



AGENDA - AMENDED
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JANUARY 10, 2023
7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on December 13, 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 – November Environmental Advisory Commission
- B. Resolution designating bank depository, authorizing staff to invest and transfer funds, and designation of brokers for handling city investments
- C. Resolution authorizing the City Manager to pay claims made against the City
- D. Resolution establishing regular meeting dates of the White Bear Lake City Council
- E. Resolution fixing amount of surety bonds and providing for approval of the same
- F. Resolution accepting restricted donations from the White Bear Lake Lions Club Foundation
- G. Resolution authorizing reimbursement of travel and business expenses while conducting city business
- H. Resolution approving lease with Dish Wireless, LLC for placement of communications equipment on City property
- I. Resolution approval a special event application for Carbone's Pizzeria & Pub

5. VISITORS AND PRESENTATIONS

Nothing scheduled

6. PUBLIC HEARINGS

- A. Vacation of Easement at 3600 and 3646 Hoffman Road
- B. Issuance of General Obligation Capital Improvement Bonds and Adoption of a Capital Improvement Plan

7. UNFINISHED BUSINESS

A. Second Reading – Development Review Process Zoning Ordinance Text Amendment

8. NEW BUSINESS

A. 2023 Annual Appointments

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, DECEMBER 13, 2022
7 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ROLL CALL

Mayor Dan Louismet called the meeting to order at 7 p.m. The City Clerk took attendance for Councilmembers Kevin Edberg, Steven Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, Finance Director Kerri Kindsvater, Community Development Director Jason Lindahl, Housing and Economic Development Coordinator Tracy Shimek, Public Works Director/ City Engineer Paul Kauppi, Building Official Ben Eggan, City Clerk Caley Longendyke, and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the City Council Work Session on November 22, 2022

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

B. Minutes of the Regular City Council Meeting on November 22, 2022

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

3. APPROVAL OF THE AGENDA

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

4. CONSENT AGENDA

- A. Accept Minutes – October Park Advisory Commission, October Environmental Advisory Commission, October White Bear Lake Conservation District, November Planning Commission
- B. Resolution accepting work and authorizing final payment to Park Construction Company for the completion of the 2022 Pavement Rehabilitation Project, City Project No. 22-01 **Res. No. 13102**
- C. Resolution requesting the SCORE Fund Allocation and authorizing submission of the grant application **Res. No. 13103**
- D. Resolution authorizing exclusive use of Podvin Park ice rink for hockey tournament **Res. No. 13104**
- E. Resolution authorizing issuance of massage therapist license for Cassandra Tracy at A Little TLC Massage **Res. No. 13105**
- F. Resolution not waiving the monetary limits on municipal tort liability **Res. No. 13106**

- G. Resolution granting a Conditional Use Permit amendment for 4455 White Bear Parkway **Res. No. 13107**
- H. Resolution granting two setback variances for 2289 Lilac Lane **Res. No. 13108**
- I. Resolution calling for a public hearing on the intention to issue General Obligation Capital Improvement Plan Bonds and the proposal to adopt a Capital Improvement Plan for 2023- 2027 **Res. No. 13109**

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

5. VISITORS AND PRESENTATIONS

- A. Resolution accepting the County Road E Corridor Development Initiative, County Road E Coalition

Housing and Economic Development Coordinator Tracy Shimek introduced Gretchen Nicholls of Local Initiatives Support Cooperation (LISC) to provide an overview of the County Road E Corridor Action Plan. The purpose of the project was to bring together White Bear Lake, Vadnais Heights and Gem Lake staff and community members to discuss what's best for their communities and how they can create a more cohesive, connected corridor. Nicholls shared which properties each city identified as being ready for redevelopment, and these "opportunity sites" were a large focus of the discussion. The goal of the project was to create a community driven vision that transforms the County Road E corridor into a place that fosters a sense of community and connects people to economic opportunities. Nicholls summarized the objectives of the project, including gaining perspective on community needs, attracting investment to the corridor and improving quality life for corridor residents and stakeholders. She noted that the team wanted to ensure the principles and values of the project aligned with each city's Comprehensive Plan. She shared information about the series of meeting that started with a combined informational session on September 14, followed by each city's workshop September 28- October 5, a developer panel on October 12, and framing the recommendations on October 26.

Nicholls described the Project Team and how they worked together. Members included City Council members and Planning Commission members from each city, Ramsey County staff, and representatives from the White Bear Lake Area School District, Newtrax, Xcel Energy and economic development corporations. She shared about the Community Advisory Group, consisting of members of each community who were charged with community outreach. Nicholls shared information about the Corridor Development Initiative Teams who helped with the facilitation of the meetings and included experts in land use, planning, transportation, financial analysis and a developer panel. She summarized the participation of community members, saying that over 100 people participated in the multiple sessions and each session shared common themes of input. Examples of expressed needs include the following: overall identity of the corridor, safer crossings, walkability, variety of residential development, family-friendly gathering places, mix of residential and commercial uses and efforts from partnered communities to attract investments.

Nicholls described the workshop's block exercise, which entails participants using miniature

block pieces to make three-dimensional maps. The movable blocks help determine what can fit in the area and how the sites complement each other. The White Bear Lake workshop focused on the four-corner intersection of County Road E and Bellaire Avenue. She highlighted the take-aways from the Developer Panel recommendations, including signaling to developers about the city's desires, cities aligning land use codes with their Comprehensive Plans, using programmed activities or events to create themes or an identity for the area, making compatible housing and commercial uses, and building a greater market demand with more housing. Nicholls shared the recommendations that were created based on the series of workshops and response from the Project Team. The recommendations would help the project objective to create a cohesive theme and overall sense of place for the corridor. The recommendations address traffic, safety, identity, housing, intersection reconfigurations and connectivity. Lastly, she described the near- and long-term strategies for the cities.

Community Advisory Group member Joy Erickson of White Bear Lake Area Chamber of Commerce and Community Project Team member Jan Johnson of White Bear Lake Economic Development Corporation shared their reflections on the process. They complimented the opportunities provided to community members and the collaboration. Ryan McKilligan of Element Design Build, LLC expressed his interest in a property at the Bellaire Avenue intersection and got involved in the process to hear community input. He spoke highly of the process and acknowledged its transparency. Mayor Louismet shared positive feedback for the process and appreciated the project team's engagement of the communities for feedback. In the interest of momentum, Councilmember Jones expressed urgency and requested action now. He recognized the uniqueness of County Road E compared to other areas. Shimek addressed Councilmember Walsh's comment about the stretch of homes in the corridor, saying the elements of traffic calming measures and pedestrian safety would benefit that area most and acknowledged the varying areas between retail, industrial and residential along the corridor. Lindahl said staff plan to be vigilant about new proposals for the area, making sure it flows with the corridor.

Councilmember Edberg attended all workshops and provided positive feedback of the process and recognized the synergy between staff of the three communities. In response to his question about possible next steps, Shimek said her top two priorities would be the work of the future coalition on a marketing campaign to establish an identity and, second, to address what to do with the city-owned parcel at 2511 County Road E East to help bring energy to the intersection. Lindahl echoed Shimek and talked about the importance of thoughtfully establishing the coalition. Councilmember Edberg made comments about working closely with Ramsey County on the road itself and how people move through it, keeping in mind road improvements, accessibility and safety. He addressed potential tension between developer and community vision for the parcels and the need for businesses to be vital and viable to the community. He also mentioned the option for the Bellaire Avenue intersection to remain quiet. Mayor Louismet agreed it is not a typical corridor and is open to the different visions. His one concern is for residents who live near that intersection and expect it to remain quiet for their families and kids playing around the area. Crawford thanked those who worked on the project and attended the sessions, and gave special thanks to Shimek for her dedicated work to the project over the years.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Jones**, to approve **Res. No. 13110** accepting the report and authorizes staff to engage with project partners to explore the formation of a cross-jurisdictional coalition to advance report recommendations. Motion carried unanimously.

6. PUBLIC HEARINGS

A. 2023 Final Budget, Tax Levy and Truth-In-Taxation Hearing

City Manager Crawford presented the 2023 final budget and tax levy. She provided an overview of the budget timeline which is a year-round process. She said the purpose of the truth-in-taxation hearing is to provide a summary of the general fund budget, explain the property tax implications of the budget and allow for comment from members of the public. She provided information for additional public engagement opportunities and reminded the public that they can always contact staff with questions.

Crawford provided an overview of the budget commitments that stayed at the forefront when staff planned the 2023 budget. These commitments include supporting a public safety model that is oriented to be proactive, preventative and prepared while meeting the staffing, support and facility needs; gradually eliminating reliance of Local Government Aid (LGA); maintaining a 10-year Capital Improvement Plan (CIP) and Financial Management Plan (FMP), and maintaining a fund balance not less than 35% of the subsequent year's budgeted operating expenditures. She outlined the significant revenue and expenditure changes that were considered in the budgeting planning. She said the 2023 CIP has no impact on the tax levy and will cover the following purchases: fleet and replacements for Police, Park and Building departments, police squad equipment and body-worn cameras, technology maintenance upgrades and replacements, and a fire rescue boat.

Crawford said the proposed tax levy reflects an increase of \$1 million for general fund operations, an increase of \$198,000 for the 2022 street improvement project debt service levy and an increase of \$669,000 to the debt service levy to cover most of the expenditures for the public safety facility project. The overall levy increase totals \$1,875,000, an increase of 23.21%. She explained the City will be using unrestricted surplus from the General Fund balance to offset the tax levy increase, but will still maintain its recommended balance threshold per City Council policy.

She presented a breakdown of property taxes, explaining that taxes are divided among the county, school district and city, and the City of White Bear Lake receives only about 18 cents per tax dollar. She explained the expenditure categories of property taxes, with the major categories including police service, general government, debt service, fire service and public works. She presented data comparing revenue collection with comparable cities and said White Bear Lake, despite having a larger population than some other comparable cities, collects less revenue in taxes. She showed a chart depicting comparisons of tax levy amounts and increases in the last five years among comparable cities, White Bear Lake continues to have the lowest tax levy.

Revisions to the 2022 budget were proposed, including revenue totals exceeding the adopted budget and an expenditure adjustment after factoring out a transfer to the Municipal Building Fund. Crawford offered a list of resources to property owners for property tax assistance.

Mayor Louismet opened up the public hearing at 8:06 p.m. There being no public comment, he closed the public hearing. Mayor Louismet commented that the City needs to increase its taxes in order to provide essential city services to its community members. He said projects like the public safety building are long overdue. He said the City must stay competitive to recruit and retain the best staff for the City's residents. He commented on LGA and said it's not a sustainable funding source for long-term planning. Councilmember Jones agreed with the Mayor's comments and thanked Crawford and staff. He addressed the loss of LGA, the increase in public safety service calls and being able to maintain capital improvement projects. He emphasized the graphic that depicts the City's taxes being much lower than comparable cities and the need for more tax revenue. Councilmember Walsh had clarifying questions about CARES Act funds, expenditures about employee recognition and the language around a reduction in permit revenue. Councilmember Edberg suggested to not compare White Bear Lake with other communities, as each community has difference cultures, values and processes. Mayor Louismet explained it is helpful to use it as a tool to see where White Bear Lake stands compared to similar-sized cities. Councilmember Hughes encouraged community members to review the budget to understand the reasons why there is an increase in the tax levy and expressed support for the proposed budget.

It was moved by Councilmember **Hughes**, seconded by Councilmember **Edberg**, to approve **Res. No. 13111** adopting the 2023 budget and revising the 2022 budget as adopted by Res. No. 12898. Motion carried unanimously.

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to approve **Res. No. 13112** approving the 2022 final tax levy for taxes collectible in 2023. Motion carried unanimously.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Hughes**, to approve **Res. No. 13113** committing fund balances for specific purpose. Motion carried unanimously.

It was moved by Councilmember **Jones**, seconded by Councilmember **Walsh**, to approve **Res. No. 13114** authorizing City contributions towards volunteer and employee recognition presented in the 2022 revised and 2023 budget. Motion carried unanimously.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Hughes**, to approve **Res. No. 13115** authorizing and acknowledging City contributions and involvement in promoting business and cultural activities in the 2022 revised and 2023 budgets. Motion carried unanimously.

7. UNFINISHED BUSINESS

A. Second Reading and public hearing of an ordinance adopting the 2023 Fee Schedule

At the November 22 City Council meeting, Crawford presented a detailed description of the

proposed changes to the 2023 fee schedule. Since that presentation, all proposed changes remain the same except one new addition of a proposed increase to passports from \$15 to \$17, which is similar to other passport service providers. Mayor Louismet opened up the public hearing at 8:33 p.m. There being no public comment, the mayor closed the public hearing.

It was moved by Councilmember **Jones** seconded by Councilmember **Engstran**, to adopt Ordinance No. 22-12-2059 adopting the 2023 Fee Schedule.

It was moved by Councilmember **Jones**, seconded by Councilmember **Hughes**, to approve **Res. No. 13116** approving the summary publication of the ordinance adopting the 2023 Fee Schedule. Motion carried unanimously.

Crawford expressed her gratitude to Mayor Louismet and the City Council for their support with the budget and fee schedule as she wraps up her first year as City Manager.

8. NEW BUSINESS

- A. Resolution approving an amendment to the Revenue Note (Northeast Residence, Inc. Project), Series 2017, and a master amendment agreement

Finance Director Kindsvater presented an amendment to a Revenue Note that is part of a conduit debt issue completed by the City in 2017. She explained that a city has the ability to issue debt in its name to provide capital financing for a third party that is not part of the city's financial reporting structure. She said the debt the City issues is primarily for non-profit organizations that can't issue debt to help them qualify for tax-exempt rates and said the City has multiple outstanding issues of conduit debts. Kindsvater summarized the key points to conduit debt, explaining that the debt doesn't constitute a general or moral obligation of the City, the debt is not secured by or payable by any of the property or assets that are owned by the City, the debt is not secured by any taxing power of the City, and the debt is not subject to any debt limitations that are imposed on the City. She said it's just the City's name on the issuance and the non-profit organization pays back the City the amount and fees.

Kindsvater said the original agreement amount for the Revenue Note bonds issued in May 2017 to Northeast Residence, Inc. The project total was \$5,665,000 and was used to refinance supervised living facilities for developmentally disabled persons at multiple locations; finance the acquisition, renovation, and equipment of a new facility for office space and client services, and to pay the costs of the issuance of the bonds. The amendment includes changing the name of the borrower since the original borrower, Northeast Residence, Inc. Project, merged with Hammer Residence, Inc., which will be listed as the new borrower. The note also needs to be revised to include a new interest rate and update the interest rate calculation mechanism. She said the amendment will not impact the City's ability to issue bonds in a calendar year and will not affect any other bond issues.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve **Res. No. 13117** approving an amendment to the Revenue Note, Series 2017, and a master amendment agreement. Motion carried unanimously.

B. Resolution ordering the abatement of hazardous property and public nuisance located at 2239 Carlyle Court

Community Development Director Lindahl introduced the item ordering the abatement of hazardous property and public nuisance located at 2239 Carlyle Court. He summarized the information provided in the staff report and attachments provided to the Mayor and City Council. He said this process started on May 19 when staff contacted the homeowner of 2239 Carlyle Court following a neighbor's complaint of concern about a large hole in the roof. Initial determinations were made that the conditions at the property could potentially be unhealthy. Staff tried to connect the homeowner with social services and alternative housing options at that time. With an administrative search warrant, staff inspected the home on May 25 and concerns of unhealthy living conditions were confirmed. Lindahl provided an overview of the unhealthy conditions and damage to the home that were documented staff, and at which time the property was determined to be unfit for human habitation.

On June 8, staff issued a formal notice of the violations, specifically citing City Code and Housing Code, a 120-day timeline to comply with the notice and information about the appeal process. Since June 8, staff have been in conversation with the homeowner and Ramsey County regarding potential funds to assist the homeowner with repairs. Lindahl reported that none of the funds from the County have been secured by the homeowner. He said the homeowner has secured some bids for initial repair work of the roof, but it wouldn't address the other required repairs involving plumbing, electrical, sheetrock, and other water-damaged areas. Lindahl said the homeowner and the mortgage company received notice of the City Council meeting and the proposed action being taken on the property. Given the timeline passed and unchanged conditions of the home, staff recommends the resolution ordering the abatement, which will start a new 60-day timeline for the homeowner to abate the hazardous conditions before the City proceeds to Ramsey County Court to obtain a judgement, allowing the City the right to access the property to remedy the conditions. The cost of the action is billed to the homeowner and unpaid bills will be assessed against the property.

The homeowner, Nan Remus, shared testimony and recounted the repair history of the home. She asked the City Council to reconsider the abatement and to give her more time to make the repairs. Mayor Louismet expressed his sympathy for the circumstances she has endured and acknowledged the difficultness of the topic. He explained the City Council voting on the abatement order is not the last step, but a step in the process for the Ramsey County District Court to take over. Given the current state of the property in regards to health and safety, Mayor Louismet supported the actions taken by staff to deem it unsafe and unfit for human habitation to protect the homeowner and other residents. While a difficult position to be in, he explained the City has a responsibility and duty to take the appropriate steps to ensure its residents are safe. He encouraged Councilmembers to pass the resolution and allow a district court judge to get involved and make a determination. Councilmember Hughes asked Remus clarifying questions about the repairs and offered sympathy, but acknowledged the formal process needing to take place.

City Attorney Gilchrist outlined the process for a city's abatement of a property and the role of the Ramsey County District Court. He clarified that the property is not being condemned, but

rather the property will enter a process with the district court in 60 days. He said there will be time for the homeowner to make corrections to the property before it gets to the actual time that the City has access to it. Councilmember Jones expressed concern for Remus' wellbeing living in a house that wouldn't be safe, and her risking spending all of her money. He said the timeline of the abatement order is necessary to take the next steps to address the unsafe home. Councilmember Edberg had concern about setting a timeline in the middle of winter. Councilmember Walsh wondered if there is discretion of the Council to extend the number of days before the abatement order is filed with the district court. Councilmembers discussed options to vote on the resolution, postpone the resolution or adjust the number of days in the resolution before filing with the court. Councilmember Hughes acknowledged that 60 days allows Remus to start addressing the home repairs and to make a case to the judge of her progress and an opportunity for an extension to continue making repairs.

Crawford clarified that it is not staff's desire to bring this type of proposal to the City Council, but explained the extensive work staff have done to assist, and have not seen progress in seven months. She said every option has been exhausted and it is the duty of the City to ensure the health, safety and general welfare of each resident in the community.

It was moved by Councilmember **Jones**, seconded by Councilmember **Walsh**, to approve **Res. No. 13118** ordering the abatement of hazardous property and public nuisance at 2239 Carlyle Court. Councilmembers asked Gilchrist about the 60-day process and the City's involvement before and after it gets to the county court. Motion carried 4-1, with Councilmember Edberg opposing the resolution.

C. Resolution approving the decertification of Tax Increment Financing District No. 25

Shimek provided an overview of Tax Increment Financing (TIF) District No. 25. The district, created in 1999, is located in the downtown area both east and west of Highway 61 and north of 4th Street and was created to facilitate redevelopment in the area. Development that resulted with the district includes The Arbors, Oakridge Office Building, White Bear Lake Professional Building, and CVS Pharmacy, among other public improvements to the area. Shimek explained that the City has met its financial obligations through the collection of tax increment and is required to decertify the district. Councilmember Jones recalled the initial conversation of this tax increment financing was centered around CVS Pharmacy.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran**, to approve **Res. No. 13119** approving the decertification of Tax Increment Financing District No. 25. Motion carried unanimously.

D. First reading of a Zoning Ordinance Text Amendment: Development Review Process

Lindahl provided an overview of the land use and zoning review process. Since the first presentation on November 9, staff has drafted the concept language into an ordinance for its first reading. He reported that the Planning Commission was supportive of the ordinance, there was no comment at the public hearing and staff haven't received any additional comment from members of the public. Lindahl summarized the neighborhood meeting process that is outlined

in the ordinance which will expand and enhance the dissemination of information and encourage more public participation. The ordinance explains when the neighborhood meeting process would apply, the timeline and notice for the neighborhood meeting, meeting materials and the applicant responsibilities. Included in the ordinance is a modification section where it allows for some discretion by the city manager.

The neighborhood meeting is one component of the concept plan review process. Other areas of the concept plan review process include outlining applicability, a Planning Commission meeting with a presentation by the applicant and an opportunity for public comment, and a presentation to the City Council, after which the applicant may choose to use feedback gathered through the concept review process to prepare a future formal application. Lindahl addressed the concern expressed by the City Council regarding how to prevent this process from falling on residents for their own modifications to their homes. He said the ordinance would allow staff to waive the neighborhood meeting process for individual residents submitting conditional use permit applications.

In response to Councilmember Edberg's question about how the City Council provides direct feedback to an applicant, Lindahl explained that the applicant's information would be presented during a regularly scheduled meeting as a discussion item. He said this amended process will blend opportunities for both casual and formal settings for feedback, all of which would allow for a more informed public. Councilmember Edberg reiterated that he would like a process requiring open discussion among Councilmembers, so each member of the Council and members of the public can hear what everyone has to say to the applicant. Councilmember Jones expressed his support for Councilmember Edberg's request. When asked about when Councilmembers are able to share information about a proposed project with the community, Lindahl said staff would not be able to disclose the applicant information until the public meeting components are scheduled and promoted.

Councilmember Edberg asked how staff will determine which residents get notified during the review process. Lindahl said staff and the Council have discretion for who gets notified and how, but that the proposed radius of 350 feet from a project site reflects the same distance as the statutory minimum requirement for public hearing notices. However, he explained that there is a difference between an invitation to a neighborhood meeting and an official public hearing notice, and they should be treated differently. Councilmember Edberg encouraged a larger radius for invitation to neighborhood meetings. In order to reach a broader community, Councilmember Hughes recommended using multiple methods of delivery for invitations, including social media platforms and the newspaper. Lindahl confirmed Crawford's statement that the responsibility of the resident invitations falls on the applicant, and he said staff will be encouraging applicants to use every platform they can to inform residents. Crawford requested a strikeout in the ordinance that incorrectly mentions the Park Advisory Commission being involved in the process.

The Council is scheduled to conduct a second reading and vote on the ordinance at its January 10 meeting.

9. DISCUSSION

Nothing scheduled.

10. COMMUNICATIONS FROM THE CITY MANAGER

Crawford shared information for the grand opening and ribbon cutting for Factory Direct Mattress. She reminded members of the public that there is only one City Council meeting in the month of December, so the next City Council meeting is January 10. On behalf of staff, Crawford thanked the City Council for being supportive and recognizing the needs of the City. She thanked department heads and finance staff for their hard work on the City's budget.

11. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Engstran**, seconded by Councilmember **Jones**, to adjourn the regular meeting at 10:07 p.m. Motion carried unanimously.

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



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

1. CALL TO ORDER AND ATTENDANCE

Chair Schroeher called the meeting to order at 6:38 p.m.

MEMBERS PRESENT: Sheryl Bolstad, Bonnie Greenleaf, Jeff Luxford, Gary Schroeher (Chair)

MEMBERS ABSENT: Chris Frye, Chris Greene, Rick Johnston

STAFF PRESENT: Connie Taillon, Environmental Specialist

VISITORS PRESENT: None

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had no changes.

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

Motion carried 4:0.

3. APPROVAL OF THE MINUTES

A. Minutes of the Environmental Advisory Commission meeting on October 19, 2022

The commission members reviewed the October 19, 2022 meeting minutes and had no changes.

It was moved by member **Luxford** seconded by Chair **Schroeher**, to approve the minutes of the October 19, 2022 meeting as presented.

Motion carried, 4:0.

4. VISITORS AND PRESENTATIONS

Nick Voss from VLAWMO was in attendance to discuss the MS4 partnership between Vadnais Lake Area Water Management Organization (VLAWMO) and the City. Nick introduced himself as the Education and Outreach Coordinator for VLAWMO. He stated that part of his role is to assist partner cities with their MS4 education requirements. New requirements include educating the public about pet waste and winter salt use and considering environmental justice as part of the City's education program. Member Greenleaf asked Voss about environmental justice as it relates to the City. Voss stated that this means identifying lower income areas and how to reach them. This could be mapping

out these areas for a more targeted education and outreach effort. Chair Schroeher suggested outreach to Solid Ground and adding brochures at the food shelf. Voss stated that Solid Ground is not within the VLAWMO boundary but he has worked with Solid Ground in the past. Chair Schroeher also suggested reaching out to the schools. Voss mentioned using Digital Backpack as a way to reach students.

Voss stated that he could use some ideas on how to get more residents in the East Goose Lake subwatershed to adopt a drain, and some help delivering signs and door hangers. He said that Member Greene recruited a Boy Scout troop to help distribute door hangers. Voss also asked if the commission members know of any congregations that could help. Member Greenleaf offered to ask the volunteer group at her church if there is interest. Creating a volunteer list was also discussed. Voss stated that he will look into creating a Google spreadsheet for adding potential volunteer groups that are interested in distributing educational materials.

5. UNFINISHED BUSINESS

A. Joint work session presentation

The commission members reviewed each slide of the presentation. Member Bolstad discussed her slides of the downtown tree plantings and CU Structural soils. Taillon stated that the joint workshop is scheduled for January 17, 2023. Each commission will have a 30 minute time slot, which includes Q&A. The EAC's tentative time slot is 6pm to 6:30pm. Member Luxford suggested that the first part of the presentation on past accomplishments should be condensed so more time can be spent getting Council feedback on potential future initiatives.

B. 2023 Work Plan

For the sake of time, the commission members decided to postpone discussion of the 2023 work plan until the December meeting.

6. NEW BUSINESS

None

7. DISCUSSION

A. Staff updates

- Biochar

Taillon noted that the VLAWMO biochar project at Whitaker Pond is complete.

Lambert Creek is impaired for high bacteria levels during storm events. The purpose of this project is to use biochar to remove bacteria from stormwater as it flows from Whitaker pond to the creek.

- Adopt-a-Drain Challenge results

Taillon reported that the White Bear Lake Conservation District shared the final results of their Adopt-a-Drain challenge. They were only 61 adopted drains short of reaching their overall goal of doubling the amount of adopted drains in 2022 for all communities surrounding White Bear Lake. The City of White Bear Lake successfully

more than doubled the number of adopted drains. The city started at 120 adopted drains and reached 263 by the end of October, and also more than doubled the number participating households, from 77 to 158.

B. Commission member updates

Member Greenleaf stated that the annual Water Resources Conference is a good way to learn what others are working on, and she asked if members of the EAC should think about attending next year. Taillon mentioned that she attend the conference every year.

C. Do-outs

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

- Members to consider helping Nick Voss deliver signs and door hangers in the Goose Lake subwatershed.
- Member Greenleaf offered to talk with a volunteer group at her church about helping with Goose Lake subwatershed activities. She will contact Nick Voss at VLAWMO to coordinate any volunteer activities.
- Chair Schroeher to finalize joint workshop presentation for review at the December meeting.
- Taillon to email revised presentation to Chair Schroeher.
- Taillon to send a reminder to bring treats to the December meeting.

D. December agenda

Commission members discussed December agenda items and asked Taillon to add the joint work session presentation to the agenda and to send a reminder to bring holiday treats at the December meeting.

8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Greenleaf** seconded by member **Luxford** to adjourn the meeting at 8:37 p.m.

Motion carried, 4:0



City of White Bear Lake
Finance Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kerri Kindsvater, Finance Director
Date: January 10, 2023
Subject: **Designation of bank depository, investment firms and authorization for fund transfers and deposits**

SUMMARY

The City Council will consider adopting a resolution designating the City's bank depository, authorizing key positions to deposit and transfer funds, and designating the authorized investment firms.

BACKGROUND INFORMATION

Section 5.11 of the City Charter requires the City Council to designate a bank depository for the City and sets forth the procedures for depositing receipts of money belonging to the City.

Currently, the positions of City Manager, Finance Director and Assistant Finance Director have authority to deposit, transfer, invest and disburse City funds in accordance with law, established regulations, and policies. The City's Human Resources Specialist has authority to transfer cash related to the biweekly payroll activities and wire the required daily deposit to the State of Minnesota for the License Bureau transactions.

Beginning in 2023, staff recommends changing the responsibility of wiring the required License Bureau daily deposit to the State of Minnesota to the License Bureau Supervisor to simplify the work flow process for this activity.

The City Council has appointed North Star Bank as the City's depository bank for over 28 years. The City continues its longstanding banking relationship with North Star Bank because of good customer service, favorable terms and conditions for the banking activities and service at a minimal cost. The bank continues to upgrade services and products to offer high security and maintenance of the funds deposited in their institution.

North Star Bank processes all non-sufficient fund checks returned to them by other financial institutions a second time before returning the check to the City at no charge. This practice allows for any deposit timing delays in customer accounts and significantly reduces the number of non-sufficient fund checks reverted back to the City for non-payment.

The City seeks competitive bids for investments from six designated investment firms. The City

awards the investment purchases to the vendor who provides the issue that fits into the investment maturity structure with the highest rate of return while protecting the City's principal amount. The six designated investment vendors authorized to receive and secure investments for the City are as follows:

1. RBC Capital Markets, LLC (previously Dain Rauscher)
2. Wells Fargo
3. Piper Sandler Companies (previously Piper Jaffray)
4. UBS Financial Services
5. Oppenheimer & Co., Inc.
6. 4M Fund – PMA Financial
7. Ehlers Investment Partners(Advisor)/Pershing(Custodian)

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution designating North Star Bank as the City's bank depository, authorizing the City Manager, Finance Director and Assistant Finance Director positions authority to deposit, transfer and invest funds; the Human Resources Specialist and License Bureau Supervisor positions authority to transfer funds, and designating the authorized investment firms.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION DESIGNATING BANK DEPOSITORY, AUTHORIZING CITY STAFF MEMBERS TO INVEST AND TRANSFER FUNDS, AND DESIGNATION OF BROKERS FOR HANDLING CITY INVESTMENTS FOR FISCAL YEAR 2023

WHEREAS, the City Council has determined it to be financially prudent to delegate fiscal management to appropriate City staff;

WHEREAS, the City periodically designates depository of funds for daily transactions; and

WHEREAS, Minnesota Statutes Section 118A sets forth procedures for the investment of public funds and requires financial institutions utilized as investment brokers to be designated as depository of funds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, that the following officers and personnel are designated as “Authorized Officials” with full powers and authority to effectuate the investment and transfers of monies of the City of White Bear Lake from time to time to complete appropriate investments and to ensure adequate funds are available to meet the City’s financial obligations:

City Manager
Finance Director
Assistant Finance Director

BE IT FURTHER RESOLVED, that the following personnel be authorized to complete cash transfers related to biweekly patrol activities and wire required daily deposit to the State of Minnesota for the license bureau transaction activity:

Human Resources Specialist
License Bureau Supervisor

BE IT FURTHER RESOLVED, that North Star Bank be designated as the City’s bank depository for deposits and expenditures and be required to furnish approved collateral securities in such amount as required by law so as to properly indemnify and secure the City against probably losses and which securities are to be deposited under escrow agreement.

BE IT FURTHER RESOLVED, that the following vendors be designated as depositories of City funds for investment purposes.

1. RBC Capital Markets, LLC
2. Wells Fargo
3. Piper Sandler Companies
4. UBS Financial Services
5. Oppenheimer & Co., Inc.
6. 4M Fund – PMA Financial
7. Ehlers Investment Partners(Advisor)/Pershing(Custodian)

RESOLUTION NO.

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
Finance Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kerri Kindsvater, Finance Director
Date: January 10, 2023
Subject: Payment of claims against the City - 2023

SUMMARY

The City Council will consider adopting a resolution establishing a vendor payment approval procedure by staff members in order to expedite payment of claims in a timely manner.

BACKGROUND INFORMATION

Sections 5.08 and 5.10 of the White Bear Lake City Charter and Minnesota Statutes section 412.271, Subd. 8 set forth procedures for disbursement of municipal funds.

State Statutes 412.271, Subd. 8 allows the City Council to delegate authority to administrative personnel to pay claims. The authority requires that unless otherwise directed, a listing of all claims be presented to the City Council for informational purposes at its regularly scheduled meeting. Per direction from the City Council, it has been the City's practice that these claims lists be maintained and available in the Finance/ Administrative departments for review by elected officials and the public.

The City's practice is to pay vendor claims on a weekly basis. This provides vendors with reasonable assurance that they will be promptly compensated for goods and services provided to the City and in some cases results in early payment discounts. The practice requires approval of invoices by the Department Supervisor and Finance Director or City Manager before the vendor claim is paid.

Staff will continue to maintain claims lists in the Finance/ Administrative departments for review until otherwise directed. A copy of a recent weekly claims list is attached as an example. A bi-weekly list would, on average, be more than twice this length.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution establishing a vendor payment approval procedure by staff members.

ATTACHMENTS

Resolution
Recent vendor claim list

RESOLUTION NO.

RESOLUTION AUTHORIZING THE CITY MANAGER TO PAY CLAIMS MADE AGAINST THE CITY FOR FISCAL YEAR 2023

WHEREAS, Sections 5.08 and 5.10 of the White Bear Lake City Charter and Minnesota Statutes section 412.271, Subd. 8 set forth procedures for disbursement of municipal funds; and

WHEREAS, the City Council intends to ensure proper safeguard of public funds while providing for reasonable efficiencies and cost containment.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, that the City Manager is hereby authorized to pay claims against the City pursuant to the City Charter and applicable state laws.

BE IT FURTHER RESOLVED, that any claims shall be paid only after approved by the following personnel:

1. Department Head (or designee) from purchasing department.
2. Finance Director and/or
3. City Manager

BE IT FURTHER RESOLVED, that the Finance Director, or the Finance Director's designee shall prepare a vendor listing of all disbursements made and maintain the listing in the Finance/ Administration department for review by elected officials and public and upon the request of the City Council unless otherwise directed.

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

Council Check Register by GL
 Council Check Register by Invoice & Summary

12/19/2022-- 12/23/2022

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description	Business Unit
145885	12/21/2022		101055 GENUINE PARTS COMPANY-MINNEAPOLIS						Continued...	
		228.15	3 YR WARRANT BAT/CORE DEPOSIT		148806	3427-325667	1110.6230		VEHICLE SUPPLIES & PARTS	POLICE
		144.75	#5500-2 YR WTY BAT/CORE DEPOSI		148807	3427-325700	1420.6220		EQUIPMENT SUPPLIES & PARTS	SNOW REMOVAL
		47.45	FUEL OIL MIX 50-1		148808	3427-326314	1210.6272		FUELS	FIRE
		84.99	BRAKE ROTOR HUB/SINDLE NUT		148816	3427-326352	1320.6230		VEHICLE SUPPLIES & PARTS	GARAGE
		27.72	OIL FILTER/SILICONE SPRAY/WAX		148809	3427-327061	5205.6230		VEHICLE SUPPLIES & PARTS	SPORTS CENTER GENERAL
		167.18	EXCEL-G SHOCK		148810	3427-327257	1410.6230		VEHICLE SUPPLIES & PARTS	STREETS
		35.00	OIL CHANGE LABELS		148811	3427-327440	1320.6250		OTHER SUPPLIES & PARTS	GARAGE
		11.49	ZINCROM PRIMER		148812	3427-327687	1510.6230		VEHICLE SUPPLIES & PARTS	PARKS
		103.12	PRIMER/F COAT SEMIGLOSS BLK		148813	3427-327690	1510.6230		VEHICLE SUPPLIES & PARTS	PARKS
		83.93	OIL DRY		148814	3427-328077	1210.6250		OTHER SUPPLIES & PARTS	FIRE
		51.98	RX SILICONE		148815	3427-329212	1110.6230		VEHICLE SUPPLIES & PARTS	POLICE
		<u>985.76</u>								
145886	12/21/2022		125673 GUARDIAN SUPPLY							
		1,553.77	UNIFORM FOR CSO FLICK.		148802	14124	1110.6290		UNIFORMS & CLOTHING	POLICE
		<u>1,553.77</u>								
145887	12/21/2022		100024 IUOE LOCAL 49							
		665.00	DECEMBER 2022 DUES		148820	DEC2022	6200.2116		PUBLIC WORKS UNION DUES	EMPLOYMENT EXP. BALANCE SHEET
		<u>665.00</u>								
145888	12/21/2022		100092 LAW ENFORCEMENT LABOR SERVICES							
		260.00	DECEMBER 2022 DUES		148822	DEC2022	6200.2117		LAW ENFORCEMENT UNION DUES	EMPLOYMENT EXP. BALANCE SHEET
		<u>260.00</u>								
145889	12/21/2022		126339 LEADS ONLINE LLC							
		3,773.00	CRIME ANALYST AND DATA PROGRAM		148800	402738	1110.6401		PROFESSIONAL SERVICES	POLICE
		<u>3,773.00</u>								
145890	12/21/2022		121360 MINNESOTA PUBLIC EMPLOYEES ASSOCIATION							
		799.50	DECEMBER 2022 DUES		148821	DEC2022	6200.2117		LAW ENFORCEMENT UNION DUES	EMPLOYMENT EXP. BALANCE SHEET
		<u>799.50</u>								
145891	12/21/2022		100832 MN CHILD SUPPORT PAYMENT CTR							
		287.50	CHILD SUPPORT 12/23/22		148817	OWEN-1403963601	6200.2136		GARNISHMENT PAYABLE	EMPLOYMENT EXP. BALANCE SHEET
						-PR12/23				
		<u>287.50</u>								
145892	12/21/2022		122265 NAMETAGCOUNTRY.COM							
		24.75	LOCKER NAME PLATES FOR NEW PD		148795	NTC1973457	1110.6250		OTHER SUPPLIES & PARTS	POLICE

Council Check Register by GL
Council Check Register by Invoice & Summary

12/19/2022-- 12/23/2022

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description	Business Unit
145892	12/21/2022		122265 NAMETAGCOUNTRY.COM						Continued...	
		24.75								
145893	12/21/2022		121156 NORTHERN TOOL AND EQUIPMENT							
		12.75	SHOCKWAVE TIN 15 PC SET		148784	2022	1410.6295		SMALL TOOLS	STREETS
		17.03	25' COMPACE MAG TAPE BOGO		148784	2022	1410.6295		SMALL TOOLS	STREETS
		85.17	32 PIECE COMBO WRENCH SET		148784	2022	1410.6295		SMALL TOOLS	STREETS
		114.95								
145894	12/21/2022		100554 OFFICE OF ENTERPRISE TECHNOLOGY							
		49.73	NOVEMBER WAN		148830	DV22110422	1050.6411		TELEPHONE	CITY HALL
		29.67	FAX - NOV		148832	W22110568	1080.6411		TELEPHONE	BUILDING CODES & ENFORCEMENT
		42.23	CONSERVATION DIST-NOV		148832	W22110568	1050.6411		TELEPHONE	CITY HALL
		89.01	FIRE SYS(2)/ELEVATOR-NOV		148832	W22110568	1300.6411		TELEPHONE	PUBLIC WORKS FACILITY / SHOP
		89.01	FAX/ELEVATOR/LOBBY-NOV		148832	W22110568	1050.6411		TELEPHONE	CITY HALL
		127.10	BOOK/DISPTCH/MOD/FAX-NOV		148832	W22110568	1110.6411		TELEPHONE	POLICE
		59.34	ELEVATOR/MAIN-NOV		148832	W22110568	2032.6411		TELEPHONE	ARMORY OPERATIONS
		29.67	SCADA MODEM-NOV		148832	W22110568	5013.6411		TELEPHONE	WATER TREATMENT
		29.67	COMPUTER DIAL IN-NOV		148832	W22110568	5013.6411		TELEPHONE	WATER TREATMENT
		228.81	FIRE AL/MAIN/ELEV/FR ENT-NOV		148832	W22110568	5302.6411		TELEPHONE	PIONEER MANOR SENIOR HOUSING
		89.01	DNR/GAME&FISH/MOD/FAX-NOV		148832	W22110568	5352.6411		TELEPHONE	LICENSE BUREAU
		863.25								
145895	12/21/2022		101160 REGIONS HOSPITAL-HEALTH PARTNERS							
		3,832.19	MEDICAL SUPPLIES		148789	7617242	5252.6250		OTHER SUPPLIES & PARTS	AMBULANCE
		3,832.19								
145896	12/21/2022		122351 SILVERBERG, JULIE							
		12.87	REIMBURSE WIRELESS MOUSE-SHEA		148824	REQUEST122022	1070.6210		OFFICE SUPPLIES	PLANNING
		12.87								
145897	12/21/2022		118386 ST PAUL, CITY OF							
		2,970.10	ASPHALT FOR POTHOLE PATCHING		148785	IN52077	1410.6253		STREET MATERIALS	STREETS
		2,970.10								
145898	12/21/2022		101186 STREICHER'S							
		888.93	OFFICER/SGT BADGES:27,29,30,15		148797	11603985	1110.6290		UNIFORMS & CLOTHING	POLICE
		888.93								
145899	12/21/2022		101444 TRI-COUNTY LAW ENFORCEMENT ASSN							
		75.00	TRI COUNTY LE GROUP MEMBERSHIP		148803	INV120122	1110.6460		SUBSCRIPTIONS & DUES	POLICE

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Council Check Register by Invoice & Summary

12/19/2022-- 12/23/2022

Check #	Date	Amount	Supplier / Explanation	PO #	Doc No	Inv No	Account No	Subledger	Account Description	Business Unit
145899	12/21/2022		101444 TRI-COUNTY LAW ENFORCEMENT ASSN						Continued...	
		75.00								
145900	12/21/2022		125165 WALKER METHODIST CONSULTING							
		3.29	OFFICE DEPOT-CLIP BOARD		148826	INV093022	5302.6210		OFFICE SUPPLIES	PIONEER MANOR SENIOR HOUSING
		11.87	OFFICE DEPOT-3 CLIP BOARDS		148826	INV093022	5302.6210		OFFICE SUPPLIES	PIONEER MANOR SENIOR HOUSING
		15.19	FRATTALLONES-DRILL BIT		148826	INV093022	5302.6240		BUILDING SUPPLIES & PARTS	PIONEER MANOR SENIOR HOUSING
		17.98	FRATTALLONES-DRILL BIT/WRENCH		148826	INV093022	5302.6240		BUILDING SUPPLIES & PARTS	PIONEER MANOR SENIOR HOUSING
		18.78	FRATTALLONES-PAINT/BRUSH		148826	INV093022	5302.6240		BUILDING SUPPLIES & PARTS	PIONEER MANOR SENIOR HOUSING
		76.88	SERVPRO-WATER DAMAGE ESTIMATE		148826	INV093022	5302.6515		BUILDING REPAIR SERVICE	PIONEER MANOR SENIOR HOUSING
		170.00	TAMAS MAJOROS-MUSICAL PERFORM		148826	INV093022	5302.6487		SPECIAL PROGRAMS	PIONEER MANOR SENIOR HOUSING
		266.97	EZ CATER-RESIDENT LUNCHEON		148826	INV093022	5302.6487		SPECIAL PROGRAMS	PIONEER MANOR SENIOR HOUSING
		301.69	EZ CATER-RESIDENT LUNCHEON		148826	INV093022	5302.6487		SPECIAL PROGRAMS	PIONEER MANOR SENIOR HOUSING
		689.00	PROPERTY & LIABILITY INSURANCE		148826	INV093022	5302.6401		PROFESSIONAL SERVICES	PIONEER MANOR SENIOR HOUSING
		1,685.42	MANAGEMENT FEE - SEPT		148826	INV093022	5302.6401		PROFESSIONAL SERVICES	PIONEER MANOR SENIOR HOUSING
		2,000.99	MAINTENANCE WAGES - SEPT		148826	INV093022	5302.6515		BUILDING REPAIR SERVICE	PIONEER MANOR SENIOR HOUSING
		2,635.20	ONSITE MANAGER WAGES - SEPT		148826	INV093022	5302.6401		PROFESSIONAL SERVICES	PIONEER MANOR SENIOR HOUSING
		689.00	PROPERTY & LIABILITY INSURANCE		148825	INV103122	5302.6401		PROFESSIONAL SERVICES	PIONEER MANOR SENIOR HOUSING
		1,732.00	MANAGEMENT FEE - OCT		148825	INV103122	5302.6401		PROFESSIONAL SERVICES	PIONEER MANOR SENIOR HOUSING
		1,906.11	MAINTENANCE WAGES - OCT		148825	INV103122	5302.6515		BUILDING REPAIR SERVICE	PIONEER MANOR SENIOR HOUSING
		2,635.20	ONSITE MANAGER WAGES - OCT		148825	INV103122	5302.6401		PROFESSIONAL SERVICES	PIONEER MANOR SENIOR HOUSING
		14,855.57								
145901	12/21/2022		101440 WALSER POLAR CHEVROLET							
		131.78	(S) HOS 088/TEST		148827	77603P22X1	1110.6230		VEHICLE SUPPLIES & PARTS	POLICE
		131.78								
145902	12/21/2022		101473 WHITE BEAR FIRE RELIEF ASSN							
		210.00	DECEMBER 2022 DUES		148819	DEC2022	6200.2118		FIRE UNION DUES	EMPLOYMENT EXP. BALANCE SHEET
		210.00								
145903	12/21/2022		101481 WHITE BEAR TIRE AND AUTO							
		772.60	SQUAD 204 TIRE REPLACEMENT		148794	INV027979	1110.6230		VEHICLE SUPPLIES & PARTS	POLICE
		34.50	SQUAD 197 TIRE REPAIR		148804	INV028038	1110.6510		VEHICLE REPAIR SERVICE	POLICE
		807.10								
145904	12/21/2022		110046 XCEL ENERGY-GROUP BILLING							
		2.77	2225 6TH ST-APT 209		148828	518559886-1	5302.6422		ELECTRIC	PIONEER MANOR SENIOR HOUSING
		14.29	2225 6TH ST-APT 301		148828	518559886-1	5302.6422		ELECTRIC	PIONEER MANOR SENIOR HOUSING
		142.94	3901 MCKNIGHT-WELL#5-NOV		148829	5142977213NOV22	5012.6422		ELECTRIC	WATER DISTRIBUTION
		2,870.56	22414 ORCHARD-WELL#3-NOV		148829	5142977213NOV22	5012.6422		ELECTRIC	WATER DISTRIBUTION

Council Check Register by GL
 Council Check Register by Invoice & Summary

12/19/2022-- 12/23/2022

<u>Check #</u>	<u>Date</u>	<u>Amount</u>	<u>Supplier / Explanation</u>	<u>PO #</u>	<u>Doc No</u>	<u>Inv No</u>	<u>Account No</u>	<u>Subledger</u>	<u>Account Description</u>	<u>Business Unit</u>
145904	12/21/2022		110046 XCEL ENERGY-GROUP BILLING						Continued...	
		4,062.09	3359 MCKNIGHT-WELL#4-NOV		148829	5142977213NOV22	5012.6422		ELECTRIC	WATER DISTRIBUTION
		7,092.65								
		<u>50,719.05</u>	Grand Total							
									<u>Payment Instrument Totals</u>	
									Checks	<u>50,719.05</u>
									Total Payments	50,719.05



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: January 10, 2023
Subject: 2023 City Council regular meeting dates and work sessions

SUMMARY

The City Council will consider adopting a resolution establishing regular meeting dates of the City Council for 2023. Work sessions are tentatively scheduled the third Tuesday of every month, except December.

BACKGROUND INFORMATION

In accordance with the White Bear Lake City Charter, at its first regular meeting in January the Council shall set the dates of its regular monthly meetings for the year. Listed below are the proposed 2023 City Council meeting dates. Regular meetings are the second and fourth Tuesday of each month except for those months where the second Tuesday is required for election purposes in which case the meeting will be push forward one day.

- January 10 and 24
- February 14 and 28
- March 14 and 28
- April 11 and 25
- May 9 and 23
- June 13 and 27
- July 11 and 25
- August 8 (or August 9) and 22
- September 12 and 26
- October 10 and 24
- November 14 and 28
- December 12

In following with past practice, there is only one meeting scheduled in December. Meetings begin at 7 p.m. and adjourn by 10:30 p.m., unless authorized by a majority of the City Council. Work sessions typically begin at 6 p.m. and are tentatively scheduled the third Tuesday of every month except December.

Included in the packet is a public meeting calendar showcasing all public meetings of the City Council and City boards and commissions.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution establishing 2023 regular meeting dates of the White Bear Lake City Council and City boards and commissions.

ATTACHMENTS

Resolution
2023 Public Meeting Calendar

RESOLUTION NO.

**RESOLUTION ESTABLISHING THE 2023 REGULAR MEETING DATES AND TIMES
OF THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE**

WHEREAS, in accordance with the White Bear Lake City Charter, at its first regular meeting in January the City Council shall set the dates of its regular monthly meetings for the year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the second and fourth Tuesday of each month shall be designated as the regular meeting nights of the City Council except for those months where the second Tuesday is required for election purposes, in which case the regular meeting shall be held the following day.

BE IT FURTHER RESOLVED that the only regularly scheduled meeting in December shall be December 12, 2023.

BE IT FURTHER RESOLVED that City Council meetings shall begin at 7 p.m. and shall not extend beyond 10:30 p.m. unless authorized by a majority of the City Council.

BE IT FURTHER RESOLVED that the attached meeting calendar showcasing all public meetings of the City Council and City boards and commissions is hereby adopted.

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

PROPOSED City of White Bear Lake—City Meeting Dates 2023

January						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23 30	24	25	26	27	28	29

May						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8*	9*	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

*City Council meeting will be delayed to Wednesday if a Primary Election is scheduled for Aug. 8.










September						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24 31	25	26	27	28	29	30

**No City Council meeting the 4th Tuesday in December

-  City Council Meeting (monthly, 2nd* and 4th** Tuesdays, 7 p.m.)
-  Planning Commission (monthly, last Monday, 7 p.m., no December)
-  Holiday—Offices Closed
-  City Council Work Session (possible dates)
-  Environmental Advisory Commission (monthly, 3rd Wednesday, 6:30 p.m.)
-  Election Days - Primary (if necessary) and General
-  Charter Commission (yearly and as needed, 2nd Wednesday in September, 7 p.m.)
-  Park Advisory Commission (monthly, 3rd Thursday, 6:30 p.m., no December)
-  Housing and Redevelopment Authority (yearly and as needed, 2nd Tuesday in January, following City Council Meeting)

Adopted by the City Council on _____. The City of White Bear Lake reserves the right to make adjustments to the meeting calendar as deemed necessary.



City of White Bear Lake
Finance Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kerri Kindsvater, Finance Director
Date: January 10, 2023
Subject: **2023 Surety Bonds for City Employees**

SUMMARY

The City Council will consider adopting a resolution establishing surety bonds covering employees for 2023.

BACKGROUND INFORMATION

According to City Charter, Sect. 4.22. Official Bonds, The City Manager, City Clerk, and such other officers and employees as may be required by the City Council shall each give bond in sufficient surety, in such amount as fixed by the City Council, for the faithful performance of their respective official duties. Such bonds shall be payable to the City, and the bonds of each officer shall protect the City for acts of any deputy or assistant of such officer. The legal sufficiency of all bonds shall be passed upon by competent legal authority. The bonds shall be approved by the City Council, which approval shall be endorsed upon each bond signed by at least three (3) members of the City Council. The Mayor shall have custody of all bonds, and it shall be the Mayor's duty to see that they are kept in full force and effect (Ref. Ord. No. 898, 8/24/93). When a bond shall have been forfeited by a person that office shall be considered vacant and shall be filled according to the provisions of this Charter.

The City purchases surety bonds through the League of Minnesota Cities Insurance Trust (LMCIT) on all employees through the City's insurance coverage. The LMCIT coordinates the bond coverage with the City's other insurance coverages to avoid gaps, overlaps and inconsistencies and is written to cover both fidelity and faithful performance risks.

The LMCIT references a formula developed by the Minnesota Clerks & Finance Officers Association (MCFOA) that suggests an appropriate bond amount is generally 10% of the City's annual revenue plus the market value of negotiable securities; however, there is no mandated amount and the City is able to choose the bond coverage amount each year.

The City has carried \$600,000 in surety bond coverage with a \$25,000 deductible through the LMCIT in previous years. The City has never had a situation requiring usage of the bonds. Staff believes the current coverage is appropriate for this year and will continue to evaluate on an annual basis to secure sufficient coverage for operations.

RECOMMENDEATIONS

Staff recommends the City Council adopt the attached resolution establishing surety bonds for City employees for 2023.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

RESOLUTION FIXING AMOUNT OF SURETY BONDS FOR CITY EMPLOYEES AND PROVIDING FOR APPROVAL OF SAME FOR FISCAL YEAR 2023

WHEREAS, the City Charter Sect. 4.22 requires a surety bond be in place for the faithful performance of the official duties for officers;

WHEREAS, the City of White Bear Lake purchases surety bonds through the League of Minnesota Cities Insurance Trust (LMCIT) on all employees through the City's insurance coverage; and

WHEREAS, the LMCIT coordinates the bond coverage with the City's other insurance coverages to avoid gaps, overlaps, and inconsistencies and is written to cover both fidelity and faithful performance risks.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City furnish surety bonds for all employees to ensure faithful performance of their duties. The surety bond coverage is \$600,000, and said bonds shall be reviewed and approved by the City Attorney and City Council and maintained in accordance with Section 4.22 of the City Charter.

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: January 10, 2022
Subject: **White Bear Lake Lion's Club Foundation Donation for All-Abilities Park**

SUMMARY

The City Council will consider adopting a resolution accepting donations 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 \$483,372.70 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 Lions Club representatives 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 Lions Club is working on several other grants and donations to fund the remaining expenses needed to complete the overall project. The latest donations to be approved by City Council include a \$1,000 donation to the all-abilities park and a \$2,500 donation for a bench in the all-abilities park dedicated to the Wildwood Lions Club in honor of their contribution. The donations presented will bring the new total of donations to \$486,872.70.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution accepting the \$3,500 in donations from the White Bear Lake Lions Club Foundation for the all-abilities park.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION ACCEPTING DONATIONS 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 \$483,372.70 toward that effort; and

WHEREAS, the White Bear Lions Club Foundation provided another \$3,500 donation toward the all-abilities park, which is being planned at Lakewood Hills Park in White Bear Lake; and

WHEREAS, the \$2,500 donation will fund a bench in the all-abilities park to be dedicated to the Wildwood Lions Club in honor of their contribution and the \$1,000 will go towards the overall park project; 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 donations totaling \$3,500 are 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
Finance Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kerri Kindsvater, Finance Director
Date: January 10, 2023
Subject: **2023 Proposed Travel and Expense Reimbursement**

SUMMARY

The City Council will consider adopting a resolution establishing 2023 travel and expense reimbursements for approved and eligible out-of-pocket travel and business expenses incurred in the conduct of City business or authorized training.

BACKGROUND INFORMATION

Mileage

City policy allows employees to utilize their personal vehicle to conduct City business. In return for the use of the personal vehicle, the City reimburses the employee a mileage rate to compensate the employee for the estimated cost of operating their vehicle for the miles driven for City business. This mileage reimbursement policy does not intend to reimburse the employee for the cost of their automobile ownership, as the City does not require employees to purchase or own a vehicle as a condition of employment, it is only intended to cover the incremental cost of the trip.

This practice benefits the City by reducing the number of fleet vehicles to the actual vehicles needed for operations and does not provide additional vehicles to be available for occasional employee transportation needs.

Consistent with past practice, staff proposes to set the City's mileage reimbursement rate to the current standard rate set by the Internal Revenue Service (IRS). The City's reimbursement rate increased twice in 2022 as the IRS increased their rate mid-year 2022. The IRS's federal mileage reimbursement rate for 2022 increased 2.5 cents per mile over 2021.

01/01/2021	01/01/2022	06/28/2022	01/01/2023
56 cents	58.5 cents	62.5 cents	65.5 cents

Meals

The City's meal reimbursement policy provides employees with adequate compensation to purchase their meals each day while conducting City business away from the community. Meal reimbursements for employees attending training sessions are only available when the training sessions do not include meals as part of the registration fee to prevent employees from

profiting through reimbursement when meal costs are already paid.

Each year staff compares the reimbursement rate to those used by the U.S. General Services Administration and the State of Minnesota to ensure relevant amounts are included in the City's reimbursement policy. Staff recommends an increase in the daily reimbursement limits to \$40 and \$50 if in a standard and major metropolitan area. Since 2019, the limits have been \$38 and \$46, respectively.

RECOMMENDATIONS

Staff recommends that the City Council adopt the attached resolution adjusting current travel expense reimbursement rates.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EMPLOYEE REIMBURSEMENT OF APPROVED AND ELIGIBLE OUT-OF-POCKET TRAVEL AND BUSINESS EXPENSES WHILE CONDUCTING CITY BUSINESS

WHEREAS, City of White Bear Lake employees occasionally conduct City business away from the community;

WHEREAS, on occasion, City employees utilize personal vehicles for transportation to conduct City business; and

WHEREAS, the City's meal reimbursement policy provides employees with adequate compensation to purchase meals each day while conducting business away from the community.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, that the City Council authorizes employee reimbursement rates for personal vehicle usage and meal purchases while conducting City business away from the community established below:

Mileage Reimbursement: \$0.655

Standard Metropolitan Area: Meals reimbursed at a reasonable amount per meal, with a daily limit of \$40 and restriction that no meal, non-alcoholic drink and tip will exceed \$25.

Major Metropolitan Area: Meals reimbursed at a reasonable amount per meal, with a daily limit of \$50 and restriction that no meal, non-alcoholic drink and tip will exceed \$30.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of White Bear Lake, that the City Council authorizes the City Manager to modify the meal reimbursement amounts based upon unique circumstances:

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: Paul Kauppi, Public Works Director / City Engineer
Date: January 10, 2023
Subject: Lease Agreement for Dish Wireless, L.L.C at the 3495 Century Avenue Monopole Site

SUMMARY

The City Council will consider adopting a resolution approving a lease agreement with Dish Wireless, L.L.C that allows for the installation and operation of communication equipment at the City's monopole site located at 3495 Century Avenue.

BACKGROUND INFORMATION

Dish Network has requested to install the cellular communication equipment at the 3495 Century Avenue Monopole site and enter into a lease agreement that details the terms and conditions. The lease will start at \$30,000 per year and increase at a rate of 4% per year through the term of the agreement. The initial term of the lease is through December 31, 2027 with the right to extend the lease for four (4) additional five (5) year renewal periods. The area to be leased includes space on the tower for antennas as well as 120 square feet of ground space for other equipment. The space to be occupied by Dish Wireless, L.L.C under this lease agreement will be an area that is to be vacated by the Sprint/ T-Mobile merger.

Staff has reviewed the lease with the City Attorney and has further reviewed and approved the plans for the equipment installation.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving a lease agreement with Dish Wireless, L.L.C at the 3495 Century Avenue Monopole site.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION APPROVING LEASE WITH DISH WIRELESS, L.L.C. FOR PLACEMENT OF COMMUNICATIONS EQUIPMENT ON THE CITY'S 3495 CENTURY AVENUE MONOPOLE SITE

WHEREAS, Dish Wireless, L.L.C. has requested to install and operate communications equipment from the City's monopole located at 3495 Century Avenue; and

WHEREAS, Dish Wireless, L.L.C. desires to enter into a lease with the City to accommodate equipment necessary to be competitive in the current mobile communication business; and

WHEREAS, the lease details the terms and conditions of the installation and operations of the Dish Wireless, L.L.C. equipment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the lease agreement with Dish Wireless, L.L.C. which details the terms and conditions for communications equipment to be installed and operated at the 3495 Century Avenue Monopole site 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: January 10, 2023
Subject: **Special Event Application for Carbone's Pizzeria & Pub**

SUMMARY

The City Council will consider adopting a resolution approving a special event application to allow a single event extension to an on-sale liquor license for Carbone's Pizzeria & Pub (Carbone's).

BACKGROUND INFORMATION

The owner of Carbone's, Steve Boleen, submitted a special event application for Thursday, January 26 to Sunday, January 29 to provide additional seating and service in a tent outside Carbone's main entrance. The tent will be enclosed with sidewalls and will be set up over the course of the four days. Carbone's on-sale liquor license will temporarily be extended into the tent during the four days. The purpose of the additional seating is to accommodate the anticipated increase in business during Hockey Day Minnesota.

Alcohol extension license service outside of the designated restaurant area requires the City Council's approval. Carbone's is seeking approval for a single event extension to their on-sale liquor license as follows:

Carbone's Pizzeria & Pub
 1350 Highway 96, Suite 7
 White Bear Lake, MN 55110
 Thursday, January 26, 2023 to Sunday, January 29, 2023
 Enclosed tent on the sidewalk

RECOMMENDATION

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

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION APPROVING A SPECIAL EVENT APPLICATION FOR
CARBONE'S PIZZERIA & PUB**

WHEREAS, Carbone's Pizzeria & Pub (Carbone's) submitted a special event application for a single event extension to provide additional seating and service outside its liquor-licensed premises; and

WHEREAS, the additional seating will be located in an enclosed tent on the sidewalk outside Carbone's main entrance at the premises of 1350 Highway 96, Suite 7, and will not impact other businesses' parking; and

WHEREAS, the enclosed tent and additional seating will be set up from Thursday, January 26 to Sunday, January 29, coinciding with Hockey Day Minnesota; and

WHEREAS, a tent permit was submitted and reviewed by Fire Department staff.

NOW THEREFORE, BE IT RESOLVED that the White Bear Lake City Council approves a single event extension for Carbone's Pizzeria & Pub at 1350 Highway 96, Suite 7, from Thursday, January 26, 2023 to Sunday, January 29, 2023 to allow liquor outside an on-sale liquor licensed premises, subject to the following conditions:

1. Payment for the tent permit
2. Proof of general and liquor liability insurance naming the City as an additional insured up to municipal liability limits.

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, AICP Community Development Director
Date: January 10, 2023
Subject: **3600 & 3646 Hoffman Road Easement Vacation**

SUMMARY

The City Council will consider adopting a resolution approving the vacation of easements on properties at 3600 and 3646 Hoffman Road.

GENERAL INFORMATION

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

Existing Land Use / Zoning: Vacant Land;
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 applicant, SRD 2.0, LLC, an affiliate of Schafer Richardson, requests the vacation of easements on the properties located at 3600 and 3646 Hoffman Road. Prior to this request, the applicant received both PUD and subdivision approvals to redevelop the subject properties into a 244-unit apartment complex in two 4-story buildings. Vacation of the existing easements on the subject properties is necessary to prepare the site for redevelopment and was a condition of the subdivision approval.

ANALYSIS

Per the White Bear Lake City Charter, the City Council must hold a public hearing to review this item. Under the City Charter, approval of easement vacations requires a 4/5 vote of the City Council. No review by the Planning Commission is required.

To approve an easement request, the City Council must find that the easements are no longer necessary and have no public purpose. Both Planning and Engineering staff have reviewed this request and find that the easements are no longer necessary and have no public purpose as they served the previous use of the property that has been demolished and removed to prepare the site for redevelopment.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving the vacation of easements on the properties located at 3600 and 3646 Hoffman Road.

ATTACHMENTS

- Resolution
- Petition for Termination of Easements
- Easement for Underground Utility
- Stormwater Easement

RESOLUTION NO. _____

**A RESOLUTION VACATING PUBLIC EASEMENTS LOCATED AT
3600 AND 3646 HOFFMAN ROAD WHITE BEAR LAKE, MINNESOTA**

WHEREAS, the City Council, pursuant to Minnesota Statutes, section 462.358, subd. 7 and section 8.02 of the City Charter, desires to consider the vacation of (i) that certain perpetual easement for underground utility mains, pipes and appurtenances, including ingress and egress related thereto, as memorialized in Document No. 2247096 recorded on December 17, 1984 with the Office of the Ramsey County Recorder; and (ii) that certain perpetual easement for underground utility mains, pipes and appurtenances, including ingress and egress related thereto, as memorialized in Document No. 2246427 recorded on December 11, 1984 with the Office of the Ramsey County Recorder (together, the “**Easements**”); and

WHEREAS, said proceedings were initiated by landowner petition to accommodate the approved multifamily residential development by Schafer Richardson at 3600 and 3646 Hoffman Road in the County Road E corridor (the “**Project**”); and

WHEREAS, City staff published and mailed notice of a public hearing as required by law and a public hearing was held regarding the proposed vacation of the Easements on the 10th day of January, 2023; and

WHEREAS, the City Engineer reviewed the request in light of the Project and the recently approved plat of Willow Ridge 2nd Addition and recommends that the Easements be vacated, as requested, because they are no longer necessary; and

WHEREAS, after due notice and a public hearing, and in light of the aforementioned, the City Council has determined that the Easements are no longer needed and therefore vacation of the Easements is in the public interest; and

WHEREAS, as required by the White Bear Lake City Charter, at least four-fifths of all members of the City Council concur in this resolution.

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

1. The City hereby declares that the Easements are hereby vacated on condition that (i) the petitioner reimburse the City for all costs and expenses related to these proceedings, and (ii) all other conditions related to the Project and the approved plat of Willow Ridge 2nd Addition are duly satisfied.
2. Upon the satisfaction of the aforementioned conditions, the City Clerk is directed to prepare a Notice of Completion of Vacation Proceedings and to record it with the Ramsey County Recorder or transmit a copy to the petitioner to be recorded.

RESOLUTION NO. _____

3. City staff is hereby authorized to take any other steps or actions that are deemed necessary or convenient to carry out the intent of this Resolution.

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk

11/11/2022

3600 & 3646 Hoffman Road Redevelopment:

Petition for Termination of Easements & Agreements

SRD 2.0, LLC, an affiliate of Schafer Richardson (“Petitioner”), has previously submitted Development Phase plans for the Planned Unit Development (22-2-PUD) for the redevelopment of 5.7 acres at the intersection of County Road E East and Hoffman Road into a multifamily apartments. The Development Phase was approved by the City Council Resolution No. 13053 on September 13, 2022.

Whereas the redevelopment plans entail the removal of all existing structures, improvements, and associated utilities serving such structures and improvements, the petitioner is hereby requesting approval from the City of White Bear Lake for the termination of the existing easements & agreements as described below:

1. Easement for underground utility purposes as set forth in Quit Claim Deed dated December 17, 1984, filed December 17, 1984, as **Document No. 2247096**.

The easterly twenty (20) feet of the south fifty (50) feet of Lot Twenty-Four (24), Strawberry Acres, according to the plat on file in the Office of the County Recorder, Ramsey County, Minnesota, Together with the easterly Twenty (20) feet of Lot Twenty-five (25), said Strawberry Acres

2. Terms and conditions of Easement dated December 11, 1984, filed December 11, 1984, as **Document No. 2246427**.

The easterly 20.00 feet of the south 50.00 feet of Lot 24, Strawberry Acres, according to the plat on file in the Office of the County Recorder, Ramsey County, Minnesota, Together with the easterly 20.00 feet of Lot 25, said Strawberry Acres, Said permanent easements contain 4,000 square feet more or less

xxx

QUIT CLAIM DEED

STATE OF MINNESOTA
County of Ramsey

Office of the County Recorder

This is to certify that the within Instrument was filed for record in this office at St. Paul on the 17 day of Dec A.D. 1984 at 10 o'clock A.M. and that the same was recorded in Ramsey County Records as Doc. No 2247096.

EUGENE H. GIBBONS
COUNTY RECORDER

By Eugene H. Gibbons

(reserved for recording data)

No delinquent taxes and transfer entered; Certificate of Real Estate Value () filed () not required Certificate of Real Estate Value No. 1984

DEC 17 1984

County Auditor
by LOU MCKENNA Deputy

STATE DEED TAX DUE HEREDY: \$ Exempt
Date 12-17, 1984

2247096

FOR VALUABLE CONSIDERATION, Gerald T. Proulx and Jeanne M. Proulx, Husband and Wife, Grantor(s) hereby convey(s) and quitclaim(s) to the City of White Bear Lake, Grantee, a Municipal Corporation, under the laws of the State of Minnesota, real property in Ramsey County, Minnesota, described as follows:

A perpetual easement for underground utility mains, pipes and appurtenances over, under and across a strip of land in the City of White Bear Lake, Ramsey County, Minnesota, as follows: The easterly twenty (20) feet of the south fifty (50) feet of Lot Twenty-four (24), Strawberry Acres, according to the plat on file in the Office of the County Recorder, Ramsey County, Minnesota, Together with the easterly Twenty (20) feet of Lot Twenty-five (25), said Strawberry Acres, which easement shall include the perpetual rights of said City of White Bear Lake, its successors or assigns, to grade, level, fill, drain, pave, build, maintain, and rebuild or widen a storm water drainage swale, together with such culverts, cuts, or ditches as may be necessary, and to construct, maintain, operate, and repair utility mains, pipes, and appurtenances over and across the strip of land hereinbefore described, together with perpetual easement for ingress and egress, together with all hereditaments and appurtenances belonging thereto.

NOTED BY AUDITOR

12-17 1984

LOU MCKENNA

Auditor, Ramsey County, Minnesota

By T. Auger

By Gerald T. Proulx
Gerald T. Proulx

By Jeanne M. Proulx
Jeanne M. Proulx

STATE OF MINNESOTA)
COUNTY OF RAMSEY)

The foregoing was acknowledged before me this 17th day of Dec., 1984, by, Gerald T. Proulx and Jeanne M. Proulx, Grantors. (HUSBAND & WIFE)

IRENE E. MILLER
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My commission expires July 6, 1984
Notary stamp on seal (or other title or rank)

Irene E. Miller
SIGNATURE OF PERSON TAKING ACKNOWLEDGEMENT

RETURN TO

This instrument was drafted by:
City of White Bear Lake
4820 Cook Avenue
White Bear Lake, MN 55110

I hereby certify that this Quit Claim Deed is entitled to filing or recordation without payment of fees pursuant to laws 1967, chapter 124, it being for the benefit of

Robert J. Miller

DEC 17 10 44 AM '84

December 17, 1984

EASEMENT

22A6427

DEC 11 3 36 PM '84

THIS INDENTURE, made this 11th day of Dec., 1984, by and between
MICHALNITT, INC., a Minnesota Corporation, party of the first part, and the CITY OF WHITE
BEAR LAKE, Ramsey County, Minnesota, a municipal corporation, party of the second part.

WITNESSETH: That in consideration of the sum of One and no/100 DOLLARS (\$1.00) in
hand paid by the said party of the second part, said party of the first part does hereby
grant and convey unto party of the second part, its successors and assigns, a perpetual
easement for underground utility mains, pipes and appurtenances over, under and across a
strip of land in the City of White Bear Lake, Ramsey County, Minnesota, as follows:

The easterly 20.00 feet of the south 50.00 feet of Lot 24, Strawberry Acres,
according the plat on file in the Office of the County Recorder, Ramsey County,
Minnesota, Together with the easterly 20.00 feet of Lot 25, said Strawberry Acres,
Said permanent easements contain 4,000 square feet more or less,

which easement shall include the perpetual rights of said City of White Bear Lake, its
successors or assigns, to grade, level, fill, drain, pave, build, maintain, and rebuild or
widen a storm water drainage swale, together with such culverts, cuts, or ditches as may
be necessary, and to construct, maintain, operate, and repair utility mains, pipes, and
appurtenances over and across the strip of land hereinbefore described, together with
perpetual easement for ingress and egress.

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurte-
nances thereunto belonging, or in anywise appertaining, to the said party of the second
part, its successors and assigns, forever.

IN TESTIMONY WHEREOF, the said party of the first part has hereunto set his hand
the day year first above written.



THIS INSTRUMENT DRAFTED BY:
City of White Bear Lake
4820 Cook Avenue
White Bear Lake, MN 55110

MICHALNITT, INC.
By Michael J. Nitti
Michael Nitti
Its: President

CITY OF WHITE BEAR LAKE
By [Signature]
Its: Mayor

By [Signature]
Its: City Manager

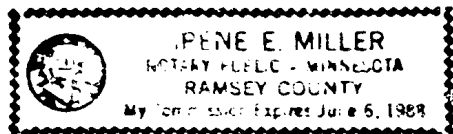
NOTED BY
DEC. 11 1984
LOU MCKENNA
Auditor Ramsey County, Minnesota
By [Signature]
22 502.00 -- 0

2246427

STATE OF MINNESOTA)
COUNTY OF RAMSEY) SS.

On this 11th day of Dec., 1984, before me, a Notary Public within and for said County, personally appeared Michael Nitti, President of Michalnitt, Inc., a Minnesota Corporation, and to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

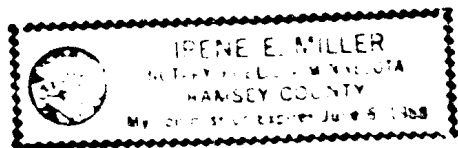
Irene E. Miller
Notary Public, Ramsey County, Minnesota
My Commission Expires: 6-6-88



STATE OF MINNESOTA)
COUNTY OF RAMSEY) SS.

On this 11th day of Dec., 1984, before me a Notary Public within and for said County, personally appeared Brad Stanius and Mark Sather personally known, being each by me duly sworn, did say that they are respectively the Mayor and City Manager of the corporation named in the foregoing instrument, and that said instrument was signed in behalf of said corporation by authority of its City Council and said Brad Stanius and Mark Sather acknowledged said instrument to be the free act and deed to said corporation.

Irene E. Miller
Notary Public, Ramsey County, Minnesota
My Commission Expires: 6-6-88



I hereby certify that this instrument is entitled to filing or recordation without payment of fees pursuant to laws 1967, chapter 124, it being for the benefit of Robert J. Lockman

9 280 10



City of White Bear Lake
Finance Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kerri Kindsvater, Finance Director
Date: January 10, 2023
Subject: Issuance of General Obligation Capital Improvement Bonds and Adoption of a Capital Improvement Plan

SUMMARY

The City Council will conduct a public hearing to consider the issuance of General Obligation Capital Improvement Plan Bonds and adopt a resolution adopting the Capital Improvement Plan (CIP) for the second bond issue to complete financing plans for the renovation and expansion of the City's public safety facility.

BACKGROUND INFORMATION

CIP for General Obligation Capital Improvement Plan Bonds

The City's CIP and Financial Management Plan anticipate issuing bonds to finance the renovation and expansion project for the City's public safety facility. Given the total cost of the project, the City Council chose to divide the bond financing activities between two years to hold the annual issuance amount below the \$10 million bank qualification limit for each year.

The original project financing activities began when the City Council held a public hearing for the issuance of General Obligation Capital Improvement Bonds at their December 14, 2021 meeting. Immediately following the public hearing, the City Council approved Resolution 12903 adopting the CIP given the following financial information:

Total Estimated Project Costs in CIP	\$ 13,900,000
Cost of Bond Issuance and Capitalized Interest	<u>415,000</u>
Total Bond Authorization Needed	<u><u>14,315,000</u></u>

Due to industry uncertainty and large cost increases in the market, project bids received mid-October 2022 totaled \$17,801,800. The City Council held a work session on October 25, 2022, to reconsider the project plans, discuss delaying two project components that equal \$450,000 to alleviate current financial pressures and discuss bond issuance options. The following chart summarizes the updated figures for the bond issuance process using actual bid amounts and decisions from the work session:

Total Project Costs per bids	\$ 17,801,800
Delayed Monument Sign	(100,000)
Delayed Roof Replacement	<u>(350,000)</u>
	17,351,800
Cost of Bond Issuance and Capitalized Interest	<u>728,200</u>
Total Bond Authorization Needed	<u><u>18,080,000</u></u>

Based on this information, the project and financial planning work culminated in the City Council's approval of the following two resolutions at their November 9, 2022 meeting:

- Resolution 13087 receiving bids and awarding the construction contracts for the project
- Resolution 13088 providing for the sale of \$6,990,000 General Obligation Capital Improvement Plan Bonds to finance a portion of the project

The City Council planned to issue \$10 million in CIP Bonds to complete the financing package in 2023.

The City is now beginning the process for the 2023 bond issue to finalize the project funding needs. Since the actual project and bond issuance costs are higher than the previously authorized bond amount of \$14,315,000, the City Council must amend the original CIP associated with the GO Capital Improvement Bonds approved on December 14, 2021, to receive authorization to use bond proceeds on the incremental difference of \$3,765,000 needed to complete the project.

Bond Authorization Needed Based on Actual Costs	\$ 18,080,000
Bond Authorization Approved on December 14, 2021	<u>(14,315,000)</u>
Additional Bond Authorization Needed for Project	<u><u>3,765,000</u></u>

The attached resolution references the public hearing is regarding the issuance of bonds in an amount not to exceed the \$3,765,000; which is the incremental change needed for the projects costs as shown in the previous schedule. The \$3,765,000 is part of the total \$10 million bond issue for 2023 to complete the project funding, which has been discussed by the City Council in previous meetings and work sessions. The entire \$10 million is not shown for this hearing since a portion of those costs were approved with the original CIP. Once the City Council approves the CIP in the amount of \$3,765,000, the City will have authorization to issue the full \$10 million in 2023 as planned.

As staff created the amended CIP document, our Ehlers Financial Advisors suggested we include potential projects unrelated to the public safety facility in the CIP in the event Contingency Funds are available at the end of the public safety facility project. Including these additional items on the CIP list does not affect the bond issue amount nor does it obligate the City Council to complete any of the additional projects added through the amendment process. Including the potential projects in the CIP document only provides maximum flexibility to finance the approved project and utilize bond proceeds or any remaining Contingency Funds correctly.

If the City Council chooses to not include the recommended additional items listed in the CIP for the bonds, any remaining Contingency Funds must be transferred to the Debt Service Fund to reduce the tax levy needed to pay the debt service. These additional resources transferred into the Debt Service Fund may potentially cause arbitrage issues, which could require repayment of a portion of the interest earned to the U.S. Treasury Department.

The following chart combines the additional public safety facility project expenditures and other potential projects included in the CIP document:

Capital Improvement Plan Amendment:

Required CIP for current bonding process:

Public Safety Facility Project expenditures	\$ 3,765,000
---------------------------------------------	--------------

Recommended CIP for use of any available Contingency Funds:

Public Safety Facility Monument Sign	100,000
Public Safety Facility Roof	350,000
City Hall Air Handler	206,000
City Hall Window	300,000
City Hall Public Restroom Upgrades	101,000
City Hall Fire Suppression System	65,000
Subtotal Recommended CIP	<u>1,122,000</u>
Grand Total CIP Amendment	<u><u>4,887,000</u></u>

In summary, the amended CIP gives authorization to issue the full \$10 million amount to finance all costs and use any remaining portions of the \$715,000 Contingency Funds at the end of the project.

General Obligation Capital Improvement Plan Bonds, Series 2023A

Minnesota Statutes Chapter 475 authorizes cities to issue bond obligations to borrow money and gives guidance on the rules for the types of bonds and their purposes that are available to issue. In addition to following the general rules in Chapter 475, the City receives further specific guidance from Minnesota Statutes, Chapter 475.521, Capital Improvement Authority, which relate to the issuance of General Obligation (GO) Capital Improvement Bonds used to finance acquisitions or betterments to public buildings.

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

As stated above, the 2023A Capital Improvement Bond issue is for a par amount of \$10,000,000 with a total life of 21 years, 20 of those years will have principal payments. This structure reduces the tax levy needed for the first year of the issue.

The preliminary debt service schedule has a true interest cost of 4.489%, this is the actual cost of borrowing the funds taking in to account the ancillary fees and costs and the factors related to the time value of money. The true interest cost includes 75 basis points, or .75%, as a cushion for any changes in the market between the report run date and the actual bond sale. Therefore, in this scenario, the market rate is considered to be 3.73%.

To offer an interest rate comparison, the 2022B bond issue sold on December 13, 2022 held a true interest cost of 3.7539%, which is approximately a half a percent higher than the 3.27% true interest cost for the 2018A bond issue.

The annual tax levy to pay the debt service on the 2023A Capital Improvement Bonds will range between \$630,017 and \$842,409. Any short fall in the payment projections would require an increase in the City's commitment to ensure the debt obligation is satisfied.

RECOMMENDEATION

Staff recommends the City Council adopt the attached resolution for the following items related to financing the remainder of the public safety facility renovation and expansion project:

- Adopting the Capital Improvement Plan, which is an amendment to the original CIP approved on December 14, 2021
- Authorizing Ehlers to assist in the 2023A General Obligation CIP Bond sale and work with City staff to participate in preparation of the official statement for the bond issue
- Establishing February 28, 2023 as the meeting for considering the bond sale proposal
- Setting February 28, 2023 as the date for awarding the bond sale

ATTACHMENTS

Resolution

Capital Improvement Plan

Pre-sale report for \$10,000,000 General Obligation Capital Improvement Plan Bonds, Series 2023A

RESOLUTION ADOPTING A CAPITAL IMPROVEMENT PLAN, PROVIDING PRELIMINARY APPROVAL FOR THE ISSUANCE OF BONDS THEREUNDER, AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, pursuant to Minnesota Statutes, Section 475.521, as amended (the “Act”), cities are authorized to adopt a capital improvement plan and carry out programs for the financing of capital improvements;

WHEREAS, the City of White Bear Lake, Minnesota (the “City”) has caused to be prepared a five-year capital improvement plan for the years 2023 through 2027 (the “Capital Improvement Plan”);

WHEREAS, on the date hereof, the City Council of the City conducted a duly noticed public hearing regarding adoption of the Capital Improvement Plan pursuant to the requirements of the Act and the issuance of one or more series of general obligation bonds thereunder (the “CIP Bonds”) in a maximum principal amount of \$3,765,000, plus any premium received, to finance various capital improvements, including but not limited to financing additional costs related to the Public Safety Building renovation and expansion project and financing improvements to City Hall (the “Projects”);

WHEREAS, in considering the Capital Improvement Plan, the City Council has considered for each project and for the overall Capital Improvement Plan:

1. the condition of the City’s existing infrastructure, including the projected need for repair and replacement;
2. the likely demand for the improvement;
3. the estimated cost of the improvement;
4. the available public resources;
5. the level of overlapping debt in the City;
6. the relative benefits and costs of alternative uses of the funds;
7. operating costs of the proposed improvements; and
8. alternatives for providing services more efficiently through shared facilities with other local government units

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the “Reimbursement Regulations”) providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; the City expects to incur certain expenditures with respect to projects that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of tax-exempt bonds;

WHEREAS, the City has determined to make a declaration of official intent (the “Declaration”) to reimburse certain costs with respect to the Projects from proceeds of the CIP

RESOLUTION NO. _____

Bonds in the maximum principal amount of \$3,765,000, plus any premium received, in accordance with the Reimbursement Regulations; and

WHEREAS, all reimbursed expenditures will be capital expenditures, costs of issuance of the CIP Bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations; and

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

1. The Capital Improvement Plan is hereby approved.
2. City staff are hereby authorized to do all other things and take all other actions as may be necessary or appropriate to carry out the Capital Improvement Plan in accordance with any applicable laws and regulations.
3. The City gives preliminary approval to the issuance of the CIP Bonds in the maximum principal amount of \$3,765,000, plus any premium received; provided that if a petition requesting a vote on issuance of the CIP Bonds, signed by voters equal to five percent (5%) of the votes cast in the last municipal general election, is filed with City Clerk within thirty (30) days of the date hereof (i.e., by February 9, 2023), the City may issue the CIP Bonds only after obtaining approval of a majority of voters voting on the question at an election.
4. This Declaration has been made not later than sixty (60) days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of the CIP Bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or five percent (5%) of the proceeds of an issue; or (c) "preliminary expenditures" up to an amount not in excess of twenty percent (20%) of the aggregate issue price of the issue or issues that finance or are reasonably expected by the City to finance the project for which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.
5. This Declaration is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the Projects and the principal amount of the CIP Bonds described herein are consistent with the City's budgetary and financial circumstances. No sources other than proceeds of the CIP Bonds to be issued by the City are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City's budget or financial policies to pay such expenditures.

RESOLUTION NO. _____

6. This Declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.

7. The CIP Bonds are expected to be issued as part of the City's General Obligation Capital Improvement Plan Bonds, Series 2023A (the "Series 2023A Bonds"), in the proposed principal amount of \$10,000,000. Ehlers and Associates, Inc., the municipal advisor to the City (the "Municipal Advisor"), is authorized and directed to negotiate the sale of the Series 2023A Bonds. The City Council will meet on Tuesday, February 28, 2023, or another date selected by City staff, to consider proposals on the Series 2023A Bonds and take any other appropriate action with respect to the Series 2023A Bonds.

8. The law firm of Kennedy & Graven, Chartered, as bond counsel for the City ("Bond Counsel"), is authorized to act as bond counsel and to assist in the preparation and review of necessary documents, certificates and instruments relating to the Series 2023A Bonds. The officers, employees and agents of the City are hereby authorized to assist Bond Counsel in the preparation of such documents, certificates, and instruments.

9. In the resolution awarding the sale of the Series 2023A Bonds, the City Council will set forth the covenants and undertakings required by the Act.

10. In connection with the sale of the Series 2023A Bonds, the officers or employees of the City are authorized and directed to cooperate with the Municipal Advisor and participate in the preparation of an official statement for the Series 2023A Bonds and to deliver it on behalf of the City upon its completion.

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk

January 10, 2023

FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR ISSUANCE OF GENERAL
OBLIGATION CIP BONDS:

City of White Bear Lake, MN

2023–2027



Prepared by:
City of White Bear Lake
and
Ehlers

BUILDING COMMUNITIES. IT'S WHAT WE DO.

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I. INTRODUCTION

In 2003, the Minnesota State Legislature adopted a statute (Section 475.521, referred to herein as the “CIP Act”) that allows cities to issue municipal bonds under a capital improvement plan without a referendum requirement (except for the “reverse referendum” described below). The CIP Act applies to specific capital improvements for the purposes of city halls, public works, and public safety facilities. The 2005 Legislature added towns to the meaning of a municipality, as well as libraries and town halls to the meaning of a capital improvement under the CIP Act.

Throughout this plan, the term “Capital Improvement” refers only to those improvements identified in the CIP Act, as summarized above. Capital expenditures for other public improvements in the City of White Bear Lake, Minnesota (“City”) will be financed through other means identified in the City’s annual budgeting process and are not governed by this plan.

PURPOSE

A Capital Improvement as defined in the CIP Act is a major expenditure of municipal funds for the acquisition or betterment to public lands, buildings, or other improvements used as a city hall, town hall, library, public safety, or public works facility, any of which have a useful life of five years or more. For the purposes of the CIP Act, Capital Improvements do not include light rail transit or related activities, parks, road/bridges, administrative buildings other than a city or town hall, or land for those facilities. A Capital Improvement Plan (“CIP”), as identified by the CIP Act is a document designed to anticipate Capital Improvement expenditures over at least a five-year period so that they may be acquired, constructed and/or installed in a cost-effective and efficient manner. The CIP must set forth the estimated schedule, timing, and details of specific Capital Improvements by year, together with the estimated cost, need for improvement, and sources of revenue to pay for the improvement.

The City believes the capital improvement process is an essential element of responsible fiscal management and engages in adoption of an updated five-year plan for city-wide capital expenditures annually as part of its budgeting process. Major capital expenditures can be anticipated and coordinated to minimize potentially adverse financial impacts caused by the timing and magnitude of capital outlays. As potential expenditures are reviewed, the municipality considers the benefits, costs, alternatives, and impact on operating expenditures. This coordination of capital expenditures is important to the City in achieving its goals of adequate physical assets and sound fiscal management.

PLANNING PROCESS

The City Council annually reviews its capital expenditures according to their priority, fiscal impact, and available funding as part of its budgeting process. The City assembles the specific capital expenditures to be undertaken within the next five years. The City Council prepares a plan based on the available funding sources. From this information, a preliminary plan is prepared for public discussion from citizens and other governmental units. Changes are made based on that input, and a final plan is established.

Over the life of the plan, once the funding becomes available the specific capital expenditures can be made as part of individual project approvals. In subsequent years, the process is repeated as expenditures are completed and new needs arise.

On December 14, 2021, the City Council, after a duly notice public hearing, adopted a 2022-2026 CIP to support the expansion and renovation of their Public Safety Building. Generally, that plan provided for up to \$13,900,000 in project costs and CIP Bond authorization not to exceed \$14,315,000.

On October 11, 2022, the City received bids for the project with a total cost of about \$17,801,800, or approximately \$3,901,800 more than the original project estimate of \$13,900,000. On October 25, 2022, the City Council held a work session to discuss the bids and review potential alternatives. As a result, the City Council delayed two components of the project, reducing project costs by \$450,000 to \$17,351,800, and identified additional funding sources. On November 9, 2022, the City Council formally received bids and awarded contracts for the Public Safety Facility Renovation Project.

Since the cost of the Public Safety Building exceeded the project cost and bond authorization of the 2022-2026 CIP, this plan outlines both additional project costs and bonding authority for both the Public Safety Building and improvements to the City Hall.

Since the plan calls for general obligation bonds to finance certain Capital Improvements (referred to herein as “CIP Bonds”), the City Council must follow an additional set of procedures. The City may adopt a CIP specifically for those Capital Improvements and address the factors identified within the CIP Act. This CIP is designed to supplement the City’s established process. The City Council must hold a public hearing regarding issuance of the CIP Bonds to obtain public comment on the matter. Notice of such hearing must be published in the official newspaper of the municipality at least 14, but not more than 28 days prior to the date of the public hearing. In addition, the notice may be posted on the City’s official website.

The City Council must approve the sale of CIP Bonds by a 3/5ths vote of its membership. However, issuance of CIP Bonds is also subject to reverse referendum: if a petition is signed

by voters equal to at least five percent of the votes cast in the City in last municipal general election and is filed with the City Clerk within 30 days after the public hearing regarding the CIP Bonds, the CIP Bonds may not be issued unless approved by a majority of voters voting on the question of issuing the obligations. Further, the maximum debt service in any year on all outstanding CIP Bonds is 0.16% of the estimated market value of property in the city, using the market value for the taxes-payable year in which the bonds are issued.

After the CIP has been approved and general obligation bonds have been authorized, the City works with its municipal advisor to prepare a bond sale and repayment schedule. Assuming no petition for a referendum is filed, the bonds are sold, and when proceeds from the sale of the bonds (and any other identified revenue sources) become available, prior qualifying expenditures for specified Capital Improvements can be reimbursed and new expenditures made.

II. PROJECT SUMMARY

The expenditures to be undertaken with this CIP for the years 2023 to 2027 are limited to those listed in Appendix A. All other foreseeable capital expenditures within the City government will come through other funding sources as identified within the City's annual budgeting process.

The CIP Act requires the City Council to consider eight factors in preparing the CIP and authorizing general obligation bonds.

1. Condition of the City's existing infrastructure, including projected need for repair or replacement.
2. Likely demand for the improvement(s).
3. Estimated cost of the improvement(s).
4. Available public resources.
5. Level of overlapping debt in the City.
6. Relative benefits and costs of alternative uses of funds.
7. Operating costs of the proposed improvement(s).
8. Alternatives for providing services most efficiently through shared facilities with other cities or local governments.

The City has considered the eight points as they relate to the projects identified in Appendix A and more thoroughly defined below through the issuance of CIP Bonds. The findings are as follows.

Conditions of City Infrastructure and Need for the Project

Public Safety Building. The existing apparatus bay at the north station was constructed in 1961. There have been significant changes in the industry over the past several decades including, but not limited to, health and safety standards that prescribe separate zones for contaminated gear and areas where personnel train, rest and do reports. Proper air exchange and handling within the station is an industry standard, which did not exist when the building was constructed. The equipment used today has also changed and is, in most cases, much larger. As one example, the type of ladder truck that the City ordered was limited due to the height of the doors on the station. The collective impact of the overall size of the equipment and the need to add equipment to continue to provide adequate service over the last 60 years has created space issues. The Fire Department itself has changed significantly since this building was constructed; most notably call volumes have grown from a few hundred each year in the 1960's to approximately 4,400 annually. In 2019, the City hired 12 full-time Firefighter/Paramedics transitioning from a mostly paid-on-call model to a combination-staffing model. The full-time and part time staff now work shifts. The crews working at the station, rather than people responding from home now, manage almost all the calls.

Replacement of the existing fire apparatus bay would also include added dorm room capacity to accommodate the City's combination response model and account for further growth. The renovation of the apparatus bay area will include a kitchen/dining area that will be used by both Police and Fire.

The construction of a police garage was initially contemplated as a second phase to the public safety building expansion in 1993, but the project never commenced. The City purchased the homes across from the station for this purpose. Currently, the Police Department has four indoor parking spots and 18 total vehicles in their fleet. Two of those four spots are the secured sally port, which are reserved for suspect booking. Today's police squads are equipped with technology and tools that need to stay warm in the winter and cool in the summer. With no indoor parking, squads are left idling and rotated through the current available indoor parking spots to keep them from getting too warm or too cold. In addition to indoor parking of squad vehicles, the Police Department has a general need for secure, indoor storage for evidence and equipment.

In recent years, officer safety has become a concern as police departments and police vehicles have become the target of vandalism and violence. In addition to exposure of police squads, the parking area lacks basic security and leaves officers, firefighters, other staff members exposed to an easily accessible public street as they enter and exit the facility.

Through the space needs study, it was determined that 34 indoor parking spots would be needed to house police squads, fire administration vehicles; this also takes into consideration potential for future expansion. A restroom, gear storage lockers for the officers and space for secure storage of evidence would also be included. An outdoor parking area for City staff is also proposed to relieve parking congestion for customers around the City campus.

City Hall. The City Hall requires deferred maintenance to enhance the energy efficiency and safety of the building, including the replacement of air handlers and windows, upgrade to restrooms and improvements to the fire suppression system.

Demand for the Project

The City has a responsibility to deliver services that provide for the safety, health, and welfare of residents and their property. To serve residents and to do their jobs efficiently and safely, City employees need adequate facilities. The City's existing Police and Fire facilities are deficient and unable to meet the current and future operational needs. The demand for the new and remodeled facility is in response to the desire to continue providing a level of service necessary for residents. The City Hall improvements are necessary to provide long term efficiencies and safety for employees and the visiting public.

Estimated Cost of the Project

In 2021, the City adopted the 2022-2026 CIP, which estimated project costs for the Public Safety Building at up to \$13,900,000 and authorized CIP Bonds, inclusive of cost of issuance, at an amount not to exceed \$14,315,000. As mentioned above, the City received bids and awarded contracts for the Public Safety Building at a cost of \$17,351,800. Due to this difference in estimated and awarded costs, the City prepared this plan, which provides for additional project costs \$3,451,800 and additional CIP Bonds of \$3,765,000, inclusive of the cost of issuance and capitalized interest.

In addition to that project, the City identified other improvements to both its public safety and city hall facilities. These project cost will not exceed \$1,122,000 and will paid with cash or CIP bond proceeds if available. The 2023-2027 CIP costs for all projects, inclusive of the CIP Bonds and their related costs, will be \$4,887,000, which may be issued in one or more series of bonds.

Availability of Public Resources

The City has determined the projects are to be funded by general obligation bond proceeds and by other available capital resources on hand. Given the size of the project, debt is necessary to provide for the costs and preserve necessary operating resources for the City.

Level of Overlapping Debt

Overlapping Debt				
Taxing District	Taxable Net Tax Capacity	In City (%)	Total GO Debt	City's Share
Ramsey County	\$ 736,796,858	4.899%	\$ 138,095,000	\$ 6,765,826
Washington County	381,159,791	0.155%	95,335,000	147,293
ISD No. 622 (North St. Paul-Maplewood-Oakdale)	172,349,635	0.007%	418,170,000	28,017
ISD No. 624 (White Bear Lake Area Schools)	127,987,869	28.205%	375,050,000	105,780,977
ISD No. 832 (Mahtomedi)	28,854,921	2.041%	45,165,000	921,818
Metropolitan Council	5,197,211,231	0.706%	218,520,000	1,542,533
Total Share of Overlapping Debt				\$115,186,464

Relative Costs and Benefits of Alternative Uses of the Funds

The City does not have funds available to undertake projects of this scope while also keeping up with other maintenance and improvement projects scheduled in the CIP. To minimize project costs, the City elected to preserve and renovate most of the existing Public Safety Building and, add-on or modify where needed to accommodate its needs. The City Hall improvements will, in part, reduce the annual energy costs of the City.

Operating Costs of the Proposed Improvements

The improvement of the Public Safety Building will include energy efficient materials and systems; the existing building will be retrofitted to upgrade the lights, roofing, and other systems to improve its operations. The roof of the new police squad garage will be solar ready for future investment to further reduce reliance on non-renewable energy sources. The planned improvements to the City Hall, most notably new air handlers and windows, will also result in energy cost savings. While additional space generally results in higher operating costs due to energy consumption, it is anticipated that these updates will mitigate the increase in operating costs.

Additionally, new shelter for essential equipment will reduce repair and replacement costs. The replacement facilities will be a safer and healthier place for staff to work, with a thoughtful design that reduces exposures to toxins and provides for state-of-the-art fire suppression. The new facility will provide for increased communication and cross training with all departments located within one facility. A new facility also provides many efficiencies making the departments more effective such as adequate training opportunities on-site and adequate room for current and future operations.

The upgrades to the City Hall will also use energy efficient materials and system that will reduce the overall energy costs of the City.

Options for Shared Facilities with Other Cities or Local Government

The City provides fire and ambulance service for the Cities of White Bear Lake, Birchwood Village, Gem Lake and Dellwood as well as White Bear Township. The Police Department provides service for the Cities of White Bear Lake and Gem Lake. Proximity of fire, medical and police vehicles is critical to response times making the sharing of facilities impractical and would elevate risk to the communities served.

FINANCING

The total amount of requested expenditures under this CIP is up to \$3,451,800. If these expenditures are to be funded, that amount of money is anticipated to be generated through a combination of capital funds and the sale of general obligation CIP Bonds within the identified five-year period. The anticipated bond size of \$3,765,000 is based upon funding the estimated hard and soft costs identified for the projects, plus estimated issuance costs, capitalized interest and contingency and may be issued in one or more series of bonds. Principal and interest on the CIP Bonds will be paid through a property tax levy and current estimates of size and repayment of the CIP Bonds under consideration is shown in Appendix B.

In financing the CIP, two significant statutory limitations apply:

1. Under Chapter 475, with few exceptions, cities cannot incur debt in excess of 3% of the assessor’s estimated market value (EMV) for the city. As noted in the table below, the City’s debt subject to this requirement, including the proposed CIP Bonds, is within the required threshold. Although the CIP Bonds will be issued in 2023, the table uses the EMV for property taxes payable in 2022, the most recent data available.

Net Debt Limit	
Assessor’s Estimated Market Value	3,156,599,200
Multiply by 3%	0.03
Statutory Debt Limit	94,697,976
Less: Debt Paid Solely from Taxes	(10,140,000)
Less: Remaining 2022-2026 CIP Authority	(7,325,000)
Less: Proposed Bond Issue(s)	(3,765,000)
Unused Debt Limit	73,467,976

2. A separate limitation under the CIP Act is that, without referendum, the total amount of principal and interest in any single year payable on all CIP Bonds issued by the City cannot exceed 0.16% of the total estimated market value in the municipality. In the City, that maximum annual debt service amount is \$5,050,559 for property taxes payable in 2022. The highest annual principal and interest payments on the City's existing CIP Bonds plus those proposed to be issued under this CIP and previous CIP are estimated to be approximately \$1,530,023. As such, debt service on the CIP Bonds will be within the annual limits under the CIP Act.

CIP Bonds Debt Service Limit	
Assessor's Estimated Market Value	3,156,599,200
Multiply by 3%	0.00
Statutory Debt Limit	5,050,559
Less: Existing Debt Service Subject to the Limit	(556,133)
Less: Remaining 2022-2026 CIP Authority	(650,625)
Less: Proposed Bond Issue(s)	(323,266)
Unused Debt Limit	3,520,535

III. PLAN CONTINUATION

This CIP will be reviewed annually by the City Council using the process outlined in this document. Through annual amendment, the City Council reviews proposed expenditures, makes priority decisions, and seeks funding for those expenditures it deems necessary for the City. If deemed appropriate, the City Council should prepare an update to this CIP for future CIP Bond issuance.

APPENDIX A

Plan Project Costs

The plan includes capital expenditures of approximately \$3,901,800 for the Public Safety Building and about \$672,000 for the City Hall, which is to be funded with up to \$3,765,000 in bond proceeds, which may be issued in one or more series of bonds. The following projects are currently identified within the 2023 to 2027 timeframe.

Project Costs		
Year	Project	Amount
2023	Public Safety Building	\$ 3,451,800
2024	Public Safety Building	450,000
2025	City Hall	672,000
2026	None Anticipated	-
2027	None Anticipated	-
TOTAL		\$ 4,573,800

Proposed CIP Bond Issues:

Proposed CIP Bond Issues		
Year		Amount
2023	\$	3,765,000
2024		-
2025		-
2026		-
2027		-
TOTAL	\$	3,765,000

APPENDIX B

Proposed CIP Bond Issue:

City of White Bear Lake, Minnesota

\$3,765,000 General Obligation CIP Bonds, Series 2023A

Assumes Current Market BQ AA+ Rates plus 150bps

Sources & Uses

Dated 03/23/2023 | Delivered 03/23/2023

Sources Of Funds

Par Amount of Bonds	\$3,765,000.00
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Total Sources	\$3,765,000.00
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Uses Of Funds

Total Underwriter's Discount (2.000%)	75,300.00
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Costs of Issuance	75,000.00
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Deposit to Capitalized Interest (CIF) Fund	160,545.00
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Deposit to Project Construction Fund	3,451,800.00
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Rounding	2,355.00
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Total Uses	\$3,765,000.00
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City of White Bear Lake, Minnesota

\$3,765,000 General Obligation CIP Bonds, Series 2023A

Assumes Current Market BQ AA+ Rates plus 150bps

Net Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	CIF	Net New D/S	Fiscal Total
03/23/2023	-	-	-	-	-	-	-
02/01/2024	-	-	160,545.00	160,545.00	(160,545.00)	-	-
08/01/2024	-	-	93,825.00	93,825.00	-	93,825.00	-
02/01/2025	120,000.00	4.300%	93,825.00	213,825.00	-	213,825.00	307,650.00
08/01/2025	-	-	91,245.00	91,245.00	-	91,245.00	-
02/01/2026	125,000.00	4.350%	91,245.00	216,245.00	-	216,245.00	307,490.00
08/01/2026	-	-	88,526.25	88,526.25	-	88,526.25	-
02/01/2027	130,000.00	4.360%	88,526.25	218,526.25	-	218,526.25	307,052.50
08/01/2027	-	-	85,692.25	85,692.25	-	85,692.25	-
02/01/2028	135,000.00	4.370%	85,692.25	220,692.25	-	220,692.25	306,384.50
08/01/2028	-	-	82,742.50	82,742.50	-	82,742.50	-
02/01/2029	140,000.00	4.400%	82,742.50	222,742.50	-	222,742.50	305,485.00
08/01/2029	-	-	79,662.50	79,662.50	-	79,662.50	-
02/01/2030	145,000.00	4.450%	79,662.50	224,662.50	-	224,662.50	304,325.00
08/01/2030	-	-	76,436.25	76,436.25	-	76,436.25	-
02/01/2031	155,000.00	4.500%	76,436.25	231,436.25	-	231,436.25	307,872.50
08/01/2031	-	-	72,948.75	72,948.75	-	72,948.75	-
02/01/2032	160,000.00	4.550%	72,948.75	232,948.75	-	232,948.75	305,897.50
08/01/2032	-	-	69,308.75	69,308.75	-	69,308.75	-
02/01/2033	165,000.00	4.650%	69,308.75	234,308.75	-	234,308.75	303,617.50
08/01/2033	-	-	65,472.50	65,472.50	-	65,472.50	-
02/01/2034	175,000.00	4.800%	65,472.50	240,472.50	-	240,472.50	305,945.00
08/01/2034	-	-	61,272.50	61,272.50	-	61,272.50	-
02/01/2035	185,000.00	4.900%	61,272.50	246,272.50	-	246,272.50	307,545.00
08/01/2035	-	-	56,740.00	56,740.00	-	56,740.00	-
02/01/2036	190,000.00	5.000%	56,740.00	246,740.00	-	246,740.00	303,480.00
08/01/2036	-	-	51,990.00	51,990.00	-	51,990.00	-
02/01/2037	200,000.00	5.100%	51,990.00	251,990.00	-	251,990.00	303,980.00
08/01/2037	-	-	46,890.00	46,890.00	-	46,890.00	-
02/01/2038	210,000.00	5.200%	46,890.00	256,890.00	-	256,890.00	303,780.00
08/01/2038	-	-	41,430.00	41,430.00	-	41,430.00	-
02/01/2039	225,000.00	5.250%	41,430.00	266,430.00	-	266,430.00	307,860.00
08/01/2039	-	-	35,523.75	35,523.75	-	35,523.75	-
02/01/2040	235,000.00	5.350%	35,523.75	270,523.75	-	270,523.75	306,047.50
08/01/2040	-	-	29,237.50	29,237.50	-	29,237.50	-
02/01/2041	245,000.00	5.400%	29,237.50	274,237.50	-	274,237.50	303,475.00
08/01/2041	-	-	22,622.50	22,622.50	-	22,622.50	-
02/01/2042	260,000.00	5.450%	22,622.50	282,622.50	-	282,622.50	305,245.00
08/01/2042	-	-	15,537.50	15,537.50	-	15,537.50	-
02/01/2043	275,000.00	5.500%	15,537.50	290,537.50	-	290,537.50	306,075.00
08/01/2043	-	-	7,975.00	7,975.00	-	7,975.00	-
02/01/2044	290,000.00	5.500%	7,975.00	297,975.00	-	297,975.00	305,950.00
Total	\$3,765,000.00	-	\$2,510,702.00	\$6,275,702.00	(160,545.00)	\$6,115,157.00	-

Significant Dates

Dated	3/23/2023
First Coupon Date	2/01/2024

Yield Statistics

Bond Year Dollars	\$48,551.17
Average Life	12.895 Years
Average Coupon	5.1712496%
Net Interest Cost (NIC)	5.3263437%
True Interest Cost (TIC)	5.3546617%
Bond Yield for Arbitrage Purposes	5.1286833%
All Inclusive Cost (AIC)	5.5865198%

January 10, 2023

PRE-SALE REPORT FOR

City of White Bear Lake, Minnesota

\$10,000,000 General Obligation
Capital Improvement Plan Bonds, Series 2023A



Prepared by:

Ehlers
3060 Centre Pointe Drive
Roseville, MN 55113

Advisors:

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

BUILDING COMMUNITIES. IT'S WHAT WE DO.

EXECUTIVE SUMMARY OF PROPOSED DEBT

Proposed Issue:

\$10,000,000 General Obligation (“GO”) Capital Improvement Plan (“CIP”) Bonds, Series 2023A (“Bonds”).

Purposes:

The proposed, tax-exempt issue will fund a portion of the renovation and expansion of the Public Safety Building (“Project”) for the City of White Bear Lake, Minnesota (“City”). In 2022, the City also issued \$6,900,000 to support the Project. The City will pay debt service from ad valorem property tax revenues.

Authority:

The City will issue the Bonds pursuant to Minnesota Statutes, Chapter 475.521, Capital Improvement Authority.

The CIP bonding authority requires a public hearing and a 30-day reverse referendum period. Consistent with these requirements, the City drafted a five-year CIP and will hold a public hearing on January 10, 2023. The reverse referendum period ends on February 9, 2023. Assuming the City does not receive a qualified petition within that period, it may issue the Bonds without an approval by referendum.

Under Chapter 475, the CIP Bonds are subject to the City’s overall debt limit. The outstanding bonds subject to this limit may not exceed three percent of the estimated market value (EMV) of taxable property for the City, or \$3,156,599,200 for property taxes payable in 2022. Therefore, the total amount of outstanding debt may not exceed \$94,697,976. As of this Pre-Sale Report, the City will have \$9,900,000 of applicable, outstanding debt (excluding the proposed Bonds) at the time of the bond sale. After this proposed issue, the City will remain \$77,807,976 below the statutory debt limit.

In addition, if the City issues the Bonds without referendum, Chapter 475 limits the total amount of principal and interest payable in any single year on all Bonds to no more than 0.16% of the EMV for the City. Using the above EMV, the City may authorize a maximum annual debt service of up to \$5,050,559. As of this Pre-Sale Report, the City has \$556,133 debt service subject to this limit. For the Bonds, the estimated, highest principal and interest payment will be \$842,409. As such, the City remains \$3,652,017 below the statutory limit.

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

Term/Call Feature:

The Bonds are being issued for a term of 21 years. Principal on the Bonds will be due on February 1 in the years 2025 through 2044. Interest is payable every six months beginning February 1, 2024.

The Bonds will be subject to prepayment at the discretion of the City on February 1, 2032, or any date thereafter.

Bank Qualification:

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

Rating:

The City's most recent bond issues were rated by S&P Global Ratings. The current rating on those bonds is "AA+." The City will request a new rating for the Bonds.

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

Basis for Recommendation:

Based on your objectives, financial situation and need, risk tolerance, liquidity needs, experience with the issuance of Bonds and long-term financial capacity, as well as the tax status considerations related to the Bonds and the structure, timing and other similar matters related to the Bonds, we are recommending the issuance of Bonds as a suitable option. Ehlers has reviewed other reasonably feasible alternatives to the recommended issuance of municipal securities.

Method of Sale/Placement:

We are recommending the Bonds be issued as municipal securities and offered through a competitive underwriting process. We will solicit competitive bids for the purchase of the Bonds from underwriters and banks. We will include an allowance for discount bidding in the terms of the issue. The discount is treated as an interest item and provides the underwriter with all or a portion of their compensation in the transaction.

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

Premium Pricing:

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

For this issue of Bonds, we will determine, in consultation with City staff, after receiving the bids whether to use the net premium to reduce the size of the issue or increase the net proceeds for the project. The resulting adjustments may slightly change the true interest cost of the issue, either up or down.

The amount of premium can be restricted in the bid specifications. Restrictions on premium may result in fewer bids but may also eliminate large adjustments on the day of sale and unintended impacts with respect to debt service payment. Ehlers will identify appropriate premium restrictions for the Bonds intended to achieve the City's objectives for this financing.

Other Considerations:

Consistent with the Adopted 2022-2026 CIP and the Proposed 2023-2027 CIP, the City plans to issue two series of bonds to fund the renovation and expansion of the Public Safety Building – the Bonds, as proposed (Series 2023A), and \$6,990,000 already issued in 2022 (Series 2022B). Generally, this strategy will allow the City to support the cost of the project with "bank qualified" debt, which often results in lower interest rates.

Review of Existing Debt:

We have reviewed all outstanding indebtedness for the City and find that there are no refunding opportunities at this time. We will continue to monitor the market and the call dates for the City's outstanding debt and will alert you to any future refunding opportunities.

Continuing Disclosure:

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

Arbitrage Monitoring:

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

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

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

We recommend that the City review its specific responsibilities related to the Bonds with an arbitrage expert to utilize one or more of the exceptions listed above. The City has contracted with Ehlers to assist in complying with these rules.

Investment of Bond Proceeds:

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

Risk Factors:

On November 9, 2022, the City Council formally received bids and awarded \$17,351,800 in contracts for the renovation and expansion Public Safety Building. The City plans to issue two series of bonds to fund the Project – the Bonds, as proposed (Series 2023A), and \$6,990,000 already issued in 2022 (Series 2022B). If the City does not issue the Bonds, it may not possess sufficient funds to support the cost of the Project as awarded.

On January 10, 2023, the City will hold a public hearing on the CIP associated with the Bonds. Pursuant to Minnesota Statutes, Chapter 475, the City may not issue the Bonds until the completion of a 30-day reverse referendum period. If during that period, the City receives a qualified petition (equal to five percent of the votes casts within the City in the last general election), the Bonds may only be issued following approval by referendum. In such an event, the City may need to pursue financing alternatives to fully fund the Project.

Other Service Providers:

This debt issuance will require the engagement of other public finance service providers. This section identifies those other service providers, so Ehlers can coordinate their engagement on your behalf. Where you have previously used a particular firm to provide a service, we have assumed that you will continue that relationship. For services you have not previously required, we have identified a service provider. Fees charged by these service providers will be paid from proceeds of the obligation, unless you notify us that you wish to pay them from other sources. Our pre-sale bond sizing includes a good faith estimate of these fees, but the final fees may vary. If you have any questions pertaining to the identified service providers or their role, or if you would like to use a different service provider for any of the listed services, please contact us.

Bond Counsel: Kennedy & Graven, Chartered

Paying Agent: Bond Trust Services Corporation

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

Summary:

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

- Accept or modify the finance assumptions described in this Pre-Sale Report; and
- Adopt the resolution attached hereto.

PROPOSED DEBT ISSUANCE SCHEDULE

Pre-Sale Review by City Council:	January 10, 2023
Conference with Rating Agency:	Week of February 6, 2023
Reverse Referendum Period Ends	February 9, 2023
Due Diligence Call to Review Official Statement:	Week of February 13, 2023
Distribute Official Statement:	Week of February 20, 2023
City Council Meeting to Award Sale of the Bonds:	February 28, 2023
Estimated Closing Date:	March 23, 2023

Attachments

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

EHLERS' CONTACTS

Stacie Kvilvang, Senior Municipal Advisor	(651) 697-8506
Dan Tienter, Senior Financial Specialist	(651) 697-8537
Shelly Eldridge, Senior Municipal Advisor	(651) 697-8504
Silvia Johnson, Senior Public Finance Analyst	(651) 697-8580
Alicia Gage, Senior Financial Analyst	(651) 697-8551

City of White Bear Lake, Minnesota

\$10,000,000 General Obligation CIP Bonds, Series 2023A

Assumes Current Market BQ AA+ Rates plus 75bps

Sources & Uses

Dated 03/23/2023 | Delivered 03/23/2023

Sources Of Funds

Par Amount of Bonds	\$10,000,000.00
Planned Issuer Equity contribution	700,000.00
Total Sources	\$10,700,000.00

Uses Of Funds

Total Underwriter's Discount (1.000%)	100,000.00
Costs of Issuance	86,000.00
Deposit to Capitalized Interest (CIF) Fund	363,624.74
Deposit to Project Construction Fund	10,148,147.35
Rounding	2,227.91
Total Uses	\$10,700,000.00

City of White Bear Lake, Minnesota

\$10,000,000 General Obligation CIP Bonds, Series 2023A

Assumes Current Market BQ AA+ Rates plus 75bps

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
03/23/2023	-	-	-	-	-
02/01/2024	-	-	363,624.74	363,624.74	363,624.74
08/01/2024	-	-	212,507.97	212,507.97	-
02/01/2025	175,000.00	3.550%	212,507.97	387,507.97	600,015.94
08/01/2025	-	-	209,401.60	209,401.60	-
02/01/2026	225,000.00	3.600%	209,401.60	434,401.60	643,803.20
08/01/2026	-	-	205,351.40	205,351.40	-
02/01/2027	275,000.00	3.610%	205,351.40	480,351.40	685,702.80
08/01/2027	-	-	200,387.36	200,387.36	-
02/01/2028	325,000.00	3.620%	200,387.36	525,387.36	725,774.72
08/01/2028	-	-	194,504.54	194,504.54	-
02/01/2029	410,000.00	3.650%	194,504.54	604,504.54	799,009.08
08/01/2029	-	-	187,022.00	187,022.00	-
02/01/2030	425,000.00	3.700%	187,022.00	612,022.00	799,044.00
08/01/2030	-	-	179,159.25	179,159.25	-
02/01/2031	440,000.00	3.750%	179,159.25	619,159.25	798,318.50
08/01/2031	-	-	170,909.03	170,909.03	-
02/01/2032	460,000.00	3.800%	170,909.03	630,909.03	801,818.06
08/01/2032	-	-	162,168.95	162,168.95	-
02/01/2033	475,000.00	3.900%	162,168.95	637,168.95	799,337.90
08/01/2033	-	-	152,906.19	152,906.19	-
02/01/2034	495,000.00	4.050%	152,906.19	647,906.19	800,812.38
08/01/2034	-	-	142,882.38	142,882.38	-
02/01/2035	515,000.00	4.150%	142,882.38	657,882.38	800,764.76
08/01/2035	-	-	132,196.03	132,196.03	-
02/01/2036	535,000.00	4.250%	132,196.03	667,196.03	799,392.06
08/01/2036	-	-	120,827.26	120,827.26	-
02/01/2037	560,000.00	4.350%	120,827.26	680,827.26	801,654.52
08/01/2037	-	-	108,647.01	108,647.01	-
02/01/2038	585,000.00	4.450%	108,647.01	693,647.01	802,294.02
08/01/2038	-	-	95,630.73	95,630.73	-
02/01/2039	610,000.00	4.500%	95,630.73	705,630.73	801,261.46
08/01/2039	-	-	81,905.69	81,905.69	-
02/01/2040	635,000.00	4.600%	81,905.69	716,905.69	798,811.38
08/01/2040	-	-	67,300.43	67,300.43	-
02/01/2041	665,000.00	4.650%	67,300.43	732,300.43	799,600.86
08/01/2041	-	-	51,839.02	51,839.02	-
02/01/2042	695,000.00	4.700%	51,839.02	746,839.02	798,678.04
08/01/2042	-	-	35,506.44	35,506.44	-
02/01/2043	730,000.00	4.750%	35,506.44	765,506.44	801,012.88
08/01/2043	-	-	18,168.83	18,168.83	-
02/01/2044	765,000.00	4.750%	18,168.83	783,168.83	801,337.66
Total	\$10,000,000.00	-	\$5,822,068.96	\$15,822,068.96	-

Yield Statistics

Bond Year Dollars	\$131,740.56
Average Life	13.174 Years
Average Coupon	4.4193445%
Net Interest Cost (NIC)	4.4952512%
True Interest Cost (TIC)	4.4889732%
Bond Yield for Arbitrage Purposes	4.3844463%
All Inclusive Cost (AIC)	4.5800530%

IRS Form 8038

Net Interest Cost	4.4193445%
Weighted Average Maturity	13.174 Years

Series 2023A GO Bonds - 2 | SINGLE PURPOSE | 1/3/2023 | 10:18 AM



City of White Bear Lake, Minnesota

\$10,000,000 General Obligation CIP Bonds, Series 2023A

Assumes Current Market BQ AA+ Rates plus 75bps

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	CIF	Net New D/S	105% of Total
02/01/2024	-	-	363,624.74	363,624.74	(363,624.74)	-	-
02/01/2025	175,000.00	3.550%	425,015.94	600,015.94	-	600,015.94	630,016.74
02/01/2026	225,000.00	3.600%	418,803.20	643,803.20	-	643,803.20	675,993.36
02/01/2027	275,000.00	3.610%	410,702.80	685,702.80	-	685,702.80	719,987.94
02/01/2028	325,000.00	3.620%	400,774.72	725,774.72	-	725,774.72	762,063.46
02/01/2029	410,000.00	3.650%	389,009.08	799,009.08	-	799,009.08	838,959.53
02/01/2030	425,000.00	3.700%	374,044.00	799,044.00	-	799,044.00	838,996.20
02/01/2031	440,000.00	3.750%	358,318.50	798,318.50	-	798,318.50	838,234.43
02/01/2032	460,000.00	3.800%	341,818.06	801,818.06	-	801,818.06	841,908.96
02/01/2033	475,000.00	3.900%	324,337.90	799,337.90	-	799,337.90	839,304.80
02/01/2034	495,000.00	4.050%	305,812.38	800,812.38	-	800,812.38	840,853.00
02/01/2035	515,000.00	4.150%	285,764.76	800,764.76	-	800,764.76	840,803.00
02/01/2036	535,000.00	4.250%	264,392.06	799,392.06	-	799,392.06	839,361.66
02/01/2037	560,000.00	4.350%	241,654.52	801,654.52	-	801,654.52	841,737.25
02/01/2038	585,000.00	4.450%	217,294.02	802,294.02	-	802,294.02	842,408.72
02/01/2039	610,000.00	4.500%	191,261.46	801,261.46	-	801,261.46	841,324.53
02/01/2040	635,000.00	4.600%	163,811.38	798,811.38	-	798,811.38	838,751.95
02/01/2041	665,000.00	4.650%	134,600.86	799,600.86	-	799,600.86	839,580.90
02/01/2042	695,000.00	4.700%	103,678.04	798,678.04	-	798,678.04	838,611.94
02/01/2043	730,000.00	4.750%	71,012.88	801,012.88	-	801,012.88	841,063.52
02/01/2044	765,000.00	4.750%	36,337.66	801,337.66	-	801,337.66	841,404.54
Total	\$10,000,000.00	-	\$5,822,068.96	\$15,822,068.96	(363,624.74)	\$15,458,444.22	\$16,231,366.43

Significant Dates

Dated	3/23/2023
First Coupon Date	2/01/2024

Yield Statistics

Bond Year Dollars	\$131,740.56
Average Life	13.174 Years
Average Coupon	4.4193445%
Net Interest Cost (NIC)	4.4952512%
True Interest Cost (TIC)	4.4889732%
Bond Yield for Arbitrage Purposes	4.3844463%
All Inclusive Cost (AIC)	4.5800530%



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Jason Lindahl, AICP Community Development Director
Date: January 10, 2023
Subject: **Development Review Process Zoning Ordinance Text Amendment – Second Reading**

SUMMARY

The City Council will conduct the second reading of an ordinance amending the City Code related to the development review process. The first reading of this ordinance was conducted by the City Council on December 13, 2022. Should the City Council adopt the ordinance, this text amendment would take effect upon publication.

The proposed zoning ordinance text amendment would add a pre-application concept plan review process and a neighborhood meeting process. The ordinance offered for a second reading is substantially similar to the version reviewed during the first reading except that staff has added Article II to revise repetitive terminology in the existing planned unit development regulations and the new concept plan review regulations. Specifically, Article II of the proposed ordinance removes the terms “General Concept Stage” and “General Concept Plan” from the planned unit development regulations and replaces them with “General Stage” and “General Plan Stage” respectively. This change is necessary to avoid any potential confusion with the new Concept Plan Review process terminology.

BACKGROUND INFORMATION

The City Council reviewed recommendations from the Housing Taskforce report during the June and July 2022 work sessions. As a result of those discussions, the City Council directed staff to prioritize, sequence and assign these recommendations as listed below.



The Council assigned the “Guiding Future Development” recommendation to the Planning

Commission. This recommendation addressed the development review process and review and update of the City's development (zoning and subdivision) regulations. The development review process included both a pre-application concept plan review and developer led neighborhood meeting. The zoning and subdivision regulations review process has been added to the 2023 budget and is scheduled begin in the second half of this year.

Staff presented a draft outline of both the concept plan review and neighborhood meeting processes to the Planning Commission on October 24th and the City Council on November 8th. Both bodies expressed support for these processes and directed staff to prepare a formal zoning ordinance text amendment to incorporate them into the City Code. That ordinance is attached for your consideration.

During the City Council November 8th review, the group expressed concerns that these processes may overburden some applications from individual property owners. Specifically, they asked about how these new standards would apply to individual residential property owners who may need a conditional use permit. As a result, staff analyzed the existing Zoning Code and the proposed text amendment to determine which applications could be subject to the new requirements for either a neighborhood meeting or concept plan review.

For concept plan review, any applicant could request to go through this process but it would only be required for those project that include a comprehensive plan amendment, rezoning, planned unit development (PUD) or city financial assistance. These would not apply to individual residential property owners. By comparison, the neighborhood meeting requirements apply to conditional use permits or rezoning applications located adjacent to or within any portion of a residential district. Staff's analysis of the Zoning Regulations and the proposed text amendment found these standards would apply to the uses listed below.

- Public or Semi-public Recreational Building and Neighborhood Community Centers
- Public and Private Educational Institutions limited to elementary, junior and high schools
- Religious Institutions
- Non-City Governmental and public regulated utility buildings and structures
- Commercial Outdoor Recreational areas including golf courses and club house or country clubs
- Private Stables, animal hospitals with overnight care and similar uses
- Cemeteries
- Home accessory apartments
- Elderly housing and nursing homes
- Office structures located in pre-existing institutional housing, offices or schools
- Hospitals, medical offices and clinics
- Retail commercial activities
- Buildings combining residential and non-residential uses
- Daycares
- Home occupations

- Second curb cut (driveway access) on a residential property
- Earth shelter homes

From this list, it is anticipated that only the last four uses (daycares, home occupations, second curb cuts and earth shelter homes) could apply to applications from individual residential properties and not be part of a larger redevelopment. It is staff's opinion that the rest of the uses should be subject to the neighborhood meeting process. Exclusion of these uses (daycares, home occupations, second curb cuts and earth shelter homes) from the neighborhood meeting process can be administered through the Modification section of the ordinance.

Planning Commission Action. The Planning Commission reviewed this item during their November 28, 2022 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing that produced no comments. The commission had general conversation about the proposed zoning code text amendment, noted it incorporated previous comments from the commission and expressed their support. The commission then voted 6-0 to recommend the City Council approve the proposed zoning ordinance text amendment.

ANALYSIS

City Code Section 1301.040 outlines the process for amendments to the zoning code. It requires the Planning Commission to hold a public hearing to review the proposed amendment and then make a recommendation to the City Council. The City Council must then review the recommendation from the Planning Commission and hold two readings of the proposed ordinance before it can be published and put into effect. Approval of a proposed amendment requires passage by a four-fifths (4/5) vote of the entire City Council.

Section 130.040, Subdivision 1 outlines six (6) criteria for the Planning Commission and City Council to weigh when considering a zoning amendment. These criteria and staff's finding for each are outlined below. Based on these findings, staff recommends approval of the attached draft ordinance.

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: The proposed text amendment is consistent with the goals and policies of the 2040 Comprehensive Plan. The Housing chapter of the comprehensive plan includes a general policy to assess the city's zoning regulations and a more specific policy to create a pre-application review process. These policies were included as part of the review and recommendations for the Housing Task Force which in turn led to development of the attached draft ordinance.

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

Finding: The draft ordinance is not use specific, so staff cannot directly evaluate its influence on land use compatibility. However, the spirit and intent of these regulations is to

expand and enhance the dissemination of information to the residents and to encourage greater involvement by the community in the planning process. Therefore, overall these regulations should help the community make more informed land use decisions which should improve land use compatibility.

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

Finding: Since the proposed draft ordinance creates new regulations and not a new use, this standard is not applicable.

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

Finding: Since the proposed draft ordinance creates new regulations and not a new use, this standard is not applicable.

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

Finding: Since the proposed draft ordinance creates new regulations and not a new use, this standard is not applicable.

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

Finding: Since the proposed draft ordinance creates new regulations and not a new use, this standard is not applicable.

RECOMMENDATION

1. After the second reading is conducted, staff recommends the City Council adopt the attached ordinance amending the City Code related to the development review process, as presented.
2. After adopting the ordinance, staff recommends the City Council adopt the attached resolution approving summary publication of the development review process ordinance, as presented.

ATTACHMENTS

Ordinance
Resolution

RESOLUTION NO. _____

A RESOLUTION APPROVING AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF WHITE BEAR LAKE RELATED TO THE DEVELOPMENT REVIEW PROCESS AND AUTHORIZING ITS PUBLICATION

WHEREAS, the City of White Bear Lake initiated an application to amend the Zoning Ordinance related to the Development Review Process;

WHEREAS, the White Bear Lake Planning Commission discussed this item and provided comments and feedback to staff during their October 24, 2022 meeting;

WHEREAS, the White Bear Lake City Council reviewed the feedback from the Planning Commission and provided additional comments during their November 8, 2022 meeting and directed staff to draft a zoning ordinance text amendment related to the development review process specifically addressing concept plan review and neighborhood meeting processes;

WHEREAS, City staff draft such an ordinance and published notice of a public hearing as required by law and a public hearing was held by the White Bear Lake Planning Commission regarding the proposed zoning ordinance text amendment on November 28, 2022;

WHEREAS, the White Bear Lake Planning Commission reviewed a draft ordinance and analysis and comments from staff regarding the proposed zoning ordinance text amendment during their November 28, 2022 meeting and recommended the City Council approve this ordinance;

WHEREAS, the White Bear Lake City Council conducted the first reading of this item on December 13, 2022 where they considered comments from the Planning Commission and written comments and analysis from staff;

WHEREAS, the White Bear Lake City Council conducted a second reading of this item on January 10, 2023 where they considered comments from the Planning Commission and written comments and analysis from staff;

WHEREAS, Minnesota Statutes, Section 412.191, Subd. 4, allows publication by title and summary in the case of lengthy ordinances; and

WHEREAS, the White Bear Lake City Council finds that the following summary would clearly inform the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of White Bear Lake hereby approves the second reading of Ordinance _____ amending Section 1301 of the Municipal Code of the City of White Bear Lake – Administration related to the development review process based on the findings detailed in the associated staff report dated January 10, 2023.

RESOLUTION NO. _____

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Clerk shall cause the following summary of the ordinance to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

In summary, Ordinance _____ makes the following changes to Sections Section 1301 of the Municipal Code of the City of White Bear Lake – Administration related to the development review process:

1. Adds Section 1301.100 establishing a new Concept Plan Review process.
2. Revises Section 1301.070 – Planned Unit Development to strike the terms “General Concept Stage” and “General Concept Plan” and replace them with “General Stage” and “General Plan Stage” respectively throughout this section of the Code. This change is necessary to avoid any potential confusion with the new Concept Plan Review process added in Section 1301.100.
3. Adds Section 1301.110 establishing a new Neighborhood Meeting process.

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF WHITE BEAR LAKE RELATED TO THE DEVELOPMENT REVIEW PROCESS

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

ARTICLE I. Section 1301 of the Municipal Code of the City of White Bear Lake – Administration is hereby amended by adding a new subdivision 1301.100 regarding Concept Plan Review:

1301.100 Concept Plan Review

Sub. 1 Purpose & Intent. The purpose of the pre-application concept plan review is to help inform and involve the public in the planning process and allow developers to gain feedback directly from the public, Planning Commission and City Council prior to preparing a full formal application. Feedback and opinions expressed by the city as part of a concept plan review are for guidance only and are not to be considered binding. Comments provided during the concept plan review may help inform/influence future plans if the developer chooses to proceed with a future formal development application.

Sub. 2 Applicability. Any applicant for approval of a land use or zoning application may request a preliminary (pre-application) concept plan review to explore the concept ideas and all other pertinent general information related to a possible future formal application. The concept plan review process is a required pre-application steps for those applications that may include a comprehensive plan amendment, rezoning, planned unit development (PUD) or city financial assistance.

Sub. 3 Schedule. The concept plan review process shall follow the following schedule.

- a.) Neighborhood Meeting. The developer hosts a neighborhood meeting to review a concept plan and solicit resident feedback. These meetings shall follow the Neighborhood Meeting requirements contained in Section 1301.110. City officials and/or staff may attend the neighborhood meeting, but only to observe the dialog between the developer and neighborhood and answer “procedure” questions.
- b.) Planning Commission. The Planning Commission review is intended as a follow-up to the neighborhood meeting. The objective of this meeting is to identify major issues and challenges in order to inform subsequent review and discussion. The meeting includes a presentation by the developer of conceptual sketches and ideas, but not detailed engineering or architectural drawings. No staff recommendations are provided, the public is invited to offer comments, and planning commissioners are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.
- c.) City Council. The City Council review is intended as a follow-up to the neighborhood meeting and Planning Commission review and would follow the same format as the

ORDINANCE NO. _____

Planning Commission review. No staff recommendations are provided, the public is invited to offer comments, and council members are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.

Sub. 4. Next Steps. The developer may choose to use feedback gathered through the concept plan review process to help prepare a future formal application.

ARTICLE II. Section 1301.070 of the Municipal Code of the City of White Bear Lake – Administration – Planned Unit Development is hereby amended by striking the terms “~~General Concept Stage~~” and “~~General Concept Plan~~” and replacing them with “General Stage” and “General Plan Stage” respectively throughout this section of the Code. This change is necessary to avoid any potential confusion with the new Concept Plan Review process added in Article I above.

ARTICLE III. Section 1301 of the Municipal Code of the City of White Bear Lake – Administration is hereby amended by adding a new subdivision 1301.110 regarding Neighborhood Meetings:

1301.110 Neighborhood Meetings.

Sub. 1. Purpose & Intent. It is the city's intent to expand and enhance the dissemination of information to the residents and to encourage greater involvement by the community in the planning process.

Sub. 2. Applicability. Applicants for concept plan review or conditional use permits or zoning map amendments located adjacent to or within any portion of a residential zone must host and facilitate a neighborhood meeting in accordance with the procedures listed below. The city may also require a neighborhood meeting for other land use applicants, as determined necessary and appropriate. Required neighborhood meetings are separate and distinct from any public hearing required pursuant to state law.

Sub. 3. Scheduling.

a.) Applicants must schedule required neighborhood meetings to take place only after the city has accepted either pre-application concept plan review or a formal land use or zoning application and at least one week before the planning commission concept plan review or the statutorily required public hearing on the subject application.

b.) Meetings must be scheduled Monday through Thursday evenings after 6:30 p.m., although meetings may not take place on any of the following dates:

- 1) On a holiday, as that term is defined in Minnesota Statutes, Section 645.44;
- 2) On October 31;
- 3) On the evening of a major political party caucus; or

ORDINANCE NO. _____

4) On the date of an election being held within the city's boundaries.

c.) The applicant must host the meeting and present the proposed project for questions and comments from those in attendance.

Sub. 4. Notice And Invitation. Notice of required neighborhood meetings must be mailed at least 10 days before the meeting to those names and addresses listed on the public hearing notice list provided by the Community Development department. The area of notification may be modified by city staff based on the specific project. A copy of the meeting invitation must also be emailed to the members of the Planning Commission, City Council, and Community Development Director. A list of these individuals and their email addresses must be provided to the applicant by the Community Development department. The notice and invitation must include at least the following:

a.) Date, time, and location of the meeting;

b.) Project location map;

c.) General project description; and

d.) Contact information for the applicant, including an email address, project website and a telephone number.

Sub. 5. Meeting Materials. The applicant must make available to the public a complete description of the proposed project necessitating the application, including copies of printed materials and maps, where appropriate. This information must also be available through a project website that allows the public to ask question and provide comments directly to the developer.

a.) The applicant must provide a sign-in sheet at the meeting to be signed at the option of those in attendance. The applicant must also take minutes at the meeting. A copy of this information must be provided to city staff no more than one day following the neighborhood meeting.

b.) The schedule of meeting dates for Planning Commission, Parks Advisory Commission and City Council to consider the application, as applicable, must be provided to those in attendance at the meeting, if those dates are known.

Sub. 6. Modification Of Requirements. The city recognizes that not all land use applications or circumstances are similar in nature and certain situations may warrant deviating from the express requirements of this section for reasons that cannot necessarily be predicted or contemplated within a rigid set of policy provisions. To that end, the City Manager is authorized to permit deviations from any of the neighborhood meeting requirements of this section upon determining that such deviation is reasonable under the circumstances. This subsection is not to be interpreted to act as a

ORDINANCE NO. _____

mechanism through which an applicant may request or apply for deviations, but rather is intended solely to provide city staff with the flexibility to initiate a deviation when circumstances warrant.

ARTICLE IV. Incorporation. The City Clerk shall renumber the remaining subdivisions in the amended section, and make such other non-substantive edits, as may be needed to incorporate the new subdivision into the section.

ARTICLE V. Effective Date. This ordinance shall become effective on the first day of publication after adoption.

The foregoing ordinance offered by Council member _____ and supported by Council member _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

First Reading: _____

Initial Publication: _____

Second Reading: _____

Final Publication: _____

Codified: _____

Posted on web: _____



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council
From: Lindy Crawford, City Manager
Date: January 10, 2023
Subject: **2023 Annual Appointments**

SUMMARY

The City Council will consider adopting a resolution for 2023 annual appointments, including City Council representatives to various organizations, City Attorney, City Prosecutor, administrative hearing officer, and the official newspaper.

BACKGROUND INFORMATION

Each year, the City Council must approve annual appointments for various areas of City government to support operations of the City. Each section below outlines a description of the area and recommendation for action.

Appointment of City Council Representatives to Various Organizations

Annually, the Mayor and City Council designate representatives to various organizations of which the City is a member. City Council representatives for 2022 were as follows:

<u>Organization</u>	<u>Representative</u>	<u>Alternate Rep.</u>
Ramsey County League of Local Governments	Bill Walsh	Steven Engstran
Vadnais Lake Area Water Management Organization	Dan Jones	Bill Walsh
Ramsey County Dispatch Policy Committee	Heidi Hughes	Dan Jones
Northeast Youth and Family Services	Heidi Hughes	n/a
Metro Purple Line Corridor Management Committee	Bill Walsh	Kevin Edberg
*Housing and Redevelopment Authority	City Councilmembers	

Descriptions

Ramsey County League of Local Governments – The mission of the RCLLG is to foster cooperation among Ramsey County units of government thereby increasing the effectiveness and efficiency of public service delivery. Meetings typically occur Thursday evenings.

Vadnais Lake Area Water Management Organization – VLAWMO was formed in 1983 to protect the Vadnais Lake watershed area in northern Ramsey County and a small portion of Anoka County, Minnesota. VLAWMO covers approximately 25 square miles in the northeast

metropolitan area. The watershed encompasses the City of North Oaks, and portions of the cities of White Bear Lake, Gem Lake, Vadnais Heights, Lino Lakes and White Bear Township. The VLAWMO Board of Directors consists of one elected official from each of the six cities within the watershed. The board meets on the 4th Wednesday of every other month at 7 p.m.

Ramsey County Dispatch Policy Committee – The Mayor or one member of the City Council may represent the City on the Dispatch Policy Committee. This committee shall assist the County in reviewing, evaluating and making recommendations regarding performance of the Dispatch Center, ensuring that the service meets the needs and expectations of the communities and public safety user agencies. Committee meetings are scheduled approximately two months in advance based on availability of the group.

Northeast Youth and Family Services – The mission of NYFS is to empower people “to make lasting changes that will benefit them and our community for years to come. NYFS work with youth and family of all ages and abilities but primarily focus is on youth ages 5-21 because an early intervention and a family-based approach to problems can transform lives.” Board meetings are typically held at 7:30 a.m. on the fourth Thursday of every month except November and December.

METRO Purple Line Corridor Management Committee – The purpose of the advisory committee, formed by the Metropolitan Council (Met Council), is to provide a forum to discuss project development issues and regional decision-making, and advise the Met Council on the final design and construction of the proposed project. The Committee meets as needed.

**Housing and Redevelopment Authority (HRA)* – Pursuant Council Resolution No. 5038, which established the White Bear Lake HRA in 1985, members of the HRA shall be appointed by the Mayor and consist of the same five Commission members of the White Bear Lake City Council. The terms of office for HRA members shall coincide with their respective terms on City Council and shall be certified by the City Clerk to the Minnesota Department of Employment and Economic Development.

Appointment of City Attorneys

The City Charter assigns to the City Council the responsibility for annual appointment of the City Attorneys. Specifically, the City Charter provides:

Section 4.20. City Attorney.

“The City Council shall have the power to appoint a City Attorney or Attorneys and fix the compensation to be paid to said City Attorney or Attorneys, who shall be a member or members of the bar of the State of Minnesota. Such attorney or attorneys may be appointed for one year, but shall be removable at the pleasure of the Council.”

Staff recommends GDO Law be appointed for another year as the City Attorney-Prosecutor, with Heather Monnens serving as Chief City Prosecutor.

<i>City Attorney – Prosecutor</i>	<i>Yearly contract</i>	<i>Hourly rate for vehicle forfeitures</i>
2017-2019 contract costs	\$148,000	\$110/hr.
2020-2022 contract costs	\$150,000	\$113.50/hr.
2023 contract costs	\$136,000	\$115/hr.

Staff recommends the municipal law firm Kennedy & Graven be appointed for another year as the City Attorney - Counselor, with Troy Gilchrist serving as Lead Attorney.

<i>City Attorney – Counselor</i>	<i>Monthly retainer</i>	<i>Hourly rate</i>	<i>Developer- reimbursed rate</i>
2020 contract costs	\$3,200/mo.	\$165/hr.	\$205/hr.
2021 contract costs	\$3,265/mo.	\$168/hr.	\$210/hr.
2022 contract costs	\$3,365/mo.	\$173/hr	\$216/hr.
2023 contract costs	\$3,634/mo.	\$178/hr	\$221/hr.

The annual costs for legal services for the past four years are represented below:

	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>
Prosecution	\$154,584	\$148,408	\$153,174	\$153,591
Counselor	\$63,744	\$46,039	\$69,612	\$77,469
TOTAL	\$219,252	\$194,447	\$222,786	\$231,060

Appointment of Administrative Hearing Officer

In 1996, the City Council adopted Ordinance 96-2-929 establishing a procedure for issuance of citations for violation of City ordinances. This procedure allows patrol officers or other qualified enforcement personnel to issue administrative citations for what are generally considered minor violations rather than a citation through district court. Conditions or actions generally falling in this category are barking dogs, excessive noise, trash in yards, junk cars, juvenile smoking, first-time unsafe driving (including minor speeding) and many parking offenses.

An essential component of this procedure is “due process” which is accomplished through the right to appeal to a City Council appointed administrative hearing officer. An individual receiving an administrative citation may appeal her/his case to the hearing officer who is empowered to uphold, dismiss or adjust the citation and financial penalty.

In May 2019, Jim Rathburn, a long-term White Bear Lake resident with a law degree and related work experience was appointed to serve as the City’s Hearing Officer. In acknowledgment of Mr. Rathburn’s legal experience, which translates into less time needed for preparation, the Council approved an increase in his hourly rate from \$30 to \$35/hour in 2020. He provided 40 hours of service in 2020 and a total of 31.75 hours in 2021. In following with staff increases, a 3% increase was provided in 2022, for an hourly rate of \$36.05.

Staff recommends Jim Rathburn be appointed for another year as the administrative hearing

officer with a 3% increase, for an hourly rate of \$37.13.

Designation of Official Newspaper

Section 4.25 of the White Bear Lake City Charter states that the City Council shall, at its first regular meeting in January, or as soon thereafter as practical, designate the official paper of the city for the publication of all notices required by the City’s Charter. The matter of designating the official newspaper is also addressed in MN Statutes §331A.04, which states that the governing body shall designate a qualified newspaper in a specified sequence of priorities. Of first priority is criteria that, “If there are one or more qualified newspapers, the known office of issue of which are located within the political subdivision, one of them shall be designated.”

The White Bear Press meets all of the legal requirements for legal publications and is the only one which has a known office of issue within White Bear Lake. Therefore, according to State Statutes, The White Bear Press is the newspaper which takes first priority to be designated as the official newspaper of the City.

In the attached letter, the White Bear Press has expressed interest continuing to serve as the official newspaper of the City. They propose an increase in the cost of legal publications of \$0.95 per column inch over 2022. Below is a summary of the rates for the past five years.

<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>
\$17.37 (5%)	\$18.76 (8%)	\$19.79 (5%)	\$21.37 (8%)	\$22.32 (4%)

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution outlining the annual appointments for 2023.

ATTACHMENTS

Resolution
 Bid Letter from Press Publications

RESOLUTION NO.

RESOLUTION APPROVING 2023 APPOINTMENTS FOR CITY COUNCIL REPRESENTATIVES TO VARIOUS ORGANIZATIONS, CITY ATTORNEYS, ADMINISTRATIVE HEARING OFFICER, AND DESIGNATION OF OFFICIAL NEWSPAPER

WHEREAS, the City Council annually appoints City Council representatives to various organizations, the City Attorney-Counselor, the City Attorney-Prosecutor, the City's administrative hearing officer, and the City's designated official newspaper; and

WHEREAS, the City Council provides representation on various organizations on behalf of the City of White Bear Lake, and the Mayor and City Council designate representatives and alternatives to various organizations; and

WHEREAS, after careful review and consideration of the City's legal needs, the City Council has chosen to appoint Troy Gilchrist from the firm Kennedy & Graven Chartered as City Attorney with occasional adjunct assistance from other associates he may assign; and

WHEREAS, after careful review and consideration of the need for legal prosecution, the City Council has chosen to reappoint Heather Monnens of GDO Law as the City's Prosecutor; and

WHEREAS, Section 205 of the City's Ordinance Code provides for an Administrative Enforcement procedure, the establishment of a schedule of offenses and related administrative penalties, and for the appointment of a Hearing Officer by the City Council; and

WHEREAS, Jim Rathburn of White Bear Lake has been determined interested and qualified in serving in this capacity; and

WHEREAS, Section 4.25 of the White Bear Lake City Charter states that the City Council designate the official paper of the city for the publication of all notices required by the City's Charter; and

WHEREAS, the White Bear Press meets all of the legal requirements for legal publications and is the only one which has a known office of issue within White Bear Lake, therefore taking first priority to be designated as the official newspaper per state statute.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, that the following appointments and designations be made for 2023:

Appointed City Council representatives to various organizations:

<u>Organization</u>	<u>Representative</u>	<u>Alternate Rep.</u>
Ramsey County League of Local Governments		
Vadnais Lake Area Water Management Organization		

RESOLUTION NO.

Ramsey County Dispatch Policy Committee
Northeast Youth and Family Services
Metro Purple Line Corridor Management Committee

Appointed City Attorney-Prosecutor – Heather Monnens and GDO Law (effective through December 31, 2023).

Appointed City Attorney-Counselor - Troy Gilchrist and Kennedy & Graven Chartered (effective through January 31, 2024).

Appointed Administrative Hearing Officer – Jim Rathburn (effective through January 31, 2024).

Designated Official Newspaper – The White Bear Press (effective through January 9, 2024).

BE IT FURTHER RESOLVED, by the City Council of the City of White Bear Lake, the Mayor hereby appoints all five current City Councilmembers to serve on the Housing and Redevelopment Authority.

BE IT FURTHER RESOLVED, by the City Council of the City of White Bear Lake, that the Mayor and City Manager are hereby authorized to enter into necessary service agreements to secure the approved appointments within.

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



4779 Bloom Ave., White Bear Lake, MN 55110 • Phone: (651) 407-1200 • Fax: (651) 429-1242

December 1, 2022

Caley Longendyke, City Clerk
City of White Bear Lake
4701 Highway 61
White Bear Lake, MN 55110

Dear Caley:

The *White Bear Press* wishes to be considered as your official newspaper for 2023.

We have great news. According to a 2021 Minnesota Market Study conducted by Coda Ventures, 86% of Minnesotan adults read newspapers (print and online) and of that, 78% are under the age of 65. This is a powerful testament to newspaper readership in print and online.

We meet all the legal publication requirements under state statutes. Our circulation is audited by Verified Audit Circulation, an independent firm.

We offer submittal of legal notices by mail, fax at (651) 429-1242 or e-mail to legals@presspubs.com - clearly labeling them as Public Notices.

There will be an increase in the rate for your legal notices this year due to extreme pressure with material and labor costs. We are asking for \$22.32 per column inch, in 7-point type at 9-lines per inch.

Our deadline for legal notices is Thursday by 10:00 a.m. for the following Wednesday's publication. Per our conversation with your office, we have agreed to work with a 10:00 a.m. deadline. In an emergency we can receive notices until noon on Friday.

We look forward to the opportunity to serve you. We welcome any questions or concerns you may have.

Sincerely,

A handwritten signature in black ink that reads "Lisa Graber".

Lisa Graber
Legal Notice Coordinator

LG:mp

Misc: White Bear Lake 2023.doc

Your Best Source For Community Information

www.presspubs.com

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