from the City Council made it clear that affordable housing was not going to be a part of this project.

Ms. Anthony continued that the original number of three bedroom units were designed to meet the needs of families looking for affordable housing. With the shift away from

affordability, they made the decision to change the units to meet a more typical demographic for market rate housing.

Member West asked if there was any other funding available to provide the affordable units. Ms. Anthony replied that there are a few sources of funding available, the primary one being low income tax credits. The proposed site is not a great candidate and the procedure is quite competitive. The gap to cover 20% affordable was approximately \$4.5 to \$5.5 million, and it is very hard to piece together funding to cover that.

Peter Orth, Schafer Richardson, Development Manager, noted the changes that have been made to the proposal since the concept phase to improve the aesthetics and living experience of residents. He wondered if staff could provide an explanation for the requested sidewalk connection on the northeast side of the site.

Lindahl explained that there are no internal sidewalks connecting the north and south sides of the property, so the sidewalks would give consistent access throughout the site.

Member Amundsen asked if there was a risk to losing trees if a sidewalk was required along the parking lot and if there was building access on that side. Mr. Orth confirmed it may impact the landscaping plan and there is no access. He would be open to a sidewalk along the east side of the northern building, but does not see a purpose for a sidewalk running all the way south to County Road E.

Mr. Orth mentioned that there is a dedicated bike storage room inside the building. Lindahl added that the room will provide roughly 46 spaces for bikes, so it covers only a portion of what the City is asking for in terms of bicycle parking.

Mr. Orth stated that they will work on providing a sidewalk connection between the new apartment and the Barnum and they are working on the stormwater filtration oversizing condition. He commented that they are concerned with condition number one regarding the exterior materials. The new apartment has more accent brick than the Barnum has stone. The Barnum has 10.3% coverage of stone and the proposed project has 17.2% brick. They were intentional about placement of the brick to enhance the visible portions of the buildings. He believes that they have been amenable to the feedback from the City and have made design changes. They are asking staff to reconsider condition number 1.

In response to a question from Member West, Mr. Orth confirmed that the walk up units do not have a step up and that architectural elements were added after the concept phase.

Member Enz asked if there were charging stations available for electric vehicles. Mr. Orth confirmed that there were three charging stations proposed. Member Enz wondered if that will be enough in the future as more people buy electric. Her building

has none, which means people are always looking for a charging station. She does not know if she can support only three stations. Mr. Orth acknowledged that they can look into providing more.

Member Berry commented that there was a recommendation that conduit be installed for future charging stations. Ms. Anthony confirmed they provide electric vehicle charging stations at all their properties and there will be conduit laid for the future.

Member Reinhardt sought to clarify that the affordable units were removed due to the lack of funding from the City. Ms. Anthony confirmed that was accurate.

Member Berry closed the public hearing.

Member Amundsen asked about the exterior elevations and where staff was asking for brick. Lindahl pointed on the graphic where brick should be added and commented that the blue sections were a hardie board material. He noted that, in comparison to the Barnum, the new building is closer to the street and has more surface area of the building facing the street, therefore, the materials should be a higher quality.

Member Enz wondered why the additional brick is needed. It would eliminate some of the blue color, which as stated by the applicants, they are trying to highlight in reference to the city and the lake.

Lindahl stated that the idea is to have higher quality materials facing the public pedestrian realm, which are the lower levels and street frontage. The materials are more durable and break up the massing of the long side of the building. Staff's rationale for requesting the higher quality design is in trying to find an equal benefit for the community in exchange for the deviations proposed as part of the PUD process.

Member Lynch stated that he does not feel like the Planning Commission should design the project and wonders if they could provide broader conditions such as 'more brick' and 'provide sidewalk connections'.

Member Amundsen asked if staff had a percentage of brick coverage in mind. He thinks that would give the architect and design team more flexibility to design it how they want. Lindahl replied that yes, as part of a PUD, they could add that condition, however, the applicant has not been agreeable to any proposed exterior material changes.

Member Amundsen stated that since the building is closer to the road, he thinks the City should push for the higher quality design.

Member Baltzer asked if what is approved is carved in stone or if the applicant and staff could work together to come up with a condition agreeable to all before the City Council meeting. Lindahl stated the Planning Commission is an advisory body, so nothing is set and that a condition could be altered, however staff has been talking to the applicant

about this issue since the concept phase and they have not been able to come to an agreement.

Member Enz stated that she likes the uniqueness of the proposed building. She thinks adding the brick will create a look referred to as a “millennial kennel”. She does not want to look like every other community in the Twin Cities.

Member Reinhardt agreed, stating that it is likely an arbitrary determination of what constitutes higher quality. As long as it is maintained, it is an excellent design. He would be supportive of removing condition one. He commented that in light of the City Council withholding funding for affordable housing, the City is quickly running out of space to build. This project is a huge opportunity to move towards the goals laid out in the Comprehensive Plan. He does not understand why the City would go against its own plan. The affordable units were a large reason the project moved forward in the first place. He is unsure whether he can support the project now.

Member Lynch concurred that this was a missed opportunity and that using TIF in this scenario would have been a good idea. He thinks the building is beautifully designed and is torn between the blue and the better materials. He added that he supports modifying the sidewalk condition to eliminate the need for the long sidewalk along the east side of the property.

Member West stated that she shares Member Lynch’s views on the exterior materials and the sidewalk. She is very concerned with the affordable units. She does not feel that she can support the request if there is not an affordability component.

Lindahl commented that there is not a standard in the zoning code that requires affordability, so the discretion to use the financial tool lies with the City Council. The Planning Commission’s role is focused on the zoning code standards. There is not a zoning basis to recommend denial because of the lack of affordable units and he does not think the developer would find that helpful.

Member Lynch wondered if they could vote against the proposal, but add a note that if affordable units were added back in, they would support the project. He thinks some members of the Planning Commission want to vocalize their concerns.

Member Berry asked if the City Council was unanimous in its vote against TIF. Lindahl replied that there was not a direct vote on TIF, but the Council removed the condition regarding TIF consideration.

It was moved by Member **Lynch** to recommend condition number three be amended to require 0.75 bike stalls per unit and that at least 75% be inside, seconded by Member **Baltzer**. Motion carried, 7-0.

It was moved by Member **Lynch** to recommend condition number two be amended to require sidewalks between the gaps of the parking lots and on the northeast side, seconded by Member **Amundsen**. Motion carried, 7-0.

It was moved by Member **Enz** to recommend condition number one be removed, seconded by Member **Berry**. Member Amundsen stated that he supports staff since they are they experts. Motion carried, 5-2. Members Baltzer and Amundsen opposed.

Member Reinhardt asked if they could add a condition that the City Council reconsider TIF financing. Lindahl cautioned the Commissioners from doing something outside of the zoning standards. He stated that the Commissioners could make a separate statement that could be carried forward to the City Council.

Member Amundsen suggested the Commissioners watch the City Council meeting where this was discussed. He does not think they should add conditions that would hurt the developer.

Member Lynch does not think the City Council will change their opinion on TIF and he does not want to delay the project.

Member West stated she will support the project, but is very disappointed in the loss of affordable units and three bedroom units. Member Reinhardt concurred.

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

Motion carried, 7:0.

5. DISCUSSION ITEMS

A. City Council Summary Minutes of August 10, 2022.

Member West asked about the proposed moratorium on THC products and tobacco shops. She noted that a tobacco shop recently opened close to her home and wondered how it would be impacted by the moratorium. Lindahl provided a background to the Commissioners regarding the proposal, how the zoning code needs to be updated in wake of State Statute changes, and when the Council will consider it next.

B. Park Advisory Commission Minutes of June 16, 2022.

Member Enz stated that she hopes the Parks Commission has conversations with residents of Boatworks Commons before proceeding with the proposed open space renovations. They already have issues with noise and loitering, she does not want to see it get worse.

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Baltzer**, seconded by Member **West** to adjourn the meeting at 9:41 p.m.

Motion carried, 7:0

DRAFT



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: September 13, 2022
Subject: **Resolution approving on-sale intoxicating and Sunday liquor licenses for Little Village LLC**

SUMMARY

The City Council will consider adopting a resolution approving on-sale intoxicating and Sunday liquor licenses for Little Village LLC.

BACKGROUND INFORMATION

Cathy Montpetit, Becky Knuth and William Pearson, owners of Little Village, previously JJ's Bierstube, submitted an application for on-sale intoxicating and Sunday liquor licenses. Little Village is located at 2670 County Road E East and was recently purchased from James William Yanz.

The Police Department conducts background investigations on Liquor License applicants to provide the City Council with objective data regarding any concerns with the applicant. These elements have been shown to contribute significantly to the successful and legal operation of our community business establishments. The Police Department conducted a background investigation and found nothing to preclude the issuance of liquor licenses to Little Village.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution approving on-sale intoxicating and Sunday liquor licenses for Little Village LLC located at 2670 County Road E East.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING ON-SALE INTOXICATING AND SUNDAY LIQUOR LICENSES AT
LITTLE VILLAGE LLC, DBA LITTLE VILLAGE**

WHEREAS, the City of White Bear Lake City received an application from Cathy Montpetit, Becky Knuth and William Pearson on behalf of Little Village LLC dba Little Village for on-sale intoxicating and Sunday liquor licenses at 2670 County Road E East, White Bear Lake, MN; and

WHEREAS, upon completion of the applicants' background checks, the White Bear Lake Police Department found nothing to preclude issuance of these liquor licenses; and

WHEREAS, the City Clerk has reviewed all submittals and found the application to be in conformance with the criteria for issuing an on-sale intoxicating and Sunday liquor licenses; and

WHEREAS, approved licenses would be valid through the end of the business cycle on March 31, 2023.

NOW, THEREFORE, BE IT RESOLVED that the White Bear Lake City Council approves the issuance of full on-sale intoxicating and Sunday liquor licenses for the following:

Cathy Montpetit, Becky Knuth and William Pearson
Little Village LLC, dba Little Village
2670 County Road E East
White Bear Lake, MN 55110

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: September 13, 2022
Subject: **Special Event Application for Big Wood Brewery**

SUMMARY

The City Council will consider approving the third annual Oktimber Fest celebration at Big Wood Brewery, involving use of a city parking lot, live amplified outdoor music and a single-event liquor extension.

BACKGROUND INFORMATION

On behalf of Big Wood Brewery, Jamey Worley submitted a special event application to host an annual outdoor celebration from 12 p.m.-midnight on Friday, Sept. 30 and Saturday, Oct. 1. The request involves the request to host the event in the city-owned parking lot in the space behind Big Wood Brewery. The event will have outdoor amplified music, which will end promptly at 10 p.m. to stay in compliance with the city's noise ordinance.

In order to host an event with liquor outside the premises of Big Wood Brewery, the event will require a single-event liquor extension. Approval of the liquor extension would be conditioned on a staff-approved alcohol control plan such that people with open container are confined to the area contiguous to the event center, in addition to receipt of liquor liability insurance covering the consumption area. Big Wood Brewery has made plans for portable bathrooms, electricity use and refuse.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing the celebration to take place in the city-owned parking lot with amplified music, with a single-event liquor extension confined to the blocked off area.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING A THIRD ANNUAL OKTIMBER FEST CELEBRATION
AT BIG WOOD BREWERY IN WHITE BEAR LAKE**

WHEREAS, a proposal has been submitted by Big Wood Brewery to host an outdoor celebration from 12 p.m. to midnight on Friday, Sept. 30 and Saturday, Oct. 1; and

WHEREAS, the request entails blocking off parking lot space behind Big Wood Brewery for live amplified outdoor music to 10 p.m. and liquor service; and

WHEREAS, the event has plans for portable bathrooms, electricity use and refuse; and

WHEREAS, Big Wood Brewery has requested an on-sale liquor license extension in order to service attendees of the event; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota hereby approves blocking off portions of the parking lot behind Big Wood Brewery and the Armory in order to host their annual Oktimber Fest Celebration.

BE IT FURTHER RESOLVED that event attendees would be permitted to consume alcohol within the controlled area in the parking lot behind Big Wood Brewery and the Armory conditioned upon the following:

1. Outdoor amplified music ends firmly at 10:00 p.m.
2. A plan for control of a designated area of alcohol consumption, which has been approved by the White Bear Lake Police Department.
3. Proof of liquor liability insurance covering the cordoned area.

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
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Rick Juba, Assistant City Manager
Date: September 13, 2022
Subject: **Special Event Application for outdoor concert at The Village Sports Bar**

SUMMARY

The City Council will consider adopting a resolution approving a special event application request for an outdoor concert at The Village Sports Bar.

BACKGROUND INFORMATION

The General Manager of The Village Sports Bar, Becky Knuth, is planning an outdoor concert as a chance for patrons to say goodbye to the establishment on Saturday, September 24, 2022 before it closes permanently on September 30. The concert is slated to end at 10pm which is consistent with other outdoor amplified music approvals that the City Council has granted. The applicant is working with neighboring businesses to provide additional parking if needed. Alcohol service will take place within the secured areas of the outdoor softball field and the establishment has an ongoing liquor extension license for the area.

Given the liquor license extension is already in place, the City Council is approving the event itself and the ability to have amplified music until 10pm to:

The Village Sports Bar
3600 Hoffman Road
White Bear Lake, MN 55110
5:00- 10:00pm, Saturday, September 24, 2022
Softball field, inside the fenced area

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution with conditions as presented.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN OUTDOOR CONCERT
AT THE VILLAGE SPORTS BAR**

WHEREAS, a Special Event Application for an outdoor concert at The Village Sports Bar has been submitted by Becky Knuth; and

WHEREAS, The Village Sports Bar plans to host an outdoor concert within the confines of their softball field at 3600 Hoffman Road on Saturday, September 24, 2022 from 5:00- 10:00 pm; and

WHEREAS, The Village Sports Bar has an ongoing liquor license extension for the area of the concert.

NOW THEREFORE, BE IT RESOLVED that the White Bear Lake City Council approves the Special Event Application for The Village Sports Bar on Saturday, September 24, 2022 from 5:00 – 10:00pm for an outdoor concert.

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
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Rick Juba, Assistant City Manager
Date: September 13, 2022
Subject: Mainstreet Request to Use Railroad Park for Fall Festival Event

SUMMARY

The City Council will consider adopting a resolution approving the free use of Railroad Park by Mainstreet on September 24, 2022 from 1:00- 4:00pm for its fall festival event.

BACKGROUND INFORMATION

Staff received a special event application from Mainstreet to use Railroad Park as a part of a fall festival event in downtown White Bear Lake. They propose use of Railroad Park for the community-wide event which will include polka music, pumpkin painting and local food vendors. They have no other requests for City resources related to the event with the exception of electricity.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving free use of Railroad Park and electricity by Mainstreet on September 24, 2022 from 1:00- 4:00pm.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

A RESOLUTION APPROVING THE USE OF RAILROAD PARK BY MAINSTREET

WHEREAS, a special event application has been submitted by Mainstreet to utilize Railroad Park for a downtown fall festival event on Saturday, September 24, 2022 from 1:00pm – 4:00pm; and

WHEREAS, use of the Railroad Park Gazebo would include the use of electricity at the facility; and

WHEREAS, the City Council desires to promote a free, family friendly community event in downtown White Bear Lake including polka music, local food vendors and pumpkin painting.

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

Mainstreet
Fall Festival
Saturday, September 24, 2022
1:00pm– 4:00pm

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

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: September 13, 2022
Subject: **White Bear Lake Area Hockey Association Charitable Gambling at Bear Town Bar and Grill**

SUMMARY

The City received an application from the White Bear Lake Area Hockey Association (the Association) to conduct charitable gambling at Bear Town Bar and Grill effective October 3, 2022.

BACKGROUND INFORMATION

Charitable gambling in the City of White Bear Lake is authorized by MN Statute, Chapter 349 and City of White Bear Lake Municipal Code, Chapter 1002.200 and Chapter 1111. City Council approval must be granted before charitable gambling business can be conducted. The City Code also limits charitable organizations to three locations within the City.

The Association is currently at their maximum of three establishments (The Village Sports Bar & Event Center, White Bear Bar and Doc's Landing) within the City. At the July 26 meeting, the City Council authorized the Association to conduct charitable gambling activities at Manitou Grill & Event Center upon the suspension of charitable gambling activities at The Village Sports Bar & Event Center. The Association is requesting to revise their plan and select Bear Town Bar and Grill as their third location instead of Manitou Grill & Event Center, as previously authorized. If the revised request is authorized by the City Council, the Association will conduct charitable gambling activities at the following three locations, effective October 3, 2022: White Bear Bar, Doc's Landing and Bear Town Bar and Grill. This recommended approval will be conditioned upon the suspension of charitable gambling activities at The Village Sports Bar and Event Center.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing the White Bear Lake Area Hockey Association to conduct charitable gambling at Bear Town Bar and Grill effective October 3, 2022 with conditions.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE WHITE BEAR LAKE AREA HOCKEY ASSOCIATION TO CONDUCT CHARITABLE GAMBLING AT BEAR TOWN BAR AND GRILL

WHEREAS, the White Bear Lake Area Hockey Association has submitted an application to conduct charitable gambling at Bear Town Bar and Grill located at 4875 Highway 61; and

WHEREAS, the White Bear Lake Area Hockey Association meets the qualifications set forth in the City Code to conduct charitable gambling within the City; and

WHEREAS, the City Code limits the number of establishments a qualified organization can conduct charitable gambling to three; and

WHEREAS, the White Bear Lake Area Hockey Association currently conducts charitable gambling at three establishments within the City and will vacate the Manitou Grill & Event Center effective October 2, 2022.

WHEREAS, the White Bear Lake Area Hockey Association received City Council authorization on July 26, 2022 to vacate The Village Sports Bar & Event Center to conduct charitable gambling at Manitou Grill & Event Center as their third location;

WHEREAS, the White Bear Lake Area Hockey Association is now requesting to conduct charitable gambling at Bear Town Bar and Grill instead of Manitou Grill & Event Center and has filled out a new application;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the White Bear Lake Area Hockey Association's application to conduct charitable gambling at Bear Town Bar and Grill effective October 3, 2022 is hereby approved with the following condition:

1. Prior to the initiation of charitable gambling at Bear Town Bar and Grill, the White Bear Lake Area Hockey Association must verify to City Staff that charitable gambling operations at The Village Sports Bar & Event Center has been terminated.

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
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: September 13, 2022
Subject: **Merrick, Inc. Charitable Gambling at Little Village**

SUMMARY

The City received an application from Merrick, Inc. to conduct charitable gambling at Little Village effective October 1, 2022.

BACKGROUND INFORMATION

Charitable gambling in the City of White Bear Lake is authorized by MN Statute, Chapter 349 and City of White Bear Lake Municipal Code, Chapter 1002.200 and Chapter 1111. City Council approval must be granted before charitable gambling business can be conducted.

The City Code also limits charitable organizations to three locations within the City. Merrick, Inc. is currently conducting charitable gambling activities at one other location within the City—Manitou Grill & Event Center. Little Village will be their second location if authorized by the City Council.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing Merrick, Inc. to conduct charitable gambling at Little Village effective October 1, 2022.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING MERRICK, INC. TO
CONDUCT CHARITABLE GAMBLING AT LITTLE VILLAGE**

WHEREAS, Merrick, Inc. has submitted an application to conduct charitable gambling at Little Village located at 2670 County Road E East; and

WHEREAS, Merrick, Inc. meets the qualifications set forth in the City Code to conduct charitable gambling within the City; and

WHEREAS, the City Code limits the number of establishments a qualified organization can conduct charitable gambling to three; and

WHEREAS, Merrick, Inc. currently conducts charitable gambling at one other establishment within the City, and Little Village will be their second authorized location; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that Merrick, Inc.'s application to conduct charitable gambling at Little Village effective October 1, 2022 is hereby approved.

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
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: September 13, 2022
Subject: **White Bear Lake Lion's Club Foundation Donation for All-Abilities Park**

SUMMARY

The City Council will consider adopting a resolution accepting a donation from the White Bear Lake Lion's Club Foundation for an all-abilities park.

BACKGROUND INFORMATION

Pursuant to Minnesota State Statute 465.03 Gifts to Municipalities, any city may accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor. Every such acceptance shall be by resolution of the governing body adopted by a two-thirds majority of its members, expressing such terms in full.

Since 2019, the White Bear Lake Lions Club issued a total of \$480,000 in monetary donations from its gambling proceeds to the City of White Bear Lake's Park Improvement Fund for an all-abilities park. Parks Department staff have been meeting with a representative from the Lions Club to develop an equipment and trail layout, which will be located near the existing playground at Lakewood Hills. In 2019, this project was originally estimated to cost \$350,000. Since that time the Lions Club has added additional features to the design to appeal to a larger range of users. With these changes, along with recent supply chain shortages and other construction related delays, the project is expected to cost \$600,000. To capture some savings and take advantage of a grant opportunity, the playground structure itself was purchased in 2021 leaving a balance of about \$50,000 to use toward the remaining aspects of the project including site work, sidewalks and the special playground surfacing. The White Bear Lions Club is working on several other grants and donations to fund the remaining expenses needed to complete the overall project. The donation presented will bring the new total of donations to \$483,372.70.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution accepting the \$3,372.70 donation from the White Bear Lake Lions Club Foundation for the all-abilities park.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING A DONATION FROM THE WHITE BEAR LAKE
LION'S CLUB FOUNDATION**

WHEREAS, the City of White Bear Lake is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts; and

WHEREAS, the White Bear Lions Club desires to fund an all-abilities park in the City of White Bear Lake and since 2019 they have donated \$480,000 toward that effort; and

WHEREAS, the White Bear Lions Club Foundation provided another \$3,372.70 donation toward the all-abilities park, which is being planned at Lakewood Hills Park in White Bear Lake; and

WHEREAS, all such donations have been contributed to the City for the benefit of its citizens, as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donation offered.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the \$3,372.70 donation is accepted and shall be allocated to the All-Abilities Park 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
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Connie Taillon, Environmental Specialist/Water Resources Engineer
Date: September 13, 2022
Subject: Rotary Club of White Bear Lake Donation for Prairie Restoration

SUMMARY

The City Council will consider adopting a resolution accepting a donation from Rotary Club of White Bear Lake for a prairie restoration project at Rotary Nature Preserve.

BACKGROUND INFORMATION

Pursuant State Statute 465.03 – Gifts to Municipalities, any city may accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor. Every such acceptance shall be by resolution of the governing body adopted by a two-thirds majority of its members, expressing such terms in full.

The City and Rotary Club of White Bear Lake are partnering on a three-phase project at Rotary Nature Preserve to remove invasive species and restore prairie and woodland habitats along the paved trail. Phase 1 is a 3,380 square foot prairie restoration located on the north end of the trail, just south of the parking lot. This phase is currently underway and will be planted with a diverse mix of native prairie plant species later this fall that will support pollinators and other wildlife.

The phase 1 prairie restoration is estimated to cost \$2,000. The City received a cost-share grant from the Vadnais Lake Area Water Management Organization (VLAWMO) totaling \$750 to be used towards the phase 1 project. The remaining cost will be split between the partners, with Rotary Club donating \$500 and the City contributing the remaining \$750. The City's share of the project cost is included in the City's 2022 SWPP fund.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution accepting a \$500 donation from White Bear Lake Rotary Club and designating its use to go toward the phase 1 prairie restoration project at Rotary Nature Preserve.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING A DONATION FROM THE ROTARY CLUB OF WHITE BEAR LAKE
FOR A PRAIRIE RESTORATION PROJECT**

WHEREAS, the City of White Bear Lake is generally authorized to accept donations pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts; and

WHEREAS, the City of White Bear Lake and the Rotary Club of White Bear Lake are partnering on a three-phase restoration project at Rotary Nature Preserve in the City of White Bear Lake; and

WHEREAS, the Rotary Club of White Bear Lake desires to help fund phase 1 of the restoration project; and

WHEREAS, the Rotary Club of White Bear Lake has provided a \$500.00 donation toward the phase 1 prairie restoration project, which is being planned at Rotary Nature Preserve in the fall of 2022; and

WHEREAS, the donation has been contributed to the City for the benefit of its citizens, as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donation offered.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, that the \$500.00 donation is accepted and shall be allocated to the Rotary Nature Preserve phase 1 prairie restoration 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
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Connie Taillon, Environmental Specialist/Water Resources Engineer
Date: September 13, 2022
Subject: **MOU for an Oak Knoll Pond Spent Lime Feasibility Study**

SUMMARY

The City Council will consider adopting a resolution to enter into a Memorandum of Understanding (MOU) between the City and the Vadnais Lake Area Water Management Organization (VLAWMO) for an Oak Knoll Pond spent lime feasibility study.

BACKGROUND INFORMATION

Oak Knoll pond is designated as a public water wetland and is located directly south of East Goose Lake. This wetland functions as a stormwater detention pond and receives stormwater runoff from the surrounding neighborhoods. The pond outlets to the City's storm sewer system and ultimately flows north to East Goose Lake, which is listed on the State's Section 303d impaired waters list for excess nutrients (phosphorus). Because of Goose Lake's impairment status, VLAWMO completed a Total Maximum Daily Load (TMDL) implementation plan in 2014 that identifies numerous phosphorus reduction strategies, including detention pond retrofits and emerging technology demonstrations. The City is listed in the implementation plan as a responsible party, and has made a commitment to partner with VLAWMO to identify and implement nutrient load reduction strategies in the Goose Lake subwatershed.

VLAWMO recently hired Barr Engineering to complete a scope of work for a spent lime demonstration project feasibility study in Oak Knoll Pond. Spent lime, a by-product of drinking water treatment, is an emerging technology that has been shown to be effective at removing phosphorus in stormwater. The ultimate outcome of the feasibility study is to determine if the technical, scientific and social elements of a proposed spent lime demonstration project are feasible prior to implementing an actual spent lime project in Oak Knoll Pond.

The total estimated cost for the feasibility study is \$13,000.00, with an estimated completion date of November 2022. The proposed MOU with VLAWMO is to accept participation in the Oak Knoll Pond feasibility study and to split the cost 50/50.

In the event the study determines that a spent lime project is feasible, a budget for the Oak Knoll Pond spent lime demonstration project was included in the draft 2023 SWPP fund.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing participation in the feasibility study and the allocation of \$6,500.00 from the Storm Water Pollution Prevention (SWPP) Fund.

ATTACHMENTS

Resolution

RESOLUTION NO.

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING FOR AN OAK KNOLL POND SPENT LIME FEASIBILITY STUDY AND ORDERING EXPENDITURE FROM THE STORMWATER POLLUTION PREVENTION (SWPP) FUND

WHEREAS, the City of White Bear Lake has made a commitment to improve the water quality of all lakes, wetlands, and streams within the City; and

WHEREAS, Goose Lake is on the State of Minnesota's Section 303d impaired waters list for nutrient loads through the Clean Water Act; and

WHEREAS, detention pond retrofit and maintenance and emerging technologies demonstrations were identified as Goose Lake nutrient reduction strategies in the 2014 VLAWMO Total Maximum Daily Load (TMDL) Implementation Plan; and

WHEREAS, The City was identified as a responsible MS4 entity for the Goose Lake nutrient load reduction strategies in the 2014 VLAWMO Total Maximum Daily Load (TMDL) Implementation Plan; and

WHEREAS, The City made a commitment to partner with VLAWMO to contribute financially towards treatment options to reduce nutrient loads in the Goose Lake subwatershed; and

WHEREAS, Oak Knoll Pond is located in the Goose Lake subwatershed; and

WHEREAS, Oak Knoll Pond is a public water wetland that functions as a stormwater detention pond and receives runoff from the surrounding neighborhoods; and

WHEREAS, the City and VLAWMO mutually desire to partner on a feasibility study to research the feasibility of a spent lime demonstration project to reduce nutrient loads in Oak Knoll pond; and

WHEREAS, the estimated cost of the feasibility study is \$13,000.00; and

WHEREAS, City of White Bear Lake desires to enter into a memorandum of understanding (MOU) with VLAWMO to accept participation in the Oak Knoll Pond spent lime feasibility study and to allow for a 50/50 cost split to complete the feasibility study.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, to enter into the MOU between the City and VLAWMO and to order the expenditure of \$6,500.00 from the City's SWPP fund for 50% of the feasibility study cost.

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

RESOLUTION NO.

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

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: September 13, 2022
Subject: VLAWMO Cost Share Grant – Prairie Restoration

SUMMARY

The City Council will consider adopting a resolution to approve a grant agreement with Vadnais Lake Area Water Management Organization (VLAWMO) to help cover the cost of a prairie restoration project at Rotary Nature Preserve.

BACKGROUND INFORMATION

The City and Rotary Club of White Bear Lake are partnering on a three phase project at Rotary Nature Preserve to remove invasive species and restore prairie and woodland habitats along the paved trail. Phase 1 is a 3,380 square foot prairie restoration located on the north end of the trail, just south of the parking lot. This phase is currently underway and will be planted with a diverse mix of native prairie plant species later this fall that will support pollinators and other wildlife.

The phase 1 prairie restoration is estimated to cost \$2,000. Staff applied for a cost share grant through VLAWMO to help cover the cost of the project. A cost share grant in the amount of \$750.00 was awarded to the City. The remaining cost will be split between the partners, with Rotary Club donating \$500 and the City contributing the remaining \$750. The City's share of the project cost is included in the City's 2022 SWPP fund.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing the City Manager to execute the agreement for the Vadnais Lake Area Water Management Organization cost share grant. The City will accept reimbursement of the grant upon completion of the project.

ATTACHMENTS

Resolution

RESOLUTION NO.

**A RESOLUTION AUTHORIZING A COST SHARE GRANT AGREEMENT BETWEEN
THE CITY AND THE VADNAIS LAKE AREA WATER MANAGEMENT ORGANIZATION AND
REQUESTING THE GRANT ALLOCATION**

WHEREAS, The Vadnais Lake Area Water Management Organization (VLAWMO) allocates cost share funds for projects that benefit water quality and watershed health; and

WHEREAS, the City of White Bear Lake and the Rotary Club of White Bear Lake are partnering on a restoration project at Rotary Nature Preserve in the City of White Bear Lake that met the requirements of the VLAWMO soil health cost share grant; and

WHEREAS, VLAWMO approved a soil health cost share grant for phase 1 of the prairie restoration project in the amount of \$750.00.

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

1. The agreement between VLAWMO and the City in the amount of \$750.00 for a soil health cost share grant for the phase 1 prairie restoration project 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:

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: September 13, 2022
SUBJECT: McIntyre 3 Year Special Home Occupation Permit / 3696 Glen Oaks Avenue / Case No. 21-1-SHOPa1

SUMMARY

The applicant, Barbara McIntyre, is requesting a three-year extension to her special home occupation permit (SHOP) in order to continue operating a dog grooming business out of her home. Certain types of home occupations, such as beauty salons, massage therapy, and dog grooming, require approval through a conditional use permit. Based on the findings made in this report, both staff and the Planning Commission find that the standards for conditional use permits laid out in City Code Section 1301.050 have been satisfied and recommend approval of the request.

BACKGROUND INFORMATION

Applicant/Owner: Barbara McIntyre

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

Surrounding Land Use / Zoning: All Directions: Single Family; zoned R-3 Single Family Residential

Comprehensive Plan: Low Density Residential

Lot Size & Width: Code: 10,500 sq. ft.; 80 feet
Site: 10,700 sq. ft.; 75 feet

Planning Commission Action

The Planning Commission reviewed this item during their August 29, 2022 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing that produced no comments from the public. Staff did not receive any written comments regarding the request. After hearing staff's presentation, there was no discussion and the commission voted 7-0 to recommend the City Council approve this request.

Site Characteristics

The subject site is located on the south side of Glen Oaks Avenue and north of County Road E. The single-family home was constructed in 1967. Last year, Ms. McIntyre was granted a special home occupation permit for her business. Since the first year is a trial period, she is back requesting a three-year extension. The City has not received any complaints during the first year and no concerns have been raised by neighbors in relation to the home-based business. As a note, a recent text amendment to the Zoning Code means that after this first three-year renewal, subsequent renewals will be able to be approved administratively.

Ms. McIntyre will continue to be the only employee. Services that she provides include baths, haircuts and nail trimming. There is also a small inventory of supplies and accessories for sale in the home. The hours of operation are Monday through Friday and every other Saturday, by appointment only, between 9 am and 5 pm. Appointments are scheduled roughly thirty minutes apart to avoid overlap with no more than four appointments a day. Dogs will not be boarded overnight and are always monitored when let out in the back yard to minimize the likelihood of barking.

Conditional Use Permit Review

City review authority for conditional use permits 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, in this case a special home occupation. 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. This land use category is characterized by low density dwellings with a density range of 3 to 9 units per acre. The density of the subject property is 4.17 units per acre and the business does not impact the density.
2. The proposed use is or will be compatible with present and future land uses of the area.
Finding: The subject property will continue to be a single-family home that the business is accessory to, so is compatible with present and future land uses. The business takes place completely within the principal structure and does not alter the residential character of the neighborhood.
3. The proposed use conforms with all performance standards contained herein.
Finding: The business conforms with the applicable zoning regulations for special home occupations.
4. The proposed use will not tend to or actually depreciate the area in which it is proposed.

Finding: The business will not depreciate the area. The exterior of the home continues to appear residential and it is staff's opinion that Ms. McIntyre has maintained a curb appeal that is consistent with the surrounding neighborhood. Further, the practice of not leaving dogs unattended when outside limits the opportunity for barking to become a detriment to the neighborhood.

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. The use of these services generated by the business is minimal and does not overburden the service capacity.

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

Finding: The traffic generated from the business is minimal and is within the capabilities of the street serving the property. Because appointments are spaced out, there is rarely more than one client at the home at a time, so the driveway is able to accommodate the parking needs.

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. This permit is issued for a three-year period with the expiration date being September 13, 2025, before which the permit may be renewed, in accordance with the procedural requirement of the initial home occupation.
3. The applicant shall not have the vested right to a permit by reason of having obtained a previous permit. In applying for and accepting a permit, the permit holder agrees that her monetary investment in the home occupation will be fully amortized over the life of the permit and that a permit renewal will not be needed to amortize the investment. Each application for the renewal of a permit will be considered de novo without taking into consideration that a previous permit has been granted. The previous granting of renewal of a permit shall not constitute a precedent or basis for the renewal of a permit.
4. Permits shall not run with the land and shall not be transferable.
5. The business shall comply with all provisions of the Home Occupation Section of the Zoning Code (Section 1302.125).
6. The applicant shall comply with applicable building, fire and health department codes and regulations.
7. A sign permit is required prior to the installation of a sign.
8. Boarding of dogs is not permitted.

ATTACHMENTS

Resolution

Applicant's Narrative & Plans

Zoning/Location Map

RESOLUTION NO.

**RESOLUTION GRANTING A SPECIAL HOME OCCUPATION PERMIT
FOR 3693 GLEN OAKS AVENUE WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, Barbara McIntyre has requested a three-year extension to a special home occupation permit (21-1-SHOPa1) to operate a dog grooming business out of a single-family home at the following location:

LOCATION: 3696 Glen Oaks Avenue

LEGAL DESCRIPTION: Lot 29 Block 10, Bacchus White Bear Hills, Ramsey County, Minnesota. (PID #25.30.22.44.0052)

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on August 29, 2022; and

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

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

1. The 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. Traffic generation will be within the capabilities of the streets serving the site.
7. That the special conditions attached in the form of a conditional use permit are hereby approved.

BE IT FURTHER RESOLVED, that the City Council of the City of White Bear Lake hereby approves the requested special home occupation permit extension, subject to the following conditions:

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

RESOLUTION NO.

2. This permit is issued for a three-year period with the expiration date being September 13, 2025, before which the permit may be renewed, in accordance with the procedural requirement of the initial home occupation.
3. The applicant shall not have the vested right to a permit by reason of having obtained a previous permit. In applying for and accepting a permit, the permit holder agrees that her monetary investment in the home occupation will be fully amortized over the life of the permit and that a permit renewal will not be needed to amortize the investment. Each application for the renewal of a permit will be considered de novo without taking into consideration that a previous permit has been granted. The previous granting of renewal of a permit shall not constitute a precedent or basis for the renewal of a permit.
4. Permits shall not run with the land and shall not be transferable.
5. The business shall comply with all provisions of the Home Occupation Section of the Zoning Code (Section 1302.125).
6. The applicant shall comply with applicable building, fire and health department codes and regulations.
7. A sign permit is required prior to the installation of a sign.
8. Boarding of dogs is not permitted.

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

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

Applicant's Signature

Date

July 15, 2022

Barbara McIntyre

Home Occupation Business Narrative

3696 Glen Oaks Ave, White Bear Lake

DOG GROOMING BUSINESS OVERVIEW

The Sparkling Whisker will be a one-person business providing the community with a pet grooming option that has a quiet, relaxed and safe environment. It will be a home occupation run out of a single family house. The house is owned by the proprietor.

Grooming Services Offered

- Baths
- Hair cuts
- Nail trims
- Extra add on services such as nail filing, facials, teeth brushing
- Canine massage will be a future service

Product Sales

On site sales items related to pets such as pet attire, accessories, leashes, grooming tools, treats, etc. These items may be sold online as well.

The number of items will be limited to a small to medium size display in the garage or the entry way just inside the house depending on the weather.

Use of the Property

- Parking will be available in the double car driveway and on the street in front of the house as needed. It is not expected to have more than two customer cars in front of the house at a time.
- Customers will enter using the garage service door adjacent to the driveway.
- The dog intake/checkout area will be in the garage and just inside the doorway leading into the house.
- Grooming will take place in the lower level of the house.

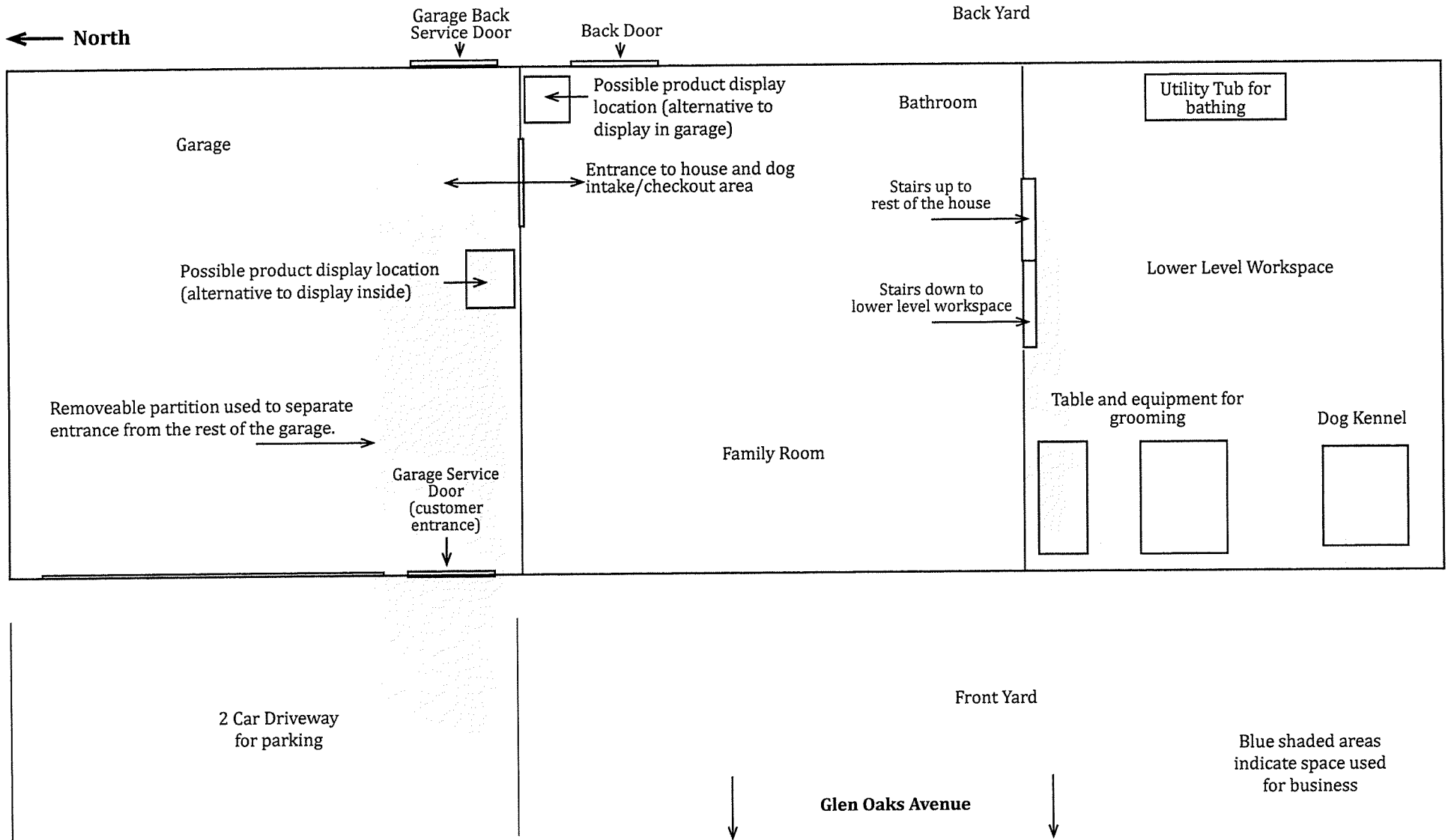
- A sign with the business name will be on the garage service door or in the garden area next to the service door. The sign will comply with city ordinance and will not be used for gaining attention from the street for marketing purposes, but instead to guide customers where to go when they arrive.
- Customer dogs will not be kept on the property overnight.

Flow of Operation

- Customers will leave dogs and come back to get them at an appointed time given at check in. The appointed time will be an estimate and customers will receive a text when the dog is ready to be picked up.
- Pick up and drop off service may be offered in the future in some instances. This will reduce the parking requirements.
- Dogs will be allowed to relieve themselves in the back yard before and/or after the groom. Dogs will not be left outside unattended and will be immediately brought inside in the case of excessive barking.
- Appointments will be made with an intended half hour between each dog to avoid overlap of customers arriving and departing. This will help reduce dogs meeting and the possibility of extra barking or dog to dog aggression.

Hours of Operation

- Initial hours will be open as appointments are taken 9am-5pm Monday-Friday (days vary with the timing of appointments) and every other Saturday as needed. Appointments for no more than 4 dogs a day will be taken.
- Appointments will be required by phone, text or online. Walk in service will not be available.



3696 Glen Oaks Avenue



Two car driveway for parking.

Garage service door will be used for customer entrance.

Possible street parking if needed.

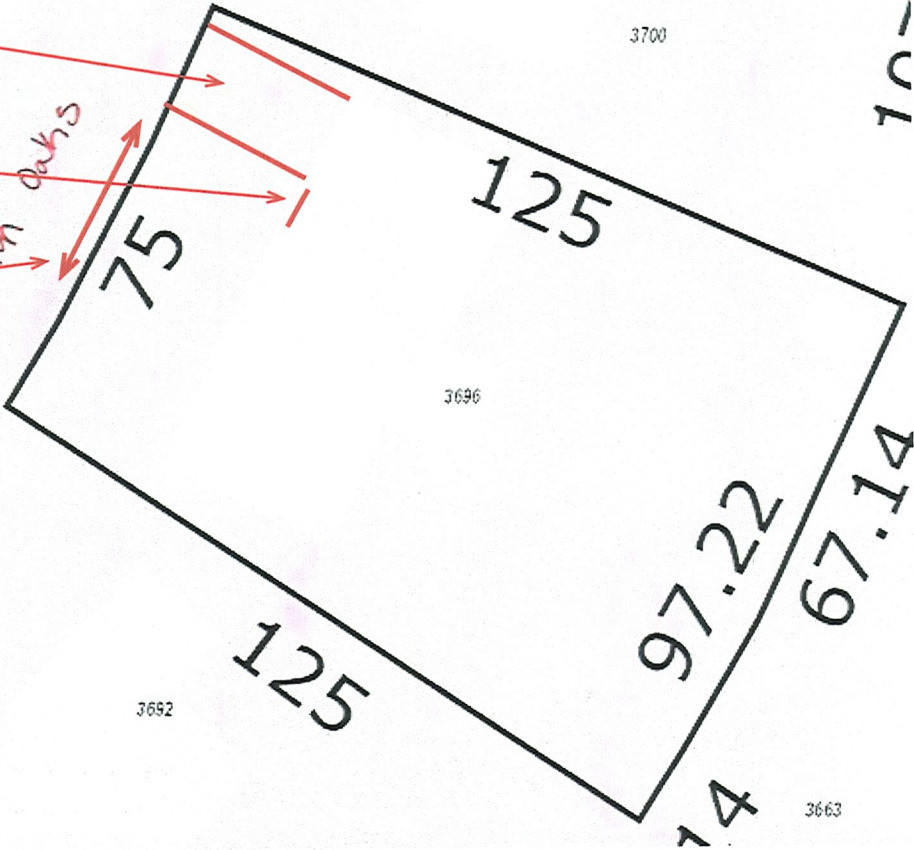
3696 Glen Oaks Avenue

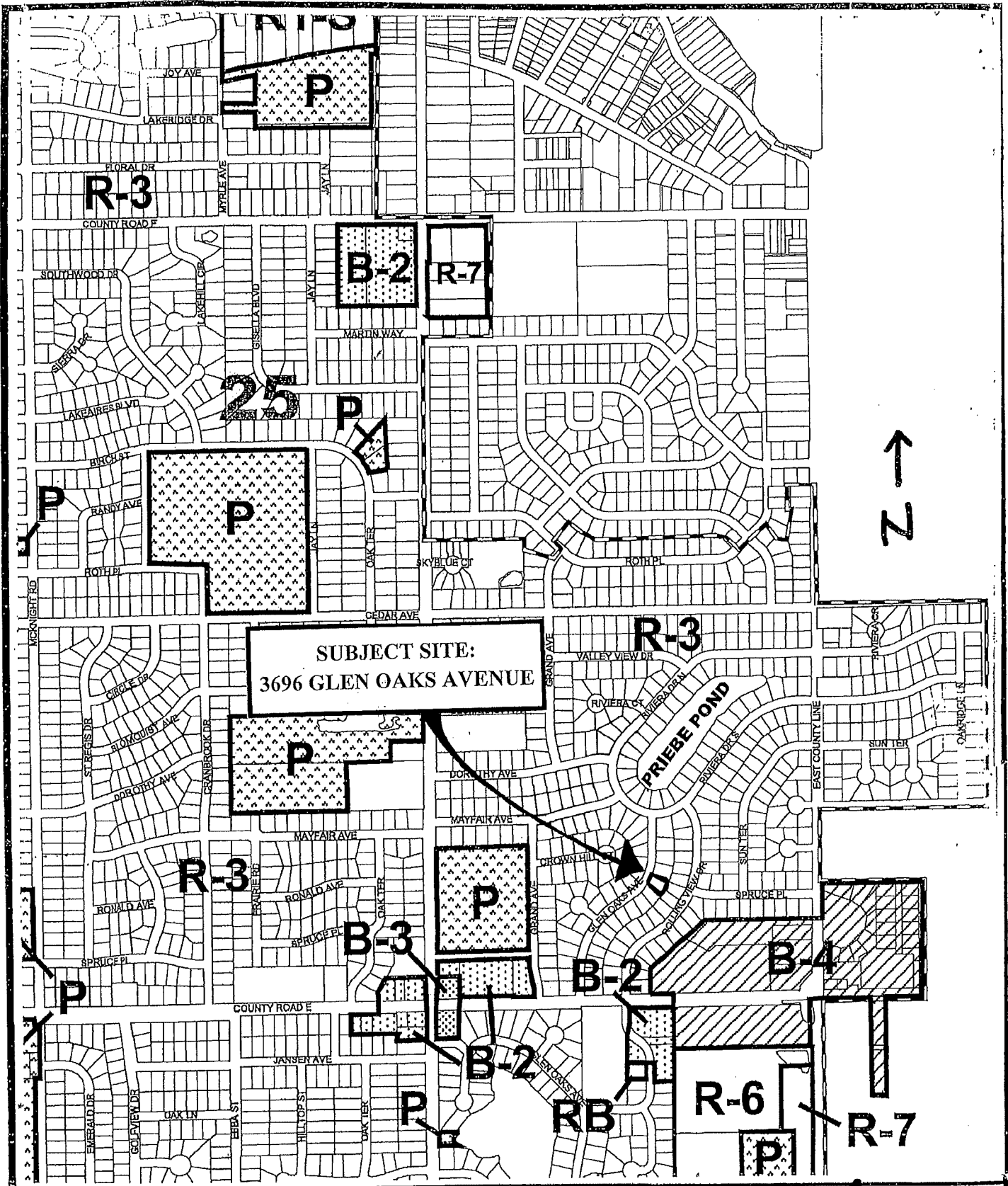
Two car driveway for parking.

Garage service door will be used for customer entrance.

Possible street parking if needed.

Glen Oaks





SUBJECT SITE:
3696 GLEN OAKS AVENUE

City of
 White Bear Lake
 Planning and Zoning Office
 (612)-429-8561

CASE NO. : **21-1-SHOPal**
 CASE NAME : **McIntyre**
 DATE : **Aug. 29, 2022**



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Rick Juba, Assistant City Manager
Date: September 13, 2022
Subject: **Agreement for Building Inspection and Plan Review Services with the City of Vadnais Heights.**

SUMMARY

The City Council will consider an agreement with the City of Vadnais Heights for building inspection and plan review services.

BACKGROUND INFORMATION

From time to time, staffing and workload issues have caused the Cities of White Bear Lake and Vadnais Heights to request building inspection and plan review services from each other. In the past, each time this issue has arisen, a new agreement has been approved. Staff is recommending the City Council approve a standing reciprocal agreement between the two cities so assistance may be requested and delivered in a more expedient and efficient manner.

It should be noted that cities are not obligated to provide services if they do not have the capacity to do so. Our building department is currently short one building inspector, making this request relevant in the short and long term. This partnership has served both cities well in the past.

The City Attorney has reviewed the document and the City of Vadnais Heights authorized the agreement at their September 6, 2022 City Council meeting.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing the Mayor and City Manager to execute an agreement with the City of Vadnais Heights for building inspection and plan review services.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION APPROVING AN AGREEMENT FOR BUILDING INSPECTION
AND PLAN REVIEW SERVICES WITH THE CITY OF VADNAIS HEIGHTS**

WHEREAS, the Cities of White Bear Lake and Vadnais Heights have historically assisted each other when staffing or workload issues have arisen in their respective building departments; and

WHEREAS, an agreement outlining when and how building inspection and plan review services may be offered to each neighboring city will expedite each cities ability to help the other; and

WHEREAS, similar arrangements have been agreed to over the past several years; and

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 execute a standing reciprocal agreement between the City of White Bear Lake and the City of Vadnais Heights for building inspection and plan review services.

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 AND CITY OF VADNAIS HEIGHTS

**BUILDING PERMIT PLAN REVIEW AND
BUILDING INSPECTIONS SERVICES AGREEMENT**

This Building Permit Plan Review and Building Inspections Services Agreement (“Agreement”) is made and entered into by and between the City of White Bear Lake (“White Bear Lake”) and the City of Vadnais Heights (“Vadnais Heights”). White Bear Lake and Vadnais Heights may hereinafter be referred to individually as a “party” or collectively as the “parties.”

RECITALS

- A. The parties desire to obtain building permit plan review and building inspection services (collectively, the “Services”) from each other from time to time, through the parties’ staff.
- B. The parties are willing to provide the requested Services on behalf of each other in accordance with the terms and conditions of this Agreement.

AGREEMENT

In consideration of the mutual covenants and conditions set forth below, the parties hereby agree as follows:

- 1. Services. The parties agree to provide, and the parties agree to pay for, the Services in accordance with the terms and conditions of this Agreement. The Services to be provided under this Agreement are further described, or limited, as follows:
 - (a) Perform all duties necessary to conduct building permit plan reviews required within Vadnais Heights and White Bear Lake and issue such reports, approvals, and other information as is appropriate based on such reviews;
 - (b) Perform all duties necessary to conduct building code inspections of commercial and residential structures within Vadnais Heights and White Bear Lake and issue all required reports regarding such inspections; and
 - (c) Each party, within their own City, shall be solely responsible for the following related to or arising from the Services provided by either party:
 - (1) Receiving and processing applications and related fees; and
 - (2) Enforcement activities.
- 2. Compensation. The parties agree to pay the other party at a rate of \$100 per hour for the Services provided under this Agreement. Time shall be kept in no more than 15-minute increments. The hourly rate shall include all costs for the party to provide the Services. The

hourly rate shall apply to all time either party spends providing the Services and for any required ancillary activities, such as the time spent providing the other party information regarding the Services performed or answering questions related to the Services. The parties are responsible for invoicing the other party for the Services and such invoice shall specifically identify the Services provided, the affected properties, the date on which Services were provided, and the amount of time spent providing such Services. Payments will be made to the other party on such invoices within 30 days of receipt.

3. Term and Termination. This Agreement shall commence, and services may be rendered, on September 14, 2022. Either party may terminate this Agreement at any time upon providing the other party at least 14 days written notice of termination. The parties shall be responsible for paying each other for the Services performed through the date of termination.
4. Indemnification. Each party shall be responsible for its own acts and omissions and the results thereof to the greatest extent authorized by law. Neither party agrees to accept the liability of the other. Each party agrees to defend, indemnify and hold the other party harmless from any and all liability, claims, causes of action, judgments, damages, losses, costs, or expenses, including reasonable attorney's fees, directly resulting from the indemnifying party's own negligent actions or inactions, or the negligent actions or inactions of the indemnifying party's employees and officers. The party seeking to be indemnified and defended shall provide timely notice to the other party when the claim is brought. The party undertaking the defense shall retain all rights and defenses available to the indemnified party. This provision shall not be construed as a waiver by either party of any defenses, immunities or limitations on liability to which it is entitled under Minnesota Statutes, chapter 466 or other law. The limits of liability for one or both of the parties may not be added together to determine the maximum amount of liability for any party.
5. Insurance. Each party shall be responsible for maintaining its own insurance coverages during the entire term of this Agreement. The general liability package and workers' compensation coverages provided by the League of Minnesota Cities Insurance Trust are sufficient to satisfy this insurance requirement.
6. Service Contract. This is a service contract. The parties do not intend to create, and nothing herein shall be construed as creating, a joint powers agreement, joint venture, or joint enterprise. However, to the extent a court of competent jurisdiction may find such a relationship exists, the parties shall be considered a single governmental entity as provided in Minnesota Statutes, section 471.59, subdivision 1a for the purposes of determining total liability. The limits of liability for the parties shall not be added together to determine the maximum amount of liability for either party.
7. Independent Contractor. Both parties are, and shall remain at all times, independent contractors with respect to all Services performed under this Agreement. Both parties represent that they have, or will secure at their own expense, all personnel and equipment required in performing Services under this Agreement. All White Bear Lake personnel engaged in the performance of any Services under this Agreement shall be considered employees of White Bear Lake and shall not be considered employees of Vadnais Heights.

All Vadnais Heights personnel engaged in the performance of any Service under this Agreement shall be considered employees of Vadnais Heights and not be considered employees of White Bear Lake. Any claims that may arise under the Workers' Compensation Act of the State of Minnesota or other employment claims by White Bear Lake personnel while performing Services under this Agreement shall in no way be the responsibility of Vadnais Heights. Any claims that may arise under the Workers' Compensation Act of the State of Minnesota or other employment claims by Vadnais Heights personnel while performing Services under this Agreement shall in no way be the responsibility of White Bear Lake. Both parties agree to defend, indemnify, and hold both parties, their officers, agents and employees harmless from any such employment claims, unless the claim is directly related to the actions or inactions of that party, its officers, employees, or agents. Both parties personnel shall not be entitled to any compensation, rights, or benefits of any kind whatsoever from each other including, without limitation, tenure rights, medical and hospital care, sick and vacation leave, Workers' Compensations, Unemployment Compensation, disability, severance pay, or PERA. Any employee assigned by either party to perform any of the Services under this Agreement shall remain the exclusive employee of that party for all purposes including, but not limited to, wages, salary and employee benefits.

8. Retention and Delivery of Records. Both parties shall retain all government records received or created by it in the performance of the Services under this Agreement. Both parties shall provide for the safe storage of such records during the term of this Agreement. Both parties agree to transfer all such records to the other party no later than 30 days after the expiration or termination of this Agreement. Both parties shall be responsible for complying with all retention and data access laws related to the transferred records. Both parties will direct requests for data involving the other party to that party.
9. Examination of Records. The books, records, documents, and accounting procedures of each party relevant to this Agreement are subject to examination by each party and either the legislative or state auditor as appropriate, pursuant to Minnesota Statutes, section 16C.05, subdivision 5.
10. Data Practices. Each party shall be responsible for complying with the Minnesota Government Data Practices Act (Minn. Stat. Chap. 13) with respect data it receives or that it creates related to the Services. Both parties shall be responsible for requests for access to data related to the Services that have been transferred to them as provide herein.
11. Entire Agreement. This Agreement, including the recitals, represents the entire Agreement between the parties regarding the Services and supersedes and cancels any prior agreements or proposals, written or oral, between the parties relating to the subject matter hereof. Any amendments, addenda, alterations, or modifications to the terms or conditions of this Agreement must be in writing and signed by both parties.
12. Legal Compliance. Each party agree to comply with all applicable state, federal and local laws, rules, and regulations in the performance of their respective duties under this Agreement.

- 13. No Waiver. The failure of either party to insist upon the strict and prompt performance of the terms, covenants, or agreements, and conditions contained herein by the other party shall not constitute or be construed as a waiver or relinquishment of any party’s right thereafter to enforce any such term, covenant agreement or condition, and the same shall continue in force and effect.

- 14. Third Parties. This Agreement does not confer any rights upon any third parties or parties who are not signatories to this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of September 14, 2022.

CITY OF VADNAIS HEIGHTS

CITY OF WHITE BEAR LAKE

Heidi Gunderson, Mayor

Dan Louismet, Mayor

Kevin Watson, City Administrator

Lindy Crawford, City Manager

Date

Date



City of White Bear Lake
Community Development Department

M E M O R A N D U M

TO: Lindy Crawford, City Manager
FROM: Jason Lindahl, Community Development Director
DATE: September 13, 2022
SUBJECT: Tside1, LLC – 4441 and 4453 Lake Avenue South - Case No. 21-11-CUP

SUMMARY

The applicants, Keith and Jan Dehnert, request amendments to the conditional use permits (CUP's) associated with two properties they own located at 4441 Lake Avenue South (Tally's) and 4453 Lake Avenue South (Acqua restaurant). The CUP amendments are necessary to allow reconfiguration of the boat slips associated with the marinas for each of these properties. Specifically, it would allow the applicants to relocate 10 of the slips currently part of Tally's marina to the marina associated with the Acqua property. Both the Planning Commission and staff recommend approval of this request based on the findings of fact detailed in this report and listed in the attached resolutions.

GENERAL INFORMATION

Applicant/Owner: Keith and Jan Dehnert (Tside1, LLC & Lake Avenue Properties)

Existing Land Use / Zoning: Commercial Marina and Restaurant; LVMU – Lake Village Mixed Use & S – Shoreland Overlay District

Surrounding Land Use /Zoning: All Directions - Commercial Marina and Restaurant; LVMU – Lake Village Mixed Use & S – Shoreland Overlay District

Comprehensive Plan: All Directions – Lake Village

Lot Size & Width: N/A

BACKGROUND INFORMATION

Land Use Request. Tally's Dockside operates a 42-slip marina approved in 1999 by Resolution No. 8465. Lake Avenue Properties operates the Acqua restaurant and an 8-slip marina with 2 transient slips approved in 2020 by Resolution No. 12579. The Lake Avenue Marina property was purchased by Tside, LLC in late 2020 and as part of its annual permitting requirement through the Department of Natural Resources, Tside proposed to "swap" rental and transient slips between the two marinas since they were now under the same ownership. Specifically, it would allow the applicants to relocate 10 of the slips currently part of Tally's marina to the marina associated with the Acqua property. However, since CUPs are granted to specific properties rather than individual owners, staff directed the applicant to

document the allocation of slips through Conditional Use Amendments to ensure the entitlements run with the land. It should be noted that this reconfiguration of marinas was approved by the MN DNR September 9, 2021 and the White Bear Lake Conservation District (WBLCD) on April 19, 2022.

Overall, the scope of the applicant's CUP request is to relocate 10 boat slips from one property they own (Tally's) to another property they own (Acqua). This reconfiguration is in response to a requirement from the WBLCD to shorten the length of their existing boat dock. Staff finds the proposed boat slip reconfiguration does not constitute expansion of the existing non-conformity but rather will simply maintain the existing ratio of boat slips and parking stalls.

Existing Conditions. The southern of the two properties is home to Tally's Dockside, a seasonal lakefront business with patio dining and live entertainment, along with a marina with fuel operations and offers daily boat and watercraft rentals. Tside, LLC recently acquired the parcel immediately north which contains a two-story building that operates as the year-round Acqua Restaurant with a seasonal outdoor patio on the riparian parcel ("Lake Avenue Properties"). This property also offers an 8-slip rental marina with 2 transient slips. Parking for the Tally's marina (10 stalls) and Acqua Restaurant (32 stalls) is provided in the shared public parking ramp located within the Boatworks Commons.

Planning Commission Action. The Planning Commission held a public hearing to review this item during their July 25, 2022 regular meeting. During that meeting the Planning Commission heard a presentation from staff and held a public hearing that produced no comments. After some general discussion, the Planning Commission voted 5-0 to recommend the City Council approve the proposed CUP amendments.

Prior to the July meeting, this application was last before the Planning Commission on November 29, 2021. During that meeting, staff noted that the applicant had agreed to continue action on this application indefinitely and waived the City's 60-day review period. The continuation was necessary to allow time for the WBLCD to act on the applicant's request to reconfigure their marinas. That process is now complete and the applicant asks the City to complete the CUP amendment process. As a result, staff re-noticed this application to both the White Bear Press and surrounding properties.

ANALYSIS

Review Authority. City review authority for conditional use permit applications 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 an application meets the review standards it should be approved.

Existing Non-Conformity. Staff finds that both properties are legal non-conforming with regard to boat slip density and parking. The state statute criteria for reviewing non-conformities and narrative evidence supporting staff's conclusion is provided below.

Although it is known that this marina has existed for many years it was surprisingly difficult to document. Due to its small size, the MN Department of Natural Resources (DNR) considered it a "mooring facility" and until recently did not require a permit. Due to the low water levels, between 2013 and 2017, the slips were "tacked onto" the Tally's Dock, and therefore did not receive a permit

from the WBLCD. Prior to 2013, the WBLCD files were not able to be found.

A private dock does not require additional parking per code, but a Marina (where slips are rented to others) does. Towards that end, staff contacted the previous owner, Pete Sampair. Mr. Sampair purchased the property in 2004 and provided proof of rental income back to that year. According to Mr. Sampair, the dock had been a rental marina prior to 2004 and he had rented the slips to the same people that had been renting them prior to his acquisition of the property.

To help bridge the time gap, a long-standing member of the WBLCD stated to staff that he recalled issuing permits for this dock as far back as 1998, which pre-dates the City's creation of the Lake Village Mixed Use (LVMU) district and its associated parking and boat slip density standards. This is important because the LVMU imposes the requirement of one parking stall per 4 slips, and the requirement of 4 feet of shoreline per rental slip. Given the well-known presence of the marina, as evidenced by these testimonies, staff supports the marina as "grandfathered-in" in regards to these requirements.

According to Minnesota Statute 462.357, Subdivision 1e., legal nonconformities generally have a statutory right to continue through repair, replacement, restoration, maintenance, or improvement but not through expansion. These rights run with the land and are not limited to a particular landowner. If the benefited property is sold, the new owner will have the same rights as the previous owner.

Conditional Use Permit Review. The standards for reviewing CUPs are detailed in City Code Section 1301.050. According to this section, 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 CUP amendments.

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 proposed conditional use permit amendments are consistent with the official comprehensive plan. The 2040 Comprehensive Plan Future Land Use Map guides the subject property as Lake Village. This land use category is intended as a mixed-use district with a mix of commercial, office, civic/institutional, and residential uses. Development is to be guided by the Lake Village Master Plan. The mix may occur vertically within the same structure or horizontally with multiple structures on the same site. When mixed vertically it is intended that commercial or civic/institutional uses would occupy the first floor and residential or office the upper floors. It is anticipated that approximately 50% of uses would be non-residential and 50% would be residential with residential densities of 25 to 60 units per acre.

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

Finding: Amending the applicant's CUPs will be compatible with present and future land uses. As noted above, the 2040 Comprehensive Plan Future Land Use Map guides the subject properties as Lake Village. The associated marina and restaurant uses are consistent with this future land use guiding. Similarly, the subject properties are surrounded by properties that are also guided Lake Village and contain compatible land uses.

3. The proposed use conforms with all performance standards contained herein.
Finding: The subject properties are zoned Lake Village Mixed Use and Shoreland and are subject to all applicable performance standards of these districts. Specific to this application, there are two primary standards to review – slip density and parking. It should be noted that staff found the existing number of boat slips and parking stalls to be legal non-conforming or “grandfather-in” (see Existing Non-Conforming section above). Because the proposed CUP amendments proposed to reconfigure and maintain (not expand) the number of boat slips and parking stalls associated with each property, no further land use analysis of the zoning standards is necessary.
4. The proposed use will not tend to or actually depreciate the area in which it is proposed.
Finding: Staff finds that the proposed reconfiguration of 10 boat slips from the Tally’s property to the Acqua property will not tend to or actually depreciate the surrounding area. Rather it will maintain the overall intensity of operation associated with the two uses.
5. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.
Finding: Staff finds the existing uses and proposed boat slip reconfiguration can be accommodated by the existing public services and will not overburden the City’s services capacity.
6. Traffic generation by the proposed use is within capabilities of streets serving the property.
Finding: The subject properties are both located along Lake Avenue South. This road is connected to the surrounding street network via White Bear Avenue and Hwy 61. The existing uses have not generated traffic beyond the capabilities of these roads and staff finds the proposed boat slip reconfiguration will not alter or intensify the traffic associated with these uses.

RECOMMENDATION

Both the Planning Commission and staff recommend approval of the requested conditional use permit amendments based on the findings of fact made in this report, summarized below and detailed in the attached resolution.

Conditional Use Permit Findings:

1. The proposed CUP amendments are consistent with the 2040 City Comprehensive Land Use Plan.
2. The proposed CUP amendments are compatible with present and future land uses of the area.
3. The proposed CUP amendments conform with all the zoning standards of the LVMU district except for those related to boat slip density and parking which were found to have legal non-conforming status.
4. The proposed CUP amendments will not tend to or actually depreciate the area in which they are proposed.
5. The proposed CUP amendments can be accommodated with existing public services and will not overburden the City's service capacity.
6. Traffic generation by the proposed CUP amendments are within capabilities of streets serving the property.

The staff recommendation for approval is subject to the conditions listed below:

1. All application materials, maps, drawings, and descriptive information submitted by the applicant shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the CUP, 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. This CUP shall become effective upon the applicant tendering proof to the City of filing a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. The property owner shall sign the resolution of approval, return a copy of such to the City and provide proof that the resolution has been filed with the County Recorder's Office.
5. The subject site and marina operation shall comply with all applicable provisions of the original CUP not amendment by this conditional use permit amendment.
6. The subject site and marina operation shall comply with all applicable provisions listed in Section 1303.227, the Lake Village Mixed Use (LVMU) and S – Shoreland Districts.
7. The applicant shall furnish the City with evidence of annual licensing approval by the WBLCD (and the DNR, if required) including any conditions they may wish to impose on the use. Future use of the marina is contingent upon all applicable jurisdictional authorizations.
8. To maintain the existing amount of parking available for both properties, the applicant shall allow patrons of both properties to park in the parking spaces located on each property and in those spaces the applicant has a right to utilize by easement or other agreement. A similar condition is contained in the CUP issued for each property, requiring the owner to allow the patrons of both properties to park in the parking spaces on each property and the additional parking spaces to which the owner of the properties has a right to utilize by easement or other agreement. The applicant shall change the message on its parking signs as needed to indicate the spaces are also available to those accessing both properties. The parties may enter into such agreements as they may determine are needed to secure on-going compliance with the requirements of this condition.

ATTACHMENTS

Resolutions

RESOLUTION NO. _____

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR KEITH R. DEHNERT
D.B.A TSIDE1, LLC WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (21-11-CUP) has been submitted by Keith R. Dehnert of Tside1, LLC to the City Council requesting an amendment to the existing Conditional Use Permit from the City of White Bear Lake at the following site:

ADDRESS: 4441 Lake Avenue South (Tally's).

LEGAL DESCRIPTION: The east 70 feet of Lots 12 and 13, Block 3, rearrangement of Lake Shore Addition to the City of White Bear along with the riparian rights appurtenant to said Lots 12 and 13 (PID #233022210088).

WHEREAS, the applicant seeks a Conditional Use Permit amendment in order transfer 10 boat slips from the subject property (4441 Lake Avenue South - Tally's Marina) to the associated property (4453 Lake Avenue South - Acqua Restaurant and Marina); and

WHEREAS, the subject property has an existing conditional use permit that allows a 42-boat slip marina approved through Resolution 8465 approved by the City Council of the City of White Bear Lake on March 9, 1999; and

WHEREAS, the applicant is the owner of both the associated property at 4453 Lake Avenue South ((PID #233022210108) to which the 10 boat slips will be add and the subject property at 4441 Lake Avenue South (PID #233022210088) from which 10 boat slip will be subtracted; and

WHEREAS, the number of boat slip at the subject property will decrease from 42 to 32 splits; and

WHEREAS, the number of boat slips at the associated property will increase from 10 to 20 slips; and

WHEREAS, the total number of boat slips between the two properties owned by the applicant will remain unchanged; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on July 25, 2022; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake after

RESOLUTION NO. _____

reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission:

1. The proposed conditional use permit amendment is consistent with the 2040 City Comprehensive Land Use Plan.
2. The proposed conditional use permit amendments are compatible with present and future land uses of the area.
3. The proposed conditional use permit amendments conform with all the zoning standards of the LVMU district except for those related to boat slip density and parking which were found to have legal non-conforming status.
4. The proposed conditional use permit amendments will not tend to or actually depreciate the area in which they are proposed.
5. The proposed conditional use permit amendments can be accommodated with existing public services and will not overburden the City's service capacity.
6. Traffic generation by the proposed conditional use permit amendments are within capabilities of streets serving the property.

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

1. All application materials, maps, drawings, and descriptive information submitted by the applicant 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. This conditional use permit amendment shall become effective upon the applicant tendering proof to the City of filing a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. The property owner shall sign the resolution of approval, return a copy of such to the City and provide proof that the resolution has been filed with the County Recorder's Office.
5. The subject site and marina operation shall comply with all applicable provisions of the original conditional use permit (Resolution 8465) not amendment by this conditional use permit amendment.
6. The subject site and marina operation shall comply with all applicable provisions listed in Section 1303.227, the Lake Village Mixed Use (LVMU) and S – Shoreland Districts.
7. The applicant shall furnish the City with evidence of annual licensing approval by the Lake Conservation District (and the DNR, if required) including any conditions they may wish to impose on the use. Future use of the marina is contingent upon all applicable jurisdictional authorizations.
8. To maintain the existing amount of parking available for the subject property and for the property located at 4453 Lake Avenue South ("Associated Property"), Applicant shall allow patrons of the Associated Property to park in the parking spaces located on the

RESOLUTION NO. _____

subject property and in those spaces the Applicant has a right to utilize by easement or other agreement. A similar condition is contained in the conditional use permit amendment issued for the Associated Property, requiring the owner to allow the patrons of the subject property to park in the parking spaces on the Associated Property and the additional parking spaces to which the owner of the Associated Property has a right to utilize by easement or other agreement. Applicant shall change the message on its parking signs as needed to indicate the spaces are also available to those accessing the Associated Property. The parties may enter into such agreements as they may determine are needed to secure on-going compliance with the requirements of this condition.

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

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

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

Keith Dehnert, Owner

Date

RESOLUTION NO. _____

RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR LAKE AVENUE PROPERTIES, LLC MARINA WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (21-11-CUP) has been submitted by Lake Avenue Properties, LLC to the City Council requesting an amendment to the existing Conditional Use Permit from the City of White Bear Lake at the following site:

ADDRESS: 4453 Lake Avenue South.

LEGAL DESCRIPTION: Section 23, Parcel 030-31, T30, R22, Tracts E, F & G, Registered Land Survey #613 (PID #: 233022210108)

WHEREAS, the applicant seeks a Conditional Use Permit amendment in order transfer 10 boat slips to the subject property (4453 Lake Avenue South - Acqua Restaurant and Marina) from the associated property (4441 Lake Avenue South - Tally's Marina); and

WHEREAS, the subject property has an existing conditional use permit that allows a 10-boat slip marina approved through Resolution 12579 approved by the City Council of the City of White Bear Lake on May 12, 2020; and

WHEREAS, the applicant is the owner of both the subject property at 4453 Lake Avenue South ((PID #233022210108) to which the 10 boat slips will be add and the subject property at 4441 Lake Avenue South (PID #233022210088) from which the 10-boat slip will be subjected; and

WHEREAS, the number of boat slips at the subject property will increase from 10 to 20 slips; and

WHEREAS, the number of boat slip at the associated property will decrease from 42 to 32 splits; and

WHEREAS, the total number of boat slips between the two properties owned by the applicant will remain unchanged; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on July 26, 2022; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake after

RESOLUTION NO. _____

reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission:

1. The proposed conditional use permit amendments are consistent with the 2040 City Comprehensive Land Use Plan.
2. The proposed conditional use permit amendments are compatible with present and future land uses of the area.
3. The proposed conditional use permit amendments conform with all the zoning standards of the LVMU district except for those related to boat slip density and parking which were found to have legal non-conforming status.
4. The proposed conditional use permit amendments will not tend to or actually depreciate the area in which they are proposed.
5. The proposed conditional use permit amendments can be accommodated with existing public services and will not overburden the City's service capacity.
6. Traffic generation by the proposed conditional use permit amendments are within capabilities of streets serving the property.

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

1. All application materials, maps, drawings, and descriptive information submitted by the applicant 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. This conditional use permit amendment shall become effective upon the applicant tendering proof to the City of filing a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. The property owner shall sign the resolution of approval, return a copy of such to the City and provide proof that the resolution has been filed with the County Recorder's Office.
5. The subject site and marina operation shall comply with all applicable provisions of the original conditional use permit (Resolution 12579) not amendment by this conditional use permit amendment.
6. The subject site and marina operation shall comply with all applicable provisions listed in Section 1303.227, the Lake Village Mixed Use (LVMU) and S – Shoreland Districts.
7. The applicant shall furnish the City with evidence of annual licensing approval by the Lake Conservation District (and the DNR, if required) including any conditions they may wish to impose on the use. Future use of the marina is contingent upon all applicable jurisdictional authorizations.
8. To maintain the existing amount of parking available for the subject property and for the property located at 4441 Lake Avenue South ("Associated Property"), Applicant shall

RESOLUTION NO. _____

allow patrons of the Associated Property to park in the parking spaces located on the subject property and in those spaces the Applicant has a right to utilize by easement or other agreement. A similar condition is contained in the conditional use permit amendment issued for the Associated Property, requiring the owner to allow the patrons of the subject property to park in the parking spaces on the Associated Property and the additional parking spaces to which the owner of the Associated Property has a right to utilize by easement or other agreement. Applicant shall change the message on its parking signs as needed to indicate the spaces are also available to those accessing the Associated Property. The parties may enter into such agreements as they may determine are needed to secure on-going compliance with the requirements of this condition.

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

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

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

Keith Dehnert, Owner

Date



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council
From: Lindy Crawford, City Manager
Date: September 13, 2022
Subject: Proclamation for Constitution Week

SUMMARY

The Mayor will read the attached proclamation, honoring September 17-23, 2022 as Constitution Week.

BACKGROUND INFORMATION

The Daughters of the American Revolution started the celebration of the constitution and petitioned Congress in 1955 to set aside September 17-23 annually to be dedicated for the observance of Constitution Week. The resolution was later adopted by the U.S. Congress and signed into public law on August 2, 1956. Constitution Week is celebrated annually during the week of September 17-23 to commemorate its history and how it still serves U.S. citizens today.

ATTACHMENTS

Proclamation

Proclamation

WHEREAS, September 17, 2022, marks the 235th anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and,

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and,

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; and,

NOW THEREFORE, BE IT RESOLVED that I, Dan Louismet, Mayor of the City of White Bear Lake, Minnesota, by the virtue of the authority vested in me as the Mayor of White Bear Lake, Minnesota do hereby honor this week September 17-23, 2022 as Constitution Week;

AND ask our citizens to reaffirm the ideals of the framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.



In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of White Bear Lake to be affixed this 13th day of September, 2022.

Dan Louismet, Mayor



City of White Bear Lake
Fire Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Greg Peterson, Fire Chief
Date: September 13, 2022
Subject: **Bi-annual Fire Department Update**

SUMMARY

Chief Peterson will be present at the City Council meeting to provide an update on the Fire Department, which will be focused on what's new in 2022 in comparison to last year.

BACKGROUND INFORMATION

The Fire Department continues to provide a high level of service to the community. Call volume continues to increase, which has created challenges for the department. The department will need to continue to evolve in order to provide excellent service.

RECOMMENDATIONS

None – Information sharing only.

ATTACHMENTS

None



City of White Bear Lake
Community Development Department

MEMORANDUM

TO: Lindy Crawford, City Manager
FROM: Jason Lindahl, Community Development Director
DATE: September 13, 2022
SUBJECT: Ordinance First Reading: Armory Land Use Designation / 2228 4th Street / Case No. 22-2-O

SUMMARY

The City of White Bear Lake requests review of the land use designation of the property at 2228 4th Street (the Armory) as part of the sale of the property from the City to the White Bear Lake Area Historical Society (WBLAHS) in order to utilize the building as a museum. Based on the findings made in the report, staff finds that the applicable requirements for zoning code amendments have been met. As a result, both the Planning Commission and staff recommend the property continue to be guided “downtown” as it is guided in the 2040 Comprehensive Plan and that the property be rezoned from P: Public to B-5: Central Business.

After the City Council conducts the first reading of the rezoning ordinance, this item will move forward to the September 27th City Council for a second reading and adoption of the ordinance.

BACKGROUND INFORMATION

Applicant/Owner: City of White Bear Lake

Existing Land Use / Zoning: The Armory; zoned P: Public

Surrounding Land Use / Zoning: North: Mixed Commercial; zoned B-5: Central Business
 East: Single Family; zoned R-4: Single Family – Two Family Residential
 West: Event Center/Bar/Brewery; zoned B-5: Central Business
 South: Parking Lot; zoned P: Public

Comprehensive Plan: Downtown

Lot Size & Width: Code: None
 Site: 12,337 sq. ft.; 75 feet

Planning Commission Action

The Planning Commission reviewed this item during their August 29, 2022 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing

that produced comments from four members of the public.

- Fritz Knaak, who also submitted written comments prior to the meeting, spoke on behalf of his client Terry Kellerman, requesting that the rezoning be delayed until a more thorough analysis is done on the impact a museum will have on the community.
- Terry Kellerman, owner of Kellerman Event Center, spoke to the same, adding his concern that future expansion will impact the access to his business and will take away parking. He expressed concern over who would be running the facility, noting that he did not want the Minnesota Historical Society choosing the museum's exhibits.
- Sara Hanson, Executive Director of the WBLAHS provided the Commissioners with details on the WBLAHS's plans for a museum, the day-to-day functions, and building improvements. She added that if they were to expand in the future, they would come back before the Planning Commission for approval.
- Lisa Beecroft stated that as interim president for the Mainstreet group, she has not heard any businesses in the downtown area express opposition to the proposal. She was excited for the benefit the museum will bring to the community.

After some discussion surrounding the findings and a clarification that the rezoning would be contingent on the sale of the Armory to the WBLAHS, the Planning Commissioners voted 7-0 to recommend the City Council approve the request.

Site Characteristics

The subject site is located on the southwest corner of the 4th Street and Cook Avenue intersection. Originally built in 1922 as a Minnesota National Guard Facility, the City took the property over in 1994 and remodeled it to serve as a banquet hall. The Armory is listed on the National Register of Historic places and there is a preservation easement limiting the activity that may affect the historical character of the property. The White Bear Lake Area Historical Society has shared space in the Armory for years and is now proposing to take the property over in order to use the building as a museum.

Section 1303.245 of the zoning code states that when a property ceases to be used for a public use, the Planning Commission shall consider the appropriate land use designation, which staff has interpreted to include both the guiding and the zoning of the property. The 2040 Comprehensive Plan's Future Land Use Map guides the property as "downtown", which is described as a mix of commercial, residential, and institutional uses. Specifically, the mix is anticipated to be 70% commercial, 20% residential, and 10% institutional. The proposed use as a museum is in harmony with the downtown designation and is compatible with the breakdown of uses. Therefore, the only required change is to the zoning of the property, and staff recommends the property be rezoned to B-5: Central Business, which is consistent with the other commercial uses in the surrounding neighborhood and the 2040 Comprehensive Plan Future Land Use Map.

Rezoning

The process for approving a rezoning proposal involves the Planning Commission holding a public hearing and make a recommendation to the City Council and the City Council hold a first and second reading of the rezoning ordinance and publication of the approved ordinance in the

White Bear Press. The item before the City Council tonight is the first reading of the rezoning ordinance. After the City Council conducts the first reading of the rezoning ordinance, this item will move forward to the September 27th City Council for a second reading and adoption of the ordinance.

Amendments to the zoning code, including rezoning applications, are considered legislative decisions, meaning the City has a relatively high level of discretion. Standards for reviewing requests to amend the zoning code are outlined in Section 1301.040 of the City Code. The standards for review and staff's findings for each are provided below.

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 Plan.

Finding: One of the guiding principles of the Land Use section in the 2040 Comprehensive Plan is "support and strengthen Downtown as the 'heart' of the community. Continue to strengthen the critical mass of retail, restaurants, residential, office, service, and entertainment offerings in and around the downtown." Staff finds that the Historical Society's intended use will provide the community with a recreational and entertainment opportunity not readily available in the downtown area and will increase the appeal of visiting the community. Further, when the City procured the Armory in 1994, the preservation easement was recorded against the property to ensure the historical nature of the building was not lost, which is guaranteed with the Historical Society as the owners. Therefore, staff finds the use to be consistent with the Comprehensive Plan.

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

Finding: As stated above, the proposed use as a museum will be consistent with the 2040 Comprehensive Plan's Future Land Use Map that guides the property as "downtown". The properties to the north and west are commercial properties, zoned B-5, and are also guided "downtown". The parking lot to the south is a public lot and there are single-family homes to the east. The proposed use is not anticipated to be more intensive than the use as a community gathering space, so will not adversely impact the residential properties, and it is staff's opinion that with the lack of comparable uses in the area, it will not compete with surrounding businesses.

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

Finding: The B-5: Central Business district lists civic/institutional uses, including education/academic facilities, libraries, and museums as permitted uses, so the Historical Society's proposed use will conform with the code. There are no proposed changes to the physical site at this time, so the applicable standards of the zoning code will continue to be met. There are no setback requirements for the property and the maximum height allowed is 3 stories or 38 feet, which the building appears to comply with. The property is grandfathered in at its current level of impervious surface coverage, and any other existing nonconformity would also be grandfathered in.

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

Finding: The Historical Society will maintain the existing building and its architecture, which is a mainstay of historic downtown and will use the property in a way that will draw interest to the site, so will not depreciate the area.

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

Finding: The property has access to City sewer, water, and stormwater service mains that have the capacity to serve the site as its current use as a banquet hall and the proposed use is not anticipated to increase demand.

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

Finding: The day-to-day operations of the proposed use is not anticipated to increase traffic volumes more than what has historically been generated from the use of the building as a community gathering space. Occasional special events may generate comparable levels of traffic to what the area had experienced as a public use.

RECOMMENDATION

Both the Planning Commission and staff recommend the City Council conduct the first reading of an ordinance rezoning the property at 2228 4th Street (PID #14.30.22.41.0052) from P - Public to B-5 - Central Business, subject to conditions.

1. Execution of a purchase agreement for the subject property in a form acceptable to the City Attorney.

ATTACHMENTS

Draft Ordinance

Zoning/Location Map

**CITY OF WHITE BEAR LAKE
RAMSEY COUNTY, MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE REZONING THE PROPERTY AT 2228 4TH STREET (PID #14.30.22.41.0052)
FROM P - PUBLIC TO B-5 - CENTRAL BUSINESS, SUBJECT TO CONDITIONS**

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE DOES HEREBY ORDAIN AS FOLLOWS:

1. That the present zoning classification of P – Public, upon the following described premises is hereby repealed, and in lieu thereof, said premises is hereby zoned to B-5, Central Business.
2. The legal description of the property to be rezoned is as follows: Lot 1 Block 54, White Bear, Ramsey County, Minnesota.

First Reading:

September 13, 2022

Second Reading:

September 27, 2022

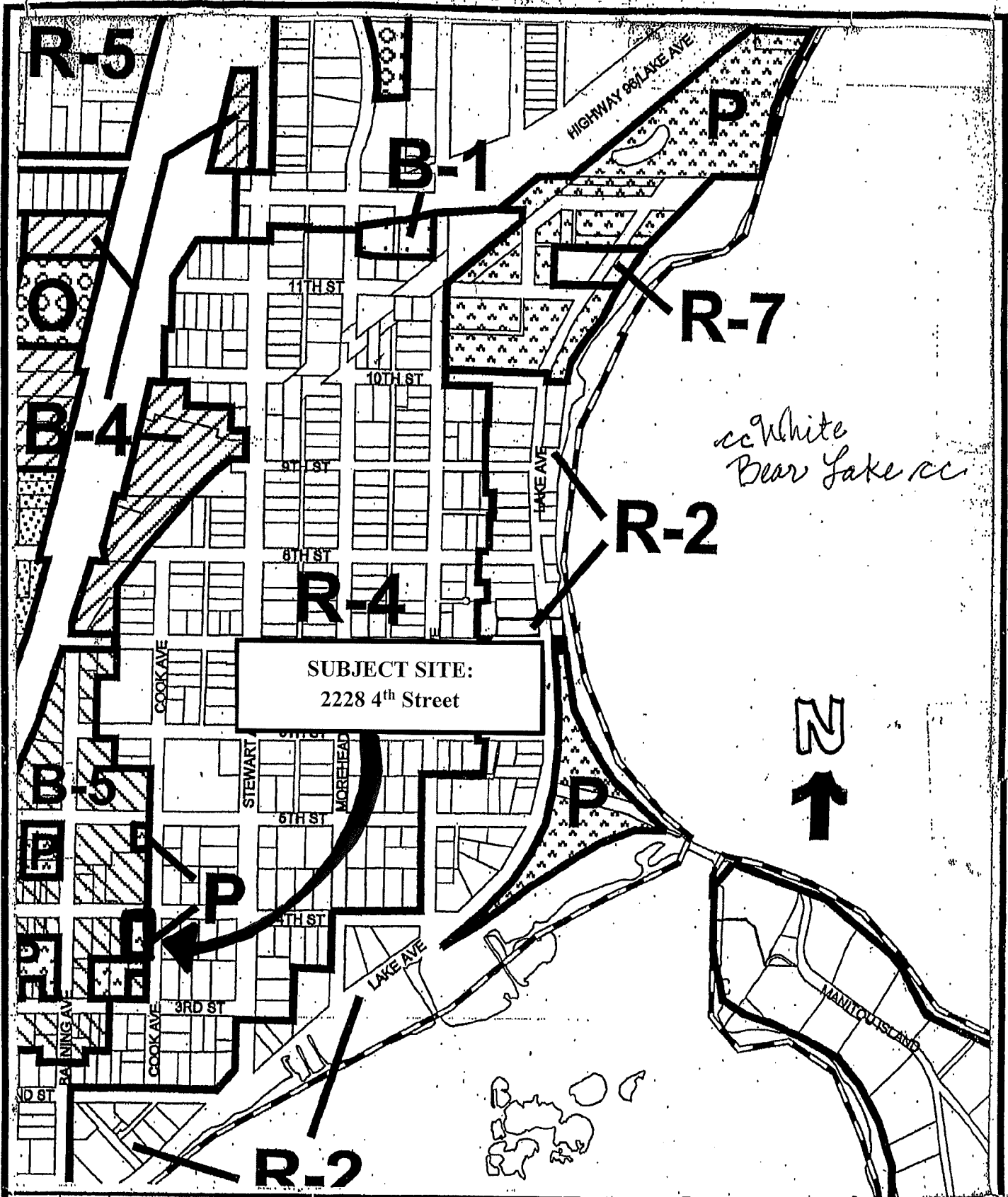
Date of Publication:

Date Ordinance Takes Effect:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



SUBJECT SITE:
2228 4th Street

cc White Bear Lake cc



City of
White Bear Lake
Planning and Zoning Office
(612)-429-8561

CASE NO. : 22-2-0
 CASE NAME : The Armory
 DATE : August 29, 2022



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council
From: Lindy Crawford, City Manager
 Rick Juba, Assistant City Manager
Date: September 13, 2022
Subject: **Purchase Agreement with the White Bear Lake Area Historical Society for the White Bear Lake Armory**

SUMMARY

The City Council will consider entering into a purchase agreement selling the Armory building to the White Bear Lake Area Historical Society (WBLAHS).

BACKGROUND INFORMATION

The City owns and manages the former White Bear Lake National Guard Armory (Armory) as a community venue for events and office and operating space for the WBLAHS and the White Bear Lake Lions Club.

The cornerstone for the Armory, located at Fourth Street and Cook Avenue in downtown, was laid in a grand ceremony on September 27, 1922. From those early years, the purpose of the Armory was not exclusively for National Guard drilling and training. As early as 1925, events were being held in the large hall to raise funds for a piano to be used for events and entertainment for the community at the Armory.

On December 7, 1928, the Armory had a devastating fire that destroyed nearly all of the front portion of the building. The building was subsequently redesigned by its original architect, Philip C. Bettenburg. The roof was damaged when a cyclone went through White Bear Lake in September 1941, but was repaired. It was from this building in January 1941 that White Bear's National Guard unit departed for Camp Haan, California, and tours of duty that would evolve into service in World War II. During the war, the State Guard, or "Home Guard," as they were often called, held their meetings and training sessions at the Armory as well.

From the 1950's through the 1980's the 257th Coastal Artillery, later converted to the 257th Military Police unit and eventually to a Finance Unit of the Minnesota National Guard were based from the Armory.

When the Armory was decommissioned as part of a reduction by the National Guard, the City purchased the property for \$1. As a condition of the sale to the City, a Preservation Easement

was granted to the State of Minnesota ensuring that any future changes be reviewed and approved by the State Historic Preservation Office. In addition to the easement, the building was also placed on the National Register of Historic Places in 2019, further ensuring the building be maintained to its historic standards.

Since the City has owned the Armory, it has served as the home of the White Bear Center for the Arts (1996-2013) and the WBLAHS (2013-present). The White Bear Lake Lions Club also maintains offices in the building. The gymnasium level is still used for community events and private functions such as weddings, graduation parties and other celebrations but that activity has slowed down even prior to the pandemic. As utilization for events has tapered off, City staff has been searching for a permanent use that would both continue the community utilization of the Armory and preserve its historic character.

The WBLAHS has been approached by a generous community donor who is proposing to make a significant donation and aid in a capital campaign to raise funds that would be used to obtain the Armory, create a museum and operate the facility.

ANALYSIS/DISCUSSION

Staff supports the transfer of ownership to the Historical Society. The Armory is operated/maintained by City Sports Center staff with aid from Public Works and contractors. The Armory has never generated enough revenue to allow dedicated staff and therefore staff has traditionally taken care of the building and events in addition to their primary duties. From a fiscal standpoint, the Armory has traditionally required a transfer in from the General Fund to make it a break-even facility.

The WBLAHS offers a unique opportunity to maintain the Armory's primary function as a community facility and ensure its historic character is preserved. This transfer would not be dissimilar to the one the City made of the bus garage to the School District in 2020. That facility was also owned by the MN National Guard, purchased by the City, and then transferred when the School District needed the space for their construction project.

The City Council discussed this concept at public work sessions on April 19, May 24 and August 10, 2022. The following is a summary of questions posed by the Mayor and City Council, and follow up from staff.

What protection does the City have against the WBLAHS selling the building for a profit in the future?

The City Council discussed the options of using a "reverter" clause versus a "first right of refusal" clause and favored the use of the first right of refusal. This would give the City the option to purchase the building back for the selling price should the WBLAHS ever want to sell the building.

Will the change in use from offices/gymnasium/event center to a museum trigger any parking requirements or issues?

The City Code does not require any parking improvements due to change between the current

and proposed use. Staff believes the use as a museum will spread out the parking demand for the Armory as opposed to having events with upwards of 300 people on the weekends when the parking demand downtown is at its highest.

Please further explain the preservation easement held by the State of Minnesota.

Much like the City is contemplating now, when the State divested of these properties there was an interest in protecting the historic character of the building. As a result, the preservation easement was a condition of the sale between the state and the city. Here are restrictions and obligations listed in the recorded easement document:

- 1) Prior to the initiation of any modification, change or other activity affecting the subject premises, the GRANTEE shall consult with the Minnesota Historic Preservation Office (SHPO) to determine if the activity has the potential to affect the historical character of the property. If such a potential exists, the GRANTEE will conduct any such activity in a manner consistent with the Secretary of the Interior's Standards and Guidelines which are applicable to the activity. The SHPO will advise GRANTEE of which Standards and Guidelines are applicable. No such activity shall be conducted without the written approval of the SHPO.
- 2) The GRANTEE shall make every reasonable effort to maintain the premises in at least as good a condition as existed at the time of this conveyance, and shall promptly notify the SHPO of any disturbance, casualty or other change in condition of the premises.
- 3) The SHPO may, at all reasonable times, inspect the premises in order to ascertain if the above conditions are being met. This right of inspection shall include the right to take photographs, make drawings, prepare written descriptions and make personal observations, for the purpose of documenting the appearance, condition and uses of the premises at the time of inspection.
- 4) Upon breach of any of the above covenants, the Easement GRANTEE, its successors or assigns, or any GRANTEE of the third party right of enforcement may seek any legal or equitable remedy to cure the breach, restore the premises to its previous condition and secure compensation for the costs of its enforcement action, including reasonable attorney's fees.

The state has 35 similar covenants/easements, three of which are for archaeological sites. Of the remaining 32 properties, all but three are owned by either a municipality or a nonprofit organization. There are three properties that are under private ownership that have preservation easements: two are rural farmsteads and the other is the former Willmar Regional Treatment Center.

What is the market value of the Armory property?

Staff received a proposal from CBRE to assess the value of the Armory property. The plan to use

a “Sales Comparison Approach” and then deduct value for the preservation easement. This process would take 4-5 weeks and cost around \$4,000. Because of the easement held by the State of Minnesota, the City Council did not believe seeking an appraisal would be productive.

Attached is a draft purchase agreement which has been reviewed by the City Attorney as well as the WBLAHS. The key components of the agreement are as follows:

- The use for the Armory building is restricted to: a history center (i.e., exhibits, research facilities, artifact and archival storage, programming space) and offices for non-profit corporations.
- The purchase price is \$1.
- The buyer is responsible for all closing costs.
- The City has the first right of refusal to purchase the building back if the WBLAHS ever desired to sell it.

Also attached is a memo from Sara Hansen, executive director of the WBLAHS which explains their vision for the property.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing the Mayor and City Manager to execute a purchase agreement selling the Armory building to the White Bear Lake Area Historical Society, as presented.

ATTACHMENTS

Resolution

Draft Purchase Agreement

WBLAHS Vision

RESOLUTION NO. _____

**A RESOLUTION APPROVING A PURCHASE AGREEMENT WITH THE
WHITE BEAR LAKE AREA HISTORICAL SOCIETY TO SELL THE ARMORY BUILDING**

WHEREAS, the City has owned and operated the White Bear Lake Armory building at 2228 4th Street since 1996; and

WHEREAS, the White Bear Lake Area Historical Society has operated from the Armory building since 2013; and

WHEREAS, the White Bear Lake Area Historical Society has expressed interest to the City in purchasing the Armory building so they may expand their use of the space as a history center/museum; and

WHEREAS, the Armory building is encumbered by a Preservation Easement held by the State of Minnesota which limits uses and alterations of the building; and

WHEREAS, the Armory building is listed on the National Register of Historic Places which limits uses and alterations of the building; and

WHEREAS, the City supports the continued use of the Armory building for community focused education and historical displays; and

WHEREAS, the White Bear Lake Area Historical Society is an established, local non-profit agency that has established partnerships with the City.

NOW THEREFORE, BE IT RESOLVED that the White Bear Lake City Council approves the Purchase Agreement selling the Armory building to the White Bear Lake Area Historical Society.

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

PURCHASE AGREEMENT

This Purchase Agreement (“Agreement”) is made this ____ day of _____, 2022 (the “Effective Date”) by and between the City of White Bear Lake, a municipal corporation organized under the laws of the State of Minnesota (“Seller”) and the White Bear Lake Area Historical Society, a Minnesota nonprofit corporation (“Buyer”).

1. **PROPERTY.** Seller is the fee owner of certain real property located at 2228 4th Street, in the City of White Bear Lake, Ramsey County, Minnesota and legally described on the attached Exhibit A (the “Property”).
2. **OFFER/ACCEPTANCE.** In consideration of the mutual agreements herein contained, Buyer offers and agrees to purchase, and Seller agrees to sell and hereby grants to Buyer the exclusive right to purchase the Property.
3. **CONTINGENCIES.** This Agreement is subject to the following contingencies:
 - A. Buyer having determined, on or before the expiration of the Due Diligence Period, that it is satisfied with the result of and matters disclosed by Buyer’s investigations, surveys, soil tests, inspections, and any environmental reviews of the Property.
 - B. Buyer having obtained, prior to the Closing Date, all appropriate governmental approvals and permits necessary for Buyer’s proposed use of the Property.
 - C. Buyer being satisfied with the condition of the Property’s title in accordance with paragraph 6 of this Agreement.

If the contingencies above are satisfied in a timely manner, based on the timing requirements set forth above, then Buyer and Seller shall proceed to close the transaction as contemplated herein. If, however, any of the contingencies are not satisfied, this Agreement shall thereupon be void, and Buyer and Seller shall execute and deliver to each other the termination of this Agreement. As a contingent purchase agreement, the termination of this Agreement is not required pursuant to Minnesota Statutes Section 559.21, et seq.

4. PURCHASE PRICE AND TERMS:

- A. **PURCHASE PRICE:** The total purchase price for the Property is \$1.00 (the “Purchase Price”).
- B. **TERMS:**
 - (1) **BALANCE DUE SELLER.** Buyer agrees to pay the Purchase Price by cash on the Closing Date.
 - (2) **DEED/MARKETABLE TITLE.** At Closing, Seller shall execute and

deliver a quit claim deed conveying title to the Property to Buyer. The deed will be subject to a restriction that prohibits Buyer from using the Property for any use other than as a history center (i.e. exhibits, research facilities, artifact and archival storage, programming space) and offices for non-profit corporations.

(4) **DOCUMENTS TO BE DELIVERED AT CLOSING.** In addition to the Deed required at paragraph 4 (B)(3) above, Seller shall deliver to Buyer:

- a. Seller's Affidavit. Standard form Affidavit of Seller.
- b. Original Documents. Original copies of any surveys, reports, permits, and records in the Seller's possession.
- c. FIRPTA Affidavit. A non-foreign affidavit, properly executed, containing such information as is required by the Internal Revenue Code Section 1445(b)(2) and its regulations.
- d. Right of First Refusal. Seller shall execute the Right of First Refusal Agreement, the form of which is attached as Exhibit B.
- e. Other Documents. Such other documents as may be reasonably required by Buyer's title examiner or title insurance company.

Buyer shall deliver to Seller at Closing:

- a. Purchase Price. The Purchase Price by cash.
- b. Right of First Refusal. Buyer shall execute the Right of First Refusal Agreement, the form of which is attached as Exhibit B.
- c. Other Documents. Such affidavits of Buyer, certificates of value, or other documents as may be reasonably required in order to complete the transaction contemplated by this Agreement.

5. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS.

- A. The Property is currently tax-exempt. In the event that the Property becomes taxable, general real estate taxes applicable to any of the Property due and payable in the year of closing shall be prorated between Seller and Buyer on a daily basis with Seller paying those allocable to the period prior to the closing date and Buyer being responsible for those allocable to the closing date and thereafter.
- B. Seller shall pay at or prior to closing all special assessments levied against the Property as of the Effective Date of this Agreement. Buyer shall assume the

payment of any special assessments that are levied after the Effective Date of this Agreement.

- C. Buyer shall assume all special assessments against the Property that become pending after the date of closing. For purposes of this Agreement, an assessment becomes pending when the assessing authority orders the project (i) after the completion of an improvement hearing pursuant to Minnesota Statutes Chapter 429 or (ii) after approval of a petition and waiver agreement under which the improvement hearing is waived.

6. SURVEY AND TITLE MATTERS. Seller shall furnish to Buyer, a commitment for an owner's policy of title insurance for the Property (the "Title Commitment"), issued by First American Title Insurance Company (the "Title Company") which Title Commitment shall name Buyer as the proposed insured. Buyer shall reimburse Seller for the cost of the Title Commitment at Closing. Buyer shall have the right, but not the obligation, to order a survey of the Property, at Buyer's sole expense. Buyer shall have 30 days following the receipt of the Title Commitment and survey (if one is ordered) to make its objections in writing to Seller. If the title to the Property or any part thereof, shall be found to be unmarketable, Seller agrees to cure such defects and render the title marketable by the closing date. It is further understood and agreed that if the title to the Property or any part thereof is found to be unmarketable at date of closing, Buyer may, at its option: (a) waive the title defects and proceed to closing; or (b) declare this Agreement null and void and neither Buyer nor Seller shall be liable for damages hereunder. If the title to the Property is found marketable and Buyer shall default in any of the covenants or agreements herein provided, then and in that case, Seller may at its option, deem this Agreement terminated by giving written notice thereof to Buyer.

7. DUE DILIGENCE PERIOD. Within 10 business days following the Effective Date, Seller shall provide Buyer with copies of any and all existing surveys, site plans, engineering or other reports in Seller's possession regarding the condition of the Property. Buyer shall have the right during a period commencing on the Effective Date and ending at 5:00 p.m. on the first business day that falls 30 days thereafter (the "Due Diligence Period"), at its sole cost, expense, and risk, to examine and inspect the Property and to conduct feasibility studies with regard to the ownership and operation of the Property. Buyer may, in the exercise of its reasonable discretion, extend the Due Diligence Period for an additional 30-day period to permit Buyer to complete its due diligence investigation by providing written notice to Seller on or prior to the expiration of the original Due Diligence Period. Buyer may enter upon the Property to inspect the same, and may conduct non-intrusive tests and examinations, provided that Buyer notifies Seller in advance of any such examinations and inspections. Buyer hereby agrees to defend and indemnify the Seller from and against any and all claims, causes of action, lawsuits, attorneys' fees, costs and damages arising from or in any way related to Buyer's and/or Buyer's engineers, consultants and/or agents' examinations and inspections. Buyer shall promptly, at its sole cost and expense, restore the Property to substantially the same condition in which it existed immediately prior to any physical tests conducted by or on behalf of Buyer. Buyer shall have the right, at any time up to the expiration of the Due Diligence Period, as may be extended as set forth above, to terminate this Agreement by delivering written notice to Seller pursuant to the notice provision of this Agreement. Buyer will then promptly execute and deliver any and all documents necessary to

effectuate the termination of this Agreement.

8. CLOSING DATE. The closing of the sale of the Property as contemplated by this Agreement (the “Closing”) shall take place on a date to be mutually agreed upon by Seller and Buyer, but no later than 30 days following the expiration of the Due Diligence Period (the “Closing Date”). The closing shall take place at the White Bear Lake City Hall, at 4701 Highway 61, White Bear Lake, MN 55110, or such other location as mutually agreed upon by the parties.

9. CLOSING COSTS AND RELATED ITEMS. Buyer shall be responsible for the closing costs under this Agreement, including the Title Commitment, any title search and examination fees, the state deed tax and conservation fees, payment of the title insurance premium (if any) and any endorsements, survey costs and other costs related to Seller’s inspection of the Property, recording costs related to the recording of the Deed and the Right of First Refusal and the closing fee charged by the title company. Buyer shall be responsible for each party’s attorneys’ fees and costs.

10. “AS-IS” SALE. Buyer acknowledges that it has inspected or has had the opportunity to inspect the Property and agrees to accept the Property “AS IS” with no right of set off or reduction in the purchase price. Except for specific representations made in this Agreement, including but not limited to the representations, if any as to property size and buildable area, as well as representations related to sewage treatment systems and wells, such sale shall be without representation of warranties, express or implied, either oral or written, made by Seller or any official, employee or agent of Seller with respect to the physical condition of the Property, including but not limited to, the existence or absence of petroleum, hazardous substances, pollutants or contaminants in, on, or under, or affecting the Property or with respect to the compliance of the Property or its operation with any laws, ordinances, or regulations of any government or other body, except as stated above. The Buyer expressly assumes, at closing, all environmental and other liabilities with respect to the Property and releases and indemnifies the City from same, whether such liability is imposed by statute or derived from common law including, but not limited to, liabilities arising under the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), the Hazardous and Solid Waste Amendments Act, the Resource Conservation and Recovery Act (“RCRA”), the federal Water Pollution Control Act, the Safe Drinking Water Act, the Toxic Substances Act, the Superfund Amendments and Reauthorization Act, the Toxic Substances Control Act and the Hazardous Materials Transportation Act, all as amended, and all other comparable federal, state or local environmental conservation or protection laws, rules or regulations. The foregoing assumption and release shall survive Closing. Buyer acknowledges and agrees that Seller has not made and does not make any representations, warranties, or covenants of any kind or character whatsoever, whether expressed or implied, with respect to warranty of income potential, operating expenses, uses, habitability, tenant ability, or suitability for any purpose, merchantability, or fitness of the Property for a particular purpose, all of which warranties Seller hereby expressly disclaims, except as stated above.

11. DISCLOSURE; INDIVIDUAL SEWAGE TREATMENT SYSTEM. Seller discloses that there is not an individual sewage treatment system on or serving the Property.

12. WELL DISCLOSURE. Seller certifies that Seller does not know of any wells on the Property.

13. BROKER COMMISSIONS. Seller represents and warrants to Buyer that Seller has not involved a broker in this transaction or agreed to pay a broker commission to any broker. Buyer represents and warrants to Seller that Buyer has not involved a broker in this transaction or agreed to pay a broker commission to any broker. Each party agrees to indemnify, defend, and hold each other harmless for any and all claims for brokerage commissions or finders' fees in connection with negotiations for purchase of the Property.

14. NO MERGER OF REPRESENTATIONS, WARRANTIES. All representations and warranties contained in this Agreement shall not be merged into any instruments or conveyance delivered at Closing, and the parties shall be bound accordingly.

15. ENTIRE AGREEMENT; AMENDMENTS. This Agreement constitutes the entire agreement between the parties, and no other agreement prior to this Agreement or contemporaneous herewith shall be effective except as expressly set forth or incorporated herein. Any purported amendment shall not be effective unless it shall be set forth in writing and executed by both parties or their respective successors or assigns.

16. BINDING EFFECT; ASSIGNMENT. This Agreement shall be binding upon and inure to the benefit of the parties and their respective executors, administrators, successors, and assigns. Buyer shall not assign its rights and interest hereunder without notice to Seller.

17. NOTICE. Any notice or other communication which must or may be given under the terms of this Agreement shall be in writing and shall be given by personal service or dispatched by certified mail, return receipt requested, postage prepaid, to the addresses shown below, or such other address of which notice is provided in accordance with the terms of this paragraph.

A. If to Seller: City of White Bear Lake
Attn: City Manager
4701 Highway 61
White Bear Lake, MN 55110

With a copy to: Kennedy & Graven, Chartered
Attn: Troy Gilchrist/Sarah Sonsalla
150 South Fifth Street, Suite 700
Minneapolis, MN 55402

B. If to Buyer: White Bear Lake Area Historical Society
Attn: Executive Director
PO Box 10543
White Bear Lake, MN 55110

18. COUNTERPARTS. This Agreement may be executed in any number of counterparts,

each of which shall constitute one and the same instrument.

19. GOVERNING LAW. The provisions of this Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.

20. NO PARTNERSHIP OR JOINT VENTURE. Nothing in this Agreement shall be construed or interpreted as creating a partnership or joint venture between Seller and Buyer relative to the Property.

DRAFT

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

SELLER:

CITY OF WHITE BEAR LAKE

By: _____
Dan Louismet

Its: Mayor

By: _____
Lindy Crawford

Its: City Manager

BUYER:

**WHITE BEAR LAKE AREA
HISTORICAL SOCIETY**

By: _____
Sara Hanson

Its: Executive Director

EXHIBIT A
Legal Description of the Property

Lot 1, Block 54, White Bear, Ramsey County, Minnesota.

Abstract Property

PID No. 14-30-22-41-0052

EXHIBIT B

Form of Right of First Refusal

RIGHT OF FIRST REFUSAL

THIS RIGHT OF FIRST REFUSAL (the “Agreement”) is given as of this _____ day of _____, 2022 (the “Effective Date”), by the White Bear Lake Area Historical Society, a Minnesota nonprofit corporation (the “Owner”), to the City of White Bear Lake, a Minnesota municipal corporation (the “City”).

1. The Owner is the fee owner of certain real property which is legally described on Exhibit A attached hereto (the “Property”). For valuable consideration, the Owner and the City have agreed to enter into this Agreement concerning the Property.
2. Grant; Description of Property. For valuable consideration, and subject to the conditions set forth below, the Owner hereby grants to the City the right of first refusal with respect to any sale of the Property pursuant to the provisions of this Agreement.
3. Notice of Acceptable Offer. If the Owner receives a bona fide offer to purchase, sell, transfer, or convey all or a portion of the Property from a third party (the “Third Party Offer”) that it wishes to accept, the Owner agrees that it shall not sell, transfer, or convey the Property pursuant to or in connection with the Third Party Offer without first offering the City the first right to acquire the Property pursuant to the terms of this Agreement. The Owner shall provide written notice to the City of the Third Party Offer within 10 days of the Owner’s receipt of the Third Party Offer, which notice shall include a complete copy of the Third Party Offer.
4. Exercise by the City. The City shall then have 20 days after receipt of said notice to accept the terms of the Third Party Offer by sending written notice of such acceptance to the Owner. In the event the City accepts the terms of the Third Party Offer, the City and the Owner shall close the sale and purchase of the Property pursuant to all of the terms and conditions of the Third Party Offer, except that no closing shall be required of the City sooner than 60 days after acceptance by the City of the Third Party Offer. In the event the City refuses to accept the terms of the Third Party Offer (which refusal shall be conclusively established by the City’s failure to accept in accordance with the terms of this Paragraph), the Owner shall be entitled to sell, transfer, or convey the Property (or the specified portion thereof) pursuant to the terms of the Third Party Offer. Any deviation of the terms and conditions of the sale, transfer, or conveyance to the third party from the terms and conditions of

Ramsey County, Minnesota. In any action to enforce the terms of this Agreement, the prevailing party shall be entitled to an award of all its reasonably expended costs and attorneys' fees, including appeal and collection costs and fees.

(The remainder of this page is intentionally left blank.)

Execution page of the City to this Right of First Refusal Agreement, dated as of the date and year first above written.

CITY OF WHITE BEAR LAKE

By: _____

Dan Louismet

Its: Mayor

By: _____

Lindy Crawford

Its: City Manager

STATE OF MINNESOTA)

)

COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by Dan Louismet and Lindy Crawford, the Mayor and City Manager, respectively, of the City of White Bear Lake, a Minnesota municipal corporation on behalf of the City.

Notary Public

THIS INSTRUMENT WAS DRAFTED BY:

Kennedy & Graven, Chartered (SJS)
Fifth Street Towers
150 S. Fifth Street, Suite 700
Minneapolis, MN 55402

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Lot 1, Block 54, White Bear, Ramsey County, Minnesota

Abstract Property

PID No. 14-30-22-41-0052

MEMORANDUM

TO: WHITE BEAR LAKE MAYOR & CITY COUNCIL
FROM: SARA HANSON, WHITE BEAR LAKE AREA HISTORICAL SOCIETY
SUB: WHITE BEAR LAKE ARMORY
DATE: 7/22/2022

Background:

- 1970 the White Bear Lake Area Historical Society (WBLAHS) was organized to gather, preserve and interpret the history of the five municipalities that touch the shore of White Bear Lake: Birchwood, Dellwood, Mahtomedi, White Bear Lake and White Bear Township.
- 1977 WBLAHS acquired the Fillebrown House
- 2001 WBLAHS hired first Executive Director
- 2015 WBLAHS partnered with White Bear Township on the Historic White Bear Town Hall
- 2020 WBLAHS added full-time Associate Director position

Today more than ever history is in the spotlight and people are exploring the past in greater numbers than at any other time. With a service district of five municipalities in two counties and two school districts it is challenging to keep pace with the current interest and demand for services.

Acquisition of the armory would provide much needed exhibit and program space for the WBLAHS to engage area students in off-site school activities, community groups for programming and presentations and visitors who are curious about our area's history. The downtown location and historical elements of the building itself make it an ideal choice for the WBLAHS. With the WBLAHS Offices and Resource Library already established in the building the transition to full occupancy would be simplified.

Why the WBLAHS?

The WBLAHS has a proven track record of fiscal responsibility and stewardship of historic buildings.

- For more than five decades the WBLAHS has owned and operated the National Register listed historic Fillebrown House, an 1879 lakeside cottage, as an historic house museum and community gathering place including raising funds and managing a full basement installation, roof replacements, house painting, mechanical replacements and site maintenance.
- Since 2015 the WBLAHS has partnered with White Bear Township to relocate and rehabilitate the 1885 White Bear Town Hall to showcase the stories of the township and its people.
- During its tenure at the White Bear Lake Depot from 1992-2013 the WBLAHS has shepherded the railroad history of White Bear through exhibits and information for visitors.
- Upon moving offices to the White Bear Lake Armory in 2013 the WBLAHS worked with the City of WBL to ensure the depot exhibits would remain to tell the important history of this community.

- In 2018 the WBLAHS partnered with the city of White Bear Lake and secured grants through the Minnesota Arts and Cultural Heritage Fund and conducted additional fundraising to evaluate and ultimately install an HVAC system in the upper level of the Armory to ensure proper conditions for the care of the historical collections onsite.
- In 2019 the WBLAHS successfully secured grants through the Minnesota Arts and Cultural Heritage Fund to evaluate and nominate the WBL Armory for listing in the National Register of Historic Places due to its significance as an example of armory architecture – as one of the first designs by longtime Minnesota armory architect P. C. Bettenburg.

Why Now?

Over the past two years the WBLAHS has re-examined our role in the community:

- How we can best serve our members and visitors,
- Expand our economic development reach in our downtown,
- And plan for the future.

Throughout that process we have been in conversation with stakeholders within our community who are able and willing to assist the WBLAHS in expanding its reach and ensuring its future. The highest priority has been set on establishing a permanent home for the WBLAHS that meets professional museum standards and supports the important work we do allowing us to grow.

How Will We Get There?

Phase	Description	Cost	Funding Source
1	<ul style="list-style-type: none"> • Acquire Armory as permanent home of the WBLAHS • Adapt Gym/Drill Hall space as programming and exhibit space • Adapt storage room/kitchen as a classroom/community space • Complete necessary urgent building repairs including new roof for head house portion of the building, elevator replacement and drainage issues • Complete Needs and Feasibility Assessments for future growth 	\$500,000 estimated	In-hand
2	<ul style="list-style-type: none"> • Capital Campaign to Fund Building Needs & Grow Endowment for Future Stability 	\$1-2M	Capital Campaign
3	<ul style="list-style-type: none"> • Implement Growth Plan to Establish WBL as a regional destination for local history 	TBD	Increased revenue from ongoing fundraising events and endowment

WHERE DO WE GO?

FUNDRAISING AND COMMUNITY ENGAGEMENT

Our vision relies on the support of our community. Fundraising for the following stages will be significant. Our campaign will kick off in 2022.

PROPERTY ACQUISITION

The WBLAHS board has worked with architects and engineers to complete studies of the existing site. With the property is fully vetted, the WBLAHS is pursuing ownership of the property.

PLANNING OUT THE MUSEUM

Once the property is transferred to the WBLAHS detailed plans for its renovation and re-use can begin. This phase is estimated to take 12-24 months.

REHABILITATION AND CONSTRUCTION

Depending on the scope of the plans and the available budget, construction is likely to take between 12-24 months.

EXHIBIT PLANNING AND INSTALLATION

Depending on the scope of the plans and the available budget, exhibit planning construction and installation is likely to take between 18-24 months.

PROGRAMMING EXPANSION

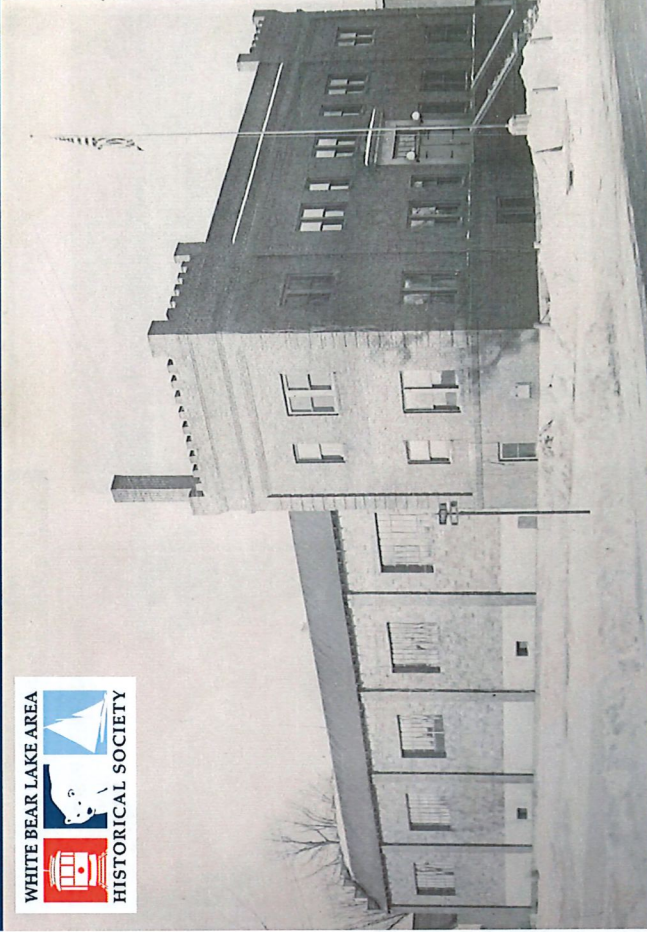
Once the museum opens, new programming staff can begin offering expanded classes, lectures and programs.

COLLECTIONS IMPROVEMENTS

Once the museum opens, attention to the collections can finally begin.



White Bear Lake Area Historical Society Vision 2022



Since its foundation in 1970 the White Bear Lake Area Historical Society has worked to fulfill its mission to:

“Connect our community to its past, cultivating an understanding and appreciation for our history”.

Today the organization is poised to take ownership of the historic White Bear Lake Armory and to become a leader in local history.

HOW DID WE GET HERE:

In early 2022, the WBLAHS began a strategic and interpretive planning process which focused on six different areas:

MARKET ANALYSIS

With Bluestem Heritage Group, we explored 14 local museums that are competitors and 13 national museums that are comparisons. This study confirmed that the WBLAHS is more of a "regional" museum, more similar to county museums as opposed to city museums. The Society's public programs are particularly effective and the attention to broader historical themes has developed a wide audience. The history of White Bear Lake as a regional tourist destination and its water-related industries is unique and appealing.

AUDIENCE ANALYSIS

With Bluestem Heritage Group, we studied and compared the demographics of our members versus our Historic House Tour attendees. We also surveyed 119 people recruited through our Facebook page, which included both members, past-members, non-member visitors, and non-visitors. This survey showed high interest in particular topics and high-engagement programs such as lectures, walking/bus/boat tours and family events. We identified three target audiences: Social Active Adult Learners, Families and Loyal History Buffs.

COLLECTIONS REVIEW

With Bluestem Heritage Group we reviewed the status of our collection, which is presently housed in three different locations; the Fillebrown House, White Bear Lake City Hall, and the Armory. These sites were analyzed for security, climate control, environmental stability, pest risk and management ease. As previous studies have noted, the collections are in need of additional investment. The collections of photographs and boat plans are particularly strong and unique.

HISTORIC CONTEXT REVIEW

The history of the White Bear Lake Area offers many fascinating and meaningful stories, beginning with the prehistoric period, Dakota, and Ojibwe. Lake-related development (such as boat works, resorts, summer homes and tourism) are particularly unique and significant. As a suburb, the area shares many overlapping themes with other nearby communities such as fringe farming, transportation, and suburban development. The geography and environment of the lake is significant both historically and today. There is ample opportunity to explore compelling histories here.

ARMORY BUILDING AND SITE STUDY

With SALA Architects and Bluestem Heritage Group, we studied the present Armory building and site. This effort explored the opportunities and limitations of the spaces, and developed recommendations for re-use of the site as a museum. Engineering studies have identified areas of concern. Our findings have confirmed that the building and property offer many appealing attributes but will need significant investments to evolve into a future museum.

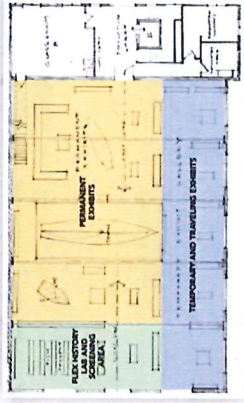
INTERPRETIVE MESSAGE AND METHODS

Based on these studies we have identified an interpretive message to guide future efforts: celebrating the art and craft of our lake history. This helps clarify a new attention to the local traditions of craftsmanship (boat building, architecture, design) as well as the craft of community building (towns, schools, businesses, and cultural organizations) and the history of the lake environment, preservation, industry and recreation.

Our vision for the future is focused on these three important goals:

1 Transform a Historic Armory into a Modern Museum

As caretakers of the Armory, we will preserve and honor its unique history and significance to our community. A transformed Armory will be revitalized for today's uses: mechanicals, exteriors, bathrooms and circulation spaces will be improved to secure the lifespan, efficiency, sustainability, and utility of the building. New or updated workspaces, offices, and archives will increase the capacity of staff and volunteers and ultimately advance the Society's mission. New exhibits, classrooms, library, and a gift store will be designed to inspire and engage the public in local history.



2 Invest in Collections Management

With additional staff, volunteers, and work spaces, the long-delayed efforts to attend to the collections can finally begin. Full inventorying and proper storage of all items will be prioritized. Stabilization and preservation of fragile items can begin. The opportunity to identify and collect new accessions will be possible. Ideally, the collections can be centralized on the property, helping to facilitate access, preservation and management.

3 Improve Member Services and Expand Public Programs

The heart of the WBLAHS has always been its members: a dedicated and passionate group of supporters who have advocated for our organization and local history. Increased and improved member services can offer more responsive and frequent communications, member privileges, and member-only events. The successful public program offerings can be hosted on site and expanded to include events such as Family Events, Genealogy Workshops, Heritage Craft Workshops and Performances and Demonstrations.





City of White Bear Lake
Community Development Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Jason Lindahl, AICP Community Development Director
Date: August 29, 2022
Subject: **Schafer Richardson /3600 & 3646 Hoffman Road / Case No. 22-2-PUD Development Stage Planned Unit Development (PUD) Review**

SUMMARY

The applicant, SRD 2.0, LLC, an affiliate of Schafer Richardson, requests Development Stage Planned Unit Development (PUD) approval to construct a 244-unit apartment complex in two 4-story buildings on the properties located at 3600 and 3646 Hoffman Road. This application represents the second of a three step PUD review process. Should the City Council approve the development stage PUD request, this project would move on to the final stage PUD review which involves a final administrative review by staff and execution of a PUD agreement before applying for building permit.

Separate from the PUD process, this application still requires subdivision approval to combine the two properties and provide park dedication. After reviewing the information and plans submitted by the applicant, both the Planning Commission and staff recommend approval of the development stage PUD subject to the conditions outlined in the attached City Council resolution.

GENERAL INFORMATION

Applicant/Owner: SRD 2.0, LLC, an affiliate of Schafer Richardson

Existing Land Use / Zoning Stadium Bar & Grill and a single-family residence;
B-4 – General Business

Surrounding Land Use / Zoning: North: Hoffman Place Apts; zoned R-6 – Medium Density Residential
West: Burlington Northern RR & City of Gem Lake
South: Xcel Energy; zoned I-1 Limited Industry
East: The Barnum Apts; zoned R-7 – High Density Residential

Comprehensive Plan: TOD – Transit Oriented Mixed Use

Lot Size & Width: Code: None
Site: 5.7 acres; 440 feet

BACKGROUND INFORMATION

The subject properties are located in the northeast corner of Hoffman Road and Highway 61. It also includes the small triangular-shaped piece across Hoffman Road (on the northwest corner of Hoffman Road and Highway 61). The applicants purchased the property in 2018 and have been leasing the site back to the Village Sports Bar owners. In 2020, the applicants constructed the Barnum, a 4-story 192-unit apartment building located directly to the east of the subject site.

Project Summary. According to the applicant's narrative (attached), the proposed redevelopment will consist of two separate buildings connected by a single-story common area. The first building to the north (Building 1) consisting of 101,604 square feet and the second building to the south (Building 2) consisting of 125,024 square feet. The height for both buildings is approximately forty-eight (48) feet at four stories with a flat roof design. A single-story common area will house amenities and occupant circulation between the buildings; this will be roughly 9,716 square feet. The total building area is 236,344 square feet above ground. There will be one level of underground parking beneath the footprint of all structures with approximately 67,422 square feet. The building will contain 244 market-rate apartments. The current mix of units includes 17 studio, 61 alcove, 88 one-bedroom, 70 two-bedroom, and 8 three-bedroom units. There will be 376 parking stalls in total, with 187 located in the underground garage and 189 as surface parking stalls. This provides a parking ratio of 1.54 stalls per unit, and 1.14 stalls per bedroom. The useable open space is 430 square feet per unit.

Review Process To-Date. The Zoning Code outlines a three (3) phase planned unit development review process: General Concept Plan, Development Stage, and Final Plan. This application went through concept plan review before the Planning Commission on May 23rd and the City Council on June 14th. As part of that process, the applicant also held a neighborhood meeting on March 4th. As a result of the comments from these meetings, the applicant made the following changes to their plan (see also attached Summary of Changes from Concept Submittal):

- Building 1 was reduced from 5 to 4-stories as directed by the City Council.
- The total square footage of both building was reduced by 22,563 square feet.
- The total number of units was increased by 1 from 243 to 244 units.
- The total number of bedrooms in the two buildings decreased from 379 to 329 bedrooms.
- The number of 3-bedroom units was decreased from 30 to 8 units and the number of alcove units was increased from 44 to 61 units.
- Changes to the buildings resulted in slight changes to the building setbacks. The street side setback (south and west) increased slightly while the internal setbacks (north and east) decreased slightly.

- Parking was adjusted to meet the same standard used for the Barnum (1.14 stalls/bedroom). With the total number of units and bedroom changes, the total number of parking stalls decreased from 387 to 376 stalls.
- The amount of useable open space was increase from 410 square feet/unit to 430 square feet/unit.

Planning Commission Action. The Planning Commission held a public hearing to review this application during their August 29th meeting. While the City received no comments prior to the meeting, resident Karol Durdle of 1847 Birch Lake Avenue did provide comment during the public hearing. Ms. Durdle expressed disappointment in the loss of both three-bedroom units and the affordable units. Ms. Durdle stated it seemed the City was more concerned with bike parking then where kids would sleep since it's very hard for families with multiple children to find housing. She concluded her remarks by stating she wished the affordable units were still part of the request.

After the public hearing, the Planning Commission had general discussion about the loss of three-bedroom and affordable units, bicycle parking and sidewalks and exterior materials. Members Amundson, Berry, Enz, Lynch, Reinhardt, and West all stated their agreement with Ms. Durdle's disappointment in the loss of the three-bedroom and affordable units. Members Lynch, Reinhardt and West expressed that they considered voting against the project based on the loss of the three-bedroom and affordable units. Staff offered that the Planning Commission's recommendation should be based on the zoning standards and the City does not have a requirement for affordable housing or three-bedroom units. The Commission concluded discussion of this topic by noting their position would be made known to the City Council through both the staff report and meeting minutes.

The Commission moved on to discussing bicycle parking, sidewalks and exterior materials. The Commission, applicant and staff agreed to amend condition #4 to require 0.75 bicycle parking stalls per unit and that 75% of these stalls must be located inside the building. The Commission also amended condition #2 to require additional sidewalks in the gaps between parking lots and northwest corner of the site. Next, the Commission discussed staff's recommendation to add brick or stone materials along the street facing sides of the building. After much discussion, the Commission vote 5-2 to remove staff's recommended condition to add brick or stone materials along the street facing sides of the building. At the end of their discussion, the Commission voted 7-0 to recommend the City Council approve the applicant's development stage PUD request.

It should be noted that since the Planning Commission meeting, the applicant submitted revised building elevations (attached) that add brick to some, but not all, of the areas recommended by staff. This revised design is acceptable to staff under the overall PUD.

ANALYSIS

The applicant requests approval of a Development Stage PUD to allow construction of two 4-story apartment buildings totaling 244 units. The purpose of a PUD is to allow flexibility from traditional development standards in return for a higher quality development. Typically, the City looks for a developer to exceed other zoning standards, building code requirements or meet other goals of the Comprehensive Plan. In exchange for the flexibility offered by the PUD, the applicant is expected to detail how they intend to provide a higher quality development or meet other City goals.

In this case, the applicant is requesting deviation from the height, setback, parking and open space standards. In exchange, the applicant is offering enhanced architecture through ground floor walk-up units along the street facing sides of the building, indoor bicycle storage and higher quality open space. While staff acknowledges these offerings do enhance the project, staff recommends the applicant also provided additional enhancements to help offset the requested zoning deviations including enhanced architectural and stormwater management features (see below).

Land Use. The 2040 Comprehensive Plan Future Land Use map guides the subject property at Transit-Oriented Development (TOD). Overall, this land use designation on this property is consistent with the comprehensive plan's general land use policy to concentrate development along higher capacity roads.

According to the Comprehensive Plan, the TOD Mixed-Use designation is intended to accommodate community and regional serving commercial retail and service businesses, offices and high-density housing. Overall, this designation will lean residential with a general expectation of 70% residential. However, the percent residential for specific projects could vary from 50% to 100% depending on the site.

Stacked multi-family housing and courtyard apartments will be the predominant land use, with a desired density of 25 to 50 dwelling units per net acre. The intensity of Transit Oriented Mixed-Use development will vary depending on its location within the City, the size of the site, surrounding uses, adjacent roadways and transit service. In this case, the proposed development is consistent with these density guidelines at 43 units/acre (244 units/5.7 acres = 43 units/acre).

Zoning. Under City Code Section 1301.070, Subdivision 2.a, The PUD overlay district shall be applied to and superimposed upon all zoning districts. Upon approval by the City Council, the regulations and requirements imposed upon the PUD process shall supersede the underlying zoning district standards. These regulations and requirements are reviewed in this report. A condition of approval shall require the applicant to receive separate approval a PUD agreement in a form acceptable to the City Attorney.

Height. The zoning code limits building height 3 stories or 36 feet. As directed by the City Council during the concept stage review, the applicant has reduced the height of both buildings to 4-stories or 48 feet. The zoning code allows for addition height through the PUD, provided there is a corresponding 5 percent increase in the required setback. Staff is agreeable to this deviation based on the overall PUD proposal.

Setbacks. The zoning code requires a minimum 30-foot front and street side setback, 10-foot interior side yard setback and 20-foot rear yard setback. With the additional height, the required setbacks increase by 5 percent to 32 feet front and street side, 11 feet side and 21 feet rear. The proposal complies with the required setback with the exception of the 32-foot front setback along the County Road E (or south side) of the building. This 24.5-foot proposed setback results in a 7.5-foot deviation from the requirement. Staff is agreeable to this deviation based on the overall PUD proposal.

Exterior Materials. The applicant has revised the proposed exterior materials for the building based off of feedback provided during the PUD concept plan review (see attached elevations and Nine Design Principals narrative). According to the applicant, the design centers on the goal of providing a quality and convenient housing experience for a diverse living community. The inspiration was driven by feedback from the Barnum in terms of tenant experiences and needs. The color palette consists of neutral greys with white trim and brick accents juxtaposed with a crisp blue siding. There is a nautical theme to the color elements, as an homage to the lake community. The strong building base will be emphasized by a warm grey brick extending to the upper floors in locations to create visual separations and color contrast against the lighter gray siding. Nautical blue vertical columns at the corners will help anchor the building.

While staff is generally supportive of the overall design, but recommended the applicant revise their plans to provide 3-stories of brick or stone to the vertical elements of the building along both Hoffman Road and County Road E. The Planning Commission did not agree with this recommendation and voted 5-2 to remove this condition. However, since the Planning Commission meeting the applicant submitted revised building elevations (see attached) that add brick to some, but not all, of the areas recommended by staff. This revised design is acceptable to staff under the overall PUD.

Access & Vehicle Parking. According to the applicant, the site will have direct access from both County Road E (as a right-in, right out) and Hoffman Road. The entrance from Hoffman Road is intended to be the main entrance with guest parking availability near the one-story common entry. The rear surface parking to the north of the site will be connected to the existing surface parking behind the Barnum. This would eliminate dead ends and allow required fire department access between the two sites and is acceptable to the Engineering, Fire and Planning departments. Ramsey County reviewed this design during the concept stage PUD and provided no additional comments at this time.

Based on feedback from the city during the concept plan review process, the applicant adjusted the number of stories, units and bedrooms for the development. These changes impacted the number of required parking stalls. As a result, parking was adjusted to meet the same standard used for the Barnum (1.54 stalls/unit or 1.14 stalls/bedroom). With the total number of units and bedroom changes, the total number of parking stalls decreased from 387 to 376 stalls. Of these stalls, 187 (49.7%) are underground while 189 stalls (50.3%) are in surface lots. This design is comparable to the parking at the Barnum and acceptable under the PUD proposal.

Pedestrian & Bicycle Facilities. The applicants site plan shows sidewalks extending along the north, south and west sides of the buildings. There are no sidewalks along the east side of the building and there are gaps in the proposed sidewalks in front of both garage driveways and between the east end of the northern parking and Hoffman Road. Staff recommends that a condition of the PUD require the applicant to install additional sidewalks to fill these gaps and connect the northern sidewalk through the Barnum site to Linen Avenue. The applicant, Planning Commission and staff agreed to this condition during the Planning Commission meeting and the applicant intends to revise their plans accordingly.

The applicant's revised the concept plan building floor plans to include an indoor bicycle storage room on the first floor of the southern building. This room will have access from both inside the building and directly to the outdoor amenity space. It will include storage for 47 bicycles and a fix-it station. In addition to this bicycle parking, the Commission, applicant and staff agreed to amend condition #4 to require 0.75 bicycle parking stalls per unit and that at least 75% of these stalls must be located inside the building. Under this standard, the site will include 183 total bicycle parking stalls (138 must be inside the building and up to 45 may be outside the building).

Landscaping. The applicant's plan includes detailed landscaping and outdoor amenity open space plans. For multi-family housing, the zoning code requires 500 square feet of useable open space per unit. The definition of useable open space is: ground or terrace area intended

and maintained for either active or passive recreation, available and accessible to and useable by all persons occupying the unit and their guests. Such areas must be grassed and landscaped for recreational purpose. Since the concept plan review, the applicant revised their plans from 410 to 430 square feet per unit which is identical to the ratio for the Barnum. This space includes a pool, a community garden, a pet park, an outdoor fitness gym and yard games area. Given the amenities planned for the open space, staff is agreeable to proposed reduced amount of open space under the overall PUD.

Trash & Utility Screening. Trash and recycling will be stored inside the building and all roof top and ground mounted mechanical equipment will be screened.

Subdivision & Park Dedication. This application will require separate subdivision approval to combine the properties. Based on feedback from the Planning Commission and City Council during the concept review, Schafer Richardson proposes to provide a mix of both land and cash as park dedication. This includes approximately 5,100 square feet of land across from Hoffman Road (currently being used as overflow parking for the Village Sports Bar) and \$118,856.19 as park dedication. The owner previously dedicated the northern portion of this lot in conjunction with the Barnum development, and it is the applicant's intention to contribute additional land for potential trailhead improvements to the Bruce Vento Trail.

Engineering Review. The Engineering department has reviewed the applicant's plans and provided comments in the attached memo. Staff recommends a condition of approval require the applicant to comply with all requirements of the Engineering department.

RECOMMENDATION

Both the Planning Commission and staff recommend approval of the Development Stage PUD, subject to the conditions listed below and detailed in the attached City Council resolution.

1. The applicant shall install additional sidewalks along the east side of Building 1, in the gaps in front of both garage driveways, between the east end of the northern parking and Hoffman Road and connect the northern sidewalk through the Barnum site to Linen Avenue.
2. Installation of additional bicycle parking at a rate of 0.75 bicycle parking stalls per unit and that at least 75% of these stalls must be located inside the building.
3. Conformance with all requirements of the Engineering, Fire and Building Departments.
4. Approval of a separate subdivision application to combine the properties and payment of all applicable development fees including park dedication.
5. Approval of a Final Stage PUD application and execution of a PUD agreement in a form acceptable to the City Attorney.

6. Approval of a building permit.

ATTACHMENTS

Resolution

Project Statement & Narrative

Summary of Changes from Concept Submittal

Plan Elevations

Engineering Review Memo 8/17/22

RESOLUTION NO.

RESOLUTION GRANTING DEVELOPMENT STAGE APPROVAL OF A PLANNED UNIT DEVELOPMENT FOR 3600 & 3646 HOFFMAN ROAD WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (22-2-PUD) has been submitted by SRD 2.0, LLC, an affiliate of Schafer Richardson, to the City Council requesting approval of a Development Phase of a Planned Unit Development (PUD) from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 3600 & 3646 Hoffman Road

LEGAL DESCRIPTION: Attached as Exhibit A. (PID: 273022440210 & 273022440198); and

WHEREAS, the applicant seeks Development Stage approval of a Planned Unit Development, per Code Section 1301.070, in order to construct 244 units of multi-family apartments in two buildings; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on August 29, 2022; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed PUD 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, in relation to the PUD, 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 will not depreciate values in the area.
4. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
5. Traffic generation will be within the capabilities of the streets serving the site.

BE IT FURTHER RESOLVED, that the City Council of the City of White Bear Lake hereby approves the PUD Development Stage Plan, subject to the following conditions:

1. The applicant shall install additional sidewalks along the east side of Building 1, in the gaps in front of both garage driveways, between the east end of the northern parking and

RESOLUTION NO.

EXHIBIT A

LEGAL DESCRIPTION

The Land is described as follows:

Parcel 1: (Commonly known as 3646 Hoffman Rd.)

That part of Lot 22, "Strawberry Acres", according to the plat thereof, lying Westerly of a line drawn from a point on the North line of said Lot 22, distant 490 feet Easterly of the Northwest corner thereof to a point on the North right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2, distant 490 feet Easterly of the Southwest corner of Lot 25 of said "Strawberry Acres", as measured along said North right of way line.

Ramsey County, Minnesota
Abstract Property

Parcel 2: (Commonly known as 3600 Hoffman Rd.)

The following described property in Ramsey County, Minnesota.

Parcel 2(a)

Lot 26, except the East 330 feet thereof, "Strawberry Acres", according to the plat thereof.

AND

Parcel 2(b)

That part of the East 330 feet of Lot 26, "Strawberry Acres", lying Westerly of a line drawn from a point on the North line of said Lot 22, distant 490 feet Easterly of the Northwest corner thereof to a point of the North right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2, distant 490 feet Easterly of the Southwest corner of Lot 25 of said "Strawberry Acres", as measure along said North right of way line, EXCEPT that portion of said Lot 26 lying Southerly of the Northerly right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2.

AND

Parcel 2(c)

Lot 24, "Strawberry Acres", according to the plat thereof.

RESOLUTION NO.

AND

Parcel 2(d)

That part of Lot 25, "Strawberry Acres", according to the plat thereof, lying Northeasterly of the following described line: Beginning at a point on the West line of said Lot 25, distant 50 feet North of the Southwest corner thereof; thence run Southeasterly to a point on the South line of said Lot 25, distant 50 feet from said Southwest corner.

Abstract Property

7/18/2022

3600 & 3646 Hoffman Road Redevelopment:

Project Statement & Narrative

Schafer Richardson previously submitted a Concept Plan for a Planned Unit Development (PUD) for the redevelopment of 5.7 acres at the intersection of County Road E East and Hoffman Road into a multifamily apartments. The Concept Plan, submitted on 4/11/2022, was reviewed by the Planning Commission on 5/23/22 and by the City Council on 6/14/2022. The information provided in this submittal will serve as both the Development Phase and Final Plan stage applications with this PUD request. Please see the document labeled “**Revision Summary-7.18.2022**” for an account of the revisions made from the Concept Plan dated 4/11/2022.

The proposed redevelopment will consist of two separate buildings connected by a single-story common area, with the first building to the north (Building 1) consisting of 101,604 square feet and the second building to the south (Building 2) consisting of 125,024 square feet. The height for both buildings is approximately forty-eight (48) feet at four stories with a flat roof design. A single-story common area will house amenities and occupant circulation between the buildings; this will be roughly 9,716 square feet. The total building area is 236,344 square feet above ground. There will be one level of underground parking beneath the footprint of all structures with approximately 67,422 square feet. The building will contain 244 market-rate apartments. The current mix of units includes studio (17), alcove (61) 1-bedroom (88), 2-bedroom (70), and 3-bedroom (8) units. There will be 376 parking stalls in total, with 187 located in the underground garage and 189 as surface parking stalls. This provides a parking ratio of 1.54 stalls per unit, and 1.14 stalls per bedroom. The useable open space is 430 square feet per unit.

The site plan shows direct entrances from both County Road E (as a right-in, right out) and Hoffman Avenue. The entrance from Hoffman Road is intended to be the main entrance with guest parking availability near the one-story common entry. The rear surface parking to the north of the site will be connected to the existing surface parking behind The Barnum to create mutual vehicle egress from both sites on Hoffman Road and Linden Avenue. This would eliminate dead ends and allow required fire department access between the two sites. There is not currently a sidewalk at the rear of the Barnum so a continuous sidewalk from Linden Avenue to Hoffman Road will not be possible.

The exterior materials will be a mixture of masonry (brick), fiber cement and lap siding materials with a flat roof and parapet. Material specifications are provided in the “**Development Phase Plans Submittal-7.18.2022**”. Additional information on design can be found in the “**Nine Design Principles**” attachment.

Schafer Richardson proposes to provide ~5,100 square feet of land across from Hoffman Road (currently being used as overflow parking for the Village Sports Bar) as park dedication. The owner previously dedicated the northern portion of this lot in conjunction with The Barnum development, and it is our



intention to contribute additional land for potential trailhead improvements to the Bruce Vento Trail. If plans for future trail improvements materialize before or while this redevelopment is under construction, Schafer Richardson is willing to work with the city to perform some of this work while labor is available and cost-effective.

The remainder of this parcel will be maintained as surface parking (and construction staging) until plans materialize for a future development that would activate the site. Given its frontage on County Rd. E, a main arterial corridor, it could potentially be a drive-through coffee establishment, restaurant or similar commercial function that would not require a large structure but would still need area for parking & drive lanes. We believe this would complement the subject site and would create more value for White Bear Lake residents (and tax revenue for the city) than dedicating the entirety of the parcel.

The design and density were based on the highest and best use for the site given the demand for housing and the proximity to core transit within White Bear Lake.

We are excited to present the revised plans and look forward to a continued relationship with the City of White Bear Lake.

3600 & 3646 Hoffman Road Redevelopment:

Summary of Changes from Concept Submittal

<u>CONCEPT SUBMITTAL 4.11.2022</u>		<u>CURRENT DEVELOPMENT PHASE</u>
Building 1: 127,045 SF Building 2: 122,012 SF <u>Common Area: 9,850 SF</u> TOTAL: 258,907 SF	Gross Area (Above Ground) *With the reduction in height, Building 2 was expanded slightly West (~10) to accommodate units, however there is less total building area (22,563 SF reduction).	Building 1: 101,604 SF Building 2: 125,024 SF <u>Common Area: 9,716 SF</u> TOTAL: 236,344 SF
Building 1: Five stories (59') Building 2: Four stories (48')	Height *At City Council's direction (noted in Concept Plan Resolution), both buildings are four stories in height.	Building 1: Four stories (48') Building 2: Four stories (48')
Studios: 18 Alcoves: 44 1-Bedroom: 75 2-Bedroom: 76 3-Bedroom: 30 TOTAL: 243	Unit Count/Mix *With the reduction in height and guidance that TIF would not be approved, 3-bedroom units were reduced, and unit mix adjusted with footprint.	Studios: 17 Alcoves: 61 1-Bedroom: 88 2-Bedroom: 70 3-Bedroom: 8 TOTAL: 244
379 Bedrooms	Bedroom Count *Reducing height, reducing amount of 3-bedroom units and adjusting unit mix resulted in a reduction of 50 bedrooms.	329 Bedrooms
Underground: 185 <u>Surface: 202</u> TOTAL: 387 Stalls/Unit: 1.59 Stalls/BR: 1.02	Parking Count Parking Ratio *Parking ratio adjusted to meet Concept Plan resolution; now exceeds parking numbers provided by The Barnum (1.48/unit, 1.14/BR).	Underground: 187 <u>Surface: 189</u> TOTAL: 376 Stalls/Unit: 1.54 Stalls/BR: 1.14
County Rd. E: 22'-0" Hoffman Rd: 33'-9" Side (East): 47'-4" Rear (North): 89'-4"	Setbacks *Footprint changes altered the setbacks slightly. Setback from County Rd. E increased 2'-5" to provide more of a buffer for walk-up units.	County Rd. E: 24'-5" Hoffman Rd: 35'-9" Side (East): 43'-2" Rear (North): 86'-10"

410 SF / Unit	Usable Open Space	430 SF / Unit
65,762 SF	Building Footprint	66,396 SF
68,085 SF	Parking & Circulation	76,862 SF
	*Parking & circulation increased to do 1.14 parking ratio requirement, and need for fire/emergency turn around radius.	

Site Plan

- Surface parking in front of Building 2 (South) has been reconfigured to remove the circular turnaround and associated parking within, in favor of green space. An extra lane of vertical parking was added in order to further reduce the dead-end measurement (from 292’ in the Concept Plan to 152’). This was also needed to meet the 1.14 parking ratio requirement.
- Exterior amenities shifted; sidewalks reduced.

Elevations:

- Per the Concept Plan Resolution, the building exterior was revised to provide more articulation with undulation to resemble recently construction multifamily buildings. This was accomplished with more bump outs, recessed inserts, increased parapet height and ornamentation, and added balcony counts & separations. There are balconies on ~47% of units (not including the walk-up entries) compared to 40% in the Concept Submittal.
- The setback and sidewalks leading to walk-up entrances were revised to create a more private experience for residents. This also includes a patio separated by railings and plantings to enhance the architectural features at entrances as required in the Concept Plan Resolution.

Affordability & Tax Increment Financing (TIF):

With the City Council not in favor of Tax Increment Financing for this project, Schafer Richardson is no longer including affordable housing with this development. Previously, 20% (roughly 48 units) were to be income and rent restricted at 50% of the area median income (AMI). The project is now 100% market rate.

Park Dedication:

In listening to the city council’s comments, the northern portion of land across from Hoffman Road (currently being used as overflow parking for the Village Sports Bar) is being proposed as park dedication, with the balance of fee paid as cash equivalent. 5,100 square feet of land will be dedicated, with hopes that it can contribute to future Bruce Vento trail improvements while leaving enough space for future commercial development.



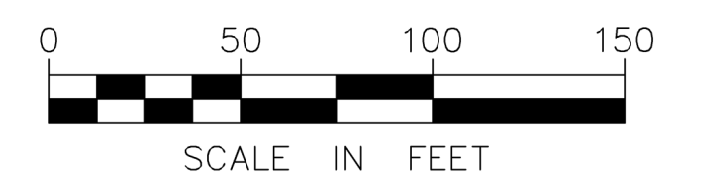
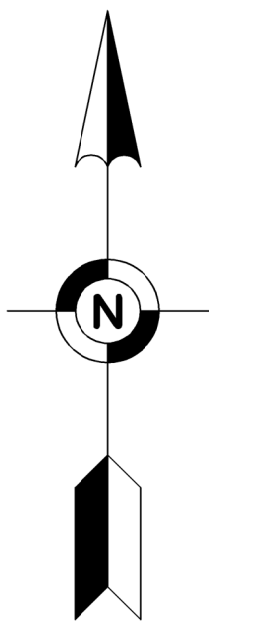




**PRELIMINARY PLAT OF
WILLOW RIDGE 2ND ADDITION FOR:
Schafer Richardson**

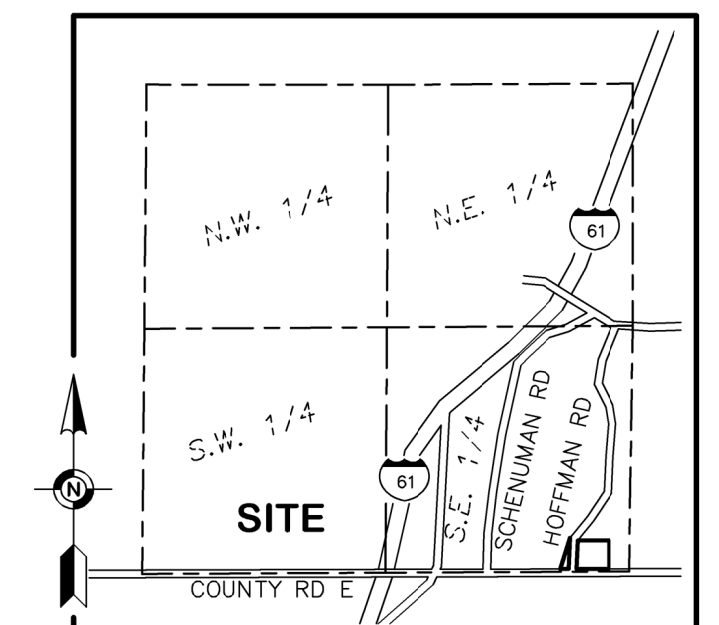
LEGEND

- CLEAN OUT
- ⊙ SANITARY MANHOLE
- MANHOLE
- ⊙ STORM MANHOLE
- ⊙ CATCH BASIN
- ⊙ CULVERT
- ⊙ WATER MANHOLE
- ⊙ GATE VALVE
- ⊙ HYDRANT
- ⊙ ELECTRIC BOX
- ⊙ HANDHOLE
- ⊙ UTILITY POLE
- ⊙ LIGHT
- ⊙ GUY WIRE
- ⊙ POWER POLE WITH LIGHT
- ⊙ SIGN
- ⊙ BOLLARD
- ⊙ HANDICAPPED PARKING SPACE
- ⊙ PARKING COUNT
- CHAIN LINK FENCE
- X—X—X— WIRE FENCE
- S— SANITARY SEWER
- SS— STORM SEWER
- W— WATERMAIN
- E— UNDERGROUND ELECTRIC
- OHW— OVERHEAD WIRE
- FO— UNDERGROUND FIBER OPTIC
- C— UNDERGROUND CABLE
- G— UNDERGROUND GAS
- T— TREE LINE
- (S)— EXISTING CONTOUR LINE
- ⊙ TREE
- BITUMINOUS SURFACE
- CONCRETE SURFACE
- GRAVEL SURFACE

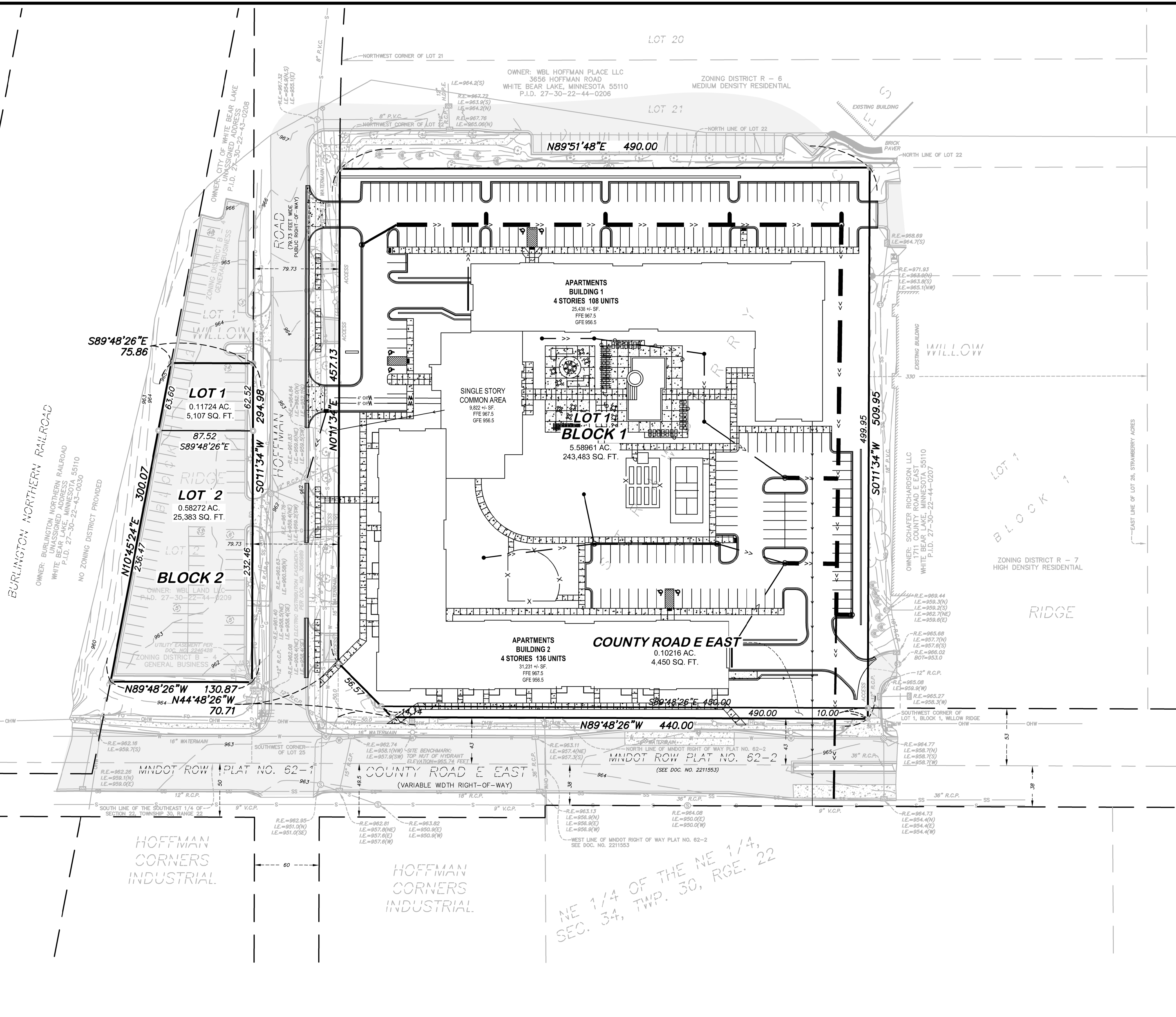


- FOUND IRON MONUMENT
- ⊙ SET IRON MONUMENT MARKED WITH LICENSE NUMBER 22033
- SET ⊙ SET PK NAIL

SECTION 27, T 30 N, R 22 W



VICINITY MAP
NO SCALE



FIELD BOOK	PAGE	FIELDWORK CHIEF: GD, JW	REVISIONS	
			NO.	DATE
DRAWING NAME: 40521 Preliminary Plat.dwg				
JOB NO. 40521				
FILE NO.				
DRAWN BY: RRR, DL				
CHECKED BY: CAT				

**WILLOW RIDGE
2ND ADDITION
SITE PLAN OVERLAY**

SURVEY FOR:
Schafer Richardson

PROPERTY ADDRESS:
**3600 & 3646 Hoffman Road
White Bear Lake, Minnesota 55110**

Egan, Field & Nowak, Inc.
475 Old Highway 8 NW, Suite 200
New Brighton, Minnesota 55112
PHONE: (612) 466-3300
WWW.EFN SURVEY.COM
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City of White Bear Lake
Engineering Department

MEMORANDUM

To: Jason Lindahl, Community Development Director
From: Nathan Christensen, P.E., Assistant City Engineer
Connie Taillon P.E., Environmental Specialist/Water Resources Engineer
Date: August 17, 2022
Subject: **White Bear Lake Apartments-Phase II Engineering Review Comments**

The Engineering Department reviewed the Report of Geotechnical Exploration dated June 16, 2022; Stormwater Management Plan dated July 18, 2022; and civil & landscape plan sheets (C-000, C-001, C-010, C-101, C-201, C-203, C-204, C-301, C-501, C-502, C-503, C-504, L-010, L-101, L-102, L-501, dated July 18, 2022, and received July 27, 2022 for the above referenced project. The following items are outstanding:

The following outstanding items must be addressed as a condition of the PUD

- 1) Please provide required sanitary sewer flow calculations for the affected sewer shed. A sewer shed map and record drawings were sent to Schafer Richardson in April 2022.
- 2) Under the PUD, the City can ask for enhancements to the design in exchange for the deviations requested by the applicant. We are asking for additional stormwater treatment, and specifically above ground bioinfiltration/biofiltration, to treat parking lot runoff. One location to consider are the center islands in the east parking lot.

The following outstanding items must be addressed prior to issuance of a Building Permit

GENERAL

- 3) As per Table 2 on page 21 of the RWMWD rules, the low opening of an underground parking structure shall be a minimum of 2 feet above the 100-year flood elevation or one foot above the emergency overflow elevation of a subsurface stormwater management BMP. Please revise to meet this requirement.
- 4) Please provide information about winter operation of the trench drain pumps, including methods to prevent freezing, a backup plan for a pump or power failure,
- 5) Permits will be required from Ramsey-Washington Metro Watershed District, MPCA, and Ramsey County for this project. Provide a copy of these permits for our records.

STORMWATER MANAGEMENT PLAN

- 6) Revise the rainfall intensity for the 10 year-24 hour storm and 100 year-24 hour storm to be consistent with the City's stormwater standards of 4.16" and 7.24" respectively.
- 7) Pond 1-TG1: Trench Drain
 - a) The invert in the model is not consistent with the invert labeled on the Utility Plan. Please revise for consistency.
 - b) Revise the length, slope, etc. for the 8" round culvert outlet to be consistent with the Utility Plan.
 - c) Why is the horizontal grate multiplied by 0.5?
- 8) Pond 1-TG2: Trench Drain: The storage invert and elevations, and outlet devices are not consistent with the Utility Plan. Please revise for consistency.
- 9) Pond 1-UG: Underground Storage: the outlet pipe is modeled as 2 pipes but is shown as one pipe in the Utility Plan. Please revise for consistency.
- 10) For all 'Pretreatment' nodes:
 - a) What is volume #2?
 - b) Why are the 1" vertical orifices multiplied by 4? Show this in a detail.
 - c) What is device #5? Show this in a detail.
 - d) Some inverts and lengths of the volume #1 storage are not consistent with the Utility Plan. Revise for consistency.
 - e) The Pond P18B outlet inverts do not appear to be correct. Please revise as needed.
- 11) Pond P20A: The outlet device input is not consistent with the Utility Plan. Please revise for consistency.
- 12) Pond TG-2B and TG2B:
 - a) Ensure that the storage and outlet device inverts and length of pipe storage are consistent with the Utility Plan.
 - b) The model includes a pump flow of 150 to 160 GPM, but the Utility Plan specifies a 100 GPM pump. Please clarify.
- 13) Include a flood elevation for all low areas.

DEMOLITION PLAN (C-010)

- 14) Label the following: tree protection fence on west side of property, storm sewer removal in ball field, and catch basin removal to the north of the ball field.

15) Please remove all of the existing storm sewer pipe out to the catch basin at County Road E and plug the existing invert in the catch basin.

16) If the existing water and sewer services will not be used to service the new construction, they will need to be properly disconnected. The existing sanitary service may be capped at the property line. The existing water service must be disconnected at the main.

GRADING PLAN (C-201)

17) Label the 100-year elevation for all catch basin low points.

18) Show the overland emergency overflow locations and elevations for the underground infiltration pipe and catch basin low points.

UTILITY PLAN (C-301)

19) Label all riser inlets on the plan to be consistent with the model.

20) Specify the width of the trench drains. The width on the plan must be consistent with the model.

21) Add a 4 foot sump to CB 19.

22) Label the inverts where the pipes connect to or from the treatment chamber.

23) For the building 1 trench drain, label the invert of the 8" pipe where it connects to the storage pipe.

24) For the building 2 trench drain, add a note about the connection from PVC to CMP, and move the storage and pumping station callout arrow.

25) The rim elevation of CB9 is not consistent with the Grading Plan and model. Revise for consistency.

26) There are two 30" riser inlet 3's. Label the southern inlet 3 to inlet 2 to be consistent with the model.

27) If the roof drains are located on the exterior of the building, provide an air gap between the roof drain and the storm sewer.

DETAILS (C504)

28) Add a profile of each trench drain storage and pumping station, including the ground profile and the invert of where the forcemain connects to the treatment system.

29) Add a profile of the 36" pretreatment chambers showing the riser inlet, pretreatment chamber, weir, and access riser. Include rim and invert elevations.

30) Add a cross section of the underground perforated pipe and rock layer. Label all elevations and dimensions, including the soil layers. Include the 100-year elevation. Add a note about excavating the fill layers to expose the SP soil layer.

31) Add a detail of the transition from PVC to CMP.

32) Add a detail of the 30" riser inlet and casting.

33) Pretreatment Outlet

- a) Include inverts for all pretreatment treatment structures on the weir plate detail.
- b) What is the draw down pipe and show where it is located in a profile drawing.
- c) Please clarify how this device is functioning as a pretreatment structure. Is sediment accumulating behind the weir plate? If so, the 1" orifices can be easily plugged.
- d) Specify a non-corroding weir plate.

34) 18" Nyloplast Structure detail: is this structure being used? If not, delete the detail.

The following items must be addressed prior to the release of the letter of credit

- i) An as-built record drawing is required for this project. Include an as-built survey of the underground storage system and associated inlet and outlet pipes prior to backfill. A list of record drawing requirements will be provided as part of the building permit review.

The following items must be addressed prior to issuance of a Certificate of Occupancy

- ii) A Stormwater Operations and Maintenance Agreement (SOMA) is required for this project. A SOMA template will be provided as part of the building permit review.

While the following items are not required for issuance of a permit, we would like to take this opportunity to raise these points:

- a) Consider installing conduit at this time for future electric vehicle charging stations.
- b) Consider sizing the trash areas to accommodate future food scraps recycling.
- c) To conserve water, consider re-using stormwater for irrigation to meet your stormwater requirements.
- d) Consider using more native trees and plants (less water, higher resiliency, wildlife habitat).
- e) Stormwater efforts that go above and beyond permit requirements are eligible for grant funds from Ramsey-Washington Metro Watershed District. For more information, visit: www.rwmwd.org, email: office@rwmwd.org, or call: 651-792-7950.

Note

For the next plan review submittal, please provide the following (electronic copy and hard copy):

- A response to each review comment in this memo
- Revised stormwater calculations. *NOTE: For ease of review and improved legibility of the routing diagrams, please separate the existing and proposed models.*
- Revised plans

Contact Information

For questions regarding this review memo, contact Connie Taillon at: 651-429-8587 or ctailon@whitebearlake.org



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: September 13, 2022
Subject: **Approving Plans and Specifications and Ordering Advertisement for Bids for the Public Safety Renovation Project**

SUMMARY

The City Council will consider adopting a resolution approving plans and specifications and ordering advertisement for bids for Public Safety Renovation Project, City Project Number 22-09.

BACKGROUND INFORMATION

At its 2019 goal setting session, the City Council identified as a priority, replacement of the North Station's fire apparatus bay and construction of a garage for indoor storage of police squads and administrative fire and police vehicles. In July 2019, the City Council authorized issuance of an RFP for consultant services to perform a related space needs study and site master plan, which was ultimately awarded to Wold Architects in October 2019.

The renovation project scope includes the replacement of the existing fire apparatus bay to accommodate current equipment, construction of a police squad garage and interior modifications to better accommodate current public safety operations.

The project timeline and actions to date are summarized below:

February 11, 2020. Council work session – Wold presented its findings from the space needs study, along with a site master plan, but further project discussions were postponed due to the COVID-19 pandemic.

November 23, 2020. Council work session – project discussions resumed at which time the Council reviewed related funding options and subsequent tax impacts.

January 26, 2021. Council meeting – a contract with Wold to enter the design development phase of the project was approved.

September 21, 2021. Council work session – design development plans were presented and reviewed.

October 12, 2021. Council meeting – Wold was authorized to prepare construction documents based on the approved design development plans and directed staff to seek proposals for construction management services.

November 23, 2021. Council meeting – Kraus-Anderson (KA) was selected as construction management advisor for the project.

December 14, 2021. Council meeting – The Council authorized preliminary approval for the issuance of bonds to finance the project costs.

February 8, 2022. Council meeting – The Council approved the final site plan and exterior building elevations based on the Planning Commission’s recommendation for approval.

February 17, 2022. Council work session – The Council reviewed the 90% project plans, however directed staff to delay preparation of bid documents and bidding the project until after it was known if the project would receive State funding.

June 14, 2022. Council work session – The Council directed staff to complete final plans and specifications and prepare the project to be bid as soon as possible.

The final bid documents, including plans and specifications, have now been completed and are ready to be released for bids. Copies of bid documents are on file in the Engineering Department and can be viewed at City Hall. Attached are site plan renderings previously approved by the Council in February 2022.

The current estimated project cost for the project stands at \$14,400,000. As previously discussed, the City will be issuing bonds to fund the renovation project. Upon bid opening in October, the City Council will prepare for the sale of bonds.

RECOMMENDATION

Staff recommends the City Council approve the plans and specifications and order advertisement for bids for the Public Safety Renovation Project, as presented.

ATTACHMENTS

Resolution
Site Plan Renderings

RESOLUTION NO.

**RESOLUTION ORDERING IMPROVEMENTS AND AUTHORIZING ADVERTISEMENT FOR BIDS
FOR THE PUBLIC SAFETY RENOVATION PROJECT FOR THE
CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, the original Public Safety Building was constructed in 1961, renovated in 1995 and has provided service for the White Bear Lake community for over 60 years; and

WHEREAS, the City Council identified replacement of the north fire station's apparatus bay and construction of a garage for indoor storage of police squads and administrative fire and police vehicles as a priority; and

WHEREAS, the City has secured Wold Architects to design and prepare plans and specifications for renovations of the Public Safety Building; and

WHEREAS, the City has secured Kraus-Anderson as construction management advisory for renovations of the Public Safety Building; and

WHEREAS, the final project plans and specifications are completed and are ready to be advertised for bids.

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

1. Said improvements are hereby ordered as proposed.
2. The City Engineer is hereby designated as the Engineer for these improvements.
3. The plans and specifications are prepared by Wold Architects for the White Bear Lake Public Safety Renovation Project are hereby approved.
4. The City Engineer shall prepare and cause to be inserted in the official paper an advertisement for bids upon the making of such improvement under such approved plans and specification. The advertisement shall be published for a minimum of 10 days, shall specify the work to be done, shall state the bids will be received by the Public Works Director/City Engineer until 2:00 P.M. on October 11, 2022, at which time they will be publically opened in the City Hall by the City Engineer and City Clerk, will then be tabulated and will be considered by the City Council at 7:00 P.M. on Tuesday, October 25, 2022.

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

Ayes:
Nays:
Passed:

RESOLUTION NO.

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk













City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council
From: Lindy Crawford, City Manager
 Rick Juba, Assistant City Manager
Date: September 13, 2022
Subject: **Classification and Compensation Study**

SUMMARY

The City Council will consider accepting the Classification and Compensation Plan prepared by McGrath Human Resources Group and approve its implementation. Victoria McGrath of McGrath Human Resources Group will virtually attend the City Council meeting to summarize the findings of the Study.

BACKGROUND INFORMATION

In October 2021, the City Council authorized a Classification and Compensation Study (Study) and the City retained McGrath Human Resources Group to perform the Study. The City's current Classification and Compensation Plan (Plan) was originally implemented in 1988. While the City has remained in compliance with the Pay Equity Act, much has changed over the last 30 plus years and a new plan is warranted.

The goals of the Study were to ensure future compliance with the Pay Equity Act, keep the City competitive in the labor market and confirm that positions are classified appropriately. The result is a new Plan and salary schedule which is recommended for adoption by the City Council. The new Plan will not set union salaries as those contracts must be individually negotiated.

Outcome

Positions were reviewed and placed appropriately within the new Plan. The new Plan contains 16 steps per grade, each step increases by 2% for permanent full-time employees. The temporary part-time positions increase by \$0.25 per step. Employees must receive a satisfactory annual performance evaluation in order to be eligible for a step increase. Separately, the City Council will also consider annual cost of living adjustments (COLA) to the entire Plan during the budgeting process.

Implementation

As mentioned in the attached Executive Report, implementation of new plans often begins with placing employees at their closest step to avoid dramatic increases to the budget. The below

recommendations have been accounted for in the 2023 proposed budget.

1. To begin implementation, staff recommends that non-bargaining employees be placed at the step they are currently the closest to (without a reduction in pay) in their new grade as of September 1, 2022. Retroactive adjustments have been accounted for in the 2022 revised budget.
2. On January 1, 2023, staff has recommended a COLA of 3%.
3. On July 1, 2023, qualifying non-bargaining employees will receive an increase for longevity. Employees with over five (5) years of service in their current position will be moved to step five (5) if their closest step was below that point. Employees with over ten (10) years of service in their current position will be moved to step eight (8) if their closest step was below that point. This will help alleviate compression amongst non-bargaining employees within the pay system.
4. In 2024, regular step adjustments, in addition to COLA, would begin.

Again, implementation for the union employees will need to be negotiated and approved separately.

All position descriptions and the performance evaluation process will be analyzed in upcoming months to reflect the updates from the Plan.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution accepting the Classification and Compensation Study and approving its implementation retroactive to September 1, 2022, and a 3% COLA for 2023.

ATTACHMENTS

Classification and Compensation Study Executive Report
Resolution

RESOLUTION NO.

RESOLUTION ACCEPTING AND IMPLEMENTING A CLASSIFICATION AND COMPENSATION STUDY FOR THE CITY OF WHITE BEAR LAKE, MINNEOSTA

WHEREAS, the City of White Bear Lake’s current Classification and Compensation Plan was adopted in 1988; and

WHEREAS, the City of White Bear Lake’s Classification and Compensation Plan helps ensure compliance with the Pay Equity Act, stay competitive in the labor market and maintain internal equity among different positions; and

WHEREAS, in October of 2021, the City Council authorized a Classification and Compensation Study to be conducted by McGrath Human Resources Group; and

WHEREAS, McGrath Human Resources Group has concluded their study and made recommendations reflected in an Executive Report.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the Executive Report for the Classification and Compensation Study submitted by McGrath Human Resources Group is hereby accepted.

BE IT FURTHER RESOLVED that the implementation of the Classification and Compensation Plan for all non-bargaining employees be effective retroactively to September 1, 2022, with a 3% COLA effective January 1, 2023, longevity steps for employees on July 1, 2023, and full implementation of the Plan in 2024.

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



**Compensation and Classification Study
Executive Report**

for

**City of White Bear Lake
Minnesota**



July 2022



McGrath Consulting Group, Inc.

P.O. Box 865

Jamestown, TN 38556

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Fax (815) 331-0215

www.mcgrathconsulting.com

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Table 1: Comparable Organizations6

Introduction

McGrath Human Resources Group, Inc. (Consultants), an organization that specializes in public sector consulting, was commissioned by the City of White Bear Lake (the City) to conduct a compensation and classification study (the Study) and develop an updated pay structure for positions within the City. This encompassed four unions - Public Works, Fire, Police and Police Sergeants as well as non-represented employees within the City.

The Consultants would like to extend their appreciation to the Assistant City Manager, past and current City Manager, Department Directors, and Administration for their time, cooperation, and sharing of information and perceptions.

Methodology

Data Collection

This project involved several steps: collection of data, interviews, and data analysis. The first step of the Study involved gathering data that pertains to current compensation practices within the City; the Consultants received information relating to current salaries, specific policies, collected market data, and current job descriptions.

Interviews were conducted with the former City Manager, Assistant City Manager, Human Resource Specialist and Department Directors. The purpose of these meetings was: first, to gain an understanding of the City's current compensation practices, secondly, to solicit ideas and input from these stakeholders for future compensation methodologies and practices, and finally, to discuss the recruitment challenges.

Compensation Schedule Issues

The non-union compensation system was developed during the 1980's and has been adjusted periodically with non-union employees moving through the schedule based on a merit matrix.

The union schedules vary; however, there are salary ranges with the exception of the working foreman who has a flat-rate pay. There is no methodology for determination of the salary range or placement of positions within the salary schedule.

The scope of the Study was to see how the City’s salary ranges compare to the external public sector market. Because of the current labor market – high inflation and a lack of qualified employees - it is extremely important that the City have a competitive salary schedule in order to compete in today’s market.

In addition to an analysis of the external market, the Study will consist of an analysis of how positions fare internally. The Consultants obtained position questionnaires to assist in evaluating proper placement of positions within a pay range for internal equity. This system will provide a mechanism for the City to place positions within the salary schedule via an objective process.

Labor Market

In order to gain information from the external market through interviews with the Department Directors, and Administration, a list of comparable organizations was established. Each of the comparable organizations was contacted via email and asked to provide their organization’s salary schedule – minimum, midpoint, maximum - and the average salary of current incumbents. The following comparable organizations were contacted:

Table 1: Comparable Organizations

Organization	Participation
Burnsville Fire	Fire only
Cottage Grove	
Forest Lake	
Hastings	
Hopkins	
Hugo	
Maplewood	
New Brighton	DNP
Northfield	
Oakdale	
Roseville	
Stillwater	
White Bear Township	DNP
Fridley	

Salary information was gleaned from the survey sent out by the Consultants. The collection of this compensation data was utilized to analyze the average market minimum, midpoint and maximum rates

per defined benchmark positions. A comparison of the average salaries of external incumbents to the salaries of incumbents within the City was also performed.

Market Analysis

It is standard compensation practice to establish a range around the market rate to determine if employee compensation is in line with the comparable market. Employees can mistakenly assume that if the average market rate is \$25,000, then their salary should align to the market rate, not realizing there are many factors that are attributable to being above or below a market rate. In order to analyze the salaries, a comp ratio is used. This is a ratio of the City's salaries in relation to the external market data. A 50% comp ratio would mean that it is in line with the external market. Traditionally, organizations establish a 5%-10% range around the market rate; therefore, if an employee is making between 40%-60% of the market rate, the employee is considered fairly compensated.

This section will only discuss non-union positions.

Non-Union Minimum Salary Comparison

The non-union compensation system consists of a hiring zone, midpoint zone, and a zone 3 which contains the maximum of the salary range. According to the City, rarely are candidates hired within Zone 1 or the hiring range; rather most are hired at the low end of Zone 2 or the midpoint of the salary range. Thus, three (3) analyses were conducted: (1) minimum to average market minimum; (2) Low Zone 2 to average market minimum, and (3) the midpoint to the average market minimum.

Figure 1: Minimum Market Analysis – Non-Union

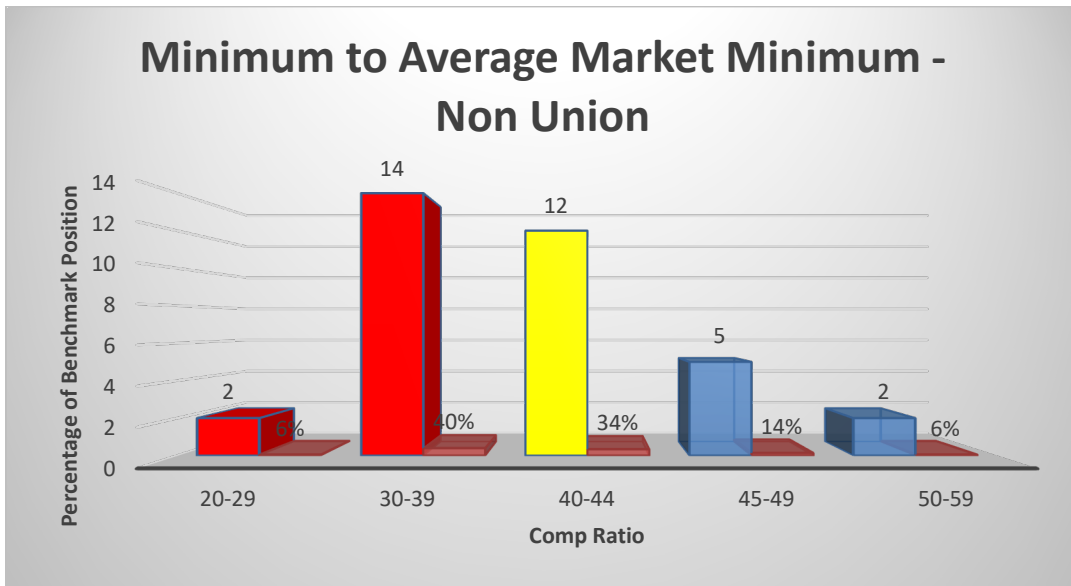


Figure 2: Low Zone 2 to Average Market Minimum

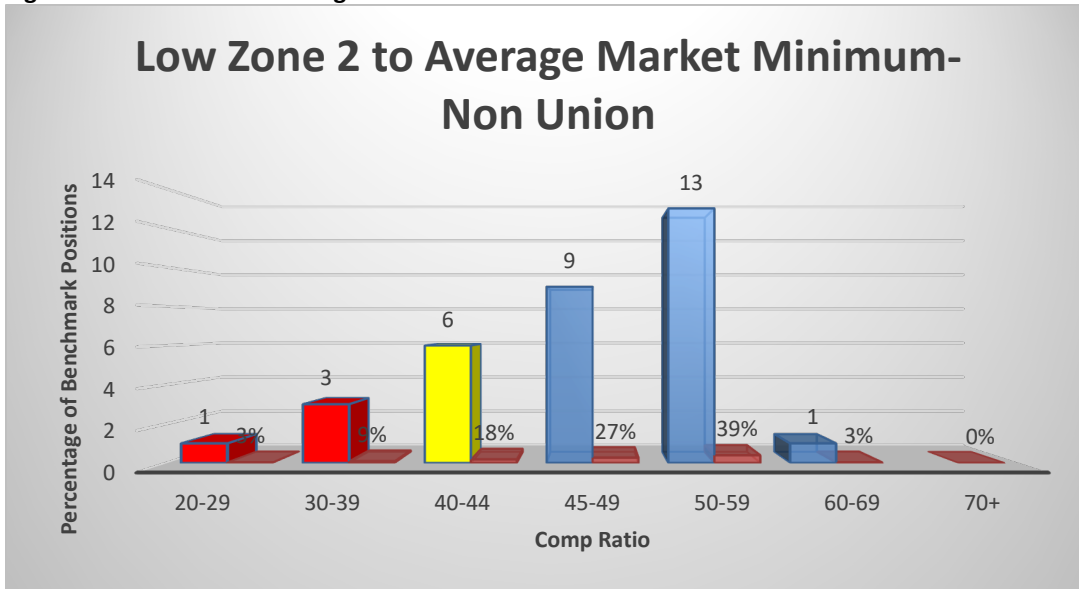
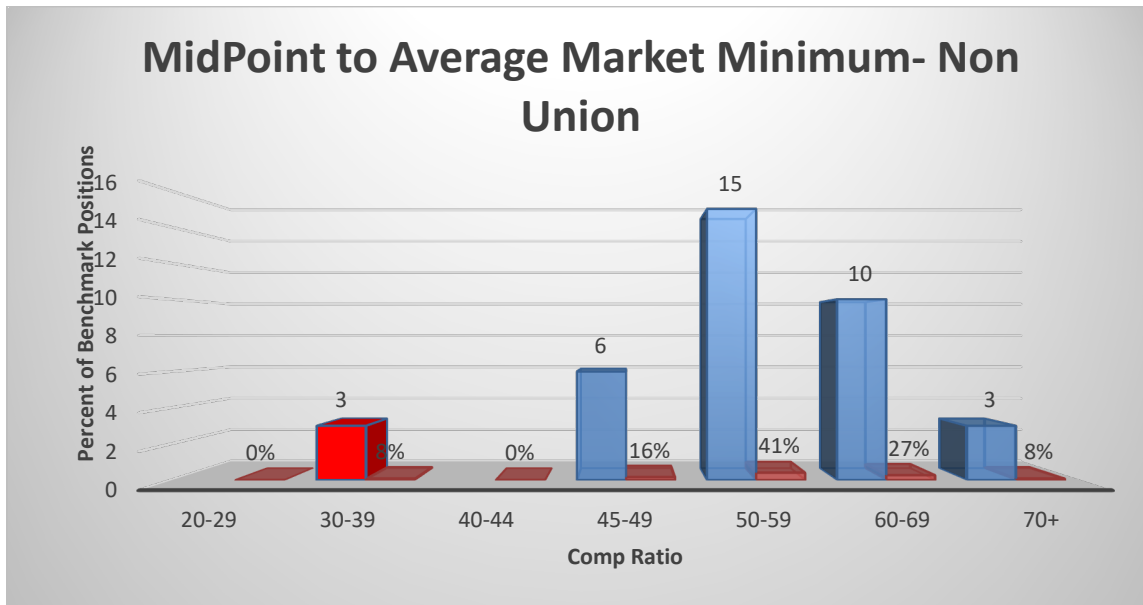


Figure 3: Midpoint to Average Market Rate – Non-Union



The three (3) figures above illustrate that the salary schedule's minimum is lower than the average market minimum. Fifty four percent (54%) of the positions are within the acceptable range; however, 34% are in the lower portion of acceptable (40-44% comp ratio) and with today's inflation would be considered under the market. Forty-six percent (46%) of the positions would have an acceptable market minimum under this salary schedule.

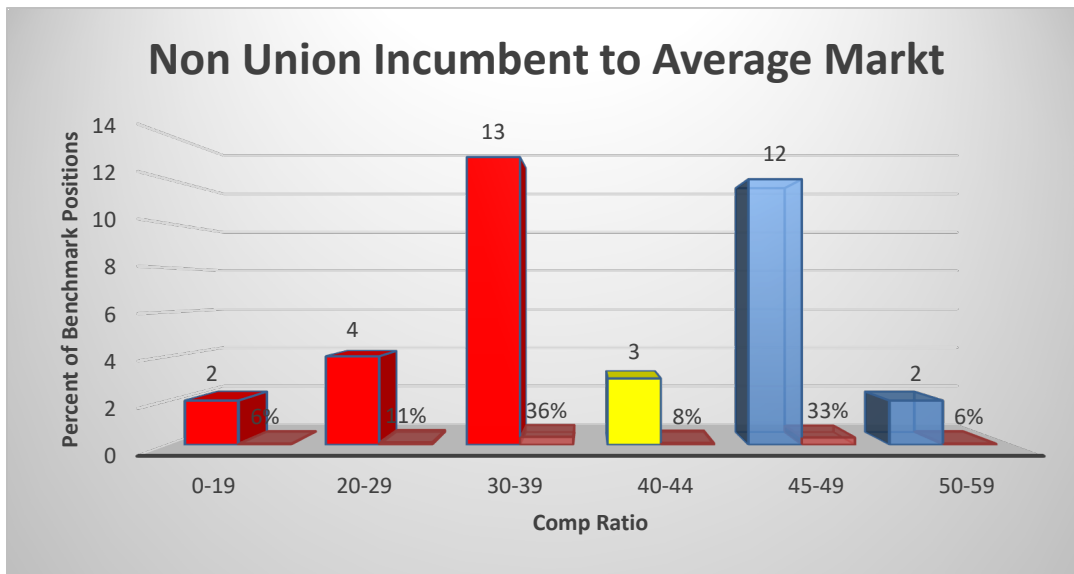
Zone 2 illustrates that 88% of positions are within an acceptable rate, and 92% of the average market minimums are aligned to the salary schedule's midpoint.

Non-Union Incumbent to Average Market

The analysis of the current incumbents' salaries to the average market does not fare as well as the union employees. Again, tenure within the organization can affect the comp ratio. Of the benchmark positions, 53% of employees are below the average market rate. Forty seven percent (47%) of employees are within the acceptable range; however, 8% are in the 40-44% comp ratio and would be considered out of line with the market.

Although tenure may play a part in positions being below the market, one would expect to see these employees in the 30-39% comp ration – the lower end of the salary schedule. Positions below 30% are not only below the market, but most likely are in pay ranges that are non-competitive to the market. These figures illustrate that adjustments need to be made to the non-union salary schedule minimum.

Figure 4: Non-Union Incumbent to Avg Mkt



Non-Union Maximum Salary Comparison

The Consultants then compared the City's salary range maximum (non-represented) to the average market maximum. However, due to various types of salary range construction, one must always keep in mind that this may not be an exact comparison.

The result is that 83% of the positions have a maximum of the salary range within the acceptable market range.

Citywide Market Data Summary

Based on the market data, there are positions that have been identified, or soon will be identified, that need adjustment to become or remain competitive. Thus, all salary schedules need to better align with the external market.

Current Compensation System

This Study includes four (4) unions and a non-union schedule. Salary structures for these groups are different. The following is an analysis of the non-union schedule.

Non Union

The non-union schedule consists of 33 pay ranges with a Zone 1 – hiring range; Zone 2 – midpoint range; and Zone 3- midpoint to maximum range. There is a high/low within each range. Minimum to maximum is 35%. Zone 1 is 9% from minimum to high; Zone 2 is 16.22% and Zone 3 is 7%. Zone 1 has been the hiring range, but the City has found that it is no longer competitive and hires in the upper Zone 1 – lower Zone 2 range. The percentage between pay grades ranges from 3% - 15%. This is not uncommon, however, 5% or less difference is usually too small of a range difference. A number of the paygrades are not used at this time.

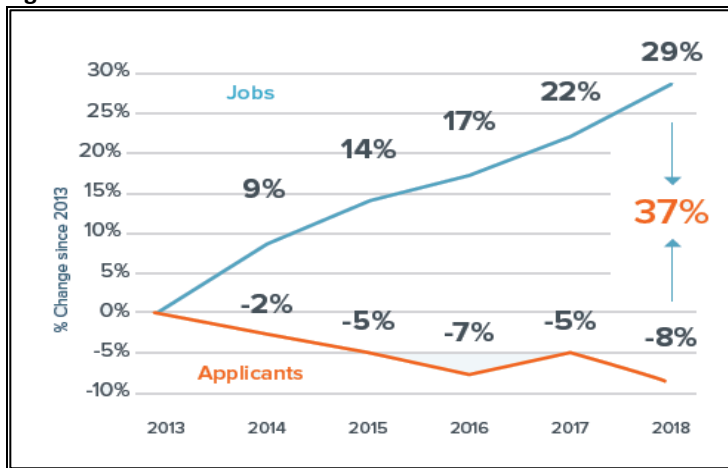
There is no methodology to place the positions within the range, nor is there any policy as to how employees move through the salary range. For position placement, the Assistant City Manager evaluates the external market salary with the League of Minnesota municipalities and evaluates the placement within the salary range.

Other Factors

Public Sector Recruitment Challenges

According to human resources professionals across the United States, it is becoming progressively harder to hire qualified personnel. Looking at a tight labor market, recruitment and retention of qualified personnel with the necessary skills for public service topped the list of workforce challenges (State and Local Government Workforce: 2017 Trends). Between 2013 and 2018, postings for government jobs increased by 29% while applicant volume fell by 8%, resulting in a 37% gap (Neogov Job Seeker Report 2019). The figure below illustrates this change.

Figure 5: Public Sector Recruitment Trends



More recently, the Center for State and Local Government Excellence released its State and Local Government Workforces 2021 report. Based on a survey conducted in the first quarter of 2021 with 300 state and local government participants across the United States, nearly 64% of respondents identified police positions as one of their most challenging positions to fill, and 57% identified skilled trades.

This is not a new issue. Public employers have been experiencing ongoing challenges of this nature for almost a decade. Governments historically have had a compelling proposition to offer workers with secure lifetime employment and generous healthcare benefits followed by a robust pension for retirement, which is no longer the case. Public employers are battling for their talent because:

- Long term employment has less appeal to the younger workforce,
- There is a real or perceived decline in public support for government workers,
- Public employers do not feel they can compete with salaries and benefits as their benefits have eroded making the private sector more competitive,
- There is a growing skills gap. Many government jobs now require specialized education or training with fewer jobs being “learn on the job,”
- Public employers are not able to offer the same level of flexible work arrangements to all employees as is the private sector,
- Limitations in technologies prevent efficiencies and automation, and
- There are limited financial resources.

The Great Resignation and Private Sector Influence

Compounding the public sector recruitment challenges as the nation re-opened in 2021 following COVID shutdowns, the country has experienced continued private industry prosperity, record inflation, record retirements, and record turnover from an otherwise qualified workforce, causing all industries, both public and private, to be competing for already limited human resources. This has led employers to

escalate wages for all positions to help recruit and retain its talent. The effect has been substantial, and nearly every employer is experiencing recruitment and retention challenges. As a result, all employers, including the City, will need to ensure its wages and benefit package is as competitive as financially possible in order to help mitigate turnover and facilitate recruitment success.

Turnover

Employee turnover refers to the number or percentage of employees who leave an organization and are replaced by new employees. Turnover often has a negative connotation, yet turnover is not always a negative event. For example, desirable turnover occurs when an employee whose performance falls below the organization's expectations is replaced by someone whose performance meets or exceeds expectations. It is desirable because poor job performance can be costly both financially and culturally. Desirable turnover occurs when new employees infuse new talent and skills, which can be positive to an organization. Conversely, undesirable turnover means the organization is losing employees whose performance, skills and qualifications are valuable resources.

High turnover rates can negatively affect an organization and its employees in many ways. With the constant need to hire and train new employees, it is easy to veer from the true mission and vision of the organization. By retaining employees, an organization can provide a higher caliber workforce.

Employee turnover also has a direct impact on budgets, including to the City's budget which is the actual financial cost to the City when an employee vacates and is replaced by a new hire. Turnover can be calculated as total payout cost plus recruitment cost plus replacement compensation/benefit cost plus training cost. Turnover costs typically calculate around 1.5 times the cost of the original position, which is in addition to the impact on operations that may be borne by its constituents over time.

Because turnover occurs in every organization, and welcomed in some cases, no organization should expect a zero-turnover rate. The generally accepted industry standard for an organization is approximately 10% turnover each year. However, even a 10% turnover rate may not be a healthy percentage if the employees who are leaving are strong performers. Healthy turnover is described as employment separation by low performers, which then cultivates an engaged and higher-performing workforce.

The City did not provide turnover information; however, based on the current employee data, 51% have five (5) or less years of service. The City should track its turnover as well as the reasons for leaving the

organization. In addition to compensation, there are a number of reasons an employee leaves an organization – many of which the organization controls. Thus, the City currently conducts exit interviews to ascertain reasons for leaving, and should continue to utilize that data to evaluate trends that may need to be addressed.

Employee Demographics

Employee demographics can be revealing to an organization. In the case of the City, the tenure of employees ranges from new hire to 37 years. The average tenure of employees is nine (9) years. The current national average in the public sector is currently 6.6 years (*Local Government-Bureau of Labor Statistics, 2020*), showing the City is slightly above average in overall tenure, which is very positive. However, in order to have a full picture of the City, one needs to explore those demographics further - these findings are found in the following Figures.

Figure 6: White Bear Lake Demographics by Years of Service

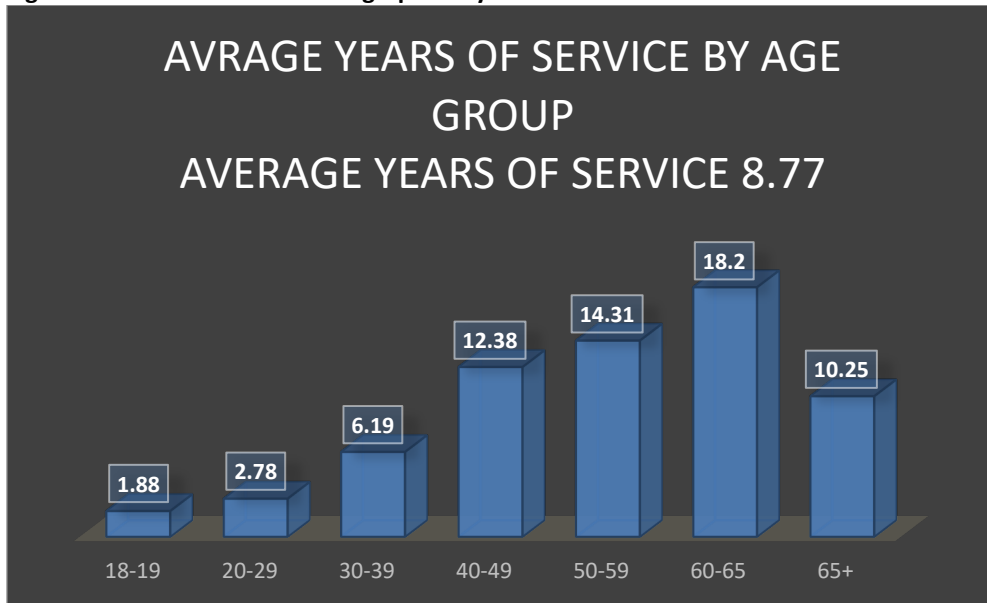
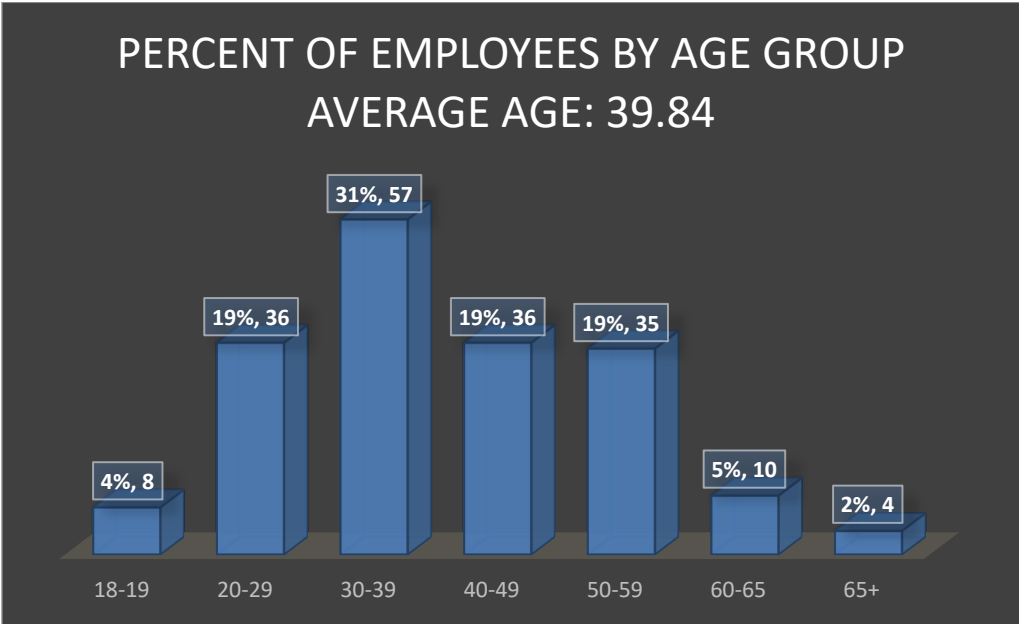


Figure 7: White Bear Lake Demographics by Age Group



The above Figures illustrate that those in the age group 50 and over have the longest tenure of the organization and represent 26% of all employees. When these employees leave the City, the average tenure of the organization is going to decrease dramatically.

Figure 8 shows a nice cross-section of ages across all generations. The City should expect to see ongoing steady turnover simply due to future retirements. A turnover “spike” may be an indication of a decline in job satisfaction, or a wage/benefit issue, so this data should be monitored at least annually.

The City’s demographics also show that 54% of the workforce is under the age of 40, and this is likely the cross-section of employees who are more mobile in today’s workforce. This group has a heavy focus on work/life balance, change jobs quickly because it results in earning higher wages as opposed to remaining with one organization for a longer period of time, and may not consider non-compensatory benefits a reason for remaining with an organization. The tenure of employees under the age of 40 range from new hire to 15 years, with an average tenure of 4.61 years.

The City is recommended to monitor its demographics periodically to properly respond to shifts within the organization as needed. Although the Consultants acknowledge compensation is not the only reason for unwanted turnover, it is a consideration of the larger picture. In order to ensure competitive

recruitment/retention, the City is recommended to follow the compensation philosophy of maintaining an average market compensation to ensure the City can stay competitive in retaining its personnel.

Recommended Salary Schedule Adjustments

The recommended compensation system for all positions is a step salary schedule (See Appendix B). There are 14 pay grades with 16 steps, each with a 2% adjustment between each step. Step 6 is identified as the average market rate.

In addition, the Consultant recommends a Step system for all seasonal, part-time employees. Rather than a percent increase between steps, a flat \$0.25 is recommended. The City may wish to develop minimum number of hours worked the previous year to move to the next step.

Position Placement

Placement onto the respective salary schedule is based on several criteria:

- Point factor system
- Market analysis
- Compression analysis
- Internal equity

After considering these elements, placement of some positions on the salary schedules have changed, with some positions now being placed in lower or higher pay grades than on the previous schedule. This is not an indication that any given position has more or less value, or that a specific position is even to be compared with the other positions in that respective pay grade, so employees are advised not to compare their position with other positions given the complexity of the factors that are considered during placement of positions. Similarly, this is not a “reclassification” process where a position is being evaluated on changes in responsibility, authority, or decision-making that may place the position in a higher or lower pay grade, etc. This process is a complete reset of the compensation system. This is sometimes difficult for employees, because they look only at where their position is placed on the schedule and compare themselves to positions that have been placed higher. When this occurs, employees begin to compare their perception of the value of positions within the organization, and disregard or may not understand all of the factors the Consultants considered when placing all the positions onto the schedule.

Employee Placement

For purposes of implementation, employees were placed to the minimum of the pay range if under Step 1. If above Step 1, an employee was placed on a step closest to the current salary without a decrease in wages, regardless of tenure in the position. In most organizations, this type of placement proves problematic, as employees feel that with tenure in a position, they should be higher within the salary range. Although there is merit to this argument, placement on the schedule by years in the position proves to be costly – something most municipalities cannot initially afford. The City may, after implementation, analyze the placement of tenured personnel for additional step adjustments if under Step 6, to assist with in-range compression that sometimes can occur as a result of establishing a new compensation system.

The City may adjust this recommendation depending on the total cost of implementation and what the budget will allow.

Position Considerations

During the Study, there was an opportunity to align job titles and responsibilities. Some job titles were revised to either have consistency throughout the organization, or to become more current with the external market.

General Operational Guidelines

It is important for the City to have a standardized procedure to adjust the general salary schedules for consistency and for budgetary forecasting. It is the Consultants' recommendation that on a set date each year (such as January 1st), the salary schedules be increased by the national Consumer Price Index – Urban (CPI-U) percentage or by another predetermined economic indicator. For example, since budgeting is done at approximately the same time each year, the City should establish a specific month in which to capture the average of the previous 12 months of the selected economic indicator for a recommended adjustment. The City will still maintain control if conditions and finances fluctuate in a specific year. It is recommended the adjustment to the salary schedules be done on a date other than salary increases, so

employees understand there are two (2) separate adjustments per year. For example, the salary schedule could be adjusted each year on the first payroll of the year. In addition to that adjustment, employees that are not at the top of their pay grade, would receive their scheduled step increase on the date of their employment anniversary or in July of the same year.

It is prudent to increase the schedules by the CPI-U or some other predetermined economic indicator. If the schedules' increase is consistently less than the CPI-U (or a market related indicator), over time, the salary schedules will fall behind the external Market, and the schedules would become obsolete, requiring more financial resources to put it back in line with the external market.

Compensation Guidelines

With the recommended salary schedule, the City now has a competitive compensation system for recruitment and retention purposes. In order to minimize employment discrimination claims, it is the recommendation of the Consultants to consistently utilize structured guidelines when determining compensation.

Life Cycle of the Salary Schedule

One of the main concerns in any salary schedule is the ability to keep it current. Organizations frequently spend a lot of time and resources to review and re-evaluate their salary schedule, resulting in significant increases in pay grades because either the position or the schedule is not in line with the external market. When developing a salary schedule, public sector organizations must build in some mechanism for maintaining average cost-of-living increases in the system.

A salary schedule has a typical life span of three (3) to five (5) years, at which time market conditions typically necessitate a review. The City can strive to prolong the life of their schedule if it continues to commit to maintaining its competitiveness with the external market.

Position	Grade	Points
916 Student Janitorial	50	
Seasonal	50	
Skate Instructor/Attendant	50	
State Instructor	50	
Ticket Attendant	50	
Zamboni Driver I	50	
CSO	55	320
EMS/EMT	55	
Engineering Intern	55	
Firefighter/EMT PT	55	
Sports Center Custodian	55	
Zamboni Driver II	55	
Administrative Assistant - Engineering	A	250
Administrative Assistant - Fire	A	250
Administrative Assistant - Police	A	250
Administrative Assistant - Public Works	A	250
Administrative Assistant - Sports Center	A	250
Cable Caster	A	
Customer Service Representative/AR Technic	A	250
Digital Evidence Technician	A	250
Firefighter/Paramedic PT	A	
License Bureau Dealer Tech	A	250
Account Technician	B	
Accounts Payable Technician	B	251
Building Permit Technician	B	310
License Bureau Specialist	B	295
Panning Technician	B	305
Police Records Technician	B	305
Utility Billing Technician	B	295
City Clerk	C	400
License Bureau Specialist - Lead	C	

Position	Grade	Points
Building Inspector I	D	401
Code Enforcement Officer	D	401
Engineering Tech I	D	
Human Resources Specialist	D	410
Rental Housing Inspector	D	401
Background Investigator	E	
Engineering Tech II	E	
GIS Technician	E	426
License Bureau Supervisor	E	450
Assistant Building Official	F	451
City Planner	F	451
Housing and Economic Development Coordinator	F	451
IT Coordinator	F	470
Senior Engineering Technician	F	451
Assistant Fire Chief	H	570
Assistant Finance Director	H	555
Assistant Fire Chief/Fire Marshall	H	
Building Official	H	546
Sports Center Manager	H	570
Engineer	I	585
Public Works Superintendent	I	590
Water Resources and Environmental Engineer	I	571
Assistant City Engineer	J	665
Police Captain	J	755
Community Development Director	K	805
Finance Director	K	770
Assistant City Manager	L	865
Fire Chief	L	865
Police Chief	L	855
Public Works Director/City Engineer	L	830
City Manager	AA	850

2022 Non Union

Steps per hour

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6(M)	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16
Grade																
50	14.00	14.25	14.50	14.75	15.00	15.25	15.50	15.75	16.00	16.25	16.50	16.75	-	-	-	-
55	15.40	15.71	16.02	16.34	16.67	17.00	17.34	17.69	18.04	18.40	18.77	19.15	-	-	-	-
A	24.50	24.99	25.49	26.00	26.52	27.05	27.59	28.14	28.71	29.28	29.87	30.46	31.07	31.69	32.33	32.97
B	26.95	27.49	28.04	28.60	29.17	29.75	30.35	30.96	31.58	32.21	32.85	33.51	34.18	34.86	35.56	36.27
C	29.11	29.69	30.28	30.89	31.51	32.14	32.78	33.43	34.10	34.78	35.48	36.19	36.91	37.65	38.40	39.17
D	32.02	32.66	33.31	33.98	34.66	35.35	36.06	36.78	37.51	38.26	39.03	39.81	40.60	41.42	42.25	43.09
E	35.22	35.92	36.64	37.37	38.12	38.88	39.66	40.45	41.26	42.09	42.93	43.79	44.67	45.56	46.47	47.40
F	38.74	39.51	40.31	41.11	41.93	42.77	43.63	44.50	45.39	46.30	47.22	48.17	49.13	50.11	51.12	52.14
G	42.61	43.47	44.34	45.22	46.13	47.05	47.99	48.95	49.93	50.93	51.95	52.99	54.04	55.13	56.23	57.35
H	46.02	46.94	47.88	48.84	49.82	50.81	51.83	52.87	53.92	55.00	56.10	57.22	58.37	59.54	60.73	61.94
I	48.32	49.29	50.28	51.28	52.31	53.35	54.42	55.51	56.62	57.75	58.91	60.09	61.29	62.51	63.76	65.04
J	53.16	54.22	55.30	56.41	57.54	58.69	59.86	61.06	62.28	63.53	64.80	66.09	67.42	68.76	70.14	71.54
K	58.47	59.64	60.83	62.05	63.29	64.56	65.85	67.17	68.51	69.88	71.28	72.70	74.16	75.64	77.15	78.70
L	64.32	65.61	66.92	68.26	69.62	71.01	72.43	73.88	75.36	76.87	78.41	79.97	81.57	83.20	84.87	86.57
M	69.47	70.85	72.27	73.72	75.19	76.70	78.23	79.79	81.39	83.02	84.68	86.37	88.10	89.86	91.66	93.49
AA	75.02	76.52	78.05	79.61	81.21	82.83	84.49	86.18	87.90	89.66	91.45	93.28	95.15	97.05	98.99	100.97

Steps Annual

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6(M)	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16
Grade																
50	29,120	29,640	30,160	30,680	31,200	31,720	32,240	32,760	33,280	33,800	34,320	34,840	-	-	-	-
55	32,032	32,673	33,326	33,993	34,672	35,366	36,073	36,795	37,531	38,281	39,047	39,828	-	-	-	-
A	50,960	51,979	53,019	54,079	55,161	56,264	57,389	58,537	59,708	60,902	62,120	63,362	64,630	65,922	67,241	68,585
B	56,056	57,177	58,321	59,487	60,677	61,890	63,128	64,391	65,679	66,992	68,332	69,699	71,093	72,514	73,965	75,444
C	60,540	61,751	62,986	64,246	65,531	66,842	68,178	69,542	70,933	72,351	73,799	75,274	76,780	78,316	79,882	81,480
D	66,595	67,926	69,285	70,671	72,084	73,526	74,996	76,496	78,026	79,587	81,178	82,802	84,458	86,147	87,870	89,627
E	73,254	74,719	76,213	77,738	79,292	80,878	82,496	84,146	85,829	87,545	89,296	91,082	92,904	94,762	96,657	98,590
F	80,579	82,191	83,835	85,511	87,222	88,966	90,745	92,560	94,412	96,300	98,226	100,190	102,194	104,238	106,323	108,449
G	88,637	90,410	92,218	94,063	95,944	97,863	99,820	101,816	103,853	105,930	108,048	110,209	112,414	114,662	116,955	119,294
H	95,728	97,643	99,596	101,588	103,619	105,692	107,806	109,962	112,161	114,404	116,692	119,026	121,407	123,835	126,311	128,838
I	100,515	102,525	104,576	106,667	108,800	110,976	113,196	115,460	117,769	120,124	122,527	124,977	127,477	130,027	132,627	135,280
J	110,566	112,778	115,033	117,334	119,680	122,074	124,515	127,006	129,546	132,137	134,780	137,475	140,225	143,029	145,890	148,808
K	121,623	124,055	126,536	129,067	131,648	134,281	136,967	139,706	142,501	145,351	148,258	151,223	154,247	157,332	160,479	163,688
L	133,785	136,461	139,190	141,974	144,813	147,710	150,664	153,677	156,751	159,886	163,083	166,345	169,672	173,065	176,527	180,057
M	144,488	147,378	150,325	153,332	156,398	159,526	162,717	165,971	169,291	172,676	176,130	179,653	183,246	186,910	190,649	194,462 *
AA	156,047	159,168	162,351	165,598	168,910	172,288	175,734	179,249	182,834	186,491	190,220	194,025	197,905	201,863	205,901	210,019 *

* 2022 Salary Cap \$192,144

2023 Non Union

Steps per hour

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6(M)	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16
50	14.42	14.68	14.94	15.19	15.45	15.71	15.97	16.22	16.48	16.74	16.50	16.75	-	-	-	-
55	15.86	16.18	16.50	16.83	17.17	17.51	17.86	18.22	18.58	18.96	18.77	19.15	-	-	-	-
A	25.24	25.74	26.25	26.78	27.32	27.86	28.42	28.99	29.57	30.16	30.76	31.38	32.00	32.64	33.30	33.96
B	27.76	28.31	28.88	29.46	30.05	30.65	31.26	31.89	32.52	33.17	33.84	34.51	35.20	35.91	36.63	37.36
C	29.98	30.58	31.19	31.81	32.45	33.10	33.76	34.44	35.13	35.83	36.54	37.28	38.02	38.78	39.56	40.35
D	32.98	33.64	34.31	35.00	35.70	36.41	37.14	37.88	38.64	39.41	40.20	41.00	41.82	42.66	43.51	44.38
E	36.27	37.00	37.74	38.50	39.27	40.05	40.85	41.67	42.50	43.35	44.22	45.10	46.01	46.93	47.86	48.82
F	39.90	40.70	41.51	42.34	43.19	44.06	44.94	45.84	46.75	47.69	48.64	49.61	50.61	51.62	52.65	53.70
G	43.89	44.77	45.67	46.58	47.51	48.46	49.43	50.42	51.43	52.46	53.50	54.57	55.67	56.78	57.92	59.07
H	47.40	48.35	49.32	50.31	51.31	52.34	53.38	54.45	55.54	56.65	57.79	58.94	60.12	61.32	62.55	63.80
I	49.77	50.77	51.78	52.82	53.88	54.95	56.05	57.17	58.32	59.48	60.67	61.89	63.13	64.39	65.68	66.99
J	54.75	55.85	56.96	58.10	59.26	60.45	61.66	62.89	64.15	65.43	66.74	68.08	69.44	70.83	72.24	73.69
K	60.23	61.43	62.66	63.91	65.19	66.50	67.83	69.18	70.57	71.98	73.42	74.88	76.38	77.91	79.47	81.06
L	66.25	67.57	68.93	70.30	71.71	73.14	74.61	76.10	77.62	79.17	80.76	82.37	84.02	85.70	87.41	89.16
M	71.55	72.98	74.44	75.93	77.45	79.00	80.58	82.19	83.83	85.51	87.22	88.96	90.74	92.56	94.41	96.30
AA	77.27	78.82	80.40	82.00	83.64	85.32	87.02	88.76	90.54	92.35	94.20	96.08	98.00	99.96	101.96	104.00

Steps Annual

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6(M)	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16
50	29,994	30,534	31,075	31,595	32,136	32,677	33,218	33,738	34,278	34,819	34,320	34,840	-	-	-	-
55	32,989	33,654	34,320	35,006	35,714	36,421	37,149	37,898	38,646	39,437	39,047	39,828	-	-	-	-
A	52,499	53,539	54,600	55,702	56,826	57,949	59,114	60,299	61,506	62,733	63,981	65,270	66,560	67,891	69,264	70,637
B	57,741	58,885	60,070	61,277	62,504	63,752	65,021	66,331	67,642	68,994	70,387	71,781	73,216	74,693	76,190	77,709
C	62,358	63,606	64,875	66,165	67,496	68,848	70,221	71,635	73,070	74,526	76,003	77,542	79,082	80,662	82,285	83,928
D	68,598	69,971	71,365	72,800	74,256	75,733	77,251	78,790	80,371	81,973	83,616	85,280	86,986	88,733	90,501	92,310
E	75,442	76,960	78,499	80,080	81,682	83,304	84,968	86,674	88,400	90,168	91,978	93,808	95,701	97,614	99,549	101,546
F	82,992	84,656	86,341	88,067	89,835	91,645	93,475	95,347	97,240	99,195	101,171	103,189	105,269	107,370	109,512	111,696
G	91,291	93,122	94,994	96,886	98,821	100,797	102,814	104,874	106,974	109,117	111,280	113,506	115,794	118,102	120,474	122,866
H	98,592	100,568	102,586	104,645	106,725	108,867	111,030	113,256	115,523	117,832	120,203	122,595	125,050	127,546	130,104	132,704
I	103,522	105,602	107,702	109,866	112,070	114,296	116,584	118,914	121,306	123,718	126,194	128,731	131,310	133,931	136,614	139,339
J	113,880	116,168	118,477	120,848	123,261	125,736	128,253	130,811	133,432	136,094	138,819	141,606	144,435	147,326	150,259	153,275
K	125,278	127,774	130,333	132,933	135,595	138,320	141,086	143,894	146,786	149,718	152,714	155,750	158,870	162,053	165,298	168,605
L	137,800	140,546	143,374	146,224	149,157	152,131	155,189	158,288	161,450	164,674	167,981	171,330	174,762	178,256	181,813	185,453
M	148,824	151,798	154,835	157,934	161,096	164,320	167,606	170,955	174,366	177,861	181,418	185,037	188,739	192,525	196,373	200,304 *
AA	160,722	163,946	167,232	170,560	173,971	177,466	181,002	184,621	188,323	192,088	195,936	199,846	203,840	207,917	212,077	216,320 *

* 2022 Salary Cap \$192,144 (2023 not available)

Appendix B: Definitions

The following are definitions that helped guide the development of the compensation system for the City:

Benchmark Position: A job that is commonly found and defined, used to make pay comparisons, either within the organization or to comparable jobs outside the organization.

Classifications: Job titles.

Compensation System: A system developed to compensate employees. This system includes a balance between internal equity and external competitiveness.

Compensation Data: Data derived from information regarding the salary range and the rate of pay of the incumbent(s) holding a benchmark position of the identified labor market.

Comp Ratio: The ratio of an actual pay range to the established position point (or average market rate). The Comp Ratio is used to measure and monitor an individual's actual rate of pay to the Position Point of the established pay range.

Compression: Pay differentials too small to be considered equitable. The term may apply to differences between (1) the pay of supervisors and subordinates; (2) the pay of experienced and newly hired personnel of the same job; and (3) pay range midpoints in successive job grades or related grades across pay structures.

CPI-U: Consumer Price Index – Urban: A measure of the average change over time in the prices paid by urban consumers for a market of consumer goods and services. It reflects the spending pattern for three population groups: all urban consumers, urban wage earners, and clerical workers. This group represents approximately 87% of the total U.S. population.

Demotion: The (re)assignment of an employee to a position in a lower pay grade or range in the organization's salary structure.

Labor Market: A location where labor is exchanged for wages. These locations are identified and defined by a combination of the following factors: geography; industry; education, experience and licensing or certification required; and job responsibilities.

Market Data: The technique of creating the financial value of a position based on the "going rate" for benchmark positions in the relevant labor markets.

Minimum Salary Range (Minimum): The minimum amount of compensation the organization has deemed appropriate for a position.

Maximum Salary Range (Maximum): The highest amount of compensation the organization has deemed appropriate for a position.

Market Average: Employee pay based upon the “average” market rate; or the “average” prevailing wage rate in the external market.

Market Rate (Market): The organization’s best estimate of the wage rate that is prevailing in the external market for a given position.

Market Average Range: A pay range in which the minimum and maximum of the range is established around the Average Market Rate.

Pay Grade: The grade, or placement of a position, within the salary structure.

Pay Grade Evaluation: The (re)assignment of a job to a higher or lower pay grade or pay range in the salary structure due to a job content (re)evaluation and/or significant change in the average market rate in the external labor market.

Performance Increase: An adjustment to an individual’s base pay rate based on performance or some other individual measure.

Promotion: The (re)assignment of an employee to a position in a higher pay grade or range in the organization’s salary structure.

Red Circle: The freezing of a rate of pay until such time that the salary schedule catches up to the pay rate. This is commonly used when implementing a new pay schedule when a tenured employee is above the range maximum or when an employee is placed on a lower pay grade that is not related to performance issues.

Salary Schedule Adjustment: An adjustment to the salary structure; the increase or decrease of a pay range, minimum – maximum. This is a method to maintain the salary range in relation to external market conditions.

Salary Schedule: The hierarchy of job grades and pay ranges established within an organization.

Step Increase: The progressive steps across a salary range that an employee may move to with satisfactory performance and progress within their job.

Step Schedule: Standardized progression pay rates that are established within a pay range. To move to the next step, one must have met acceptable performance standards.

Spread: The range of pay rates, from minimum to maximum.



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council
From: Lindy Crawford, City Manager
 Kerri Kindsvater, Finance Director
Date: September 13, 2022
Subject: **2023 Preliminary Budget & Tax Levy**

SUMMARY

The City Council will review & discuss the 2023 preliminary budget and tax levy. The preliminary tax levy may be set tonight, but must be set no later than the September 27th Council meeting.

BACKGROUND INFORMATION

Attached for review and discussion is the 2023 preliminary budget. This year's proposed preliminary General Fund tax levy reflects a 12.48% or a \$1,008,000 increase for operations and 2.45% increase for debt service related to the 2022 street improvement project.

Staff is grateful that the Council has made the decision to proceed with the much-needed public safety building project. The City will issue debt to cover these expenditures, which will add an 8.28% or a \$669,000 increase to the debt service levy in 2023.

Therefore, this year's total preliminary tax levy reflects a 23.21% or a \$1,875,000 increase over the previous year's levy. In order to offset the proposed tax levy, staff has prepared a budget reflecting a deficit of \$968,328. This deficit will be covered by the use of unrestricted surplus cash in the General Fund Balance, as discussed at the August 16th Council work session.

The state auditor recommends that cities keep a minimum of five month's operating costs (42%) on hand and accessible to cover unanticipated costs. The fund balance projected for December 31, 2022, covers 45% of the 2023 expenditures; which meets the state auditor's recommendation and complies with the Council policy requiring the fund balance to be 35-50% of expenditures anticipated for the following year.

A second analysis tracks the fund balance to ensure funds are available to pay claims in the first half of each year since the first payments of the two largest revenue sources (tax payments and state aid) are not received until June or July. The anticipated fund balance for December 31, 2023, is 53% of the 2023 projected tax and intergovernmental revenue, which provides funds for the first half of 2024.

The following chart summarizes the proposed 2023 tax levy:

General Fund	\$8,233,000
Debt Service	1,053,000
Debt Service - Public Safety Facility	669,000
Gross Levy	9,955,000
Less: Fiscal Disparity Distribution	(973,350)
Net Levy	8,981,650

Tax capacity rate related to a \$9,955,000 levy: 24.448%

Levy Impacts

Staff has prepared the attached documents for residential and commercial property owners to illustrate estimated impacts to property taxes for taxes payable/collectable in 2023. In addition, the Council has traditionally analyzed market valuations and tax levy impacts for five residential and six commercial properties.

Let's look at a median value residential property. The 2022 median value home for taxes payable year 2023 is \$306,100, which is a 17.60% increase from 2022. The 2023 tax burden to this property at a 24.448% tax capacity rate for City taxes is \$724.64. For this annual tax, this property owner will continue to receive an exceptional quality of life in White Bear Lake with all of the following services, just to name a few –

- 27/7 police response
- 24/7 fire response
- Street maintenance, sweeping, lighting, and snow plowing
- Parks access and recreation activities
- Election activities
- Access to city publications
- Access to all city staff and elected officials

Significant Expenditure changes include –

1. Salary adjustments per the Pay Plan (includes benefit factors)
2. Increase in health insurance benefits
3. Addition of two full-time firefighters/paramedics
4. Unavoidable increase in utilities (gas & electric) and fuel
5. Removal of proposed accounting position funded in 2022 for the Finance Dept.
6. Removal of proposed engineering position funded in 2022 for the Engineering Dept.
7. Replacement of playground sand in three parks (Podvin, Ramaley, Spruce)
8. Improved services for public safety responders' mental health checks
9. Addition of electronic plan review system for the Building Dept.
10. Operating technology costs related to software systems (finance, HR/payroll, utility billing, building permits, GIS, internet, other smaller programs), computer servers, and additional IT support for these items
11. Increase in routine city facility cleaning charges

Significant Revenue changes include –

1. Per our auditor’s directions, the budget includes an allocation for the state fire aid, this revenue is offset by an equal expenditure to recognize payment to the fire relief investment fund held by the State Board of Investments.
2. Unavoidable decrease in permit revenues (School District permits are complete)
3. To be conservative, interest revenue is not budgeted due to the uncertainty of the market.
4. The transfer from the Construction Fund reduces support of the Engineering operations previously embedded in the Construction Fund per City Council direction.
5. A shift in the Fiscal Disparity shared pool of tax base for the Twin Cities metro area reduced the City’s contribution to the pool by 2.7% and the distribution by 7.6%. The net effect of both changes in the calculation hold the amount the City’s receives to offset the property tax levy at a lower amount than if there hadn’t been a shift.
6. Unavoidable decrease of approx. \$506,350 in local government aid (LGA). The City received supplemental aid in 2022 of \$257,520 to maintain the 2021 funding level another year. The 2023 allotment calculation did not take into account the 2022 supplemental aid payment; therefore, we are recognizing the decrease for 2022 and 2023 in one year.

LGA is a program based on a complex formula to equalize a city’s ability to provide an average level of service at a reasonable property tax rate. As a city’s property values increase, the formula reduces the amount of aid distributed for assistance. White Bear Lake saw its first reduction in LGA in 2021. As mentioned above, initial state calculations for 2022 indicated a similar reduction; however, supplemental aid approved for cities prevented any loss of aid during the year. Given the recent reductions in the White Bear Lake’s need for LGA based on the distribution formula, the Council should plan for annual decreases of approximately \$250,000 in the next few years until the distribution reaches zero. The 2023 LGA distribution is \$827,265; which means there is probably three more years of full reductions and a fourth year with a limited reduction.

The 2022 revised General Fund budget incorporates use of the 2021 \$848,485 surplus for three key areas based on direction from the Council at the April 19, 2022, work session:

1. A transfer of \$323,485 to the Municipal Building Fund to replace the City Hall elevator for \$119,000 and the City Hall air handler for \$204,485
2. Reduce the transfer from the Construction Fund supporting Engineering operations by \$200,000
3. Utilize \$200,000 to begin implementing the Pay Plan from the Class. and Comp. Study

Capital Improvement Plan (CIP)

As shared at the April and August 2022 Council work sessions, significant items included for purchase in the 2023 CIP are listed below. These items do not have an impact on the proposed tax levy.

1. Fleet / replacements for Police (4), Parks (1), and Building (1) Depts.
2. Police squad equipment (computers, radios, etc.) and body worn cameras
3. Routine technology upgrades / replacements
4. Fire rescue boat – Previously we were planning to replace a fire engine in 2023. However, the engine (\$870,000) was pushed to 2024 and switched with the boat (\$190,000) in order to ease funding needs in the Equipment Acquisition Fund yet still meet the needs of the Fire Dept.

RECOMMENDATIONS

Staff recommends the City Council adopted the attached resolution approving the preliminary tax levy, as presented.

- The 2023 preliminary tax levy must be set no later than the September 27th Council meeting.
- The Council will hold the required truth-in-taxation (TNT) hearing and adopt the 2023 final tax levy and budget at the December 13th Council meeting.
- If the Council adopts the preliminary tax levy of \$9,955,000, the Council may reduce the levy before final adoption in December, but may not increase it.

ATTACHMENTS

General Fund Summaries (Revenues & Expenditures)
Estimate Property Tax Levy Impacts
Resolution

**City of White Bear Lake
General Fund Summary**

Annual Budget

Item	2020 Actual	2021 Actual	2022 Budget	2022 Revised	2023 Budget
Revenue					
Property taxes	\$ 6,428,062	\$ 6,667,935	\$ 7,216,000	\$ 7,200,828	\$ 8,233,000
Franchise fees and fines	354,568	385,578	381,000	392,664	382,000
Licenses and permits	827,378	1,393,967	1,006,690	1,303,053	830,500
Intergovernmental	3,900,062	2,481,616	2,143,315	2,494,575	2,061,285
Charges for services	748,825	730,177	782,251	784,696	871,126
Miscellaneous	126,827	54,075	125,650	134,158	65,750
Total Operating Revenue	<u>12,385,722</u>	<u>11,713,348</u>	<u>11,654,906</u>	<u>12,309,974</u>	<u>12,443,661</u>
Transfers In	<u>1,378,150</u>	<u>1,433,072</u>	<u>1,293,000</u>	<u>1,236,210</u>	<u>1,048,600</u>
Total Revenue	<u>13,763,872</u>	<u>13,146,420</u>	<u>12,947,906</u>	<u>13,546,184</u>	<u>13,492,261</u>
Expenditures					
General government	1,972,283	1,999,555	2,206,438	2,108,126	2,281,090
Public safety	6,539,782	7,070,825	7,538,582	7,892,142	8,578,353
Public works	2,440,745	2,515,784	3,052,001	3,113,867	3,271,920
General service and contingency	94,146	107,332	132,485	156,573	329,226
Total operating expenditures	<u>11,046,956</u>	<u>11,693,497</u>	<u>12,929,506</u>	<u>13,270,708</u>	<u>14,460,589</u>
Transfers Out	<u>1,814,375</u>	<u>600,000</u>	<u>-</u>	<u>323,485</u>	<u>-</u>
Total expenditures	<u>12,861,331</u>	<u>12,293,497</u>	<u>12,929,506</u>	<u>13,594,193</u>	<u>14,460,589</u>
Revenues over (under) expenditures	<u>902,541</u>	<u>852,923</u>	<u>18,400</u>	<u>(48,009)</u>	<u>(968,328)</u>
Reserve adjustment (to) from	<u>(150,000)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund balance January 1	<u>1,042,116</u>	<u>1,794,657</u>	<u>1,806,055</u>	<u>2,647,580</u>	<u>2,599,571</u>
Fund balance December 31	<u>\$ 1,794,657</u>	<u>\$ 2,647,580</u>	<u>\$ 1,824,455</u>	<u>\$ 2,599,571</u>	<u>\$ 1,631,242</u>
Reserve for operations	<u>4,010,000</u>	<u>4,010,000</u>	<u>4,010,000</u>	<u>4,010,000</u>	<u>4,010,000</u>
Total fund balance and reserve for operations	<u>\$ 5,804,657</u>	<u>\$ 6,657,580</u>	<u>\$ 5,834,455</u>	<u>\$ 6,609,571</u>	<u>\$ 5,641,242</u>

City of White Bear Lake
General Fund Revenues

Annual Budget
Business Unit: 1001

Code	Item	2020 Actual	2021 Actual	2022 Budget	2022 Revised	2023 Budget
General Property Taxes						
4015	Current	\$ 5,622,459	\$ 5,867,886	\$ 6,237,610	\$ 6,237,610	\$ 7,259,650
4040	Fiscal disparities	777,523	795,213	962,390	962,390	973,350
	Total current ad valorem taxes	<u>6,399,982</u>	<u>6,663,099</u>	<u>7,200,000</u>	<u>7,200,000</u>	<u>8,233,000</u>
4025	Delinquent	27,002	3,764	15,000	-	-
4030	Penalties and interest	1,078	1,072	1,000	828	-
	Total general property tax	<u>6,428,062</u>	<u>6,667,935</u>	<u>7,216,000</u>	<u>7,200,828</u>	<u>8,233,000</u>
Franchise Fee						
5095	Franchise fee - utilities	<u>294,079</u>	<u>307,570</u>	<u>315,000</u>	<u>336,014</u>	<u>325,000</u>
Licenses and Permits - Business						
4305	Liquor, intoxicating	72,197	5,188	86,255	91,225	88,300
4307	Liquor, nonintoxicating	4,312	800	4,200	4,375	4,200
4309	Cigarette	3,600	3,750	3,600	4,375	3,600
4311	Entertainment	810	-	-	-	-
4315	Rental housing fee	21,202	47,344	40,000	26,000	44,000
4317	General contractor	9,977	11,020	10,000	8,500	10,000
4319	Solicitor	2,050	3,500	2,000	2,000	2,000
4321	Service station	5,325	-	-	-	-
4323	Other	5,253	5,878	5,000	5,000	5,000
4325	Gambling permits	2,625	2,700	2,400	2,700	2,400
	Total business licenses and permits	<u>127,351</u>	<u>80,180</u>	<u>153,455</u>	<u>144,175</u>	<u>159,500</u>
Non-Business						
4345	Animal	2,425	6,592	2,400	510	3,000
4350	Launch	10,000	16,000	16,000	16,000	16,000
4405	Building	391,743	727,081	560,400	560,400	380,000
4406	Building plan reviews	131,380	347,017	117,935	233,778	100,000
4415	Electrical	52,471	73,589	50,000	58,000	62,000
4420	Heating and air conditioning	47,526	79,529	55,000	240,000	55,000
4425	Plumbing	33,913	36,406	35,000	30,000	35,000
4430	Water and sewer	5,353	6,200	3,000	4,425	5,000
4435	Sign	5,761	6,418	3,500	5,765	5,000
4437	Driveway	8,555	10,355	6,000	5,000	5,000
4439	Right of way	10,900	4,600	4,000	5,000	5,000
	Total non-business licenses and permits	<u>700,027</u>	<u>1,313,787</u>	<u>853,235</u>	<u>1,158,878</u>	<u>671,000</u>
	Total licenses and permits	<u>827,378</u>	<u>1,393,967</u>	<u>1,006,690</u>	<u>1,303,053</u>	<u>830,500</u>
Fines						
4510	County	54,644	56,988	55,000	50,000	50,000
4520	Administrative - City fines	1,785	2,100	1,000	150	500
4522	Administrative - City share of State fines	4,060	18,920	10,000	6,500	6,500
	Total Fines	<u>60,489</u>	<u>78,008</u>	<u>66,000</u>	<u>56,650</u>	<u>57,000</u>

City of White Bear Lake
General Fund Revenues

Annual Budget
Business Unit: 1001

Code	Item	2020 Actual	2021 Actual	2022 Budget	2022 Revised	2023 Budget
Intergovernmental						
4604	Federal grants	1,819,365	119,824	40,000	115,940	84,000
4624	State local government aid	1,203,195	1,202,297	1,233,615	1,233,615	827,265
4626	State aid street maintenance	382,183	375,000	375,000	375,000	375,000
4630	State police relief aid	278,806	274,245	275,000	275,000	275,000
4632	State fire relief aid	-	276,820	-	276,820	276,820
4644	State police POST board	27,286	31,941	27,000	27,000	27,000
4646	State aid - other	13,012	25,271	11,500	10,000	10,000
4662	County aid - other	21,215	21,218	21,200	21,200	21,200
4666	Local aid - school district resource officers	155,000	155,000	160,000	160,000	165,000
	Total intergovernmental	<u>3,900,062</u>	<u>2,481,616</u>	<u>2,143,315</u>	<u>2,494,575</u>	<u>2,061,285</u>
Charges for Services						
4807	Customer service taxable	45	87	-	-	-
4809	Customer service non-taxable	20,272	30,789	18,000	18,025	18,000
4832	Fire contract services	465,677	465,011	528,065	528,065	585,442
4834	Police contract services	80,531	85,776	91,186	91,186	113,184
4835	False alarm services	700	5,800	500	1,000	500
4836	Public safety services	1,032	8,525	4,000	5,000	3,000
4842	Public works services	-	599	-	395	-
4845	Building inspection services	179,968	132,965	140,000	140,000	150,000
4846	Fire inspection services	600	625	500	1,025	1,000
	Total charges for services	<u>748,825</u>	<u>730,177</u>	<u>782,251</u>	<u>784,696</u>	<u>871,126</u>
Miscellaneous Revenues						
4955	Interest	73,380	(25,701)	80,000	50,000	-
4975	Rental income	29,386	50,392	37,650	55,015	53,450
4990	Donations	800	1,175	-	150	-
5010	Sale of property	443	3,123	-	234	-
5318	Gambling regulatory tax	6,089	8,301	5,000	6,000	6,000
5350	Miscellaneous revenues	14,428	12,757	-	12,210	-
5360	Refunds and reimbursements	2,301	4,028	3,000	10,549	6,300
	Total miscellaneous revenues	<u>126,827</u>	<u>54,075</u>	<u>125,650</u>	<u>134,158</u>	<u>65,750</u>
Transfers for Administrative Charges						
5205	ARPA Fund	-	-	74,000	-	-
5205	Economic development	53,150	87,100	-	-	-
5205	Water distribution	101,000	108,000	112,000	112,000	116,000
5205	Water treatment	19,000	20,000	21,000	21,000	22,000
5205	Sewer	110,000	120,000	124,000	124,000	130,000
5205	Refuse	110,000	110,000	114,000	114,000	119,000
5205	Ambulance	140,000	140,000	145,000	145,000	166,000
5205	Pioneer Manor	-	17,000	18,000	18,000	18,500
5205	License Bureau	-	-	50,000	50,000	57,000
5205	HRA Redevelopment - District 25	25,000	-	25,000	-	-
5205	Marina	70,000	80,000	85,000	85,000	120,100
5205	Construction	750,000	750,000	525,000	567,210	300,000
5210	Escrow	-	972	-	-	-
	Total transfers	<u>1,378,150</u>	<u>1,433,072</u>	<u>1,293,000</u>	<u>1,236,210</u>	<u>1,048,600</u>
Total		\$ 13,763,872	\$ 13,146,420	12,947,906	13,546,184	13,492,261

City of White Bear Lake
General Fund Summary of Expenditures by Department and Division

Annual Budget

Code	Item	2020 Actual	2021 Actual	2022 Adopted	2022 Revised	2023 Budget
Department of Administration						
1010	Mayor and council	\$ 138,585	\$ 138,994	\$ 156,713	\$ 147,826	\$ 160,529
1020	City manager	390,777	391,934	441,538	406,748	436,319
1030	Finance	633,460	629,949	724,024	692,031	736,696
1040	Legal counselor	69,612	75,005	68,583	70,236	72,836
1050	City hall	335,612	309,442	355,682	359,136	256,975
1051	Technology	-	-	-	-	141,164
1060	Elections	59,412	79,609	84,505	81,905	80,405
1070	Planning	344,825	374,622	375,393	350,245	396,167
	Total general government	<u>1,972,283</u>	<u>1,999,555</u>	<u>2,206,438</u>	<u>2,108,126</u>	<u>2,281,090</u>
Department of Public Safety						
1100	Public safety facility	-	-	86,547	132,360	148,755
1110	Police	4,679,631	4,865,854	5,174,627	5,165,293	5,621,496
1210	Fire	872,576	1,174,663	1,105,721	1,422,534	1,510,006
1114	Dispatch	214,530	213,953	223,300	223,300	251,800
1041	Prosecution	153,174	153,196	158,233	153,904	160,053
1118	Animal control	14,114	13,533	24,433	23,044	27,028
1220	Emergency preparedness	6,927	9,389	16,569	18,223	18,579
1080	Building and code enforcement	598,830	640,237	749,151	753,484	840,636
	Total public safety	<u>6,539,782</u>	<u>7,070,825</u>	<u>7,538,582</u>	<u>7,892,142</u>	<u>8,578,353</u>
Department of Public Works						
1300	Public works facility	199,280	213,381	214,223	252,249	260,960
1310	Engineering	642,567	599,336	752,243	735,016	763,495
1320	Garage	120,279	162,124	255,860	261,779	277,439
1410	Streets	503,534	544,020	613,432	613,614	621,102
1420	Snow and ice removal	203,752	184,819	282,067	287,316	287,889
1430	Street lighting and signals	176,309	202,681	218,084	238,714	244,863
1510	Parks	595,024	609,424	716,092	725,179	816,171
	Total public works	<u>2,440,745</u>	<u>2,515,784</u>	<u>3,052,001</u>	<u>3,113,867</u>	<u>3,271,920</u>
Non-Departmental						
1610	General services	-	-	26,000	57,188	231,976
	Lake Conservation District	33,954	42,660	36,025	36,025	22,450
	Northeast Youth and Family Services	43,451	50,916	52,960	52,960	57,000
	Senior bus	5,000	2,345	7,500	7,500	7,800
	Contingency	11,741	11,411	10,000	2,900	10,000
	Total non-departmental	<u>94,146</u>	<u>107,332</u>	<u>132,485</u>	<u>156,573</u>	<u>329,226</u>
	Total operational expenditures	<u>11,046,956</u>	<u>11,693,497</u>	<u>12,929,506</u>	<u>13,270,708</u>	<u>14,460,589</u>
Transfers Out						
	Armory	25,000	-	-	-	-
	Economic Development	1,789,375	-	-	-	-
	Equipment Acquisition	-	400,000	-	-	-
	Municipal Building	-	200,000	-	323,485	-
	Total transfers out	<u>1,814,375</u>	<u>600,000</u>	<u>-</u>	<u>323,485</u>	<u>-</u>
Total		<u>\$ 12,861,331</u>	<u>\$ 12,293,497</u>	<u>\$ 12,929,506</u>	<u>\$ 13,594,193</u>	<u>\$ 14,460,589</u>

City of White Bear Lake
Actual 2022 to Proposed 2023 Tax Levy
***Estimated* Tax Levy Impact with No Change in Estimated Market Values**

	For Taxes Levied/Payable		Change	
	2021/2022	2022/2023	Amount (\$)	Percent (%)
Taxable Market Value	3,160,276,100	3,603,341,200	443,065,100	14.02%
Total Tax Capacity	36,765,518	41,108,266	4,342,748	11.81%
Less Fiscal Disparity Distribution	(4,728,004)	(4,370,502)	357,502	-7.56%
Net Tax Capacity	32,037,514	36,737,764	4,700,250	14.67%
Tax Levy by Purpose				
General Fund	7,200,000	8,208,000	1,008,000	14.00%
Emerald Ash Borer	25,000	25,000	-	0.00%
Debt Service: YMCA/Sports Center	132,000	132,000	-	0.00%
Debt Service: Street Construction - 2018	220,000	220,000	-	0.00%
Debt Service: Street Construction - 2019	81,000	80,000	(1,000)	-1.23%
Debt Service: Street Construction - 2020	107,000	103,000	(4,000)	-3.74%
Debt Service: Equipment Certificates - 2020	152,000	155,000	3,000	1.97%
Debt Service: Street Construction - 2021	100,000	99,000	(1,000)	-1.00%
Debt Service: Equipment Certificates - 2021	63,000	62,000	(1,000)	-1.59%
Debt Service: Street Construction - 2022A	-	202,000	202,000	100.00%
Debt Service: Public Safety Building - 2022B	-	365,000	365,000	100.00%
Debt Service: Public Safety Building - 2023A	-	304,000	304,000	100.00%
Total Tax Levy	8,080,000	9,955,000	1,875,000	23.21%
City Tax Capacity Rate	22.216%	24.448%		10.05%

Residential Homestead Class Rates	Commercial/Industrial Class Rates
1.00% first \$500,000	1.50% first \$150,000
1.25% over	2.00% over

Estimated Market Value	Payable	Payable	Change	
	2022 City Tax	2022 City Tax	Amount (\$)	Percent (%)
City Tax on Residential Homestead Property (Market Value Homestead Credit not included)				
200,000	444.32	488.96	44.64	10.05%
250,000	555.40	611.20	55.80	10.05%
300,000	666.48	733.44	66.96	10.05%
350,000	777.56	855.68	78.12	10.05%
400,000	888.64	977.92	89.28	10.05%
450,000	999.72	1,100.16	100.44	10.05%
500,000	1,110.80	1,222.40	111.60	10.05%
550,000	1,249.65	1,375.20	125.55	10.05%
600,000	1,388.50	1,528.00	139.50	10.05%
650,000	1,527.35	1,680.80	153.45	10.05%
700,000	1,666.20	1,833.60	167.40	10.05%
750,000	1,805.05	1,986.40	181.35	10.05%
800,000	1,943.90	2,139.20	195.30	10.05%
850,000	2,082.75	2,292.00	209.25	10.05%
900,000	2,221.60	2,444.80	223.20	10.05%
950,000	2,360.45	2,597.60	237.15	10.05%
1,000,000	2,499.30	2,750.40	251.10	10.05%
City Tax on General Commercial/Industrial Property				
50,000	166.62	183.36	16.74	10.05%
75,000	249.93	275.04	25.11	10.05%
100,000	333.24	366.72	33.48	10.05%
200,000	722.02	794.56	72.54	10.05%
300,000	1,166.34	1,283.52	117.18	10.05%
400,000	1,610.66	1,772.48	161.82	10.05%
500,000	2,054.98	2,261.44	206.46	10.05%
600,000	2,499.30	2,750.40	251.10	10.05%
700,000	2,943.62	3,239.36	295.74	10.05%
800,000	3,387.94	3,728.32	340.38	10.05%
900,000	3,832.26	4,217.28	385.02	10.05%
1,000,000	4,276.58	4,706.24	429.66	10.05%

City of White Bear Lake
Residential
Property Tax Impact of tax levy
2023 Estimated City Property Taxes with Comparison Information from Prior Years

15-30-22-41-0036 4779 Peggy Lane	2018	2019	2020	2021	2022	Est. 2023	Net Chg	% Chg
Market Value	178,000	192,700	224,000	238,100	245,400	273,500	28,100	11.45%
Taxable / Limited Market Value	156,800	172,800	207,000	222,300	230,300	260,900		
Tax Capacity	1,568	1,728	2,070	2,223	2,303	2,609		
Tax burden City	298.82	348.88	426.81	452.49	512.68	637.85	125.17	24.41%

14-30-22-22-0056 4953 Campanaro	2018	2019	2020	2021	2022	Est. 2023	Net Chg	% Chg
Market Value	191,100	209,300	229,900	236,300	256,300	293,500	37,200	14.51%
Taxable / Limited Market Value	171,100	190,900	213,400	220,300	242,200	282,700		
Tax Capacity	1,711	1,909	2,134	2,204	2,422	2,827		
Tax burden City	326.08	385.43	440.22	448.42	539.17	691.14	151.97	28.19%

36-30-22-13-0037 2547 Elm Drive	2018	2019	2020	2021	2022	Est. 2023	Net Chg	% Chg
Market Value	212,400	232,100	232,500	232,600	343,300	363,900	20,600	6.00%
Taxable / Limited Market Value	194,300	215,700	216,200	216,300	337,000	359,400		
Tax Capacity	1,943	2,157	2,162	2,163	3,370	3,594		
Tax burden City	370.29	435.50	446.00	440.28	750.53	878.66	128.13	17.07%

City of White Bear Lake
Residential
Property Tax Impact of tax levy
2023 Estimated City Property Taxes with Comparison Information from Prior Years

	2018	2019	2020	2021	2022	Est. 2023	Net Chg	% Chg
35-30-22-24-0056								
1970 Ivy Lane								
Market Value	378,300	371,200	375,900	416,900	422,700	460,700	38,000	8.99%
Taxable / Limited Market Value	375,100	367,400	372,500	416,900	422,700	460,700		
Tax Capacity	3,751	3,674	3,725	4,169	4,227	4,607		
Tax burden City	714.86	741.78	768.43	848.60	941.40	1,126.32	184.92	19.64%
13-30-22-42-0011								
2517 Manitou Island								
Market Value	903,000	1,128,900	1,032,800	1,200,000	2,170,000	2,595,000	425,000	19.59%
Taxable / Limited Market Value	903,000	1,128,900	1,032,800	1,200,000	2,170,000	2,595,000		
Tax Capacity	10,038	12,861	11,660	13,750	25,875	31,188		
Tax burden City	1,913.02	2,596.64	2,405.34	2,798.81	5,762.59	7,624.72	1,862.13	32.31%

City of White Bear Lake
Commercial
Property Tax Impact of tax levy
2023 Estimated City Property Taxes with Comparison Information from Prior Years

White Bear Royal Apartments 26.30.22.33.0004 3675 Highland Avenue	2019	2020	2021	2022	Est. 2023	Net Chg	% Chg
Market Value	7,414,000	7,636,400	7,600,000	7,700,000	9,116,800	1,416,800	18.40%
Tax Capacity	92,675	95,455	95,000	96,250	113,960		
Tax burden City	18,711.08	19,691.52	19,337.25	21,435.74	27,860.94	6,425.20	29.97%

White Bear Auto Body 14.30.22.41.0054 2218 4th Street	2019	2020	2021	2022	Est. 2023	Net Chg	% Chg
Market Value	499,500	524,500	577,000	580,500	602,600	22,100	3.81%
Tax Capacity	9,240	9,740	10,790	10,860	11,032		
Tax Capacity adjusted for Fiscal Disparities	5,935	6,095	7,011	6,648	6,839		
Tax burden City	1,198.30	1,249.09	1,429.94	1,463.42	1,671.92	208.50	14.25%

Bellaire Shopping Center 35.30.22.21.0083 2000 County Road E	2019	2020	2021	2022	Est. 2023	Net Chg	% Chg
Market Value	3,055,000	3,055,000	3,132,500	3,025,500	2,982,700	(42,800)	-1.41%
Tax Capacity	60,350	60,350	61,900	59,760	58,904		
Tax Capacity adjusted for Fiscal Disparities	38,765	37,767	40,221	36,582	35,642		
Tax burden City	7,826.59	7,791.05	8,203.71	8,053.16	8,713.75	660.60	8.20%

Internaltion Paper 15.30.22.11.0017 1699 9th Street	2019	2020	2021	2022	Est. 2023	Net Chg	% Chg
Market Value	4,365,100	4,000,000	4,488,000	4,532,900	4,736,900	204,000	4.50%
Tax Capacity	86,552	79,250	89,010	89,908	93,988		
Tax Capacity adjusted for Fiscal Disparities	55,595	49,595	57,837	55,037	56,871		
Tax burden City	11,224.64	10,163.55	11,796.59	12,115.82	13,903.78	1,787.96	14.76%

City of White Bear Lake
Commercial
Property Tax Impact of tax levy
2023 Estimated City Property Taxes with Comparison Information from Prior Years

Health Parters 22.30.22.21.0002 1430 Highway 96	2019	2020	2021	2022	Est. 2023	Net Chg	% Chg
Market Value	4,293,500	4,508,200	4,508,200	4,300,000	4,226,900	(73,100)	-1.70%
Tax Capacity	85,120	89,414	89,414	85,250	83,788		
Tax Capacity adjusted for Fiscal Disparities	54,675	55,956	58,099	52,186	50,699		
Tax burden City	11,038.93	11,467.11	11,850.13	11,488.22	12,394.88	906.66	7.89%

White Bear Hotel 14.30.22.11.0057 4940 Highway 61	2019	2020	2021	2022	Est. 2023	Net Chg	% Chg
Market Value	6,375,600	6,694,400	7,363,800	6,259,200	6,196,600	(62,600)	-1.00%
Tax Capacity	126,762	133,138	146,526	124,434	123,182		
Tax Capacity adjusted for Fiscal Disparities	81,423	83,319	95,209	76,172	74,536		
Tax burden City	16,439.34	17,074.51	19,419.17	16,768.42	18,222.49	1,454.07	8.67%

RESOLUTION NO. _____

**RESOLUTION APPROVING THE PROPOSED 2022 TAX LEVY COLLECTIBLE IN 2023
FOR THE CITY OF WHITE BEAR LAKE, MINNESOTA**

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

WHEREAS, Minnesota State Statutes require certification of a proposed tax levy to the Ramsey and Washington County Auditors on or before September 30, 2022; and

WHEREAS, the summary details will be submitted to the City Council upon completion of the budget process by the City Manager as revised.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Ramsey and Washington Counties, Minnesota that the following sums be levied in 2022, collectible in 2023, upon the taxable property in said City of White Bear Lake for the following purposes:

General Fund	\$ 8,208,000
Emerald Ash Borer	25,000
Debt Service: YMCA/Sports Center	132,000
Debt Service: Street Construction - 2018	220,000
Debt Service: Street Construction - 2019	80,000
Debt Service: Street Construction - 2020	103,000
Debt Service: Equipment Certificates - 2020	155,000
Debt Service: Street Construction - 2021	99,000
Debt Service: Equipment Certificates - 2021	62,000
Debt Service: Street Construction - 2022	202,000
Debt Service: Public Safety Facility - 2022	365,000
Debt Service: Public Safety Facility - 2023	<u>304,000</u>
Gross Levy	9,955,000
Less: Fiscal Disparity Distribution	<u>(973,350)</u>
Net Levy	<u><u>8,981,650</u></u>

BE IT FURTHER RESOLVED that the City Council schedule its Truth-In-Taxation hearing for Tuesday, December 13, 2022 at 7:00 p.m. in the City Hall Council Chambers. The meeting will continue until all parties have had an opportunity to speak.

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

RESOLUTION NO. _____

BE IT FURTHER RESOLVED, that there is a sufficient sum of monies in all the Debt Service Funds of the City which are irrevocably pledged, to pay principal and interest in 2023 on all outstanding bond issues, and the deferred annual tax levies previously certified to the County Auditors are hereby canceled, and replaced by the above debt service tax levy; and

BE IT FURTHER RESOLVED, that adoption of this resolution does not prohibit the City Council from certifying a final levy that will result in a lower final tax levy; and

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

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk