



**AGENDA - AMENDED**  
**REGULAR MEETING OF THE CITY COUNCIL OF**  
**THE CITY OF WHITE BEAR LAKE, MINNESOTA**  
**TUESDAY, MAY 14, 2024**  
**7 P.M. IN THE COUNCIL CHAMBERS**

*Portions of this meeting may be closed pursuant to M.S. 13.05, Subd 3(c)(3)  
to develop an offer for the purchase of real property.*

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

PLEDGE OF ALLEGIANCE

**2. APPROVAL OF MINUTES**

A. Minutes of the Regular City Council Meeting on April 23, 2024

**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. Accept minutes: March White Bear Lake Conservation District, March Park Advisory Commission, March Environmental Advisory Commission, April Planning Commission
- B. Resolution approving the use of Railroad Park by Main Street, Inc. for Dog Days Downtown
- C. Resolution approving a license agreement with the White Bear Lake Youth Football Association for improvements at Podvin Park
- D. Resolution approving a minor subdivision and variances at 1783 Highway 96
- E. Resolution accepting a Source Water Protection Implementation Grant from the MN Department of Health
- F. Resolution accepting a Firearms Storage Grant from MN Department of Public Safety

**5. VISITORS AND PRESENTATIONS**

- A. Swear in Assistant Chief / Fire Marshal – Josh Waylander
- B. Minnesota City/County Managers Association Outstanding Service Award Recognition – Rick Juba
- C. Public Works Week Proclamation - Added

**6. PUBLIC HEARINGS**

- A. Minor subdivision and vacation of drainage and utility easement requests at 5005 Bald Eagle Avenue
- B. 2023 Storm Water Pollution Prevention Program

**7. UNFINISHED BUSINESS**

Nothing scheduled.

**8. NEW BUSINESS**

- A. Sale of the 2024A General Obligation Bonds
- B. Variance request at 3521 Century Avenue – Solid Ground

**9. DISCUSSION**

Nothing scheduled.

**10. COMMUNICATIONS FROM THE CITY MANAGER**

**11. CLOSED SESSION**

A. To develop an offer for the potential purchase of the property identified as PID 253022430076

**12. ADJOURNMENT**



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, APRIL 23, 2024  
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, Bill Walsh, and Andrea West. Staff in attendance were City Manager Lindy Crawford, Public Works Director/City Engineer Paul Kauppi, Police Chief Dale Hager, and City Clerk Caley Longendyke.

**PLEDGE OF ALLEGIANCE**

**2. APPROVAL OF MINUTES**

A. Minutes of the Regular City Council Meeting on April 9, 2024

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

B. Minutes of the City Council Work Session on April 16, 2024

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

**3. APPROVAL OF THE AGENDA**

Mayor Louismet reported the addition of an agenda item under *New Business* for a resolution regarding a Minnesota Department of Public Safety Grant. It was moved by Councilmember **Engstran**, seconded by Councilmember **West**, to approve the agenda as amended. Motion carried unanimously.

**4. CONSENT AGENDA**

- A. Resolution accepting various restricted donations **Res. No. 13352**
- B. Resolution accepting the adjusted 2024 SCORE funding allocation **Res. No. 13353**
- C. Resolution authorizing a single-event liquor extension for El Pariente Mexican Grill – Cinco de Mayo celebration **Res. No. 13354**
- D. Resolution authorizing a liquor extension for 4 Deuces Saloon during certain downtown events **Res. No. 13355**

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

**5. VISITORS AND PRESENTATIONS**

- A. Law Enforcement Memorial Proclamation

Mayor Louismet read a proclamation recognizing the service of law enforcement officers in the community and the observation of Police Week in White Bear Lake from May 12 to 18, 2024. Mayor Louismet added his thanks to the City's officers and asked the audience to stand.

B. Citizen's Police Award, Michael Henderson

Police Chief Hager shared that the department's Awards Committee wishes to recognize White Bear Lake resident Michael Henderson with a *Citizen's Award* for helping prevent two car jackings and assisting an officer in subduing a suspect in December 2023. The *Citizen's Award* recognizes the efforts of citizens who support the Police Department's commitment to the improvement of the quality of life in White Bear Lake. Sergeant Vette said a few words thanking Mr. Henderson for his assistance and presented the award to him.

C. Public Works / Engineering Department Biannual Report

Public Works Director/City Engineer Kauppi presented a biannual report for the Public Works / Engineering Department. He provided an overview of the staffing structure and shared infrastructure statistics, such as the following: 89 miles of streets, 106 cul-de-sacs, 24 parks, 122 miles of watermain, 446 street lights, and more. Director Kauppi summarized the department's operations, projects, gave an overview of equipment and invited the public to attend a Public Works open house on May 22, which will include displays, hands-on activities, and tours of the facility.

D. Finance Department Quarterly Report

Finance Director Kindsvater provided the quarterly report for the Finance Department. She reported the City is on track with its expenses and revenues for the 2024 budget so far. While reviewing revenues, she mentioned the City receiving \$13,500 more from the Xcel Energy's electric revenue that is paid to the City annually. Revenues from rental inspection fees are also higher than compared to 2023, which may be attributed the Building Division having full staff at this time compared to last year. Permits for heating and air conditioning are also up. With the less amount of snow over the winter, the City had less expenditures for snow and ice removal. For the License Bureau, customer transaction counts continue to be higher than last year. At this time last year, the Maplewood DMV office was still open, so she expects the year-to-date comparisons to level out in the next quarter. Director Kindsvater said transactions for electronic vehicle title and registration (EVTR) transfers are significantly higher and she explained the process involving the car dealership and the License Bureau. Since January 1, the License Bureau has received an additional \$1 for all tab renewals, title transfers, duplicate titles, duplicate stickers and plates, and title corrections.

Director Kindsvater shared about new DMV kiosks in Cub Food stores. She explained that the closest DMV location to the kiosk is the lead office, and receives 10% of the collected filing fees through the kiosk transactions. Any DMV office that is located within 10 miles of the kiosk can participate and receive a portion of the revenues. The City agreed to be a lead office for the kiosk to be set up at the Cub Foods on Highway 96 and Centerville Road, in White Bear Township. Six participating DMVs will receive a portion of the revenues. She noted that the transaction per hour count is skewed due to increased number of pay periods in the first



quarter. Mayor Louismet asked if the customer will be paying the same price at kiosks. Director Kindsvater said the fee will be the same, but there will be a kiosk operation fee. She confirmed it is cheaper for customers to physically visit the License Bureau for transactions. Councilmember Walsh shared his wondering about state policy and the motivation of the kiosks. He referenced the explanation of the EVTR transactions and asked if there's an opportunity to promote the partnership between the License Bureau and local car dealerships, but Director Kindsvater replied that every dealership does it the same.

## 6. PUBLIC HEARINGS

Nothing scheduled.

## 7. UNFINISHED BUSINESS

Nothing scheduled.

## 8. NEW BUSINESS

### A. Minnesota Department of Public Safety Pathways to Policing Grant Program

Chief of Police Hager shared information about a grant program through the Minnesota Department of Public Safety (DPS) that would support the City's efforts in attracting non-traditional law enforcement candidates and financially assisting their education. The City's grant application was selected to receive \$75,000 in matching funds, with the City's contribution being funded by the Public Safety Local Government Aid (LGA) and the Police Department's operating budget.

Councilmember Edberg asked about the difference between funds from Public Safety LGA and the grant. Chief Hager described LGA funds as coming from the governor and legislature to be used between police and fire departments, with a variety of allowable uses, and the grant is from DPS and is to be used specifically for recruitment efforts. City Manager Crawford added that the City will use approximately \$12,000 of LGA funds to help fund some of the City's contribution towards the matching grant.

It was moved by Councilmember **Walsh**, seconded by Councilmember **West**, to approve **Res. No. 13356**, accepting a grant through the 2024-2025 Pathways to Policing Grant Program, administered by the Minnesota Department of Public Safety. Councilmember Walsh shared his appreciation for staff's efforts in applying for and securing various grants. Motion carried unanimously.

## 9. DISCUSSION

Nothing scheduled.

## 10. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Crawford shared that the City's spring and summer newsletter was delivered to residents and is available to view on the City's website and thanked City Clerk Longendyke for putting it together.

She made a note of the following upcoming events: the Sports Center's Spring Skate Show, Trash-to-Treasure Day, a ribbon cutting for True North Direct Primary Care, an anniversary celebration for All-Star Pet Hotel, the City's Spring Clean-Up Day, a leadership luncheon for Northeast Youth &

Family Services and Touch-a-Truck. City Manager Crawford acknowledged department heads who present biannual and quarterly reports for the benefit of the Mayor, City Council, and public.

#### **11. ADJOURNMENT**

There being no further business before the Council, it was moved by Councilmember **Engstran**, seconded by Councilmember **West**, to adjourn the regular meeting at 7:58 p.m. Motion carried unanimously.

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Dan Louismet, Mayor

**ATTEST:**

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Caley Longendyke, City Clerk



## White Bear Lake Conservation District

### Regular Board Meeting Minutes

March 19, 2024, 7:00 p.m., White Bear Lake City Hall Council Chambers  
(6:00 pm LUC meeting)

1. **Roll Call/Quorum** – Present: Chair Bryan DeSmet, Vice Chair Meredith Walburg, Mark Ganz, Chris Churchill, Scott Costello, Mark Wisniewski, Susie Mahoney and Alan Kantrud. Absent: Mike Parenteau, Darren DeYoung and Diane Longville. A quorum was present.
2. **Call to Order** – The meeting was called to order by Bryan DeSmet at 7:00 pm.
3. **Approval of Agenda** – The following items were added to the agenda: MN Lakes and Rivers membership, under 'New Business'; summer lake cleanup/Manitou Days, under 'Lake Education Committee'; Bryan DeSmet will give the Treasurer's report; and Meredith Walburg will give the Lake Quality Committee report. A motion to approve the amended agenda was made by Mark Ganz, seconded and passed.
4. **Approval of Previous Board Meeting minutes** – A motion to approve the Feb. 20, 2024 meeting minutes was made by Mark Wisniewski, seconded and passed.
5. **Public Comments** - none
6. **New Business**
  - Committee appointments – Members were appointed to the following committees: Lake Education Committee – Scott Costello (chair), Meredith Walburg, and Susie Mahoney; Lake Utilization Committee – Mark Ganz (chair), Chris Churchill (vice chair), Darren DeYoung, Luke Michaud, Scott Bohnen, and Alexander Schwartz; and Lake Quality Committee – Mike Parenteau (chair), Diane Longville, and Mark Wisniewski.
  - MN Lakes and Rivers membership – A motion to approve the membership was made by Bryan DeSmet, seconded and passed.
7. **Unfinished Business**
  - Board activity annual calendar – A motion to approve the Board activity annual calendar was made by Bryan DeSmet, seconded and passed.
  - VFW-EAW update – The Board is still waiting for the Natural Heritage review. Any further input to the EAW should be emailed to the administrator by April 12. When the review is received, the EAW will need to be finished and submitted for public comment. Chris Churchill asked how to calculate carbon dioxide emissions requested on the EAW. Bryan DeSmet will get more information on that item.
  - Low water level study group – Chris Churchill reported that the study group researched historical White Bear Lake water levels, discussed low water level issues in Commercial Bay, and how to address private residential and permitted multi-user docks. Scott Costello provided guidance on determining how far out docks could go when low water levels are at specific depths, and the group will map that out. The group found that two feet of water was a fair depth to moor a boat.
    - Churchill and Mike Parenteau took measurements at different depths in the bay and found that Docks of White Bear Lake would have to go out 50 ft beyond 300 ft to reach a 2 ft depth of water. Water depth was consistent throughout the bay until you got to about Whitaker St. where the depth increased and marinas at that point would need their docks out less than 50 ft. The group reached out to the marinas to find out what they needed for this year and found that their needs

paralleled what the group found: Docks of White Bear Lake would need three (3) of their five (5) docks to go out 50 ft (without going into the Lion's Park ADUA), and Tally's dock would need to go out about 30 ft. Both the City of White Bear Lake and the VFW do not know what their needs are yet.

- The group noted that the lake has lost three (3) ft of water since the high mark in 2019. Combining their research with observations of low water levels in August 2023, they found that mooring problems on the lake started occurring at the 922.5 ft elevation. From this, the group suggested reviewing variances at this level, and then use the guidance the group is developing to get docks out to a minimum depth in which to moor their watercraft without creating hardships for neighbors or other marina owners.
- The group suggested using the same guidance for residents but it would be a little different due to their dock configurations. The only time a resident would need a variance is if it goes outside of the WBLCD Ordinances. We would work with them the same way but there will be some instances where they need to go out three (3) to four (4) feet – an example was if they have a wakeboard boat on a lift. The group needs to figure out what that minimum depth from residential docks would be as the Board would want some control and guidance from the LUC on some of these variances.
- Permitted multiuser docks will need to come in with a variance every time there is a change in dock length/configuration as it is a change from their approved configuration. Neighbors would be notified of the variance request so that everyone is aware of the changes and are on the same page.
- Susie Mahoney noted that water levels typically rise until about July 4, then drop, and was concerned about handling a flood of variance requests after that. Churchill stated that working out issues in Commercial Bay was the priority, and that more work needs to be done to figure out residential and multi-user docks. Bryan DeSmet suggested reviewing the group's information first and then continue the discussion. Churchill stated that if residents need to lengthen their dock beyond the Ordinances they will need to submit a variance request. Costello noted that our Ordinances allow for a residential dock to be put out a distance of 200 feet, or in low water situations, their dock can go out a distance at which the lake is four (4) ft. deep, or a distance of 300 feet, whichever is less. In that case, we can expect that it's okay for them to do that, but they need to talk with their neighbors so there are no conflicts, especially when there are multiple docks in a confined space.
- At this time, the group will give the administrator enough content to answer resident's questions; any remaining questions will be addressed by the LUC.
- Mark Ganz stated that private user docks need to follow our Ordinances, and submit a variance if they need to go beyond that. Permitted multi-user docks will need to submit a variance to go beyond their permit.
- Mark Wisniewski asked if the water level is below 922 ft in April, and people ask for a variance, what level would the variance accommodate and what levels should the Commercial Bay operators try to plan ahead to operate at. Should we be consistent to all of them and say plan ahead for what you need at 921? Or, they'll assert what they want to do, and we need a common response. Churchill responded that the common response should be that anytime you change your dock format, you will need to submit a variance request. What we want is a process knowing that at 922.5 ft problems begin, and that we should be proactive.
- The cost of filing a variance, which is \$60, was brought up in the LUC, and they discussed if we have this low water cut-off point and people are requesting a variance for this hardship of low water, that the fee would be waived. This is different than a variance request to change your dock for whatever you want for low water. Ganz noted that the suggestion to publicize our Ordinances and rules in a variety of places is a great idea. Mahoney suggested that maybe variance

requests should be for putting a dock farther out in depth knowing that the water level will drop later in the summer.

- Churchill said he welcomes the Board's feedback on the planning group's summary prior to the Board meeting next month. The group will prepare a summary document with information, and the administrator will send it to the Board for review and guidance for the LUC to have to help them when reviewing variances. Any feedback should be sent to the administrator.
- Costello asked if a motion should be made to waive the variance application fee, to which Churchill said that decision would be made when the variance is reviewed. DeSmet said that the Board would need to make that decision on a variance-by-variance basis. Alan Kantrud pointed out that we have to be careful with variances as by definition the applicant needs to establish a hardship anyway, so specific hardships should be articulated.
- 2024 White Bear Lake Use Study – A contract with Blue Water Science has been signed, and Meredith Walburg and Mark Wisniewski will oversee work with the contractor. This will be a monthly agenda item for Walburg.

## 8. Reports/Action Items

- **Executive Committee** – none
- **Lake Quality Committee** – Meredith Walburg reported that ice-out was declared on March 8, 2024, and that the lake level today is 922.04 ft. This is 1 ft 4 inches lower than at the time of ice-out in April last year.
- **Lake Utilization Committee** – Mark Ganz reported that the LUC reviewed and approved the following 2024 permit applications, and made recommendations to the Board:
  - Permit applications:
    - Manitou Island Assn - swim area water structure permit (buoys and float) - A motion to approve the permit was made by Ganz, seconded and passed.
    - McCartney Estates HOA noncommercial dock permit (same as last year) - A motion to approve the permit for six (6) watercraft was made by Ganz, seconded and passed.
    - White Bear Lake Fireworks Committee event permit (July 4, 2024) - A motion to approve the permit waiving the application fee was made by Ganz, seconded and passed.
    - White Bear Lake Yacht Club sailing races event permit - A motion to approve the permit was made by Ganz, seconded and passed.
    - Black Bear Yacht Racing Association event permit - A motion to approve the permit was made by Ganz, seconded and passed.
  - 2024 WBLCD Permit Terminology Sheet – The information sheet created to help define terms for permit applicants was discussed, and a minor change was made to the definition of lift. A motion to approve the amended terminology sheet was made by Ganz, seconded and passed.
- **Lake Education Committee**
  - Educational outreach update - Scott Costello reported that the Lake Education Committee met to discuss items for the first issue of *The Laker*, which will include, among other things, buoys and water levels. Deadline for content is May 2.
    - Annual lake cleanup – Costello thanked those on the Board who participated in the cleanup on March 9. The Boy Scout troop heading the cleanup reported that it was a success with 535 lbs. of garbage removed from public shorelines by 12 groups and a total of 150 volunteers.
    - Summer lake cleanup – The LEC chose June 15 to have a summer lake cleanup and would like to make it a part of the Manitou Days schedule. We also need to get a certificate of insurance from our provider for the event. People will cleanup from along the shoreline, or from motorized and non-



motorized watercraft. A local diving group will be invited to participate as well. A motion to submit an application for the cleanup as a Manitou Days event was made by Costello, seconded and passed.

- Social media update - Meredith Walburg shared that upcoming posts will include boating in cold water, buoys, the lake level, and some items from the Blue Water Science report from last October.

- **Treasurer's Report**

- 2023 EOY Financials - A correction was made to the money market interest reported on the 2023 EOY financials. A motion to approve the amended Dec. 31, 2023 Treasurer's Report was made by Bryan DeSmet, seconded and passed.
- 2024 March Treasurer's Report - A motion to approve debit cards 2024-4 through 2024-6, US Bank service charge, and checks 4933 through 4938, was made by Bryan DeSmet, seconded and passed.

9. **Board Council Report**

- Alan Kantrud reported that the DNR's Conservation Officer said not much is going on at this time of the year, and Water Patrol Officer Servatka requested we add our Ordinance on speeding on the lake to the court system in order for them to be able to issue tickets. Mark Wisniewski asked if there is a predetermined fine and Kantrud stated that violation of any of our Ordinances are technically misdemeanors and they would come to the court that way.
- Kantrud reached out to the League of MN Cities insurance representative to ask for someone to make a presentation to the Board. Kantrud reported that we have a standard package and that he will review the declarations page for specifics before a presentation in April.

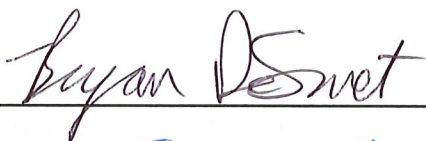
10. **Announcements**

- Meredith Walburg, representative from Dellwood, was reappointed for a three (3) year term to the WBLCD Board.
- Cheri Howe reminded the Board of opportunities from the MN AIS Research Center including monthly lab tours on the last Wednesday of each month from 3-4 pm, and a webinar on phragmites management on Wednesday, May 22, at 1 pm.
- The next meeting of the Board will be held on Tues., April 16.

11. **Adjournment** – A motion to adjourn at 7:53 pm was made by Mark Ganz, seconded and passed.

Attest

Bryan DeSmet, Chair



Date 4-16-2024

Cheri Howe, Administrator



Date 4/16/2024



**MINUTES  
PARK ADVISORY COMMISSION  
CITY OF WHITE BEAR LAKE, MINNESOTA  
THURSDAY, MARCH 21, 2024  
6:30 P.M. AT CITY HALL CONFERENCE ROOM  
AT 4701 HWY 61 NORTH**

**1. CALL TO ORDER AND ATTENDANCE**

Chair Bill Ganzlin called the meeting to order at 6:33 p.m.

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

**MEMBERS ABSENT:** Bryan Belisle, Anastacia Davis

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

**VISITORS PRESENT:**

**2. APPROVAL OF AGENDA**

It was moved by member **Mark Cermak** seconded by member **Ginny Davis**, to approve the agenda as presented.

Motion carried, 5:0.

**3. APPROVAL OF THE MINUTES**

Minutes of February 15, 2024

It was moved by member **Mike Shepard** seconded by member **Victoria Biehn**, to approve the minutes of the February 15, 2024 meeting.

Motion carried, 5:0.

**4. VISITORS AND PRESENTATIONS**

Nothing Scheduled

**5. UNFINISHED BUSINESS**

Nothing Scheduled

**6. NEW BUSINESS**

**A. Summer Park Tours**

Andy Wieteck confirmed the proposed locations with the Commission. This year the Park Advisory Commission tours will take place at West Park (May), Hidden Hollow (June), Rotary Nature Preserve (July – Pizza Party), Jack Yost (August), and Ramaley (September).

**B. Summer Park Inspections**

Andy requested that the Commission wait until the parks are officially open (after April 15<sup>th</sup>) before

completing the inspections. The Parks Department needs time to get the parks and restrooms open and water turned on. The Park inspections should be completed by the June 20<sup>th</sup> meeting. Paul Kauppi suggested that the Commission should be visiting the parks when people are using them. Paul also asked the Commission to report items that look dated, worn out, and in need of replacing. The Parks Department is usually focused on the task of the day like mowing, weeding, building repairs and don't always have time to look at all the infrastructure.

#### C. Council Workshop recap/review

At the workshop, the two future projects that received the most attention were the proposed park sign replacement project and the highly demanded pickleball courts. The conversation on the pickleball courts centered on the high cost. It would cost more than \$400,000 to install 4-8 courts and the Commission doesn't have the funds available to install a project of that caliber. A couple of the Council Members mentioned that if there was a partner to share the costs that would change the conversation or at least start the conversation on developing this new amenity.

Andy Wieteki then summarized the conversation about the park signs. He believes that the project being labeled park monuments and not park signs makes the project sound more expensive than what is being proposed. During the conversation, Andy presented to Council that most of the park signs are failing due to rotting bases. The City seals attached to most of the signs are faded and falling off. Some of the parks don't have signs at entrances or the signs are outdated. Andy Wieteki shared his vision to standardizing the park signs by pulling in components from our other city monuments and historic markers. Andy reminded the Commission of the past conversations about park signs and incorporating some smaller signs at trail entrances and larger signs at bigger park entrances so there is some variety. For instance, Hidden Hollow will have three smaller signs and Lakewood Hills might have one smaller and two bigger signs.

Andy also shared positive feedback he received from the Mayor and Council regarding the interaction the PAC has been having with residents with the Marketfest booth. They really appreciate that the Park Advisory Commission is engaging with the public at City events and through our park tours and inspections.

#### D. EAC Presentation Discussion

Bill Ganzlin asked Andy to bring maps of the EAC presentation to the meeting tonight. Andy presented the maps to the Commission and quickly reviewed what was discussed and proposed at last month's meeting. He reminded the Commission that this is just the beginning of the conversation of adding pollinator/rain gardens in our parks. Andy's focus is re-establishing our current natural areas that have been under-managed since the day they were installed. Paul Kauppi reminded the Commission there is a cost to install these gardens but even more costs to maintain them after they are initially planted. The cost sometimes drives the under-managed approach since funds may not be available for the ongoing maintenance and the Parks Department has limited resources to complete the maintenance in house.

Connie Taillon will be redlining the current maps and making the changes that were suggested for each park. Once completed, the EAC and PAC will have another meeting together this fall to create a master plan for implementing these gardens into our parks. Bill Ganzlin asked what the plan is to fund these projects when there are park projects we cannot fund. Paul Kauppi stated that is one of the hurdles as the EAC does not have much of a budget. Due to lack of funding, the master plan may



be a 20-30 year plan and some of the project might never happen. However, if funding is secured, a long term plan will exist to follow.

## 7. DISCUSSION

### A. Staff updates

#### a. Podvin Floor

Andy Wietecki updated the Commission on the floor coatings at Podvin Park. After the fire damage last year to the men's restroom, the City had to replace the floor coating. This year, the City is removing the women's restroom coating and kitchen/serving room at Podvin Park. The project is scheduled for the week of March 25<sup>th</sup> to ensure it is completed before the parks open for the year. Andy mentioned that the City is changing coating systems to alleviate the staining that occurs with the current systems in place.

#### b. 2024 CIP Project Update

Andy updated the Commission on this year's Capital Improvement Projects. The City is applying for the MnDNR Outdoor Recreation Grant to help offset the costs for the trail paving improvements that are budgeted for 2024. If the City is awarded the grant, the project would be moved to 2025. If the City is unsuccessful in obtaining the grant, the project will be completed in 2024, minus the trail in the woods that will be completed at another time. The other projects for 2024 include upgrades at the ballfield restrooms at Lakewood Hills, vegetation removal at Makoska boat launch, drinking fountains at Veterans and Railroad Parks, and the floor at Podvin Park.

#### c. Seasonal Update

Andy Wietecki advised the Commission that the Matoksa and the Veterans Park launch docks have already been installed this year. There was minimal damage to the Marina this year but the ice did significant damage to the stairs and ramps leading to the docks. Andy has two contractors lined up to make repairs and the repairs should be completed by the 2<sup>nd</sup> week in April.

#### d. Ash Tree Update

Paul Kauppi gave a brief update regarding the grant the City received from the MnDNR for removal and replacement of EAB diseased ash trees. The grant is a significant resource that will be used for the trees on City boulevards. With the grant, we will be working to update the City ordinance of trees in the public right-of-ways and implementing our EAB plan.

### B. Commission member updates

None.

## 8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Mark Cermak** seconded by member **Victoria Biehn** to adjourn the meeting at 8:15 pm.

Motion carried, 5:0



**MINUTES  
ENVIRONMENTAL ADVISORY COMMISSION  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
WEDNESDAY, MARCH 20, 2024  
6:30 P.M. IN THE CITY HALL CONFERENCE ROOM**

**1. CALL TO ORDER AND ATTENDANCE**

Chair Schroeher called the meeting to order at 6:34 p.m.

**MEMBERS PRESENT:** Sheryl Bolstad, Chris Frye, Chris Greene, Bonnie Greenleaf, Rick Johnston (Vice Chair), Jeff Luxford, Gary Schroeher (Chair)

**MEMBERS ABSENT:** None

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

**VISITORS PRESENT:** Lisa Beecroft, Marketfest Event Coordinator

**2. APPROVAL OF AGENDA**

The commission members reviewed the agenda and had no changes.

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

Motion carried, 7:0.

**3. APPROVAL OF THE MINUTES**

A. Minutes of the Environmental Advisory Commission meeting on February 28, 2024.

The commission members reviewed the draft February 28, 2024 meeting minutes and had the following changes: Item 5A, first sentence - remove the apostrophe in the word "member's"; Item 5B, remove the first sentence of second paragraph and replace with "The commission reviewed the list of priorities in the 2024 work plan"; Item 5B, second paragraph – add "as gas powered equipment is retired" to the end of the second sentence. Item 7B, second sentence – add "from the hardware store parking lot" after "large oak trees", remove the 2 from 612, and replace "Park" with "Clark". Item 7B, add a second paragraph that states "Commission members discussed what would be needed to add a Trash to Treasure day before the fall cleanup. Taillon stated that a volunteer runs the spring Trash to Treasure Day and she will contact the volunteer to ask her interest in coordinating a second Trash to Treasure Day."

It was moved by member **Luxford** seconded by member **Greene**, to approve the minutes of the February 28, 2024 meeting minutes as amended.

Motion carried, 7:0.

#### 4. VISITORS AND PRESENTATIONS

Chair Schroeder welcomed Marketfest event coordinator Lisa Beecroft and asked each commission member to introduce themselves. Lisa introduced herself and stated that she runs Beecroft Marketing in White Bear Lake and has been the Marketfest Event Coordinator off and on for 18 years. She noted that from 2007 to 2009 Marketfest promoted zero waste with the help of Century College students, but it faded away when support from the college ended. This was at a time when compostable products were difficult to find. She stated that she has limited resources, but is excited to partner to consider making Marketfest a zero waste event and is interested in discussing options. When asked how many participants attend Marketfest each week, she replied that there are 3,000 to 5,000 people that attend each week.

Lisa noted that the City's Parks Department delivers trash and recycling carts to Marketfest and coordinates with the hauler for pickup. The Parks Department also provides leaf blowers for Marketfest volunteers to use in removing trash off the streets. When asked if it is too late to implement zero waste this year, Lisa suggested researching what can be done this year and consider beta testing in 2025 when Marketfest is anticipating a shortened schedule due to the road renovation project. Lisa is open to attending a meeting with the Environmental Advisory Commission (EAC) and the Parks Department to discuss collection details.

Lisa stated that there are approximately 200 vendors a night with roughly 25% or 40 to 50 food vendors. She hosts a vendor meeting 1 to 2 weeks prior to the start of Marketfest. She said that if the commission is interested in creating a zero waste best practices brochure, she could hand out brochure to the vendors at that time. She is open to inviting the EAC to the meeting if interested. There is also an opportunity to include the brochure in the vendor packet that she emails out after May 1<sup>st</sup>. Member Luxford asked if the vendors are consistent each year. Lisa replied that many have been there every year. Some come and go but they need to commit to all 7 weeks.

There was further discussion about how to phase in zero waste. One idea discussed is have the first year be voluntary participation with special recognition for those vendors that choose to be zero waste, and then future years be mandatory participation. If zero waste is required in the future, Lisa mentioned that the deadline to make changes to the Marketfest guidelines is February 1<sup>st</sup>. Taillon noted that it may be challenging to implement a voluntary zero waste program. When only a few vendors participate in the program, this could create confusion for participants and volunteers in determining which silverware, cups, and plates are compostable and which belong in the trash.

Member Bolstad mentioned that there should be a volunteer at each station to ensure that each bin is used properly. Lisa suggested that volunteers be paired, so there would be at least two per station, plus two 'floater' volunteers to take over for the paired volunteers who need breaks. Lisa mentioned that Century College provided student volunteers in the past, and that other volunteer options include boy scouts, history club, etc. Chair Schroeder

also suggested Ramsey County Recycling Ambassadors, as they need service hours and are trained in recycling. He mentioned that Ramsey County might also be willing to provide signage and containers.

Lisa asked if the City has a list of compostable product suppliers that she can share with the food vendors. Taillon responded that there is not currently a list, but staff can create one and share it with her. Lisa mentioned a couple of options for purchasing compostable products: compostable products could be purchased in bulk and provided to the vendors, or the vendors could purchase their own. When asked about trying zero waste at only one Marketfest night, Lisa replied that products are purchased ahead of time so do all Marketfest events in a season, not just one.

Lisa suggested as a first step to survey the food vendors and ask if they have been at a zero waste event, and if so, what they liked and disliked. Member Luxford would like an idea of how much waste is generated to show that this program will be effective. Lisa offered to provide a vendor space for the Environmental Advisory Commission to observe how much waste is generated, to promote Marketfest as a zero waste event, and provide community engagement and education.

Taillon noted that she worked with Ramsey County in 2015 to add organics recycling stations at Marketfest. She showed a location map of the trash and recycling containers and where the organics containers were placed. There were a total of 22 trash and recycling stations, with organics recycling containers at 8 of the busiest stations. The County ultimately decided to postpone marketing organics recycling because of high contamination rates and lack of a formalized County program. Taillon stated that the County now has a food scraps program and offers drop off food scraps recycling dumpsters and are beginning to phase in curbside food scraps recycling in both Ramsey and Washington Counties. The drop off and curbside programs are being marketed for food scraps only, at least for now, to simplify the program and help keep contamination low. Taillon suggested following the County's strategy by focusing on food scrap collection only at Marketfest for at least the first year, and to strategically place food scrap containers at a select few trash stations to make the program more manageable. With this transitional period, the commission suggested changing the name to low waste instead of zero waste.

Lisa suggested creating a bullet point 'to do' list and prioritizing the tasks. Member Bolstad suggested creating a subcommittee for this project that she is willing to take part. Lisa volunteered to attend the subcommittee meetings when she can. She asked the commission members to email the survey when it's completed. Member Frye suggested researching other zero waste events to get ideas.

Member Greenleaf thanked Lisa Beecroft for attending the meeting and for her interest in discussing zero waste events. Lisa stated that she would like to see zero waste brought back to Marketfest and is happy to partner.

## 5. UNFINISHED BUSINESS

### A. 2024 Draft Work Plan

The commission members reviewed the 2024 draft work plan and priority goals and had no changes. Chair Schroeder stated that he contacted Metro Blooms about a demo garden and suggested exploring grant options.

It was moved by member **Greenleaf** seconded by member **Frye**, to approve the 2024 work plan.

Motion carried, 7:0.

### B. 2024 Environmental Resources Expo

The commission members reviewed the exhibitor list and determined which exhibitors to invite in 2024. Taillon noted that two organizations recently reached out about exhibiting at the Expo. One is a private company that sells worm castings as a soil amendment and the other is Vadnais Heights Green Team. Member Luxford and member Frye were concerned about inviting private companies, since the commission is more focused on non-profits and education. Member Greenleaf is okay with inviting the private company. The consensus of the group was to invite the Vadnais Heights Green Team but not the private company. Chair Schroeder will contact Vadnais Heights Green Team and Taillon will contact the worm casting company.

*Member Bolstad left the meeting at 8:08pm.*

There was further discussion around whether to invite electric vehicles. As EVs become more popular, it may not be as necessary to have EVs on display, but the consensus was to invite electrical vehicles again this year through the local EV club.

Taillon asked if exhibitor invites can be emailed by April 30<sup>th</sup> at the latest. This gives her ample time to create an exhibitor location map and have it reviewed by the Marketfest coordinator prior to the event. She will email sample invite language to the commission members within the next week. Chair Schroeder asked that invites be emailed prior to the April commission meeting.

Member Luxford asked if the Environmental Advisory Commission table should be moved to a different location based on the Marketfest coordinators offer to provide a free space for a zero waste education table. Member Greene suggested that the EAC table remain in the same area during the Expo because we host the event.

## 6. NEW BUSINESS

### A. None

## 7. DISCUSSION

### A. Staff updates

- Textile recycling at spring cleanup

Taillon noted that the City is partnering with Ramsey County and Retold Recycling to offer textile recycling at the spring cleanup event this year. All textiles must be clean and dry.

Member Greene said that National Geographic did a story this month on textile recycling.

### B. Commission member updates

Chair Schroeder mentioned that he is meeting with Taillon and Paul from RWMWD on April 10<sup>th</sup> at Lakewood Hills Park to walk around to get ideas about a buckthorn removal event this fall.

Member Greenleaf said that she signed up with Ridwell for a twice per month pickup. She puts items in the provided container that cannot be recycled in a curbside recycling program such as electronics, plastic bags, toothpaste tubes, denim and other textiles, etc. and the company finds markets for the products.

### C. Do-outs

New do-out items for February 28, 2024 include:

- Taillon to set up a meeting with Parks Department to discuss Marketfest trash and recycling logistics.
- Chair Schroeder to create a vendor survey and email to the commission members for review.
- Commission members to establish a subcommittee to create a zero waste 'to do' list and prioritize.
  - Zero waste best practices brochure
  - Certified compostable product supplier list
  - Research other zero waste events
  - Determine hauling cost and seek grant funding
- Taillon to email Expo exhibitor invite language.
- Commission members and Taillon to send invites to exhibitors before April meeting.

### D. April agenda

Commission members asked Taillon to add the following to the April 17, 2024 agenda: Marketfest low/zero waste, 2024 Environmental Resources Expo, buckthorn removal site visit update.

**8. ADJOURNMENT**

There being no further business before the Commission, it was moved by member **Greene** seconded by member **Frye** to adjourn the meeting at 8:42 p.m.

Motion carried, 6:0



**MINUTES  
PLANNING COMMISSION MEETING  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
MONDAY, APRIL 29, 2024  
7:00 P.M. IN THE COUNCIL CHAMBERS**

**1. CALL TO ORDER AND ATTENDANCE**

**MEMBERS PRESENT:** Mike Amundsen, Pam Enz, Jim Berry, Mark Lynch, Scott Bill, Joy Erickson  
**MEMBERS ABSENT:** Ken Baltzer  
**STAFF PRESENT:** Jason Lindahl, Community Development Director; Ashton Miller, City Planner; Shea Lawrence, Planning Technician  
**OTHERS PRESENT:** Ralph Boecker, Glen Lacher, Diamond Hunter, Michael Curtice

**2. APPROVAL OF AGENDA**

It was moved by Member **Lynch** and seconded by Member **Berry** to approve the agenda as presented. Motion carried, 6:0.

**3. APPROVAL OF THE MINUTES**

- A. Minutes of January 29, 2024 Planning Commission Meeting.
- B. Minutes of the March 25, 2024 Planning Commission Work Session.

It was moved by Member **Bill** and seconded by Member **Berry** to approve the minutes of the January Planning Commission Meeting and the March Planning Commission Work Session. Motion carried, 6:0.

**4. CASE ITEMS**

- A. **Case No. 24-5-LS & V:** A request by **Ralph Boecker** for a minor subdivision to split one lot into two parcels, per code section 1407.030, and two variances for parcel B — a variance from the 10,500 square foot minimum lot size and a setback variance from the 30 foot rear yard setback, both per section 1303.050, Subd. 5 at the property located at 1783 Highway 96.

Lawrence discussed the case. Staff recommended approval.

Member Lynch asked if this minor subdivision request only requires a public hearing because of the variances. He also inquired about the large easement on the property and if that would result in Parcel A requiring variances for future development. Lawrence confirmed that the public hearing is required because of the variances. She also explained that Parcel A is a buildable lot and development is possible without variances. Lindahl added that staff does not anticipate variance requests for this lot.



Member Amundsen opened the public hearing. Ralph Boecker, the applicant and property owner of 1783 Highway 96, introduced himself and provided a brief history of the property. Having no other public comments, Member Amundsen then closed the public hearing.

Member **Bill** moved to approve Case No. 24-5-LS &V, seconded by Member **Erickson**. Motion carried 6:0.

- B. **Case No. 24-6-V:** A request by **Solid Ground** for a variance from code section 1302.050 Subd. 8.c, which requires one enclosed parking stall per dwelling unit, in order to demolish all of the 14 existing garage stalls and replace them with surface parking stalls at the property located at 3521 Century Ave N.

Miller discussed the case and Lindahl provided further detail on the background of the request. Staff recommended denial of the request as proposed.

Member Amundsen asked staff about the term “proof of parking.” Miller explained that it refers to a designated area on the property where parking could be provided, should parking become a problem on the site. Miller added the proof of parking was part of the development agreement for the site in case the 53 stalls ever became insufficient for the site.

Member Enz asked if there is a difference in definition between assisted and affordable housing in the code. Miller responded that there is a definition for assisted living in the code, but that this property does not fall under that definition. Member Enz asked if the applicant could provide further information on the work the nonprofit does to give the commissioners more context on the residents and the services provided to them, especially since the code does not have a clear definition for affordable housing.

Member Amundsen added that the site is zoned medium density residential. Miller confirmed that it is medium density and that the code currently includes density bonuses for affordable housing which did not exist when the property was originally developed. Lindahl explained that there are parking standards for various uses in the code, but the City’s code doesn’t have specific standards for various types of residential uses, such as different standards for affordable housing or assisted living.

Member Lynch asked if the request in front of them exclusively concerns the elimination of the garages and not the overall parking situation on the property. Miller responded yes.

Member Bill added that staff analyzed the request against the current standards in the code but that through the zoning code update the parking standards could theoretically be different in a year. Lindahl added that the standards could change, although we are not at the step in the process that covers specific standards for parking. The standards and process could potentially change or could stay the same.

Member Amundsen opened the public hearing.

The applicant, Diamond Hunter the Executive Director of Solid Ground, explained that their request is mainly related to safety. She explained removing the garages would increase visibility on site and reduce places for people to hide on the property. She added that all of the residents receive some sort of subsidy in order to live there and that they all have experienced homelessness, which makes their operation unique. The variance could increase safety on site. She explained that many of the garages are in disrepair and create additional safety issues as well as being an eyesore. Their goal with the remodel is to open the site up to the community with community spaces.

Member Amundsen closed the public hearing.

Member Amundsen expressed appreciation for the work Solid Ground does by filling this housing need for the community, but believes that a variance request is not the proper way to address the standards for enclosed parking. Because the code requires residential properties to provide enclosed parking, he won't be able to support the request. He added that he would like to support the proposal but they are bound by the current zoning code.

Member Erickson noted that she has been to the property, and has seen the damaged garages and can see the issues they create. She added that the property isn't exclusively residential, as they provide other services, so they may have unique parking needs.

Member Berry, agreed with Member Amundsen's comments. He added that the City partially funded the initial property development and asked about the funding sources for the remodel.

Member Enz explained that she sees both sides. She understands that not all the residents can afford a car, that they need this housing to help them get back up on their feet, and that this property serves more than just housing. She added that the rules of the zoning code get bent when they grant garage setback variances, so bending the rules for this request could be a benefit to the people who are served by the work Solid Ground does.

Member Lynch explained that it seems they are using this zoning request to discuss a different problem. Whether affordable housing should have different parking standards is a much bigger conversation than what is in front of them tonight. He also added that some of the residents have cars, questioning why they shouldn't have access to enclosed parking especially with Minnesota's weather. He does understand the financial burden that the garage repairs create but that garages in disrepair is not a sufficient reason to grant a variance. He thinks that even if this was a proposal for a new development, the City would require some enclosed parking, maybe not the full amount required by code, but some.

Diamond Hunter addressed some of the points brought up by the commissioners. She explained that Solid Ground has received various donations for their remodel and expansion, and that the City is not funding the project. She explained that it is costly to repair the garages and restated that safety could be improved by removing the garages.

Member Erickson asked staff about parking requirements for properties that are mixed use. Lindahl responded that there are mechanisms in the zoning ordinance that consider the multiple uses within a building when doing a parking analysis.

Member **Lynch** moved to deny Case No 24-6-V, seconded by Member **Berry**. Motion carried 4:2. Member Enz and Member Erickson opposed.

- C. **Case No. 24-7-LS:** A request by Robert and Deb Waag for a minor subdivision to split one lot into two lots per code section 1407.030 at the property located at 5005 Bald Eagle Avenue.

Miller discussed the case. Staff recommended approval.

Member Erickson asked the feasibility of enforcing the condition that the garage be demolished if the property isn't developed in 3 years. Miller responded that the City has a few safeguards to ensure this is enforced, including flagging the property in the digital permitting software as well as requiring the resolution be recorded with Ramsey County.

Member **Berry** moved to approve Case No. 24-7-LS, seconded by Member **Bill**. Motion carried 6:0.

## **5. DISCUSSION ITEMS**

### **A. Zoning Code Update Open House Overview**

Lindahl explained that the City held two open houses on April 1<sup>st</sup>—one on the north side of town over the lunch time hours and one on the south side during the evening. About 15 people attended between the two sessions. Lindahl explained that most of the comments so far have been general questions about the zoning code update. The purpose of the open house was to inform the public on the process so far and moving forward. Lindahl explained that the next step in the process will include a draft zoning map. Member Berry added that there is a lot of discussion still to be had and many questions to be answered over the next 9 months. Lindahl explained that the next steps will come in 3 modules: a draft map, a draft of the processes, and finally more specific standards such as the subdivision process, sign regulations, and definitions. The plan is to meet with the Community Advisory Committee sometime in June to go over module 1.

Member Bill asked for an update on the proposal for 4556 Highway 61 that included setback variances. Lindahl responded that the variances were approved by City Council and that the neighbors have since named the City and the property owners in a lawsuit about the variances.

### **B. Downton Mobility and Parking Study Update**

Member Enz provided an update on the Downtown Parking and Mobility Study. She explained that at the center of the study was the health, safety and welfare of the community and that

the scope of the project included receiving input from the advisory committee, the public and the recommendations of the consultants. Lindahl added that based on the feedback received through the process the consultants are preparing a working draft for further review from the advisory committee and then the City Council.

#### **6. ADJOURNMENT**

There being no further business before the Commission, it was moved by Member **Bill** seconded by Member **Erickson** to adjourn the meeting at 8:29 p.m. Motion carried 6:0.

DRAFT



**City of White Bear Lake**  
City Manager's Office

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Caley Longendyke, City Clerk  
**Date:** May 14, 2024  
**Subject:** Dog Days Downtown at Railroad Park

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## SUMMARY

The City Council will consider adopting a resolution approving the use of Railroad Park Gazebo by White Bear Lake Area Schools for Dog Days Downtown on Saturday, May 18 from 10 a.m. to 1 p.m.

## BACKGROUND INFORMATION

Staff received a special event application from Kim Schoonover, owner of Indulge Salon and part of Main Street Inc., for this year's Dog Days Downtown. The event involves dog owners bringing their canine friends to visit the downtown area for treats, accessories, information on rescue and adoption, and more. In years past, a small handful of vendors set up on sidewalks, but the event has grown this year to over two dozen vendors. The request to use Railroad Park allows Schoonover the option to spread out vendors and eventgoers into the park. There are no other requests for City resources related to the event. Schoonover worked with Main Street, Inc. who has supported the event in the past.

## RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving use of Railroad Park and electricity by Main Street, Inc. for Dog Days Downtown on Saturday, May 18 from 10 a.m. to 1 p.m.

## ATTACHMENTS

Resolution

**RESOLUTION NO.**

**RESOLUTION APPROVING THE USE OF RAILROAD PARK BY MAIN STREET, INC. FOR  
DOG DAYS DOWNTOWN**

**WHEREAS**, a special event application has been submitted by Indulge Salon, as part of Main Street Inc., to utilize Railroad Park for the annual Dog Days Downtown on Saturday, May 18, 2024 from 10 a.m. to 1 p.m.; and

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

**WHEREAS**, the City Council desires to promote free, family-friendly community events in downtown White Bear Lake.

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

Main Street Inc. (Hosted by Indulge Salon)  
Dog Days Downtown  
Saturday, May 18, 2024  
10 a.m. – 1 p.m.

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

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

Ayes:  
Nays:  
Passed:

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

**ATTEST:**

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



**City of White Bear Lake**  
City Manager's Office

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Rick Juba, Assistant City Manager  
**Date:** May 14, 2024  
**Subject:** License Agreement for Scoreboards at Podvin Park

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## SUMMARY

The City Council will consider adopting a resolution authorizing the Mayor and City Manager to execute a license agreement with the White Bear Lake Youth Football Association for the replacement of the scoreboards at Podvin Park.

## BACKGROUND INFORMATION

The City has various arrangements with athletic associations, non-profits, neighborhood groups, etc. throughout the City for specific use of City property. Most of those arrangements are not memorialized in a fashion that meets today's standards. The City Attorney's Office has a form "license agreement" that they have provided to the City to help make sure these arrangements are properly documented, insured and adhered to. In most cases, a license agreement does not require any fees or charges.

The White Bear Lake Youth Football Association has utilized two fields on the west side of Podvin Park for around 25 years. They paid for and installed two scoreboards for the fields at the beginning of the partnership. They recently approached the City to replace the scoreboards which prompted the need to memorialize the arrangement. The proposed license agreement outlines the area to be utilized, the responsibility for maintenance, liability for any damage caused to City property, liability for any costs associated with the improvements and responsibility to remove the improvements if deemed necessary by the City. This particular license agreement does not have an expiration date as the license improvements are somewhat permanent, however the City has the authority to revoke the license with 30 days' notice.

## RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing the Mayor and City Manager to execute a license agreement with the White Bear Lake Youth Football Association for the replacement of the scoreboards at Podvin Park.

## ATTACHMENTS

Resolution

**RESOLUTION NO.**

**RESOLUTION APPROVING A LICENSE AGREEMENT WITH  
THE WHITE BEAR LAKE YOUTH FOOTBALL ASSOCIATION**

**WHEREAS**, the White Bear Lake Youth Football Association utilizes space at Podvin Park to host youth football games and practices; and

**WHEREAS**, for approximately 25 years the Association has maintained electronic scoreboards at Podvin Park; and

**WHEREAS**, the Association desires to replace the current scoreboards at Podvin Park at their expense; and

**WHEREAS**, the City uses license agreements to memorialize certain agreements where outside entities which to utilize or improve public property; and

**WHEREAS**, license agreements set parameters for specific use of public property, liability and responsibility for associated costs.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota that the Mayor and City Manager are hereby authorized to execute a license agreement with the White Bear Lake Youth Football Association for replacement and maintenance of scoreboards at Podvin Park.

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  
 Shea Lawrence, Planning Technician  
**DATE:** May 14, 2024  
**SUBJECT:** Case No. 24-5-LS & V – 1783 Highway 96 Minor Subdivision

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## SUMMARY

The applicant, Ralph Boecker, requests a minor subdivision to split the lot at 1783 Highway 96 into two parcels, per City Code Section 1407.030. The applicant also requests two variances from Section 1303.050, Subd. 5 for parcel B—a 124.8 square foot variance from the 10,500 square foot minimum lot size and a 13.9 foot setback variance to place the garage 16.1 feet from the rear lot line on the newly subdivided lot. Based on the findings made in this report, both the Planning Commission and staff find that the applicant has met the minor subdivision standards of City Code Section 1407.030 and demonstrated a practical difficulty with meeting the City's zoning regulations as required by Minnesota Statute 462.357, Subd. 6 and recommends approval of these requests.

## GENERAL INFORMATION

Applicant/Owner:	Ralph Boecker
Existing Land Use /	Single Family Dwelling
Zoning:	R-3: Single Family Residential
Surrounding Land Use /	North, East & West: R-3 Single Family Residential
Zoning:	South: R-4 Single Family – Two Family Residential
Comprehensive Plan:	Low Density Residential
Lot Size & Width:	Code: 10,500 square feet; 80 ft. wide
	Existing Site: 20,935.2 square feet; 82.5 ft. wide
	Proposed Site A: 10,560 square feet; 82.5 feet wide
	Proposed Site B: 10,375.2 square feet; 82.5 feet wide
60 Day Review Date:	May 18, 2024

## BACKGROUND INFORMATION

The subject site is a double frontage lot located between Eugene Street to the north and

Highway 96 to the south. The lot contains an existing single unit dwelling with an attached garage. The previous house was demolished and in 2019 the current house was constructed. A 33 feet wide utility easement runs along the west side of the property and contains a 15" sanitary sewer line and an 18" storm sewer line.

Planning Commission Action. The Planning Commission reviewed this item during their April 29, 2024 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing where the applicant was the only one to speak. Mr. Boecker provided a brief history of the property and was available for questions. After hearing staff's presentation and some general discussion, the commission voted 6-0 to recommend the City Council approve this request.

## **ANALYSIS**

### Review Authority

City review authority for subdivision applications is considered a Quasi-Judicial action. As such, the City is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance are being followed. Generally, if the application meets these requirements, the subdivision application should be approved. The City also has the authority to add conditions to an approval that are directly related to the application.

City review authority for variance applications is also considered a Quasi-Judicial action. When reviewing variances, the city's role is limited to applying the legal standard of practical difficulties to the facts presented by the application. Generally, if the application meets the review standards, the variance should be approved.

### Minor Subdivision Review

The standards for reviewing subdivision requests are detailed in Subdivision Code Section 1407 of the City Code. Staff has reviewed the lot split request against the standards utilized for other land use requests and provided responses to each as outlined below.

1. Is the proposal consistent with the City's Comprehensive Plan?

**Finding:** The proposed minor subdivision is consistent with the comprehensive plan. The 2040 Land Use Map guides the property as Low Density Residential, which is characterized by a density range of 3 to 9 units per acre. Typical housing types include single family detached and attached when within the density range. The current lot is 2.1 units per acre, which is below the intended density range. Splitting the lot to create another single family lot could bring the density to 4.1 units per acre – which would fall within the intended density range. Therefore the proposal is consistent with the comprehensive plan.

2. Is the proposal consistent with the existing and future land uses in the area?

**Finding:** The surrounding properties are single-unit and two-unit residences. The 2040 Land Use Map in the Comprehensive Plan guides all of the surrounding properties as Low Density Residential. As noted above, the Low Density Residential future land use category allows for

single and two-unit residential dwellings. This application will create two lots consistent with the surrounding development pattern and is consistent with both existing and future land uses in the area.

### 3. Does the proposal conform to the Zoning Code requirements?

**Finding:** Parcel A conforms with all requirements of the zoning code. Parcel B will require two variances for the existing dwelling —a variance from the minimum lot size requirement and a rear yard setback variance.

Lot Width. The R-3 zoning district requires an 80 foot wide lot. Both of the proposed lots meet this standard, as they are 82.5 feet wide.

Lot Size. The R-3 zoning district requires a 10,500 square feet minimum lot area. Parcel A will meet this standard with a square footage of 10,560. Parcel B which contains the existing home, will be 10,375.2 square feet, requiring a 124.8 square foot variance from the lot size minimum. Staff's findings for this variance are detailed in the next section.

Setbacks. There are currently no structures proposed for Parcel A. Future development on the lot will need to comply with the minimum setback requirements and shall not encroach into the existing utility easement.

Parcel B will contain the existing home and attached garage. The front and side yard setbacks for the house will not change as a result of the proposed subdivision and will continue to comply with the setback requirements. The attached garage will sit 16.1 feet from the new rear lot line. Attached garages have the same rear yard setback requirements as the principal structure, which is 30 feet in the R-3 district. Therefore a 13.9 foot rear setback variance is necessary for the garage. Staff's findings for this variance are detailed in the next section.

### 4. Will the proposal depreciate values in the area?

**Finding:** The proposal is not anticipated to depreciate values in the area. Splitting the lot will result in two parcels that are consistent in size with the surrounding neighborhood.

### 5. Will the proposal overburden the existing public services or the capacity of the service area?

**Finding:** The property is served by city water and sewer and the utilities have the capacity to serve the two lots. The newly created Parcel A will be required to connect to city services when the site gets developed. At that time, the developer will also need to pay Metropolitan Council and City SAC (Sewer Availability Charge) and WAC (Water Availability Charge) fees.

### 6. Will traffic generation be within the capabilities of the streets serving the site?

**Finding:** Traffic generation will be within the capabilities of the street serving the site. The

existing house, located on Parcel B, will continue to utilize Highway 96 to access the property. Parcel A will access the property off of Eugene Street. The number of trips generated by the addition of one single unit property is minimal and is not expected to negatively impact traffic. Additionally, for Parcel A to be developed as a single unit home, it would be required to have a 2 car garage, so there will be adequate off street parking.

Variance Review. The standards for reviewing variances are detailed in Minnesota State Statute 462.357, Subdivision 6. In summary, variances may be granted when the applicant establishes there are "practical difficulties" in complying with the zoning regulations. A practical difficulty is defined by the five questions listed below. Economic considerations alone do not constitute a practical difficulty. In addition, under the statute the City may choose to add conditions of approval that are directly related to and bear a rough proportionality on the impact created by the variance.

Staff has reviewed the variance request against the standards detailed in Minnesota State Statute 462.357, Subdivision 6 and finds the applicant has demonstrated a practical difficulty. The standards for reviewing a variance application and staff's findings for each are provided below.

1. Is the variance in harmony with the purposes and intent of the ordinance?

**Finding:**

Rear Setback Variance. The variance is in harmony with the purposes and intent of the ordinance. Attached garages have the same rear yard setback requirements as the principal structure, whereas a detached garage requires a 5 foot rear setback. The intent with the increased setback requirement for an attached garage is to provide a greater buffer between the property line and living space. The attached garage on the house does not contain any living space above it and the living space is setback 40 feet from the rear property line, therefore the variance is in harmony with the intent of the ordinance.

Lot Size Variance. The variance is in harmony with the purposes and intent of the ordinance. The purpose of the R-3 zoning district is to "provide for single family detached residential dwelling units at a density higher than that permitted in the R-2, Single Family District along with directly related and complementary uses." Currently the property exceeds the minimum lot size requirement of the R-2 district and therefore is inconsistent with the intent of the R-3 district being denser than R-2 properties. Splitting the lot with the lot size variance creates the opportunity for density that is more consistent with the ordinance.

2. Is the variance consistent with the comprehensive plan?

**Finding:**

Rear Setback Variance. The setback variance is not inconsistent with the comprehensive plan. The comprehensive plan does not prescribe specific details such as setback requirements for principal and accessory buildings. Splitting the lot in a manner that creates two lots of similar

size and dimensions as the properties to the east would require a rear yard setback variance due to the location of the attached garage.

One of the guiding principles in the Land Use chapter of the 2040 Comprehensive Plan reads, "Continue to focus resources on redevelopment and reinvestment... while the City is nearly built out, underutilized and appropriately situated sites offer the opportunity to redevelop land more efficiently and to introduce increased density along higher intensity corridors and activity nodes throughout the City." The large lot provides an opportunity to increase the city's housing stock through a minor subdivision. Subdividing this lot with the proposed lot line and subsequent rear setback variance, creates two properties that are similar in size and dimension to the properties to the east while aligning to the intended density for the Low Density Residential future land use designation.

Lot Size Variance. The requested variance is consistent with the 2040 Comprehensive Plan. The Future Land Use Map in the 2040 Comprehensive Plan guides the property as Low Density Residential. The density range for properties guided Low Density Residential is 3 to 9 units per acre. Currently the property is at a density of 2.1 units per acre. Splitting the lot and granting the lot size variance creates the potential to increase the density of the lots so that it falls within the intended range for the Low Density Residential designation. The addition of a single unit property could increase the density to 4.1 units per acre. Therefore, staff finds the variance is consistent with the comprehensive plan.

3. Does the proposal put the property to use in a reasonable manner?

**Finding:**

Rear Setback Variance. The proposal puts the properties to use in a reasonable manner. When the property was developed there were limited places where a garage could be located. There is a 33 foot wide utility easement on the west side of the property where structures cannot be located. Additionally because the lot is currently a double frontage lot, no detached garage would have been permitted in either front yard because an accessory structure cannot be located in front of the house. Also there is no living space located above the attached garage, so the living space is setback 40 feet from the rear lot line. Granting the 13.9 foot setback variance for the attached garage is reasonable.

Lot Size Variance. Splitting the subject property in two and granting a 124.8 square foot variance for Parcel B puts the properties to use in a reasonable manner. Both the Low Density Residential designation and the R-3 zoning district allow for single unit dwellings. Splitting the lots and granting the lot size variance creates the opportunity to make the lots more consistent with the intent of the R-3 zoning district and brings the properties closer to the intended density for the Low Density Residential designation. Additionally, the lots would be consistent in size with the lots located to the east that contain single and two unit dwellings.

4. Are there unique circumstances to the property not created by the landowner?

**Finding:**

Rear Setback Variance. There are unique circumstances to the property not created by the homeowner. The property is a double frontage lot and contains a 33 foot wide utility easement on the west side of the lot. Because the property is currently a double frontage lot and contains a large easement, there would have been limited locations to construct the garage when the home was built in 2019. Therefore, the garage was constructed on the back of the house 16.1 feet from the newly proposed rear lot line and a rear setback variance is required to split the lot to have a depth consistent with the neighboring properties to the east. The attached garage is located on the north side of the home and there is no living space located above it. The living space is setback 40 feet from the rear property line.

Lot Size Variance. There are unique circumstances to the property not created by the homeowner. The current zoning standards are not reflective of the way the properties in this area were developed. The properties to the west are much larger than what is required for the R-3 zoning district leading to lower density than what is intended for the R-3 district, whereas the properties to the east are similar in size or even smaller than what is proposed.

5. Will the variance, if granted, alter the essential character of the locality?

**Finding:**

Rear Setback Variance. Granting the rear yard variance for the garage will not alter the essential character of the locality. Because the garage is attached it has the same setback requirement as the principal structure. The garage is attached on the back side of the house and does not have any living space above it. Lots to the east have detached garages located closer to their rear lot lines, so granting this variance would not alter the character of the locality.

Lot Size Variance. Granting the requested lot size variance will not alter the essential character of the locality. The two lots abutting the property to the east are nearly the exact same size as the size proposed for Parcel A and Parcel B according to Ramsey County's website. The properties to the east of the subject site, both the ones that front on Highway 96 and the ones the front on Eugene, are similar in size. Some of the lots to the east are as small as 6,350 square feet in size.

**RECOMMENDATION**

The Planning Commission and staff recommend the City Council adopt the attached resolution approving the requests subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Within 6 months after the approval of the survey by the City, the applicant shall record the survey, along with the instruments of conveyance with the County Land Records Office, or the subdivision shall become null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of any lot.

4. The applicant shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with a final recorded copy of the Certificate of Survey.
5. The applicant shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
6. Durable iron monuments shall be set at the intersection points of the new lot lines with existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
7. The park dedication fee shall be collected for Parcel A at the time when a building permit is issued. That fee shall be based on the park dedication fee in place at the time of the building permit.
8. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit for Parcel A.
9. Water and sewer hook-up fees shall be collected at the time when a building permit is issued for Parcel A.
10. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit for new construction on either parcel.
11. The City will not issue any permit for, and the property shall not place, any structure within the existing utility easement that may interfere with the function of the easement.

**ATTACHMENTS**

Resolution

Zoning/Location Map

Applicant's Narrative & Plans

## **RESOLUTION NO.**

### **RESOLUTION GRANTING A MINOR SUBDIVISION AND TWO VARIANCES FOR 1783 HIGHWAY 96 WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, Ralph Boecker has requested a minor subdivision, per code section 1407.030 and two variances from code section 1303.050 Subd. 5 for parcel B – a 124.8 square foot variance from the 10,500 square foot minimum lot size and a 13.9 foot setback variance to place the garage 16.1 feet from the rear lot line on the newly subdivided lot at the following location:

LEGAL DESCRIPTION: Attached as Exhibit A.

**WHEREAS**, the Planning Commission held a public hearing as required by the Zoning Code on April 29, 2024; and

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

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

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

**BE IT FURTHER RESOLVED** by the City Council of the City of White Bear Lake, Minnesota that, in relation to the variances, the City Council accepts and adopts the following findings of the Planning Commission:

1. The requested variances are in harmony with purposes and intent of the ordinance.
2. The requested variances are consistent with the 2040 Comprehensive Plan.
3. Granting the requested variances will allow the property to be used in a reasonable manner.
4. There are unique circumstances to the property not created by the landowner.
5. Granting the requested variances alone will not alter the essential character of the



## RESOLUTION NO.

neighborhood.

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Within 6 months after the approval of the survey by the City, the applicant shall record the survey, along with the instruments of conveyance with the County Land Records Office, or the subdivision shall become null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of any lot.
4. The applicant shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with a final recorded copy of the Certificate of Survey.
5. The applicant shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
6. Durable iron monuments shall be set at the intersection points of the new lot lines with existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
7. The park dedication fee shall be collected for Parcel A at the time when a building permit is issued. That fee shall be based on the park dedication fee in place at the time of the building permit.
8. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit for Parcel A.
9. Water and sewer hook-up fees shall be collected at the time when a building permit is issued for Parcel A.
10. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit for new construction on either parcel.
11. The City will not issue any permit for, and the property shall not place, any structure within the existing utility easement that may interfere with the function of the easement.

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

Ayes:

Nays:

Passed:

---

Dan Louismet, Mayor

**RESOLUTION NO.**

**ATTEST:**

---

Caley Longendyke, City Clerk

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

---

Applicant's Signature

Date

**RESOLUTION NO.**

**EXHIBIT A**

**EXISTING LEGAL DESCRIPTION**

The South 293.76 feet of the West 82.5 feet of the Southwest Quarter of the Southwest Quarter of Section 14, Township 30, Range 22, Ramsey County, Minnesota.

**PROPOSED LEGAL DESCRIPTIONS**

**LOT 1**

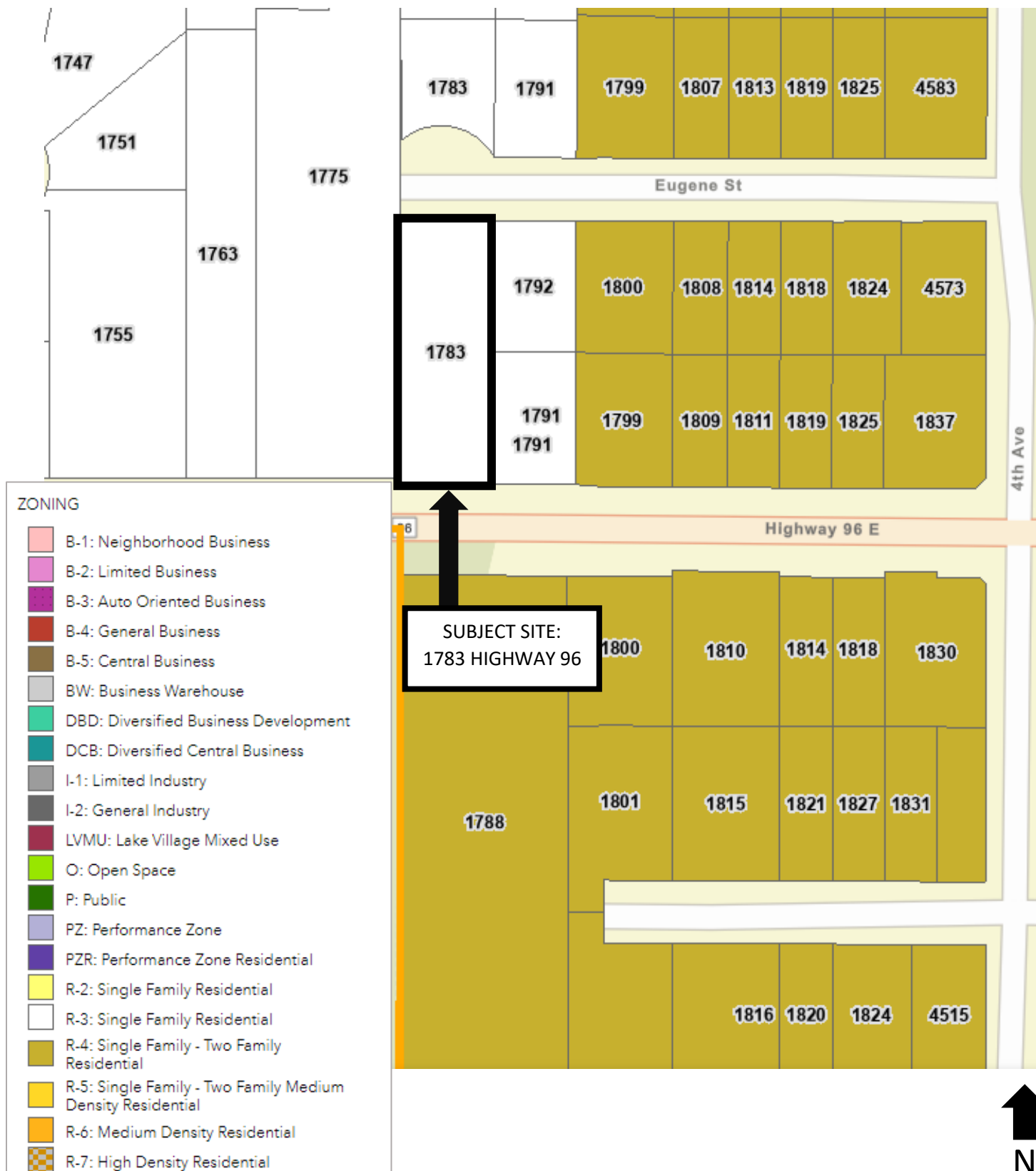
**PARCEL A**


The North 128 feet of the South 293.76 feet of West 82.5 feet of the Southwest Quarter of the Southwest Quarter of Section 14, Township 30, Range 22, Ramsey County, Minnesota.

**LOT 2**

**PARCEL B**

The South 165.76 feet of the West 82.5 feet of the Southwest Quarter of the Southwest Quarter of Section 14, Township 30, Range 22, Ramsey County, Minnesota.



 <p>City of White Bear Lake Planning &amp; Zoning 651-429-8561</p>	<b>CASE NO.</b> : <u>24-5-LS &amp; V</u>
	<b>CASE NAME</b> : <u>Boecker</u>
	<b>DATE</b> : <u>April 29, 2024</u>

City of White Bear Lake

March 18, 2024

Re: Land use Application 24-5-LS 1783 Highway 96

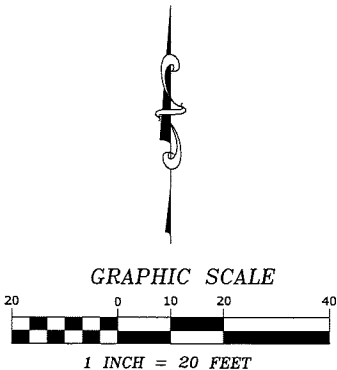
I request two deviation from code--  
a 124.8 square foot variance from the 10,500 square  
foot minimum lot size for parcel B and a 13.9 foot  
variance from the 30 foot setback from the rear  
lot line to place the garage on parcel B 16.1 feet  
from the newly subdivided lot.

Sincerely,

Ralph Becker

MINOR SUBDIVISION

~for~ RALPH BOECKER  
~of~ 1783 HIGHWAY 96  
WHITE BEAR LAKE, MN 55110



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- ⊙ DENOTES RAMSEY COUNTY CAST IRON MONUMENT
- x1011.2 DENOTES EXISTING ELEVATION
- AC DENOTES AIR CONDITIONING UNIT
- DENOTES CATCH BASIN
- ⊠ DENOTES CABLE PEDESTAL
- ⊡ DENOTES ELECTRICAL BOX
- ⊢ DENOTES FIBER OPTIC BOX
- ⊣ DENOTES GAS METER
- ⊤ DENOTES HYDRANT
- ⊥ DENOTES LIGHT POLE
- ⊦ DENOTES POWER POLE
- ⊧ DENOTES SANITARY SEWER MANHOLE
- ⊨ DENOTES TELEPHONE PEDESTAL
- ⊩ DENOTES WATER VALVE
- x—x— DENOTES FENCE
- wavy— DENOTES RETAINING WALL
- dashed— DENOTES EXISTING CONTOURS
- >>>— DENOTES EXISTING SANITARY SEWER
- >>>— DENOTES EXISTING STORM SEWER
- |— DENOTES EXISTING WATER MAIN
- OHU— DENOTES OVERHEAD UTILITY
- GAS— DENOTES UNDERGROUND GAS LINE
- hatched— DENOTES BITUMINOUS SURFACE
- dotted— DENOTES CONCRETE SURFACE
- diagonal— DENOTES GRAVEL SURFACE
- cross-hatched— DENOTES PAVER SURFACE
- adjacent owner info— DENOTES ADJACENT PARCEL OWNER INFORMATION (PER RAMSEY COUNTY TAX INFORMATION)

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 01/29/24.
- Bearings shown are on Ramsey County datum.
- Parcel ID Number: 14-30-22-33-0111.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Surveyed premises shown on this survey map is in Flood Zone X (Areas determined to be outside the 0.2% annual chance floodplain.), according to Flood Insurance Rate Map Community No. 270386 Panel No. 0035 Suffix G by the Federal Emergency Management Agency, effective date June 04, 2010.

EXISTING ZONING

R-3 SINGLE FAMILY RESIDENTIAL

MIN. LOT SIZE: 10,500 SF  
MIN. LOT WIDTH: 80 FEET

BUILDING SETBACKS

FRONT: 30 FEET  
SIDE: 10 FEET  
REAR: 30 FEET

EXISTING LEGAL DESCRIPTION

(PER DOC. NO. 1881762)

The South 293.76 feet of the West 82.5 feet of the Southwest Quarter of the Southwest Quarter of Section 14, Township 30, Range 22, Ramsey County, Minnesota.

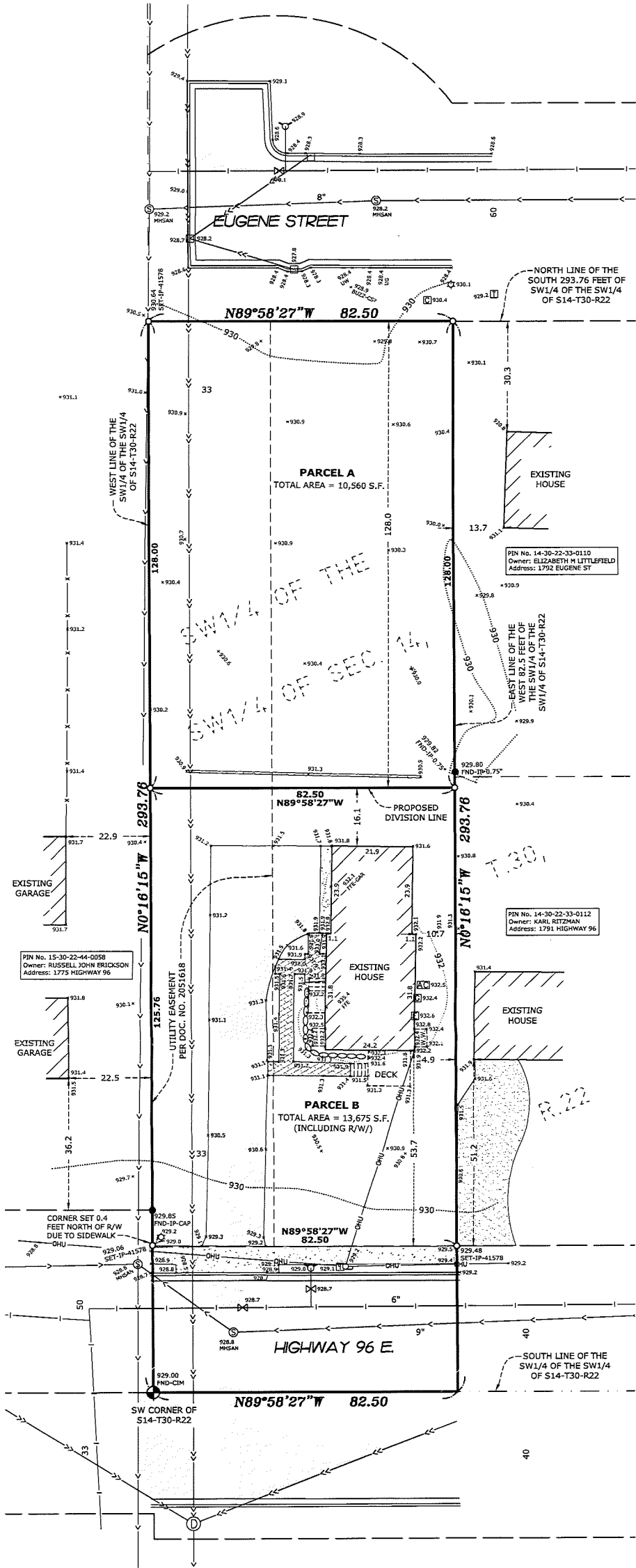
PROPOSED LEGAL DESCRIPTIONS

PARCEL A

The North 128 feet of the South 293.76 feet of West 82.5 feet of the Southwest Quarter of the Southwest Quarter of Section 14, Township 30, Range 22, Ramsey County, Minnesota.

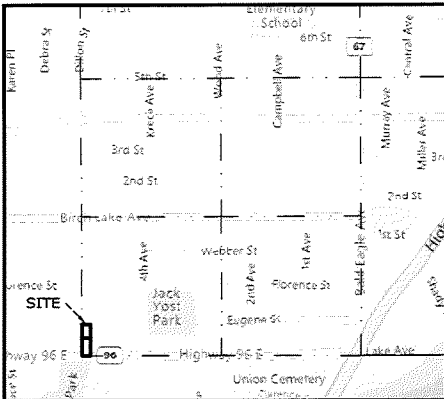
PARCEL B

The South 165.76 feet of the West 82.5 feet of the Southwest Quarter of the Southwest Quarter of Section 14, Township 30, Range 22, Ramsey County, Minnesota.



VICINITY MAP

PART OF SEC. 14, TWP. 30, RNG. 22



RAMSEY COUNTY, MINNESOTA  
(NO SCALE)

BENCHMARK

MNDOT BM: 9075  
ELEVATION: 929.89  
DATUM: NAVD 88

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

JASON E. RUD

Date: 02/19/2024 License No. 41578

DRAWN BY: BCD	JOB NO: 240049BT	DATE: 02/19/24
CHECK BY: JER	FIELD CREW: CB	
1		
2		
3		
NO.	DATE	DESCRIPTION
BY		



**E.G. RUD & SONS, INC.**  
Professional Land Surveyors  
6776 Lake Drive NE, Suite 110  
Lino Lakes, MN 55014  
Tel. (651) 361-8200 Fax (651) 361-8701



**City of White Bear Lake**  
Engineering Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Paul Kauppi, Public Works Director/City Engineer  
**Date:** May 14, 2024  
**Subject:** **Minnesota Department of Health Source Water Protection Implementation Grant**

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## SUMMARY

The City Council will adopt a resolution accepting a Source Water Protection Implementation Grant and authorizing the Mayor and City Manager to enter into a grant agreement with the Minnesota Department of Health.

## BACKGROUND INFORMATION

The City is replacing an existing backup generator at one of the City's water supply wells, which has reached the end of its useful life. There is also a detached fuel tank stored near the well, which could leak if the tank is not removed or replaced. The new backup generator will utilize natural gas so a fuel tank will no longer be needed.

The Minnesota Department of Health (MDH) offers source water protection implementation grants to public water suppliers with the goal of providing long-term, sustainable management of drinking water sources.

The City applied for and was awarded one of the MDH grants for the removal of the existing fuel tank at one of the water supply wells, which funds a maximum of \$10,000. Staff estimates that the cost to remove the fuel tank is around \$2,000. However, actual costs will be known once the project is bid.

## RECOMMENDATION

Staff recommends the City Council adopt the attached resolution accepting a Source Water Protection Implementation Grant and authorizing the Mayor and City Manager to enter into a grant agreement with the Minnesota Department of Health.

## ATTACHMENTS

Resolution

**RESOLUTION NO.**

**RESOLUTION ACCEPTING A SOURCE WATER PROTECTION IMPLEMENTATION GRANT FROM  
THE MINNESOTA DEPARTMENT OF HEALTH AND AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A GRANT AGREEMENT**

**WHEREAS**, the City of White Bear Lake is replacing a backup generator and fuel tank at one of its water supply wells and replacing it with a natural gas-powered generator; and

**WHEREAS**, the Minnesota Department of Health (MDH) offers source water protection implementation grants to public water suppliers for the removal of fuel tanks near water supply wells; and

**WHEREAS**, the City applied for and was awarded a source water protection implementation grant of up to \$10,000 that covers the cost of removing the existing fuel tank.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota that the City accepts the Source Water Protection Plan Implementation Grant from the Minnesota Department of Health

**BE IT FURTHER RESOLVED** that the City Council of the City of White Bear Lake, Minnesota hereby authorizes the City Manager and Mayor to enter into a grant agreement with the Minnesota Department of Health.

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:** Dale Hager, Chief of Police  
**Date:** May 14, 2024  
**Subject:** Minnesota Department of Public Safety Firearms Storage Grant

---

## SUMMARY

The City Council will consider adopting a resolution accepting a firearms storage grant in the amount of \$5,100.13 from the Minnesota Department of Public Safety.

## BACKGROUND INFORMATION

Pursuant to State Statute 465.03, 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 City Council adopted by a two-thirds majority of its members.

Effective January 1, 2024, Minnesota law allows certain people to request an order from the court to prohibit someone from purchasing or possessing a firearm. This type of order is called an Extreme Risk Protection Order (ERPO). An ERPO may be issued if a person poses a significant danger of bodily harm to others and/or is at significant risk of suicide if they possess a firearm.

With the possibility of having to confiscate and store firearms in accordance with the new ERPO law, staff found a need to update the Police Department's existing firearms storage capabilities. Therefore, staff applied for, and was awarded, a \$5,100.13 grant from the Minnesota Department of Public Safety enabling the City to purchase adequate firearms storage lockers, evidence lockers, and safes in order to safely and effectively handle a larger quantity of firearms.

## RECOMMENDATION

Staff recommends the City Council adopt the attached resolution accepting a firearms storage grant in the amount of \$5,100.13 from the Minnesota Department of Public Safety and authorizing the Mayor and City Manager to execute the grant agreement.

## ATTACHMENTS

Resolution

**RESOLUTION NO.**

**A RESOLUTION ACCEPTING A GRANT THROUGH THE FIREARMS STORAGE GRANT PROGRAM,  
ADMINISTERED BY THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY**

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

**WHEREAS**, Extreme Risk Protection Orders (ERPO) was passed by the Minnesota legislature and signed into law by Minnesota Governor Walz; and

**WHEREAS**, ERPO will require law enforcement agencies around the state, including the Police Department, to safety store more handguns and rifles, potentially for extended periods of time; and

**WHEREAS**, the City has been awarded a firearms storage grant from the Minnesota Department of Public Safety to assist in updating the Police Department's firearms storage capabilities; and

**WHEREAS**, the City Council finds it is appropriate to accept the grant offered for the benefit of its citizens.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of White Bear Lake, Minnesota, that a \$5,100.13 grant from the Firearms Storage Grant administered by the Minnesota Department of Public Safety is hereby accepted, and shall be allocated to expenses related to the costs of new firearms storage lockers, evidence lockers, and safes.

**BE IT FURTHER RESOLVED** by the City Council that the Mayor, City Manager, and City Attorney are hereby authorized and directed to execute the grant agreement.

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**  
Fire Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Greg Peterson, Fire Chief  
**Date:** May 14, 2024  
**Subject:** Swear-in Assistant Fire Chief / Fire Marshal

---

## SUMMARY

I will introduce our newly hired Assistant Fire Chief / Fire Marshal, Josh Waylander to the City Council, the City Clerk will administer the oath of office, and a pinning ceremony will conclude the presentation.

## RECOMMENDATION

None – Information sharing only.

## ATTACHMENTS

None



**City of White Bear Lake**  
City Manager's Office

# MEMORANDUM

**To:** Mayor and City Council  
**From:** Lindy Crawford, City Manager  
**Date:** May 14, 2024  
**Subject:** MCMA Outstanding Service Award Recognition – Rick Juba

---

## SUMMARY

The City Council will recognize Assistant City Manager Rick Juba, who recently received the 2024 Minnesota City/County Managers Association Outstanding Service Award.

## BACKGROUND INFORMATION

Each year, the MN City/County Managers Association (MCMA) awards two deserving local government managers with public service awards. One of the awards is the Outstanding Service Award, which *“recognizes and celebrates members who have made contributions to MCMA, the public management profession, and/or their organization. Award recipients play crucial roles in their organization by providing leadership from a non-CEO role. These individuals are dedicated to a career as a local government professional and demonstrate a passion for ethical public service.”*

On May 2, the 2024 MCMA Outstanding Service Award was given to Assistant City Manager Rick Juba. I will read Juba's nomination at the meeting and the City Council will recognize his accomplishments.

## RECOMMENDATION

None – Information sharing only.

## ATTACHMENTS

None



**City of White Bear Lake**  
City Manager's Office

# MEMORANDUM

**To:** Mayor and Council  
**From:** Lindy Crawford, City Manager  
**Date:** May 14, 2024  
**Subject:** National Public Works Week Proclamation

---

## SUMMARY

The Mayor will read a proclamation recognizing White Bear Lake public works professionals and the observation of National Public Works Week, May 19- 25, 2024.

## BACKGROUND INFORMATION

National Public Works Week recognizes the professionals who focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the White Bear Lake Community. The City publicly recognizes its public works professionals for their service to the City of White Bear Lake and in communities across the nation.

The City will celebrate National Public Works Week by hosting a family friendly open house on Wednesday, May 22 from 5-7pm at the Public Works facility (3950 Hoffman Road).

## ATTACHMENTS

None



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

# MEMORANDUM

**TO:** Lindy Crawford, City Manager  
**FROM:** Jason Lindahl AICP, Community Development Director  
 Ashton Miller, City Planner  
**DATE:** May 14, 2024  
**SUBJECT:** Vadnais Lot Split – 5005 Bald Eagle Avenue – Case No. 24-7-LS

---

## SUMMARY

The applicants, Robert and Deb Waag on behalf of owner Roberta Vadnais, request a minor subdivision to split the property at 5005 Bald Eagle Avenue into two parcels. Additionally, the applicants are requesting a vacation of the existing drainage and utility easements on the property in order to re-establish them along the new lot line. Based on the findings made in this report, both the Planning Commission and staff recommends approval of this request.

## GENERAL INFORMATION

Applicant/Owner: Robert and Deb Waag / Roberta Vadnais

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

Surrounding Land Use / Zoning: North, South & West: Single-Family Homes; zoned R-3  
 East: White Bear Lake Area High School; zoned P: Public

Comprehensive Plan: Low Density Residential

Lot Size & Width: Code: 10,500 square feet; 80 feet wide  
 Site: 40,676 square feet; 107 feet wide  
 Proposed Parcel A: 15,275 square feet; 90 feet wide  
 Proposed Parcel B: 25,302 square feet; 107 feet wide

60 Day Review Date: May 24, 2024

## BACKGROUND INFORMATION

The subject site contains a single-family home with two detached garages. The city does not have record of when the garage on the south side of the property was constructed. A size variance was granted in 1974 for the construction of the garage on the north side of the lot as the two garages combined exceeded the allowable accessory structure square footage.

The lot was originally platted in 1907 as part of Auditor's subdivision number 49. Parcels were carved out over time and then the western portion was subdivided as part of White Bear Meadows Second Addition in 1988. It is unclear when the western lot was tied to the lot that abuts Bald Eagle Avenue as lot combinations can be completed directly with Ramsey County without city review.

The current request to subdivide the lot is similar to the previous approval in 1988, with a slight alteration to the shared lot line. There are no plans to develop the newly created lot at this time and the single unit home with detached garage will continue to exist on parcel B. As a part of this request, the applicants are proposing to vacate the existing drainage and utility easements and re-establish them around the new lot lines.

Community Comment. The White Bear Lake City Charter requires the City Council to hold a public hearing for vacation of easements. Accordingly, the City published notice of this request in the White Bear Press and mailed notice directly to adjacent owners of the subject site. That notice directed all interested parties to send questions or comments to the Planning Department by mail, phone, or email or to attend the public hearing where they could learn about the request, ask questions, and provide feedback. The city received one call from the neighbor to north, Julie Heimerl, at 5015 Bald Eagle Avenue, who inquired about the request, but did not provide any comment. During the public hearing, staff will provide an update if any public comments are received prior to the City Council meeting.

A public hearing is not required for the minor subdivision portion of the request. As a result, the city has not received public comments about the proposed subdivision.

## **ANALYSIS**

Review Authority. City review authority for subdivision applications is considered a Quasi-Judicial action. As such, the city is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance are being followed. Generally, if the application meets these requirements, the subdivision application should be approved. The city also has the authority to add conditions to an approval that are directly related to the application.

Minor Subdivision Review. The standards for reviewing subdivision requests are outlined in section 1401 of the city code. Section 1407.030 allows requests for lot splits to be exempt from the formal platting requirements when the following conditions are met:

- The subdivision results in fewer than three lots;
- Public utilities and street right-of-ways serve the parcel;
- The new legal description does not rely on metes and bounds and is not overly complicated; and
- The newly created property lines will not cause any resulting lot to be in violation of the regulations or the zoning code.

Staff has reviewed the lot split request against the standards utilized for other land use requests and has provided the following analysis.

1. Is the proposal consistent with the City's Comprehensive Plan?

**Finding:** The Future Land Use Map in the 2040 Comprehensive Plan guides the subject property as Low Density Residential, which is characterized by a density range of 3 to 9 units per acre. Typical housing types include single family detached and attached. The property is currently at a density of 1.1 units per acre. The subdivision will increase the density to 2.2 units per acre, bringing the area closer to conformance with the land use designation prescribed in the 2040 Comprehensive Plan.

2. Is the proposal consistent with existing and future land uses in the area?

**Finding:** The proposal is consistent with the existing and future land uses in the area. The surrounding neighborhood is zoned R-3, Single Family and primarily consists of detached single unit housing with the exception of the high school on the east side of Bald Eagle Avenue. According to the applicant, there are no plans to build on the newly created lot at this time. Future use of newly created lot will be subject to the uses and development standards of the Low Density Residential Future Land Use designation and R-3, Single Family zoning classification.

3. Does the proposal conform to the zoning code requirements?

**Finding:** The proposed lot split will create two lots that exceed the minimum lot width and size requirements for properties in the R-3 zoning district. When all setback requirements are accounted for on the newly created parcel, there is adequate buildable area to construct a home without variance.

There is one existing nonconformity on the property and one nonconformity that will result from the lot split. First, the existing garage on parcel B was constructed too close to the southern property line and does not meet the 5 foot minimum setback requirement. As this is an existing building, it is considered legal nonconforming or “grandfathered in” and can be repaired, maintained or even replace but cannot be expanded consistent with Minnesota Statute 462.357, Subd. 1e. The garage will meet the setback from the newly created lot line.

Second, splitting these lots will result in an accessory garage on parcel A without a principal use (i.e. single unit home). Staff has included a condition of approval that the existing accessory garage shall not be used until a principal use is constructed on the lot. If a principal use is not constructed within 3 years, the city may require the accessory building to be demolished and removed from the property at the owner’s expense.

4. Will the proposal depreciate values in the area?



**Finding:** The proposal will not depreciate values in the area. Splitting the subject property in to two lots that meet the R-3 zoning standards will allow for additional investment and housing options in the surrounding neighborhood.

5. Will the proposal overburden the existing public services nor the capacity of the City to service the area?

**Finding:** The proposal will not overburden the existing services. The home that fronts Bald Eagle Avenue is already tied into city sewer and water and there are sanitary and water utilities available for a future new home on the lot abutting Campbell Circle.

6. Will traffic generation be within the capabilities of the streets serving the site?

**Finding:** The number of access points to Bald Eagle Avenue will not change with this proposal. The Campbell Circle cul-de-sac is sufficient in size to accommodate the traffic generated by one additional dwelling unit.

Easement Vacation. 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 vacation request, the City Council must find that the easement is no longer necessary and have no public purpose. In this case, the applicants are requesting to vacate the existing drainage and utility easements on the property in order to re-establish them along the new lot line. Both Planning and Engineering staff have reviewed this request and find that the existing easements are no longer necessary and have no public purpose as they served the existing parcel and the applicant will establish new easements to serve the two new parcels.

## RECOMMENDATION

The Planning Commission and staff recommend approval of the following:

1. A minor subdivision at 5005 Bald Eagle Avenue, subject to the following conditions:
  - a. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
  - b. Within 6 months after the approval of the survey by the city, the applicant shall record the survey, along with the instruments of conveyance with the County Land Records Office, or the subdivision shall become null and void.
  - c. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of any lot.
  - d. The application shall provide the city with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with a final recorded copy of the certificate of survey.
  - e. The applicant shall agree to reapportion any pending or actual assessments on the

- original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the city of White Bear Lake finance office schedules.
- f. Durable iron monuments shall be set at the intersection points of the new lot lines with existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
  - g. The park dedication fee for parcel A shall be paid at the time when a building permit is issued. That fee shall be based on the City's park dedication requirement when a building permit is issued.
  - h. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and city SAC and WAC shall be due at the time of building permit for parcel A.
  - i. Water and sewer hook-up fees shall be collected at the time when a building permit is issued for parcel A.
  - j. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit for new construction on parcel A.
  - k. The applicant must dedicate easements as illustrated on the survey or as approved by the City Planner and City Engineer.
  - l. No accessory use of parcel A, including use of the existing accessory garage, will be allowed until a certificate of occupancy issued for a principal use. If no certificate of occupancy for a principal use is approved for parcel A within 3 years of the date of this Minor Subdivision, the city may require the accessory building to be demolished and removed from the site at the property owner's expense.
  - m. The applicant shall remove the existing driveway on Parcel B so that it does not encroach on to Parcel A or into any drainage and utility easement for Parcel A or Parcel B.
  - n. The applicant shall enter into an easement encroachment agreement for the accessory building on Parcel B.
2. Vacation of the drainage and utility easements at 5005 Bald Eagle Avenue, subject to the following conditions:
    - a. All conditions related to the subdivision, including, but not limited to, the petitioner's granting of new drainage and utility easements to the city, are duly satisfied and the petitioner reimburse the City for all costs and expenses related to these proceedings.
    - b. 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. If the petitioner is required to record said instrument in conjunction with effectuating the subdivision described above, it shall do so only in accordance with the city attorney's recording instructions.
    - c. City staff is hereby authorized to take any other steps or actions that are deemed necessary or convenient to carry out the intent

## **ATTACHMENTS**

Resolutions

Existing and Proposed Land Surveys

**RESOLUTION NO.**

**RESOLUTION GRANTING A MINOR SUBDIVISION FOR  
5005 BALD EAGLE AVENUE WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, Roberta Vadnais (24-7-LS) has requested a minor subdivision, per code section 1407.030, in order to split one lot into two at the following location:

LEGAL DESCRIPTION: Attached as Exhibit A.

**WHEREAS**, the Planning Commission has reviewed this proposal on April 29, 2024; and

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

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

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

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Within 6 months after the approval of the survey by the city, the applicant shall record the survey, along with the instruments of conveyance with the County Land Records Office, or the subdivision shall become null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of any lot.
4. The application shall provide the city with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with a final recorded copy of the certificate of survey.
5. The applicant shall agree to reapportion any pending or actual assessments on the original

**RESOLUTION NO.**

parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the city of White Bear Lake finance office schedules.

6. Durable iron monuments shall be set at the intersection points of the new lot lines with existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
7. The park dedication fee for parcel A shall be paid at the time when a building permit is issued. That fee shall be based on the City's park dedication requirement when a building permit is issued.
8. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and city SAC and WAC shall be due at the time of building permit for parcel A.
9. Water and sewer hook-up fees shall be collected at the time when a building permit is issued for parcel A.
10. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit for new construction on parcel A.
11. The applicant must dedicate easements as illustrated on the survey or as approved by the City Planner and City Engineer.
12. No accessory use of parcel A, including use of the existing accessory garage, will be allowed until a certificate of occupancy issued for a principal use. If no certificate of occupancy for a principal use is approved for parcel A within 3 years of the date of this Minor Subdivision, the city may require the accessory building to be demolished and removed from the site at the property owner's expense.

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

Ayes:

Nays:

Passed:

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

**ATTEST:**

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

\*\*\*\*\*

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

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

## **RESOLUTION NO.**

### **EXHIBIT A**

#### **EXISTING LEGAL DESCRIPTION**

That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, overlying all that part of Lot 3, AUDITORS SUBDIVISION NO. 49, described as follows:

Commencing on the Southeasterly corner of said Lot 3; thence Northerly along the Easterly line of said Lot, 107.11 feet; thence Westerly parallel to the South line of said Lot, 230 feet; thence Northerly parallel to the Easterly line of said Lot, 26 feet; thence Westerly parallel to the Southerly line of said Lot, 597.53 feet to the West line of said Lot; thence South along the West line of said Lot, 133.11 feet to the Southwesterly corner thereof; thence East along the South line of said Lot, 827.53 feet to the point of beginning, except the East 230.00 feet thereof.

TORRENS Certificate No. 360971

AND

East 230 feet of the following described property:

That part of Lot 3, AUDITOR'S SUBDIVISION NO. 49, described as follows:

Commencing on the Southeasterly corner of said Lot 3; thence Northerly along the Easterly line of said Lot, 107.11 feet; thence Westerly parallel to the South line of said Lot, 230 feet; thence Northerly parallel to the Easterly line of said Lot, 26 feet; thence Westerly parallel to the Southerly line of said Lot, 597.53 feet to the West line of said Lot; thence South along the West line of said Lot, 133.11 feet to the Southwesterly corner thereof, thence East along the South line of said Lot, 827.53 feet to the point of beginning.

TORRENS Certificate No. 613727

#### **PROPOSED LEGAL DESCRIPTIONS**

##### **PARCEL A**

That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, Ramsey County, Minnesota, lying North of the South line of Lot 3, AUDITOR'S SUBDIVISION NO. 49, Ramsey County, Minnesota, and lying Westerly of the following described line:

Commencing on the Southeasterly corner of said Lot 3; thence Northerly along the Easterly line of said Lot 3, 107.11 feet; thence Westerly parallel to the South line of said Lot 3, 230 feet, more or less, to a point on an Easterly line of said Lot 7, Block 2; thence Southwesterly to an angle point on the Southerly line of said Lot 7, Block 2, being 77.89 feet northeasterly of the most Southerly corner of said Lot 7, Block 2, and said line there terminating.

TORRENS

AND

That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, Ramsey County, Minnesota lying Southerly of the South line of Lot 3, AUDITOR'S SUBDIVISION NO. 49 and Westerly of the following described line:

Commencing on the Southeasterly corner of said Lot 3; thence Northerly along the Easterly line of said Lot 3, 107.11 feet; thence Westerly parallel to the South line of said Lot 3, 230 feet, more or less, to a point on an Easterly line of said Lot 7, Block 2; thence Southwesterly to an angle point on the Southerly line of said Lot 7, Block 2, being 77.89 feet northeasterly of the most Southerly corner of said Lot 7, Block 2, and said line there terminating.

ABSTRACT

## **RESOLUTION NO.**

### **PARCEL B**

That part of Lot 3, AUDITOR'S SUBDIVISION NO. 49, Ramsey County, Minnesota, described as follows: Beginning at the Southeasterly corner of said Lot 3; thence Northerly along the Easterly line of said Lot 3, 107.11 feet; thence Westerly parallel to the South line of said Lot 3, 230 feet, more or less, to the West line of the East 230 feet of said Lot 3; thence Southerly, parallel with the East line of said Lot 3 to the South line of said Lot 3; thence Easterly, along said South line of Lot 3 to the point of beginning.

AND

That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, Ramsey County, Minnesota, lying North of the South line of Lot 3, AUDITOR'S SUBDIVISION NO. 49, Ramsey County, Minnesota, and lying Easterly of the following described line:

Commencing on the Southeasterly corner of said Lot 3; thence Northerly along the Easterly line of said Lot 3, 107.11 feet; thence Westerly parallel to the South line of said Lot 3, 230 feet, more or less, to a point on an Easterly line of said Lot 7, Block 2; thence Southwesterly to an angle point on the Southerly line of said Lot 7, Block 2, being 77.89 feet northeasterly of the most Southerly corner of said Lot 7, Block 2, and said line there terminating.

TORRENS

AND

That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, Ramsey County, Minnesota lying Southerly of the South line of Lot 3, AUDITOR'S SUBDIVISION NO. 49 and Easterly of the following described line:

Commencing on the Southeasterly corner of said Lot 3; thence Northerly along the Easterly line of said Lot 3, 107.11 feet; thence Westerly parallel to the South line of said Lot 3, 230 feet, more or less, to a point on an Easterly line of said Lot 7, Block 2; thence Southwesterly to an angle point on the Southerly line of said Lot 7, Block 2, being 77.89 feet northeasterly of the most Southerly corner of said Lot 7, Block 2, and said line there terminating.

ABSTRACT

TOGETHER WITH

An easement for drainage and utility purposes, over, under, and across the North 5.0 feet of the South 107.11 feet, as measured along the Easterly line, of the East 230.0 feet; the South 5.0 feet of the East 160.0 feet; and the East 10.0 feet of the South 107.11 feet, as measured along the Easterly line of said Lot 3, AUDITOR'S SUBDIVISION NO. 49.

## **RESOLUTION NO.**

### **RESOLUTION VACATING CERTAIN PUBLIC EASEMENTS WITHIN THE CITY OF 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 the drainage and utility easements described and depicted on Exhibit A attached hereto (the “Easements”); and

**WHEREAS**, said proceedings were initiated by landowner petition to accommodate a proposed subdivision application for the property located at 5005 Bald Eagle Avenue, which upon effectuation would result in the granting of new drainage and utility easements, as deemed necessary by the city in any approval of such subdivision; 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 14<sup>th</sup> day of May, 2024; and

**WHEREAS**, the City Engineer reviewed the request and recommends that the Easements be vacated, as requested, because they will no longer be necessary following the effectuation of the abovementioned subdivision and granting of new easements associated therewith; and

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

**WHEREAS**, 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) all conditions related to the subdivision described above, including, but not limited to, the petitioner’s granting of new drainage and utility easements to the city, are duly satisfied; and (ii) the petitioner reimburse the City for all costs and expenses related to these proceedings.
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. If the petitioner is required to record said instrument in conjunction with effectuating the subdivision described above, it shall do so only in accordance with the city attorney’s recording instructions.
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.

**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:**

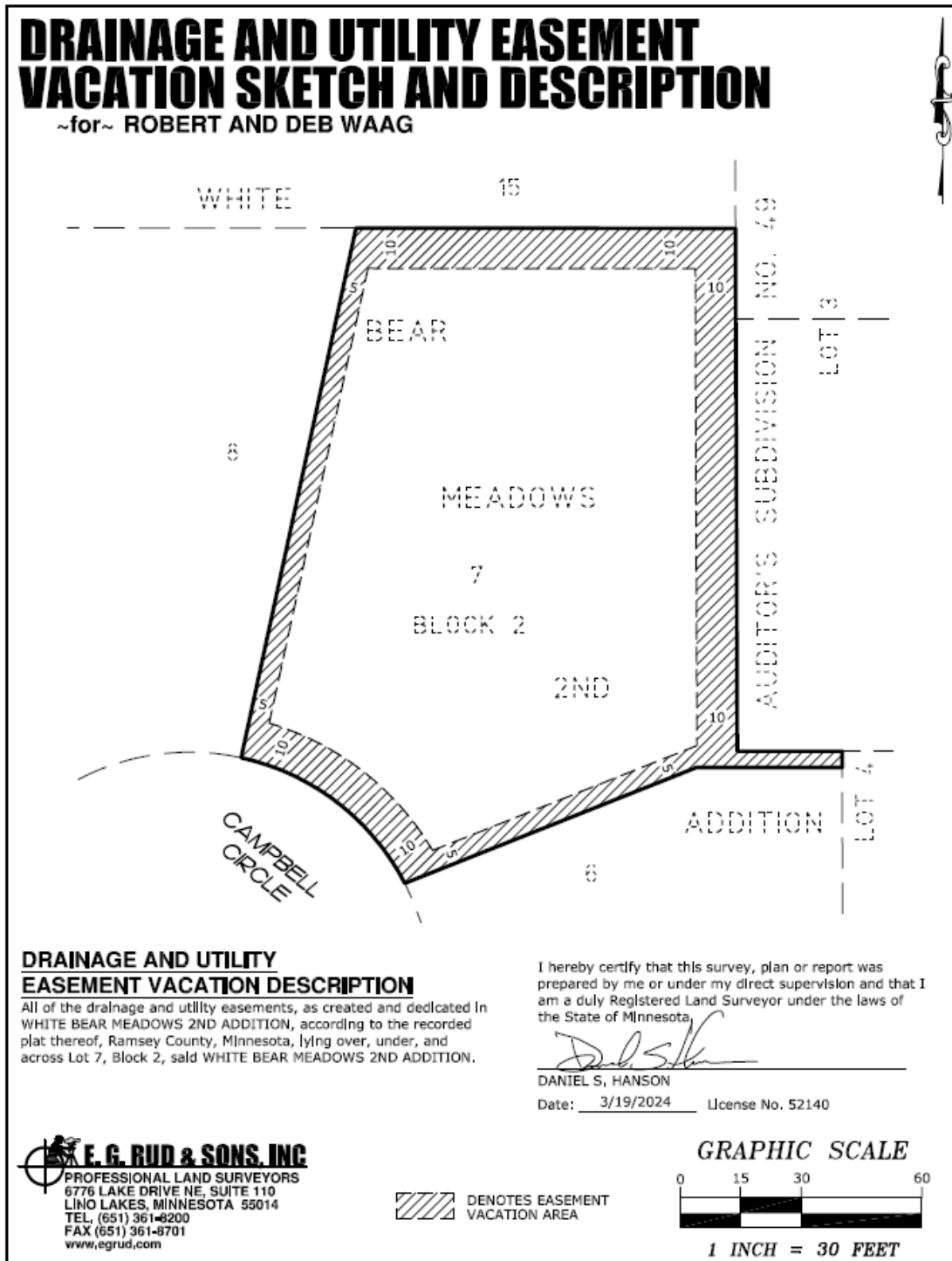
\_\_\_\_\_  
Caley Longendyke, City Clerk

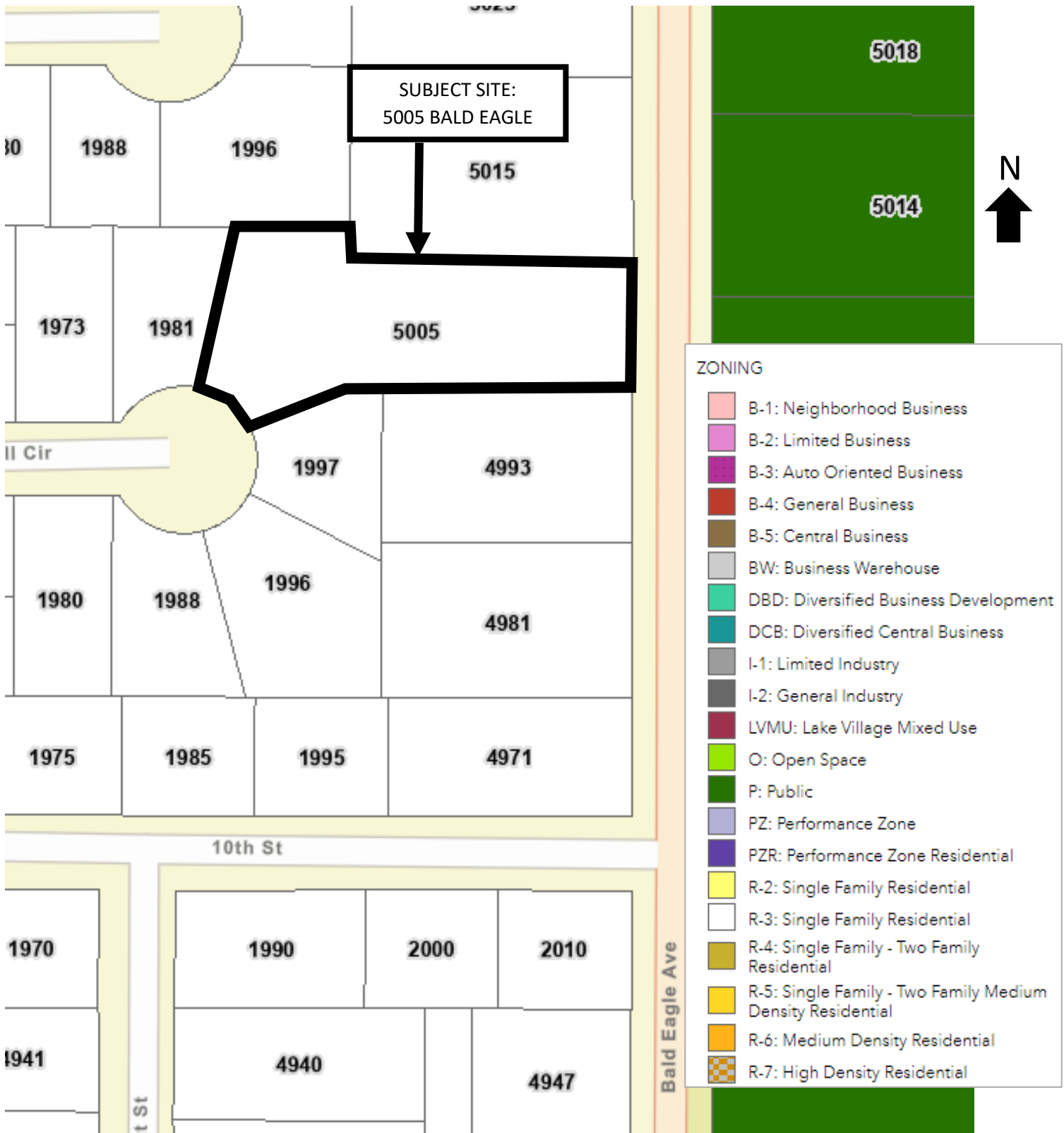



RESOLUTION NO.

EXHIBIT A

All of the drainage and utility easements, as created and dedicated in WHITE BEAR MEADOWS 2<sup>ND</sup> ADDITION, according to the recorded plat thereof, Ramsey County, Minnesota, lying over, under, and across Lot 7, Block 2, said WHITE BEAR MEADOWS 2<sup>ND</sup> ADDITION.

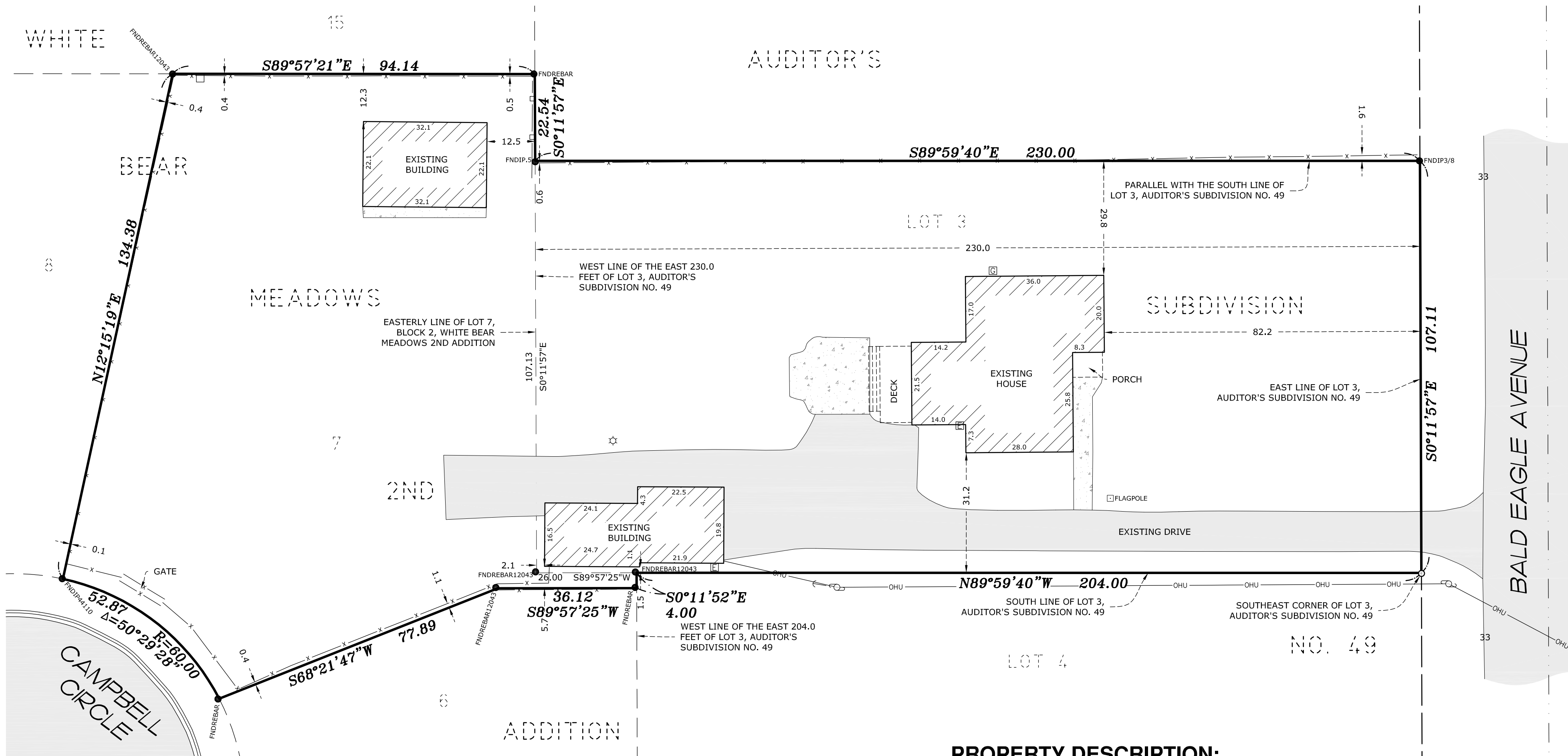
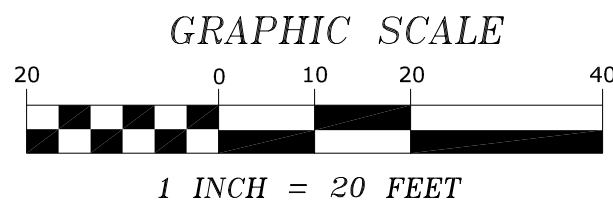




 <p>City of White Bear Lake Planning &amp; Zoning 651-429-8561</p>	<b>CASE NO.</b> : <u>24-7-LS</u>
	<b>CASE NAME</b> : <u>Bald Eagle Lot Split</u>
	<b>DATE</b> : <u>April 29, 2024</u>

CERTIFICATE OF SURVEY

~for~ ROBERT & DEB WAAG  
~of~ 5005 BALD EAGLE AVENUE  
WHITE BEAR LAKE, MN



SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 11/29/23.
- Bearings shown are on Ramsey County datum.
- Parcel ID Number: 14-30-22-21-0143.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.

LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET, MARKED RLS #52140
- DENOTES CATCH BASIN
- ⊞ DENOTES ELECTRICAL BOX
- ⊞ DENOTES GAS METER
- ⋈ DENOTES GUY WIRE
- ☆ DENOTES LIGHT POLE
- ⚡ DENOTES POWER POLE
- x- DENOTES FENCE
- DENOTES WOOD FENCE
- OHU- DENOTES OVERHEAD UTILITY
- ▭ DENOTES BITUMINOUS SURFACE
- ▭ DENOTES CONCRETE SURFACE

PROPERTY DESCRIPTION:

That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, overlying all that part of Lot 3, AUDITORS SUBDIVISION NO. 49, described as follows:

Commencing on the Southeasterly corner of said Lot 3; thence Northerly along the Easterly line of said Lot, 107.11 feet; thence Westerly parallel to the South line of said Lot, 230 feet; thence Northerly parallel to the Easterly line of said Lot, 26 feet; thence Westerly parallel to the Southerly line of said Lot, 597.53 feet to the West line of said Lot; thence South along the West line of said Lot, 133.11 feet to the Southwesterly corner thereof; thence East along the South line of said Lot, 827.53 feet to the point of beginning, except the East 230.00 feet thereof.

TORRENS Certificate No. 360971

AND

East 230 feet of the following described property:

That part of Lot 3, AUDITOR'S SUBDIVISION NO. 49, described as follows:

Commencing on the Southeasterly corner of said Lot 3; thence Northerly along the Easterly line of said Lot, 107.11 feet; thence Westerly parallel to the South line of said Lot, 230 feet; thence Northerly parallel to the Easterly line of said Lot, 26 feet; thence Westerly parallel to the Southerly line of said Lot, 597.53 feet to the West line of said Lot; thence South along the West line of said Lot, 133.11 feet to the Southwesterly corner thereof, thence East along the South line of said Lot, 827.53 feet to the point of beginning.

TORRENS Certificate No. 613727

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

DANIEL S. HANSON

Date: 12/18/2023 License No. 52140

DRAWN BY:	RAF	JOB NO:	231192PP	DATE:	12-18-23
CHECK BY:	DSH	FIELD CREW:	DT/CT		
1					
2					
3					
NO.	DATE	DESCRIPTION		BY	

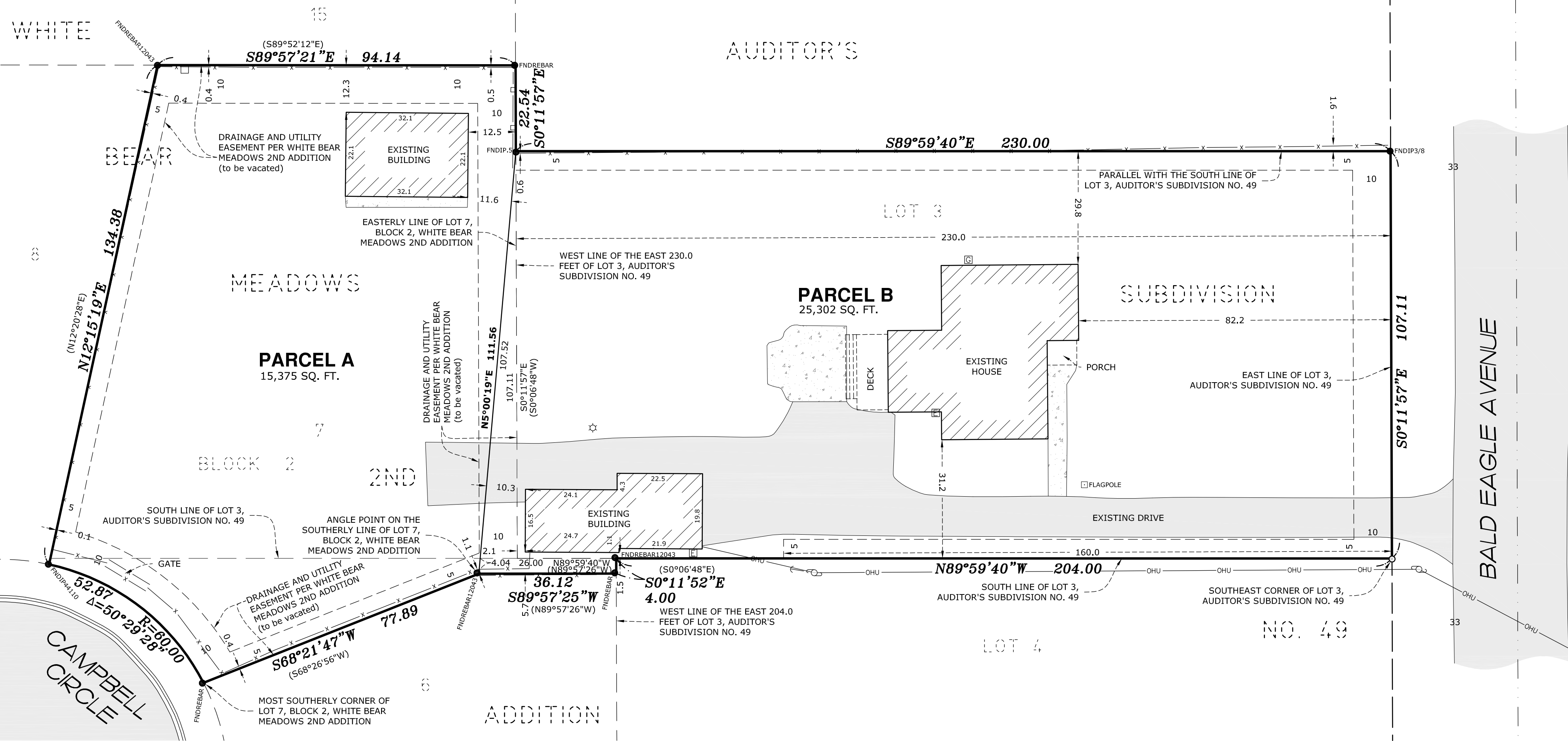
**E.G. RUD & SONS, INC.**  
EST. 1977  
Professional Land Surveyors  
6776 Lake Drive NE, Suite 110  
Lino Lakes, MN 55014  
Tel. (651) 361-8200 Fax (651) 361-8701

MINOR SUBDIVISION

~for~ ROBERT & DEB WAAG  
~of~ 5005 BALD EAGLE AVENUE  
WHITE BEAR LAKE, MN

SURVEY NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 11/29/23.
- Bearings shown are on Ramsey County datum.
- Parcel ID Number: 14-30-22-21-0143.



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET, MARKED RLS #52140
- DENOTES CATCH BASIN
- ⊞ DENOTES ELECTRICAL BOX
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- x— DENOTES FENCE
- DENOTES WOOD FENCE
- OHU— DENOTES OVERHEAD UTILITY
- DENOTES BITUMINOUS SURFACE
- ▨ DENOTES CONCRETE SURFACE

NORTH

GRAPHIC SCALE



1 INCH = 20 FEET

TOTAL LOT AREA ..... 15,375 SQ. FT.

EXISTING GARAGE ..... 710 SQ. FT.  
EXISTING BITUMINOUS ..... 262 SQ. FT.  
EXISTING CONCRETE ..... 88 SQ. FT.  
TOTAL IMPERVIOUS SURFACE ..... 1,060 SQ. FT.  
PERCENT IMPERVIOUS ..... 6.9%

TOTAL LOT AREA ..... 25,302 SQ. FT.

EXISTING HOUSE ..... 1,742 SQ. FT.  
EXISTING DECK AND PORCH ..... 257 SQ. FT.  
EXISTING GARAGE ..... 843 SQ. FT.  
EXISTING BITUMINOUS ..... 3,634 SQ. FT.  
EXISTING CONCRETE ..... 561 SQ. FT.  
TOTAL IMPERVIOUS SURFACE ..... 7,037 SQ. FT.  
PERCENT IMPERVIOUS ..... 27.8%

EXISTING LEGAL DESCRIPTION:

PARCEL 1:  
That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, overlying all that part of Lot 3, AUDITORS SUBDIVISION NO. 49, described as follows:  
  
Commencing on the Southeastery corner of said Lot 3; thence Northerly along the Easterly line of said Lot, 107.11 feet; thence Westerly parallel to the South line of said Lot, 230 feet; thence Northerly parallel to the Easterly line of said Lot, 26 feet; thence Westerly parallel to the Southerly line of said Lot, 597.53 feet to the West line of said Lot; thence South along the West line of aid Lot, 133.11 feet to the Southwesterly corner thereof; thence East along the South line of said Lot, 827.53 feet to the point of beginning, except the East 230.00 feet thereof.

TORRENS Certificate No. 360971

AND

PARCEL 2:

East 230 feet of the following described property:

That part of Lot 3, AUDITOR'S SUBDIVISION NO. 49, described as follows:

Commencing on the Southeastery corner of said Lot 3; thence Northerly along the Easterly line of said Lot, 107.11 feet; thence Westerly parallel to the South line of said Lot, 230 feet; thence Northerly parallel to the Easterly line of said Lot, 26 feet; thence Westerly parallel to the Southerly line of said Lot, 597.53 feet to the West line of said Lot; thence South along the West line of said Lot, 133.11 feet to the Southwesterly corner thereof, thence East along the South line of said Lot, 827.53 feet to the point of beginning.

TORRENS Certificate No. 613727

AND

PARCEL 3:

Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, except that part of Lot 7, Block 2 overlying all that part of Lot 3, AUDITOR'S SUBDIVISION NO. 49, described as follows:

Commencing on the southeasterly vcorner of said Lot 3; thence northerly along the easterly line of said Lot, 107.11 feet; thence westerly parallel to the south line of the said Lot, 230 feet; thence northerly parallel to the easterly line of said Lot, 26 feet; thence westerly parallel to the southerly line of said Lot 597.53 feet to the west line of said Lot; thence South along the west line of said Lot, 133.11 feet to the southwesterly corner thereof; thence East along the south line of said Lot, 827.53 feet to the point of beginning, EXCEPT the East 230.00 feet thereof.

ABSTRACT

PROPOSED LEGAL DESCRIPTION PARCEL A:

That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, Ramsey County, Minnesota, lying North of the South line of Lot 3, AUDITOR'S SUBDIVISION NO. 49, Ramsey County, Minnesota, and lying Westerly of the following described line:

Commencing on the Southeastery corner of said Lot 3; thence Northerly along the Easterly line of said Lot 3, 107.11 feet; thence Westerly parallel to the South line of said Lot 3, 230 feet, more or less, to a point on an Easterly line of said Lot 7, Block 2; thence Southwesterly to an angle point on the Southerly line of said Lot 7, Block 2, being 77.89 feet northeasterly of the most Southerly corner of said Lot 7, Block 2, and said line there terminating.

TORRENS

AND

That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, Ramsey County, Minnesota lying Southerly of the South line of Lot 3, AUDITOR'S SUBDIVISION NO. 49 and Westerly of the following described line:

Commencing on the Southeastery corner of said Lot 3; thence Northerly along the Easterly line of said Lot 3, 107.11 feet; thence Westerly parallel to the South line of said Lot 3, 230 feet, more or less, to a point on an Easterly line of said Lot 7, Block 2; thence Southwesterly to an angle point on the Southerly line of said Lot 7, Block 2, being 77.89 feet northeasterly of the most Southerly corner of said Lot 7, Block 2, and said line there terminating.

ABSTRACT

PROPOSED LEGAL DESCRIPTION PARCEL B:

That part of Lot 3, AUDITOR'S SUBDIVISION NO. 49, Ramsey County, Minnesota, described as follows:

Beginning at the Southeastery corner of said Lot 3; thence Northerly along the Easterly line of said Lot 3, 107.11 feet; thence Westerly parallel to the South line of said Lot 3, 230 feet, more or less, to the West line of the East 230 feet of said Lot 3; thence Southerly, parallel with the East line of said Lot 3 to the South line of said Lot 3; thence Easterly, along said South line of Lot 3 to the point of beginning.

AND

That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, Ramsey County, Minnesota, lying North of the South line of Lot 3, AUDITOR'S SUBDIVISION NO. 49, Ramsey County, Minnesota, and lying Easterly of the following described line:

Commencing on the Southeastery corner of said Lot 3; thence Northerly along the Easterly line of said Lot 3, 107.11 feet; thence Westerly parallel to the South line of said Lot 3, 230 feet, more or less, to a point on an Easterly line of said Lot 7, Block 2; thence Southwesterly to an angle point on the Southerly line of said Lot 7, Block 2, being 77.89 feet northeasterly of the most Southerly corner of said Lot 7, Block 2, and said line there terminating.

TORRENS

AND

That part of Lot 7, Block 2, WHITE BEAR MEADOWS 2ND ADDITION, Ramsey County, Minnesota lying Southerly of the South line of Lot 3, AUDITOR'S SUBDIVISION NO. 49 and Easterly of the following described line:

Commencing on the Southeastery corner of said Lot 3; thence Northerly along the Easterly line of said Lot 3, 107.11 feet; thence Westerly parallel to the South line of said Lot 3, 230 feet, more or less, to a point on an Easterly line of said Lot 7, Block 2; thence Southwesterly to an angle point on the Southerly line of said Lot 7, Block 2, being 77.89 feet northeasterly of the most Southerly corner of said Lot 7, Block 2, and said line there terminating.

ABSTRACT

TOGETHER WITH

An easement for drainage and utility purposes, over, under, and across the North 5.0 feet of the South 107.11 feet, as measured along the Easterly line, of the East 230.0 feet; the South 5.0 feet of the East 160.0 feet; and the East 10.0 feet of the South 107.11 feet, as measured along the Easterly line of said Lot 3, AUDITOR'S SUBDIVISION NO. 49.

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

Daniel S. Hanson  
DANIEL S. HANSON

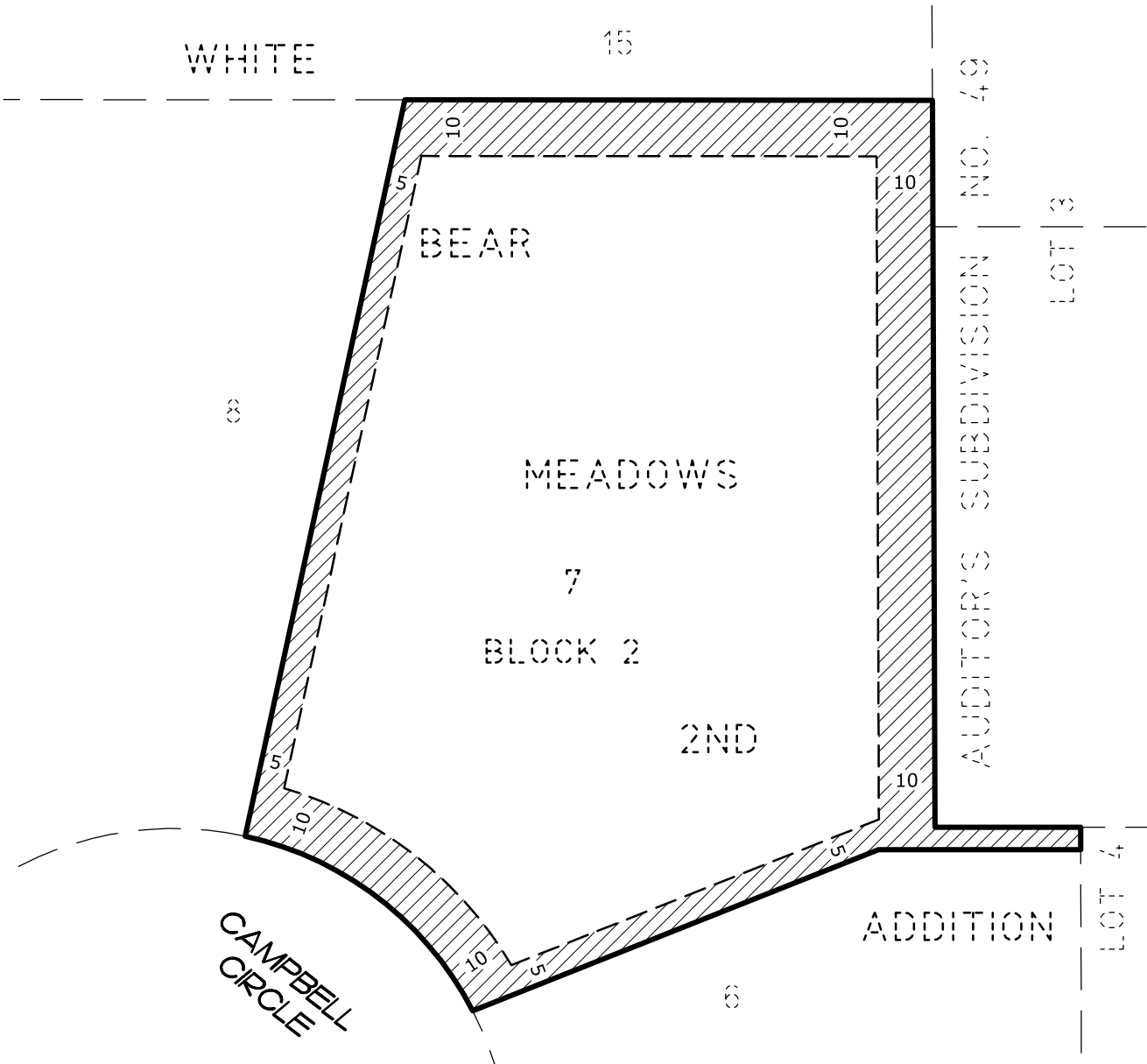
Date: 04/25/2024 License No. 52140

DRAWN BY: RAF	JOB NO: 231192PP	DATE: 04/25/2024
CHECK BY: DSH	FIELD CREW: DT/CT	
1		
2		
3		
NO.	DATE	DESCRIPTION
BY		

E.G. RUD & SONS, INC.  
Professional Land Surveyors  
6776 Lake Drive NE, Suite 110  
Lino Lakes, MN 55014  
Tel. (651) 361-8200 Fax (651) 361-8701

# DRAINAGE AND UTILITY EASEMENT VACATION SKETCH AND DESCRIPTION

~for~ ROBERT AND DEB WAAG



## DRAINAGE AND UTILITY EASEMENT VACATION DESCRIPTION

All of the drainage and utility easements, as created and dedicated in WHITE BEAR MEADOWS 2ND ADDITION, according to the recorded plat thereof, Ramsey County, Minnesota, lying over, under, and across Lot 7, Block 2, said WHITE BEAR MEADOWS 2ND ADDITION.

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

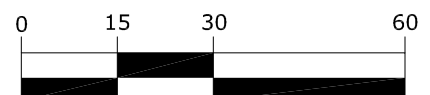
DANIEL S. HANSON

Date: 3/19/2024 License No. 52140

 **E. G. RUD & SONS, INC.**  
PROFESSIONAL LAND SURVEYORS  
6776 LAKE DRIVE NE, SUITE 110  
LINO LAKES, MINNESOTA 55014  
TEL. (651) 361-8200  
FAX (651) 361-8701  
www.egrud.com

 DENOTES EASEMENT  
VACATION AREA

GRAPHIC SCALE



1 INCH = 30 FEET



**City of White Bear Lake**  
Engineering Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Connie Taillon, P.E., Environmental Specialist/ Water Resources Engineer  
**Date:** May 14, 2024  
**Subject:** **Annual Public Hearing on the City's Storm Water Pollution Prevention Program**

## SUMMARY

The City Council has ordered a public hearing to be held on May 14, 2024 to present an overview of the City's Storm Water Pollution Prevention Program (SWPPP) activities that were accomplished in 2023. The hearing will include opportunity for public comment on the appropriateness of the program.

## BACKGROUND INFORMATION

The City's Storm Water Pollution Prevention Program (SWPPP) was prepared to meet the requirements of the Federal National Pollutant Discharge Elimination System (NPDES) Phase II Storm Water regulations issued by the United States Environmental Pollution Agency (USEPA). The Minnesota Pollution Control Agency (MPCA) administers this program through its Small Municipal Separate Storm Sewer Systems (MS4) General Permit.

A Municipal Separate Storm Sewer System (MS4) is a system of conveyances (streets, catch basins, pipes, curbs, gutters, ditches, etc.) owned or operated by a public entity that discharges to public waters. Many entities which have an MS4 must comply with the regulations established by the MPCA through its MS4 General Permit.

The MS4 General Permit is designed to reduce the amount of sediment and other pollutants entering state waters from MS4s. The SWPPP describes how the City proposes to accomplish this through implementation of six Minimum Control Measures (MCMs). The six MCMs included in the City's program are:

### 1. Public education and outreach

The public education and outreach program has been developed to inform residents about the impacts of stormwater pollution and to foster proper stormwater management behaviors. This is accomplished by distributing educational materials to the community and conducting outreach activities. The City utilizes educational materials developed by watershed management organizations and others to promote awareness of the importance of stormwater protection to the public.

2. Public participation and involvement

The goal of public participation and involvement is to motivate people in the community to act to prevent stormwater pollution. Activities include storm drain adoption programs, volunteer raingarden planting, and community engagement. The City holds an annual public hearing on its SWPPP to provide an opportunity for the public to comment on the effectiveness of the program.

3. Illicit discharge detection and elimination

This MCM seeks to prevent pollution from entering waterbodies by detecting and preventing occurrences of illicit (non-stormwater) discharges to the City's storm sewer system. Examples of illicit discharges include lawn clippings in the street, sediment from construction sites, and dumping hazardous waste into the storm sewer system. Residents are encouraged to report any suspicious activity to the City by phone or on-line form.

4. Construction site storm water runoff control

The goal of this MCM is to enforce construction site stormwater runoff controls to reduce pollutants in stormwater from construction activity. This program contains a variety of best management practices related to stormwater management and pollution prevention on construction sites including site plan review, construction site inspections, and staff training.

5. Post construction stormwater management in new development and redevelopment

This program ensures that permanent stormwater treatment facilities are in place and maintained to minimize water quality impacts from new and reconstruction projects. This is accomplished through the City's stormwater ordinance, engineering standards, site plan reviews, and stormwater maintenance agreements.

6. Pollution prevention/good housekeeping for municipal operations

A variety of practices are employed to prevent pollutants from entering the City's storm sewer system from municipal operations, including street sweeping, material storage and stockpile inspections, storm sewer system inspections and maintenance, techniques to minimize road salt application, and staff training.

The City's SWPPP contains additional measures relating to impaired waters. The federal Clean Water Act (CWA) requires states to create a list of waters that fail to meet one or more water quality standards. These standards define how much of a given pollutant can be in a waterbody and still allow it to meet designated uses such as healthy aquatic life, recreation, wildlife, aesthetic enjoyment, drinking water, industrial/agricultural uses, and navigation. Impaired waters are those waters that do not meet water quality standards for one or more pollutants (mercury, nutrients, sediment, bacteria, chloride, etc.), thus they are "impaired" for their designated uses.

Once a waterbody is added to the list of impaired waters, a Total Maximum Daily Load (TMDL) must be developed for it. A TMDL identifies the sources of a pollutant and establishes a maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. Through the TMDL process, a waste load allocation (WLA) is



developed that assigns allowable pollutant loadings from each contributor. The City is assigned a nutrient WLA for seven impaired lakes, chloride WLA for two impaired lakes, and bacteria WLA for two impaired creeks, and is required to report on pollutant reduction progress to meet the assigned WLAs for nutrients in its annual MS4 report to the MPCA.

**RECOMMENDATION**

Staff recommends that the City Council conduct a public hearing on the City's program. Written and oral comments received before or during the meeting will be considered as the Engineering Department prepares its annual report to the MPCA on its SWPPP.

No formal action is required.

**ATTACHMENTS**

None





**City of White Bear Lake**  
Finance Department

# MEMORANDUM

**To:** Lindy Crawford, City Manager  
**From:** Kerri Kindsvater, Finance Director  
**Date:** May 14, 2024  
**Subject:** General Obligation Bonds, Series 2024A Sale Summary

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## SUMMARY

The City Council authorized the issuance of \$2,505,000 General Obligation Improvement Bonds, Series 2024A on April 9, 2024 to fund the 2024 pavement rehabilitation project. The approval also directed staff to work with Ehlers and Associates to secure a bond rating and actively seek bids for the bonds.

## BACKGROUND INFORMATION

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

In issuing General Obligation 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 part of the current bond issuance process, City staff participated in a bond rating with Ehler's representatives and Ying Huang of S&P Global Ratings.

On Thursday, May 9, 2024, S&P Global Ratings assigned its AA+ rating to the City of White Bear Lake's General Obligation (GO) Improvement Bonds, Series 2024A and affirmed their AA+ long-term rating on the City's outstanding GO debt. Their outlook for the city is stable.

The affirmed bond ratings and stable outlook result from the City Council's accomplishments in developing and implementing long-range financial plans and policies in recent years. The City's AA+ bond rating remains one-step below the highest possible rating of AAA.

The following items contributed to the rating and its classification of a stable outlook for the rating:

1. Very strong economy, with access to a broad and diverse metropolitan statistical area, with notable residential development and strong commercial demand leading to improved market values;
2. Strong budgetary performance, reflecting conservative budgeting and positive variances;
3. Strong management, with good financial policies and practices under our financial management assessment (FMA) methodology, including:
  - a. Quarterly budget-to actual and investment reporting to the City Council
  - b. Long-term financial forecasting updated annually
  - c. Capital planning updated annually
  - d. A strong institutional framework score
4. Very weak debt and contingent liability profile, with a large debt burden relative to the size of the city's budget;

The City, through its municipal adviser, Ehlers and Associates, received bids from six investment firms on the bond issue at 10:00am on May 14, 2024. The following schedule summarizes the bids received:

<u>Bidder:</u>	<u>True Interest Cost on Bid:</u>
BAIRD, Milwaukee, WI	3.4081%
TD Securities (USA) LLC, New York, NY	3.4183%
Northland Securities, Inc., Minneapolis, MN	3.4720%
HILLTOPSECURITIES, Dallas, TX	3.4773%
Raymond James & Associates, Inc., Memphis, TN	3.5118%
BOK Financial Securities, Inc. Milwaukee, WI	3.5148%

As shown in the table above, the bids were very competitive with the difference between the lowest and highest bids at a tenth of a percent (10 basis points) for the bond issue.

The bid from BAIRD is less than a tenth of a percent (.08 basis points) lower than the estimated 3.4889% used by Ehlers and Associates in their original projections in the April 9, 2024 Pre-Sale Report. The lower interest rate reduces the principal and interest over the life of the bond by \$5,786.

The Pre-Sale Report presented to the City Council on April 9, 2024, estimated the annual tax levy for the bond's life to be in the range of \$175,795 to \$181,126. Based on today's bond sale information, the actual tax levy will be in the range of \$175,159 to \$180,183, with an average annual decrease of approximately \$1,290.

The bid from BAIRD included a \$217,000 premium component. The City chose to use the premium to reduce the bond issue amount from \$2,505,000 to \$2,290,000.

**RECOMMENDATION**

Staff recommends the City Council adopt the resolution awarding the sale of the General Obligation Bonds, Series 2024A with an aggregate principal amount of \$2,290,000.

**ATTACHMENTS**

\$2,290,000 General Obligation Bonds, Series 2024A Sales Report  
Resolution

**RESOLUTION NO.**

**RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION  
IMPROVEMENT BONDS, SERIES 2024A, IN THE ORIGINAL  
AGGREGATE PRINCIPAL AMOUNT OF \$2,290,000; FIXING THEIR  
FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND  
DELIVERY; AND PROVIDING FOR THEIR PAYMENT**

**WHEREAS**, pursuant to a resolution adopted by the City Council of the City of White Bear Lake, Minnesota (the “City”) on April 9, 2024, the City authorized the sale of its General Obligation Improvement Bonds, Series 2024A (the “Bonds”), to finance the construction of certain assessable public improvements within the City designated as the 2024 Pavement Rehabilitation Project (the “Improvements”), pursuant to Minnesota Statutes, Chapters 429 and 475, as amended (the “Act”); and

**WHEREAS**, a tabulation of proposals received for the purchase of the Bonds is attached hereto as EXHIBIT A.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, Minnesota that the proposal of Robert W. Baird & Co., Inc., as syndicate manager (the “Purchaser”), to purchase the Bonds is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$2,486,058.51 (par amount of \$2,290,000.00, plus original issue premium of \$216,745.30, less an underwriter’s discount of \$20,686.79), plus accrued interest to date of delivery, if any, for Bonds bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2026	5.000%	2033	5.000%
2027	5.000	2034	5.000
2028	5.000	2035	5.000
2029	5.000	2036	5.000
2030	5.000	2038*	4.000
2031	5.000	2040*	4.000
2032	5.000		

*\* Term Bond*

True interest cost: 3.4223772%

**BE IT FURTHER RESOLVED** that the sum of \$225,828.51, being the amount proposed by the Purchaser in excess of \$2,260,230.00, shall be credited to the Debt Service Fund hereinafter created or deposited in the Construction Fund hereinafter created, as determined by the Finance Director of the City in consultation with the City’s municipal advisor. The good faith deposit of the Purchaser shall be retained and deposited until the Bonds have been delivered and shall be deducted from the purchase price paid at settlement. The Mayor and City Manager are directed to execute a contract with the Purchaser on behalf of the City.

## RESOLUTION NO.

**BE IT FURTHER RESOLVED** that the City will forthwith issue and sell the Bonds pursuant to the Act, in the total principal amount of \$2,290,000, originally dated June 6, 2024, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1, upward, bearing interest as above set forth, and maturing serially on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2026	\$115,000	2033	\$150,000
2027	120,000	2034	155,000
2028	125,000	2035	165,000
2029	130,000	2036	170,000
2030	135,000	2038*	355,000
2031	140,000	2040*	385,000
2032	145,000		

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\* *Term Bond*

**BE IT FURTHER RESOLVED** that the City may elect on February 1, 2034, and on any day thereafter to prepay Bonds due on or after February 1, 2035. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify The Depository Trust Company, New York, New York, and its successors and assigns ("DTC"), of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

**BE IT FURTHER RESOLVED** that the Bonds maturing on February 1, 2038 and February 1, 2040 shall hereinafter be referred to collectively as the "Term Bonds." The principal amount of the Term Bonds subject to mandatory sinking fund redemption on any date may be reduced through earlier optional redemptions, with any partial redemptions of the Term Bonds credited against future mandatory sinking fund redemptions of such Term Bonds in such order as the City shall determine. The Term Bonds are subject to mandatory sinking fund redemption and shall be redeemed in part at par plus accrued interest on February 1 of the following years and in the principal amounts as follows:

### Sinking Fund Installment Date

<u>February 1, 2038 Term Bond</u>	<u>Principal Amount</u>
2037	\$175,000
2038*	180,000

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\* *Maturity*

## RESOLUTION NO.

<u>February 1, 2040 Term Bond</u>	<u>Principal Amount</u>
2039	\$190,000
2040*	195,000

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\* *Maturity*

**BE IT FURTHER RESOLVED** that the Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.

**BE IT FURTHER RESOLVED** that each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing February 1, 2025, to the registered owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day.

**BE IT FURTHER RESOLVED** that the City will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar" and the "Paying Agent"). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

## RESOLUTION NO.

(d) Cancellation. Bonds surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) to the registered owner of each Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of Bonds. Bonds so called for

## **RESOLUTION NO.**

redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

**BE IT FURTHER RESOLVED** that the City appoints Bond Trust Services Corporation, Roseville, Minnesota, as the initial Registrar. The Mayor and the City Manager are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of the City Council, the Finance Director must transmit to the Registrar moneys sufficient for the payment of all principal and interest then due.

**BE IT FURTHER RESOLVED** that the Bonds will be prepared under the direction of the City Manager and executed on behalf of the City by the signatures of the Mayor and the City Manager, provided that those signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of a Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this resolution. When the Bonds have been so prepared, executed and authenticated, the City Manager will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

**BE IT FURTHER RESOLVED** that the Bonds will be printed or typewritten in substantially the form set forth in EXHIBIT B.

**BE IT FURTHER RESOLVED** that the City Manager is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, and cause the opinion to be printed on or accompany each Bond.

**BE IT FURTHER RESOLVED** that the Bonds will be payable from the General Obligation Improvement Bonds, Series 2024A Debt Service Fund (the "Debt Service Fund") hereby created. The Debt Service Fund shall be administered and maintained by the Finance Director as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. Ad valorem taxes hereinafter levied for the Improvements (the "Taxes") and



## RESOLUTION NO.

special assessments levied against property specially benefited by the Improvements (the "Assessments") are hereby pledged to the Debt Service Fund. There is also appropriated to the Debt Service Fund (i) capitalized interest financed from proceeds of the Bonds, if any; and (ii) amounts over the minimum purchase price of the Bonds paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with the terms hereof.

**BE IT FURTHER RESOLVED** that the City hereby creates the General Obligation Improvement Bonds, Series 2024A Construction Fund (the "Construction Fund"). Proceeds of the Bonds, less the appropriations made in the preceding paragraph, together with the Taxes and Assessments and any other funds appropriated for the Improvements collected during the construction of the Improvements, will be deposited in the Construction Fund to be used solely to defray expenses of the Improvements and the payment of principal of and interest on the Bonds prior to the completion and payment of all costs of the Improvements. Any balance remaining in the Construction Fund after completion of the Improvements may be used to pay the cost in whole or in part of any other improvement instituted under the Act, under the direction of the City Council. When the Improvements are completed and the cost thereof paid, the Construction Fund is to be closed and any subsequent collections of Assessments and Taxes for the Improvements are to be deposited in the Debt Service Fund.

**BE IT FURTHER RESOLVED** that it is hereby determined that the Improvements will directly and indirectly benefit abutting property, and the City hereby covenants with the holders from time to time of the Bonds as follows:

(a) The City will cause the Assessments for the Improvements to be promptly levied so that the first installment of the Improvements will be collectible not later than 2025 and will take all steps necessary to assure prompt collection, and the levy of the Assessments is hereby authorized. The City Council will cause to be taken with due diligence all further actions that are required for the construction of each Improvement financed wholly or partly from the proceeds of the Bonds, and will take all further actions necessary for the final and valid levy of the Assessments and the appropriation of any other funds needed to pay the Bonds and interest thereon when due.

(b) In the event of any current or anticipated deficiency in Assessments and Taxes, the City Council will levy additional ad valorem taxes in the amount of the current or anticipated deficiency.

(c) The City will keep complete and accurate books and records showing receipts and disbursements in connection with the Improvements, Assessments, and Taxes levied therefor and other funds appropriated for their payment, collections thereof and disbursements therefrom, monies on hand, and the balance of unpaid Assessments.

(d) The City will cause its books and records to be audited at least annually and will furnish copies of such audit reports to any interested person upon request.

## **RESOLUTION NO.**

(e) At least twenty percent (20%) of the cost to the City of the Improvements described herein will be specially assessed against benefited properties.

**BE IT FURTHER RESOLVED** that for the prompt and full payment of the principal of and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City will be and are hereby irrevocably pledged. If the balance in the Debt Service Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of monies in the general fund of the City which are available for such purpose, and such general fund may be reimbursed with or without interest from the Debt Service Fund when a sufficient balance is available therein.

**BE IT FURTHER RESOLVED** that for the purpose of paying a portion of the principal of and interest on the Bonds, there is levied a direct annual irrevocable ad valorem tax upon all of the taxable property in the City, which will be spread upon the tax rolls and collected with and as part of other general taxes of the City. The Taxes will be credited to the Debt Service Fund above provided and will be in the years and amounts as attached hereto as EXHIBIT C.

**BE IT FURTHER RESOLVED** that it is hereby determined that the estimated collections of Assessments and Taxes will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levy herein provided is irrevocable until all of the Bonds are paid, provided that at the time the City makes its annual tax levies the Finance Director may certify to the County Auditor of Ramsey County, Minnesota and the County Auditor of Washington County, Minnesota (together, the "County Auditors") the amount available in the Debt Service Fund to pay principal and interest due during the ensuing year, and the County Auditors will thereupon reduce the levy collectible during such year by the amount so certified.

**BE IT FURTHER RESOLVED** that the City Manager is authorized and directed to file a certified copy of this resolution with the County Auditors and to obtain the certificate required by Section 475.63 of the Act.

**BE IT FURTHER RESOLVED** that the officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, will be deemed representations of the City as to the facts stated therein.

**BE IT FURTHER RESOLVED** that the Mayor, the City Manager, and the Finance Director are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

## **RESOLUTION NO.**

**BE IT FURTHER RESOLVED** that the Mayor, the City Manager, and the Finance Director are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the Bonds or the organization of the City or incumbency of its officers, at the closing the Mayor, the City Manager, and the Finance Director shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the Finance Director shall also execute and deliver a certificate as to payment for and delivery of the Bonds.

**BE IT FURTHER RESOLVED** that the electronic signature of the Mayor, the City Manager, the Finance Director, and/or the City Clerk to this resolution and to any certificate authorized to be executed hereunder shall be as valid as an original signature of such party and shall be effective to bind the City thereto. For purposes hereof, (i) "electronic signature" means a manually signed original signature that is then transmitted by electronic means; and (ii) "transmitted by electronic means" means sent in the form of a facsimile or sent via the internet as a portable document format ("pdf") or other replicating image attached to an electronic mail or internet message.

**BE IT FURTHER RESOLVED** that the City authorizes the Purchaser to forward the amount of Bond proceeds allocable to the payment of issuance expenses in accordance with the closing memorandum to be prepared and distributed by Ehlers and Associates, Inc., the municipal advisor to the City, on the date of closing.

**BE IT FURTHER RESOLVED** that the City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

**BE IT FURTHER RESOLVED** that the City will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States.

**BE IT FURTHER RESOLVED** that the City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

## RESOLUTION NO.

**BE IT FURTHER RESOLVED** that in order to qualify the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

- (a) the Bonds are not “private activity bonds” as defined in Section 141 of the Code;
- (b) the City designates the Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;
- (c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds that are not qualified 501(c)(3) bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 2024 will not exceed \$10,000,000; and
- (d) not more than \$10,000,000 of obligations issued by the City during calendar year 2024 have been designated for purposes of Section 265(b)(3) of the Code.

**BE IT FURTHER RESOLVED** that the City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

**BE IT FURTHER RESOLVED** that the City has or may have incurred certain expenditures with respect to the Improvements that were financed temporarily from other sources but are expected to be reimbursed with proceeds of the Bonds. The City hereby declares its intent to reimburse certain costs of the Improvements from proceeds of the Bonds (the “Declaration”). This Declaration is intended to constitute a declaration of official intent for purposes of the Section 1.150-2 of the Treasury Regulations promulgated under the Code.

**BE IT FURTHER RESOLVED** that the Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth herein. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for DTC. Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

**BE IT FURTHER RESOLVED** that with respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the

## RESOLUTION NO.

Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Manager of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co." will refer to such new nominee of DTC; and upon receipt of such a notice, the City Manager will promptly deliver a copy of the same to the Registrar and Paying Agent.

**BE IT FURTHER RESOLVED** that the City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which will govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

**BE IT FURTHER RESOLVED** that in the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

**BE IT FURTHER RESOLVED** that notwithstanding any other provision of this resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and all notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

**BE IT FURTHER RESOLVED** that the "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Mayor and City Manager and dated the date of

## **RESOLUTION NO.**

issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

**BE IT FURTHER RESOLVED** that the City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this resolution, failure of the City to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

**BE IT FURTHER RESOLVED** that when all Bonds and all interest thereon have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

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

**RESOLUTION NO.**

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

Ayes:

Nays:

Passed: May 14, 2024

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

**ATTEST:**

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

**RESOLUTION NO.**

**EXHIBIT A**

**PROPOSALS**



## RESOLUTION NO.



## BID TABULATION

**\$2,505,000\* General Obligation Improvement Bonds, Series 2024A**

**City of White Bear Lake, Minnesota**

**SALE: May 14, 2024**

**AWARD: BAIRD**

**Rating: S&P Global Ratings "AA+"**

**Tax Exempt - Bank Qualified**

NAME OF BIDDER	MATURITY (February 1)	COUPON RATE	REOFFERING YIELD	PRICE	TRUE INTEREST RATE
BAIRD				\$2,720,122.55	3.4081%
Milwaukee, Wisconsin	2026	5.000%	3.230%		
C.L. King & Associates	2027	5.000%	3.100%		
Colliers Securities LLC	2028	5.000%	2.950%		
Edward Jones	2029	5.000%	2.880%		
Fidelity Capital Markets	2030	5.000%	2.860%		
Crews & Associates, Inc.	2031	5.000%	2.860%		
Bernardi Securities, Inc.	2032	5.000%	2.860%		
Country Club Bank	2033	5.000%	2.880%		
The Baker Group	2034	5.000%	2.900%		
Alliance Global Partners	2035	5.000%	3.000%		
Celadon Financial Group, LLC	2036	5.000%	3.080%		
Isaak Bond Investments, Inc	2037 <sup>1</sup>	4.000%	3.500%		
Carty & Company, Inc.	2038 <sup>1</sup>	4.000%	3.500%		
UMB Bank, N.A	2039 <sup>2</sup>	4.000%	3.600%		
Wintrust Investments, LLC	2040 <sup>2</sup>	4.000%	3.600%		
FMS Bonds Inc.					
Midland Securities					
First Southern LLC					
Dinosaur Securities					
First Bankers' Banc Securities, Inc.					
Mountainside Securities LLC					
Blaylock Van, LLC					
StoneX Financial Inc.					
Falcon Square Capital					
Caldwell Sutter Capital, Inc.					

\* Subsequent to bid opening the issue size was decreased to \$2,290,000.

Adjusted Price: \$2,486,058.51 Adjusted Net Interest Cost: \$769,603.99

Adjusted TIC: 3.4223%

<sup>1</sup> \$355,000 Term Bond due 2038 with mandatory redemption in 2037.

<sup>2</sup> \$385,000 Term Bond due 2040 with mandatory redemption in 2039.

BUILDING COMMUNITIES. IT'S WHAT WE DO.

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 1 (800) 552-1171

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## RESOLUTION NO.

NAME OF BIDDER	TRUE INTEREST RATE
TD SECURITIES (USA) LLC New York, New York	3.4183%
NORTHLAND SECURITIES, INC. Minneapolis, Minnesota	3.4720%
HILLTOPSECURITIES Dallas, Texas	3.4773%
RAYMOND JAMES & ASSOCIATES, INC. Memphis, Tennessee	3.5118%
BOK FINANCIAL SECURITIES, INC. Milwaukee, Wisconsin	3.5148%

Bid Tabulation  
City of White Bear Lake, Minnesota  
\$2,505,000\* General Obligation Improvement Bonds, Series 2024A

May 14, 2024

Page 2

**RESOLUTION NO.**

**EXHIBIT B**

**FORM OF BOND**

No. R-\_\_\_\_\_ UNITED STATES OF AMERICA \$\_\_\_\_\_  
STATE OF MINNESOTA  
COUNTIES OF RAMSEY AND WASHINGTON  
CITY OF WHITE BEAR LAKE

**GENERAL OBLIGATION IMPROVEMENT BOND  
SERIES 2024A**

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	February 1, 20__	June 6, 2024	

Registered Owner: Cede & Co.

The City of White Bear Lake, Minnesota, a duly organized and existing municipal corporation in Ramsey and Washington Counties, Minnesota (the "City"), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the principal sum of \$\_\_\_\_\_ on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above (calculated on the basis of a 360 day year of twelve 30 day months), payable February 1 and August 1 in each year, commencing February 1, 2025, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Bond Trust Services Corporation, Roseville, Minnesota, as Bond Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on February 1, 2034, and on any day thereafter to prepay Bonds due on or after February 1, 2035. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify The Depository Trust Company ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

## RESOLUTION NO.

The Bonds maturing on February 1, 2038 and February 1, 2040 shall hereinafter be referred to collectively as the “Term Bonds.” The principal amount of the Term Bonds subject to mandatory sinking fund redemption on any date may be reduced through earlier optional redemptions, with any partial redemptions of the Term Bonds credited against future mandatory sinking fund redemptions of such Term Bonds in such order as the City shall determine. The Term Bonds are subject to mandatory sinking fund redemption and shall be redeemed in part at par plus accrued interest on February 1 of the following years and in the principal amounts as follows:

### Sinking Fund Installment Date

<u>February 1, 2038 Term Bond</u>	<u>Principal Amount</u>
2037	\$175,000
2038*	180,000

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*\* Maturity*

<u>February 1, 2040 Term Bond</u>	<u>Principal Amount</u>
2039	\$190,000
2040*	195,000

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*\* Maturity*

This Bond is one of an issue in the aggregate principal amount of \$2,290,000 all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the City Council on May 14, 2024 (the “Resolution”), for the purpose of providing money to defray the expenses incurred and to be incurred in making certain assessable local improvements, pursuant to and in full conformity with the home rule charter of the City and the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapters 429 and 475, as amended. The principal hereof and interest hereon are payable from special assessments levied against property specially benefited by local improvements and ad valorem taxes as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in special assessments and taxes pledged, which taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City Council has designated the issue of Bonds of which this Bond forms a part as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Bond Registrar, by

## RESOLUTION NO.

the registered owner hereof in person or by the owner's attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Bond Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the home rule charter of the City and the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional, charter, or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of White Bear Lake, Ramsey and Washington Counties, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Manager and has caused this Bond to be dated as of the date set forth below.

Dated: June 6, 2024

**CITY OF WHITE BEAR LAKE, MINNESOTA**

\_\_\_\_\_  
(Facsimile)  
Mayor

\_\_\_\_\_  
(Facsimile)  
City Manager

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## CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

**RESOLUTION NO.**

**BOND TRUST SERVICES CORPORATION**

By \_\_\_\_\_  
Authorized Representative

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**ABBREVIATIONS**

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common

UNIF GIFT MIN ACT

\_\_\_\_\_ Custodian \_\_\_\_\_  
(Cust) (Minor)

TEN ENT -- as tenants by entireties

under Uniform Gifts or Transfers to  
Minors Act, State of \_\_\_\_\_

JT TEN -- as joint tenants with right of  
survivorship and not as tenants in  
common

Additional abbreviations may also be used though not in the above list.

---

**ASSIGNMENT**

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint \_\_\_\_\_ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

## RESOLUTION NO.

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NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address:

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(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

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### PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

<u>Date of Registration</u>	<u>Registered Owner</u>	<u>Signature of Officer of Registrar</u>
<hr/>	Cede & Co. Federal ID #13-2555119	<hr/>

# RESOLUTION NO.

## EXHIBIT C

### TAX LEVY SCHEDULE

Tax Levy Year	Tax Collect Year	Bond Pay Year	Total P+I	CIF	Net New D/S	P & I @105%	Assessments	Net Levy
2023	2024	2025	69,912.50	(69,912.50)	-	-	-	-
2024	2025	2026	222,100.00	-	222,100.00	233,205.00	58,046.22	175,158.78
2025	2026	2027	221,350.00	-	221,350.00	232,417.50	56,310.91	176,106.59
2026	2027	2028	220,350.00	-	220,350.00	231,367.50	54,575.61	176,791.89
2027	2028	2029	219,100.00	-	219,100.00	230,055.00	52,840.31	177,214.69
2028	2029	2030	217,600.00	-	217,600.00	228,480.00	51,105.01	177,374.99
2029	2030	2031	215,850.00	-	215,850.00	226,642.50	49,369.71	177,272.79
2030	2031	2032	213,850.00	-	213,850.00	224,542.50	47,634.39	176,908.11
2031	2032	2033	211,600.00	-	211,600.00	222,180.00	45,899.09	176,280.91
2032	2033	2034	209,100.00	-	209,100.00	219,555.00	44,163.79	175,391.21
2033	2034	2035	211,350.00	-	211,350.00	221,917.50	42,428.49	179,489.01
2034	2035	2036	208,100.00	-	208,100.00	218,505.00	40,693.18	177,811.82
2035	2036	2037	204,600.00	-	204,600.00	214,830.00	38,957.88	175,872.12
2036	2037	2038	202,600.00	-	202,600.00	212,730.00	37,222.56	175,507.44
2037	2038	2039	205,400.00	-	205,400.00	215,670.00	35,487.26	180,182.74
2038	2039	2040	202,800.00	-	202,800.00	212,940.00	33,751.96	179,188.04
<b>Total</b>			<b>\$3,255,662.50</b>	<b>(69,912.50)</b>	<b>\$3,185,750.00</b>	<b>\$3,345,037.50</b>	<b>\$688,486.37</b>	<b>\$2,656,551.13</b>

#### Bond Data

Dated Date	6/06/2024
Call Date	2/01/2034



**RESOLUTION NO.**

STATE OF MINNESOTA            )  
  )  
COUNTIES OF RAMSEY         ) SS.  
AND WASHINGTON                )  
  )  
CITY OF WHITE BEAR LAKE     )

I, being the duly qualified and acting City Clerk of the City of White Bear Lake, Ramsey and Washington Counties, Minnesota (the “City”), do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on May 14, 2024 with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of the City’s General Obligation Improvement Bonds, Series 2024A, in the original aggregate principal amount of \$2,290,000.

WITNESS My hand officially as such City Clerk and the corporate seal of the City this \_\_\_\_\_ day of May, 2024.

(SEAL)

\_\_\_\_\_  
City Clerk  
City of White Bear Lake, Minnesota

WH110-72 (JAE)  
951424v2

May 14, 2024

SALE DAY REPORT FOR:

## City of White Bear Lake, Minnesota

**\$2,290,000 General Obligation Improvement Bonds,  
Series 2024A**



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Prepared by:

Ehlers  
3060 Centre Pointe Drive  
Roseville, MN 55113

Stacie Kvilvang,  
Senior Municipal Advisor

Dan Tienter,  
Municipal Advisor

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

# Competitive Sale Results

**PURPOSE:** For the purpose of financing various assessable public improvements within the City.

**RATING:** S&P Global Ratings "AA+"

**NUMBER OF BIDS:** 6

**LOW BIDDER:** Baird, Milwaukee, Wisconsin

## COMPARISON FROM LOWEST TO HIGHEST BID: (TIC as bid)

**LOW BID:\*** 3.4081%

**HIGH BID:** 3.5148%

Summary of Sale Results:	
Principal Amount:*	\$2,290,000
Underwriter's Discount:	\$20,687
Reoffering Premium:	\$216,745
True Interest Cost:	3.4223%
Capitalized Interest:	\$69,913
Costs of Issuance:	\$52,925
Yield:	2.86%-3.60%
Total Net P&I	\$3,185,750

**NOTES:** Bond Trust Services Corporation, Roseville, Minnesota will serve as Paying Agent on the Bonds. The Bonds maturing February 1, 2035, and thereafter are callable February 1, 2034, or any date thereafter.

\*Subsequent to bid opening, the issue size was decreased to \$2,290,000.

**CLOSING DATE:** June 6, 2024

**CITY COUNCIL ACTION:** Adopt a resolution awarding the sale of \$2,290,000 General Obligation Improvement Bonds, Series 2024A.

## SUPPLEMENTARY ATTACHMENTS

- Bid Tabulation
- Sources and Uses of Funds
- Updated Debt Service Schedules
- Rating Report
- Bond Resolution (Distributed in City Council Packets)

## BID TABULATION

**\$2,505,000\* General Obligation Improvement Bonds, Series 2024A**

**City of White Bear Lake, Minnesota**

**SALE: May 14, 2024**

**AWARD: BAIRD**

**Rating: S&P Global Ratings "AA+"**

Tax Exempt - Bank Qualified

NAME OF BIDDER	MATURITY (February 1)	COUPON RATE	REOFFERING YIELD	PRICE	TRUE INTEREST RATE
BAIRD				\$2,720,122.55	3.4081%
Milwaukee, Wisconsin	2026	5.000%	3.230%		
C.L. King & Associates	2027	5.000%	3.100%		
Colliers Securities LLC	2028	5.000%	2.950%		
Edward Jones	2029	5.000%	2.880%		
Fidelity Capital Markets	2030	5.000%	2.860%		
Crews & Associates, Inc.	2031	5.000%	2.860%		
Bernardi Securities, Inc.	2032	5.000%	2.860%		
Country Club Bank	2033	5.000%	2.880%		
The Baker Group	2034	5.000%	2.900%		
Alliance Global Partners	2035	5.000%	3.000%		
Celadon Financial Group, LLC	2036	5.000%	3.080%		
Isaak Bond Investments, Inc	2037 <sup>1</sup>	4.000%	3.500%		
Carty & Company, Inc.	2038 <sup>1</sup>	4.000%	3.500%		
UMB Bank, N.A	2039 <sup>2</sup>	4.000%	3.600%		
Wintrust Investments, LLC	2040 <sup>2</sup>	4.000%	3.600%		
FMS Bonds Inc.					
Midland Securities					
First Southern LLC					
Dinosaur Securities					
First Bankers' Banc Securities, Inc.					
Mountainside Securities LLC					
Blaylock Van, LLC					
StoneX Financial Inc.					
Falcon Square Capital					
Caldwell Sutter Capital, Inc.					

\* Subsequent to bid opening the issue size was decreased to \$2,290,000.

Adjusted Price: \$2,486,058.51 Adjusted Net Interest Cost: \$769,603.99

Adjusted TIC: 3.4223%

<sup>1</sup> \$355,000 Term Bond due 2038 with mandatory redemption in 2037.

<sup>2</sup> \$385,000 Term Bond due 2040 with mandatory redemption in 2039.

NAME OF BIDDER	TRUE INTEREST RATE
TD SECURITIES (USA) LLC New York, New York	3.4183%
NORTHLAND SECURITIES, INC. Minneapolis, Minnesota	3.4720%
HILLTOPSECURITIES Dallas, Texas	3.4773%
RAYMOND JAMES & ASSOCIATES, INC. Memphis, Tennessee	3.5118%
BOK FINANCIAL SECURITIES, INC. Milwaukee, Wisconsin	3.5148%

# City of White Bear Lake, Minnesota

\$2,290,000 General Obligation Improvement Bonds, Series 2024A

## Sources & Uses

Dated 06/06/2024 | Delivered 06/06/2024

### Sources Of Funds

Par Amount of Bonds	\$2,290,000.00
Reoffering Premium	216,745.30
Prepaid Assessments	84,750.00

<b>Total Sources</b>	<b>\$2,591,495.30</b>
----------------------	-----------------------

### Uses Of Funds

Total Underwriter's Discount (0.903%)	20,686.79
Costs of Issuance	52,925.00
Deposit to Capitalized Interest (CIF) Fund	69,912.50
Deposit to Project Construction Fund	2,447,971.01

<b>Total Uses</b>	<b>\$2,591,495.30</b>
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# City of White Bear Lake, Minnesota

## \$2,290,000 General Obligation Improvement Bonds, Series 2024A

### Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	CIF	Net New D/S	105% of Total	Assessments	Levy/(Surplus)
02/01/2025	-	-	69,912.50	69,912.50	(69,912.50)	-	-	-	-
02/01/2026	115,000.00	5.000%	107,100.00	222,100.00	-	222,100.00	233,205.00	58,046.22	175,158.78
02/01/2027	120,000.00	5.000%	101,350.00	221,350.00	-	221,350.00	232,417.50	56,310.91	176,106.59
02/01/2028	125,000.00	5.000%	95,350.00	220,350.00	-	220,350.00	231,367.50	54,575.61	176,791.89
02/01/2029	130,000.00	5.000%	89,100.00	219,100.00	-	219,100.00	230,055.00	52,840.31	177,214.69
02/01/2030	135,000.00	5.000%	82,600.00	217,600.00	-	217,600.00	228,480.00	51,105.01	177,374.99
02/01/2031	140,000.00	5.000%	75,850.00	215,850.00	-	215,850.00	226,642.50	49,369.71	177,272.79
02/01/2032	145,000.00	5.000%	68,850.00	213,850.00	-	213,850.00	224,542.50	47,634.39	176,908.11
02/01/2033	150,000.00	5.000%	61,600.00	211,600.00	-	211,600.00	222,180.00	45,899.09	176,280.91
02/01/2034	155,000.00	5.000%	54,100.00	209,100.00	-	209,100.00	219,555.00	44,163.79	175,391.21
02/01/2035	165,000.00	5.000%	46,350.00	211,350.00	-	211,350.00	221,917.50	42,428.49	179,489.01
02/01/2036	170,000.00	5.000%	38,100.00	208,100.00	-	208,100.00	218,505.00	40,693.18	177,811.82
02/01/2037	175,000.00	4.000%	29,600.00	204,600.00	-	204,600.00	214,830.00	38,957.88	175,872.12
02/01/2038	180,000.00	4.000%	22,600.00	202,600.00	-	202,600.00	212,730.00	37,222.56	175,507.44
02/01/2039	190,000.00	4.000%	15,400.00	205,400.00	-	205,400.00	215,670.00	35,487.26	180,182.74
02/01/2040	195,000.00	4.000%	7,800.00	202,800.00	-	202,800.00	212,940.00	33,751.96	179,188.04
<b>Total</b>	<b>\$2,290,000.00</b>	<b>-</b>	<b>\$965,662.50</b>	<b>\$3,255,662.50</b>	<b>(69,912.50)</b>	<b>\$3,185,750.00</b>	<b>\$3,345,037.50</b>	<b>\$688,486.37</b>	<b>\$2,656,551.13</b>

### Significant Dates

Dated	6/06/2024
First Coupon Date	2/01/2025

### Yield Statistics

Bond Year Dollars	\$21,414.86
Average Life	9.351 Years
Average Coupon	4.5093101%
Net Interest Cost (NIC)	3.5937846%
True Interest Cost (TIC)	3.4223772%
Bond Yield for Arbitrage Purposes	3.1782578%
All Inclusive Cost (AIC)	3.7110797%

# City of White Bear Lake, Minnesota

\$480,250 General Obligation Improvement Bonds, Series 2024A

Assessments - 15 Years

2% over TIC - Equal Principal

## Assessments

Date	Principal	Coupon	Interest	Total P+I
12/31/2025	32,016.67	5.420%	26,029.55	58,046.22
12/31/2026	32,016.67	5.420%	24,294.24	56,310.91
12/31/2027	32,016.67	5.420%	22,558.94	54,575.61
12/31/2028	32,016.67	5.420%	20,823.64	52,840.31
12/31/2029	32,016.67	5.420%	19,088.34	51,105.01
12/31/2030	32,016.67	5.420%	17,353.04	49,369.71
12/31/2031	32,016.67	5.420%	15,617.72	47,634.39
12/31/2032	32,016.67	5.420%	13,882.42	45,899.09
12/31/2033	32,016.67	5.420%	12,147.12	44,163.79
12/31/2034	32,016.67	5.420%	10,411.82	42,428.49
12/31/2035	32,016.66	5.420%	8,676.52	40,693.18
12/31/2036	32,016.66	5.420%	6,941.22	38,957.88
12/31/2037	32,016.66	5.420%	5,205.90	37,222.56
12/31/2038	32,016.66	5.420%	3,470.60	35,487.26
12/31/2039	32,016.66	5.420%	1,735.30	33,751.96
<b>Total</b>	<b>\$480,250.00</b>	<b>-</b>	<b>\$208,236.37</b>	<b>\$688,486.37</b>

## Significant Dates

Filing Date	1/01/2025
First Payment Date	12/31/2025



# City of White Bear Lake, Minnesota

\$2,290,000 General Obligation Improvement Bonds, Series 2024A

## Tax Levy Schedule

Tax Levy Year	Tax Collect Year	Bond Pay Year	Total P+I	CIF	Net New D/S	P & I @105%	Assessments	Net Levy
2023	2024	2025	69,912.50	(69,912.50)	-	-	-	-
2024	2025	2026	222,100.00	-	222,100.00	233,205.00	58,046.22	175,158.78
2025	2026	2027	221,350.00	-	221,350.00	232,417.50	56,310.91	176,106.59
2026	2027	2028	220,350.00	-	220,350.00	231,367.50	54,575.61	176,791.89
2027	2028	2029	219,100.00	-	219,100.00	230,055.00	52,840.31	177,214.69
2028	2029	2030	217,600.00	-	217,600.00	228,480.00	51,105.01	177,374.99
2029	2030	2031	215,850.00	-	215,850.00	226,642.50	49,369.71	177,272.79
2030	2031	2032	213,850.00	-	213,850.00	224,542.50	47,634.39	176,908.11
2031	2032	2033	211,600.00	-	211,600.00	222,180.00	45,899.09	176,280.91
2032	2033	2034	209,100.00	-	209,100.00	219,555.00	44,163.79	175,391.21
2033	2034	2035	211,350.00	-	211,350.00	221,917.50	42,428.49	179,489.01
2034	2035	2036	208,100.00	-	208,100.00	218,505.00	40,693.18	177,811.82
2035	2036	2037	204,600.00	-	204,600.00	214,830.00	38,957.88	175,872.12
2036	2037	2038	202,600.00	-	202,600.00	212,730.00	37,222.56	175,507.44
2037	2038	2039	205,400.00	-	205,400.00	215,670.00	35,487.26	180,182.74
2038	2039	2040	202,800.00	-	202,800.00	212,940.00	33,751.96	179,188.04
Total			\$3,255,662.50	(69,912.50)	\$3,185,750.00	\$3,345,037.50	\$688,486.37	\$2,656,551.13

## Bond Data

Dated Date	6/06/2024
Call Date	2/01/2034

# RatingsDirect®

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## Summary:

# White Bear Lake, Minnesota; General Obligation

### Primary Credit Analyst:

Ying Huang, San Francisco + 1 (415) 371 5008; [ying.huang@spglobal.com](mailto:ying.huang@spglobal.com)

### Secondary Contact:

Melody W Vinje, Englewood + 1 (303) 721 4163; [melody.vinje@spglobal.com](mailto:melody.vinje@spglobal.com)

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Credit Highlights

Outlook

Related Research

Summary:

# White Bear Lake, Minnesota; General Obligation

Credit Profile		
US\$2.505 mil GO imp bnds ser 2024A due 02/01/2040		
Long Term Rating	AA+/Stable	New
White Bear Lake GO		
Long Term Rating	AA+/Stable	Affirmed

## Credit Highlights

- S&P Global Ratings assigned its 'AA+' rating to White Bear Lake, Minn.'s \$2.505 million series 2024A general obligation (GO) improvement bonds.
- At the same time, we affirmed our 'AA+' rating on the city's existing GO bonds.
- The outlook is stable.

## Security

Securing the bonds are the city's full faith, credit, and unlimited taxing powers. Proceeds from the series 2024A bonds will be used to finance various assessable public improvements within the city.

## Credit overview

The rating reflects our view of White Bear Lake's growing economy, consistent operating surpluses, and very strong reserves, partially offset by an elevated debt burden. The city is approximately 10 miles northeast of St. Paul, within the Twin Cities metropolitan statistical area (MSA). The city's local economy is experiencing significant residential and commercial development, leading to improved market values. Several large multifamily developments were completed recently or will begin construction, and during the past three years, the city's tax base grew by an annual average rate of 8%.

The city has posted consecutive years of positive operating results and sustained very strong reserves and liquidity, which we view as a credit strength. Management forecasts another general fund surplus of 13% of expenditures, or \$1.8 million, in unaudited fiscal 2023 (year-end Dec. 31), which was driven by strong permit and interest revenues, lower expenditures associated with personnel vacancies, and a \$451,000 one-time grant from the state for public safety. For fiscal 2024, the city conservatively budgets for a break-even general fund result, which will help sustain its very strong reserves in compliance with its reserve target of 35% to 50% of expenditures.

We consider the city's debt profile very weak, with a significant debt burden relative to the size of its budget. The city plans to issue another \$10.5 million in debt for residential street construction and equipment projects within the next two years.

The rating reflects our assessment of the city's:

- Very strong economy, with access to the broad and diverse Minneapolis-St. Paul MSA, with notable residential development and strong commercial demand;
- Strong budgetary performance, reflecting conservative budgeting and positive variances, with respect to permitting revenue;
- Strong management, with good financial policies and practices under our Financial Management Assessment methodology including quarterly budget-to-actual and investment holdings reporting to city council, 10-year financial forecasting and capital planning updated annually, formal investment management and fund balance policies, and a strong institutional framework score; and
- Very weak debt and contingent liability profile, with a large debt burden relative to the size of the city's budget. Despite this, pension costs remain only a modest share of total spending and, in our view, are unlikely to pressure the city's medium-term operational health. However, we note that the city's pension plan contributions fell below our minimum funding progress metric in 2023, with a current fixed-rate contribution practices that are not expected to materially reduce unfunded liabilities in the near term. (For more information, see "Pension Spotlight: Minnesota," published Aug. 10, 2023, on RatingsDirect.)

### Environmental, social, and governance

We consider the city's environmental factors neutral, although we note that White Bear Lake's water level declined in recent years as a result of drought conditions, leading to an ongoing risk of mandates requiring a reduction in water usage in the city and neighboring communities. We view the city's social factors to be neutral. The city's governance factors are neutral considerations in our credit rating analysis.

## Outlook

The stable outlook reflects our expectation that the city will maintain very strong reserves and steady operational performance during the two-year outlook horizon.

### Downside scenario

If the city's budgetary performance materially deteriorates, thereby reducing its reserves or liquidity to levels that we would no longer consider commensurate with those of similarly rated peers, we could lower the rating. We would also view significant debt issuance, beyond what is expected for the next couple of years and without commensurate growth in revenue sources, negatively.

### Upside scenario

If the city's local economy improves, demonstrated by higher income indicators comparable with those of higher-rated peers, and if the city's debt profile improves materially, we could raise the rating.

White Bear Lake, Minnesota--key credit metrics				
	Most recent	Historical information		
		2022	2021	2020
<b>Strong economy</b>				
Projected per capita EBI % of U.S.	108			
Market value per capita (\$)	145,657			

## White Bear Lake, Minnesota--key credit metrics (cont.)

	Most recent	Historical information		
		2022	2021	2020
Population		26,188	26,074	26,054
County unemployment rate (%)		2.7		
Market value (\$000s)	3,814,463	3,478,903	3,158,818	
Ten largest taxpayers % of taxable value	7.3			
<b>Strong budgetary performance</b>				
Operating fund result % of expenditures		5.8	7.0	4.2
Total governmental fund result % of expenditures		1.0	4.4	13.9
<b>Very strong budgetary flexibility</b>				
Available reserves % of operating expenditures		56.9	55.1	51.0
Total available reserves (\$000s)		7,415	6,658	5,805
<b>Very strong liquidity</b>				
Total government cash % of governmental fund expenditures		227	240	249
Total government cash % of governmental fund debt service		2,290	2,895	2,855
<b>Strong management</b>				
Financial Management Assessment	Good			
<b>Very weak debt &amp; long-term liabilities</b>				
Debt service % of governmental fund expenditures		9.9	8.3	8.7
Net direct debt % of governmental fund revenue	194			
Overall net debt % of market value	4.9			
Direct debt 10-year amortization (%)	51			
Required pension contribution % of governmental fund expenditures		6.0		
OPEB actual contribution % of governmental fund expenditures		0.5		
<b>Strong institutional framework</b>				

EBI--Effective buying income. OPEB--Other postemployment benefits. Data points and ratios may reflect analytical adjustments.

## Related Research

- Through The ESG Lens 3.0: The Intersection Of ESG Credit Factors And U.S. Public Finance Credit Factors, March 2, 2022
- 2023 Update Of Institutional Framework For U.S. Local Governments

## Ratings Detail (As Of May 9, 2024)

White Bear Lake GO bnds		
Long Term Rating	AA+/Stable	Affirmed
White Bear Lake GO cap imp plan bnds		
Long Term Rating	AA+/Stable	Affirmed
White Bear Lake GO cap imp plan bnds		
Long Term Rating	AA+/Stable	Affirmed

Ratings Detail (As Of May 9, 2024) (cont.)		
White Bear Lake GO tax abatement bnds		
<i>Long Term Rating</i>	AA+/Stable	Affirmed
White Bear Lake GO tax incre rev bnds (Boathouse Redevelopment Tax Incre Proj)		
<i>Long Term Rating</i>	AA+/Stable	Affirmed

Certain terms used in this report, particularly certain adjectives used to express our view on rating relevant factors, have specific meanings ascribed to them in our criteria, and should therefore be read in conjunction with such criteria. Please see Ratings Criteria at [www.spglobal.com/ratings](http://www.spglobal.com/ratings) for further information. Complete ratings information is available to RatingsDirect subscribers at [www.capitaliq.com](http://www.capitaliq.com). All ratings affected by this rating action can be found on S&P Global Ratings' public website at [www.spglobal.com/ratings](http://www.spglobal.com/ratings).

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

# MEMORANDUM

**TO:** Lindy Crawford, City Manager  
**FROM:** Jason Lindahl AICP, Community Development Director  
 Ashton Miller, City Planner  
**DATE:** May 14, 2024  
**SUBJECT:** Solid Ground Variance – 3521 Century Avenue – Case No. 24-6-V

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## SUMMARY

The applicant, Solid Ground, requests a fourteen (14) stall variance from the one (1) enclosed parking space per dwelling unit requirement in order to demolish the existing garages and replace with nineteen (19) surface parking stalls at the site known as East Metro Place located at 3521 Century Avenue. Based on the findings made in this report, both the Planning Commission and staff find that the applicant has not demonstrated a practical difficulty with meeting the City's zoning regulations as required by Minnesota Statute 462.357, Subd.6 and recommends denial of this request.

## GENERAL INFORMATION

Applicant / Owner: Solid Ground

Existing Land Use / Zoning: Apartment; zoned R-6: Medium Density Residential

Surrounding Land North: Townhomes; zoned R-6: Medium Density Residential  
 South: Century College; Zoned P: Public  
 East: City Water Tower; Zoned P: Public  
 West: Single Unit Homes; Zoned R-3: Single Family Residential

Comprehensive Plan: High Density Residential

Lot Size & Width: Code: 3,600 sq. ft. per unit (122,400 sq. ft. required); 100 feet  
 Site: 186,619 sq. ft.; 450 feet

60 Day Review Date: May 12, 2024; extended by the city 60 days to July 11, 2024

## BACKGROUND INFORMATION

The subject site is located south of County Road E, north of the Century College campus and west of Century Avenue. The site does not have frontage along a street, rather is accessed through a private roadway. Approval for construction of a twenty (20) unit apartment for



transitional housing for families was granted in 1992. The city and the property owners entered into a development agreement that placed a number of conditions on the improvement of the lot due to neighborhood concerns and the fact that housing revenue bonds were being authorized by the city to fund the project. Initially, twenty (20) garage stalls were constructed in conjunction with the apartment building.

In 2002, the organization applied to amend the development agreement to allow fourteen (14) affordable housing units to be constructed on site. As a part of this proposal, a variance to eliminate all the garages and to construct the fourteen (14) new units with no garages was requested. The City Council granted a lesser variance to allow the removal of ten (10) garages and did not require construction of new garages for the fourteen (14) new units.

Ultimately, when a building permit was submitted, the organization agreed to retain six (6) garage stalls and build eight (8) new ones for a total of fourteen (14) stalls on site. Each of the fourteen (14) stalls are currently assigned to the residents in the permanent affordable units. A condition of approval of the expansion and removal of garages was to provide seventeen (17) proof of parking stalls to demonstrate compliance with the overall two (2) stalls per unit parking requirement.

As a part of this application request, the applicant is proposing to replace the fourteen (14) existing garages with nineteen (19) surface parking that will give the site four (4) additional surface parking spots. One (1) stall is being lost elsewhere on the site in association with restriping new accessible stalls. The required number of stalls is sixty-eight (68), half of which must be enclosed (2 stall per unit = 34 units X 2 = 68 total stalls, 34 of which must be enclosed). Currently, the site has forty-three (43) surface parking stalls and fourteen (14) garages for a total of fifty-seven (57) stalls. If the applicant's variance request to remove the fourteen (14) garages was approved, the site would have sixty-one (61) surface parking stalls and zero (0) enclosed garages.

The applicant has submitted a narrative providing findings to each of the variance review criteria, which is attached at the end of this memo and summarized below:

- The garages are only used for vehicle parking, so removing them would not increase the amount of exterior storage on site.
- The parking lot is generally screened from neighboring properties, so removing the garages will not have an impact on the surrounding neighborhood.
- Many residents do not own vehicles, so the demand for parking is limited.
- Removing the garages to allow additional surface parking stalls preserves green space on the west side of the property and gives residents and visitors access to more parking near the entrance.
- There are easements that encumber the property, limiting the developable area of the lot.
- Removing the garages improves safety, as they provide cover for trespassers hiding in the adjacent wooded area.

Planning Commission Action. The Planning Commission reviewed this item during their April 29, 2024 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing where the applicant, Diamond Hunter, Executive Director of Solid Ground, was the only one to speak. Ms. Hunter explained that the garage stalls have a costly upkeep and as a nonprofit organization, funding is limited. The money used for maintenance of the garages could be used for programming and improvements to the living spaces. Ms. Hunter summarized that removing the garages would open up more parking to visitors and would improve safety on the site. After hearing staff's presentation and the comments from Ms. Hunter, the commission discussed the request at length. Generally, it was discussed that housing projects which serve populations with historically lower car ownership rates could have reduced parking requirements, but that a variance may not be appropriate given the need to demonstrate a practical difficulty. Staff suggested that the appropriate process to address the request would be through a zoning code amendment to change the parking standard. Staff went on to note that the parking regulations will be reviewed and evaluated as part of the on-going zoning update process that is scheduled to be completed in the first quarter of 2025. At the end of their discussion, the Planning Commission voted 4-2 to recommend the City Council deny the request.

## **ANALYSIS**

Review Authority. City review authority for variance applications is considered a Quasi-Judicial action. This means the city acts like a judge in evaluating the facts against the legal standard. The city's role is limited to applying the legal standard of practical difficulties to the facts presented by the application. Generally, if the application meets the review standards, the variance should be approved.

Variance Review. The standards for reviewing variances are detailed in Minnesota State Statute 462.357, Subdivision 6. In summary, variances may be granted when the applicant establishes there are "practical difficulties" in complying with the zoning regulations. A practical difficulty is defined by the five questions listed below. Economic considerations alone do not constitute a practical difficulty. In addition, under the statute the City may choose to add conditions of approval that are directly related to and bear a rough proportionality on the impact created by the variance.

Staff has reviewed the variance request against the standards detailed in Minnesota State Statute 462.357, Subdivision 6 and finds the applicant has not demonstrated a practical difficulty. The standards for reviewing a variance application and staff's findings for each are provided below.

1. Is the variance in harmony with the purposes and intent of the ordinance?

**Finding:** The purpose of the off-street parking regulations is to alleviate or prevent congestion of the public right-of-way and to promote the safety and general welfare of the public by establishing minimum requirements for off-street parking of motor vehicles in accordance with the utilization of various parcels of land or structures. Multi-family units are required to have two (2) parking stalls per unit, one of which must be fully enclosed. Providing a structure to

store a vehicle improves safety by deterring theft and screens vehicles and other materials from adjacent properties promoting the general welfare. Removing the garages would not be in harmony with the purpose and intent of the ordinance.

2. Is the variance consistent with the comprehensive plan?

**Finding:** While the 2040 Comprehensive Plan does not speak directly to parking needs, one of the guiding principles in the housing chapter is to, “maintain and reinvest in housing stock to preserve and enhance property values and keep neighborhoods attractive and livable.” The garages offer a space to store vehicles and items typically used for outdoor recreation, so limit the amount of exterior storage. Removing the garages could lead to an increase in clutter on the property, which would lead to a less attractive neighborhood; therefore, the proposed variance is not consistent with the comprehensive plan.

3. Does the proposal put the property to use in a reasonable manner?

**Finding:** Granting the requested variance does not put the property to reasonable use. The city’s parking regulations establish a minimum standard for all properties and granting this variance would allow this property a lesser standard than other sites in the community. In this case, the applicant has already been granted a lesser parking standard through the seventeen (17) stall proof of parking accommodation and the previous variance to allow only fourteen (14) of the required thirty-four (34) enclosed parking spaces.

4. Are there unique circumstances to the property not created by the landowner?

**Finding:** There are not unique circumstances not created by the landowner. The existing garages meet the setback requirements and there is roughly a twenty-six (26) foot wide drive aisle between the garage stalls and the surface parking stalls at the narrowest point. This indicates that there is enough space to retain the garages while providing space for vehicles to maneuver through the site.

5. Will the variance, if granted, alter the essential character of the locality?

**Finding:** Granting the requested variance will alter the essential character of the surrounding neighborhood. The townhomes to the north and the single unit homes to the west all provide enclosed garage spaces for vehicles. Residential properties in the city are all required to provide enclosed parking spaces; removing the stalls alters the residential character of the property. In addition, as mentioned above, the applicant has already been granted a lesser parking standard through the seventeen(17) stall proof of parking accommodation and the previous variance to have only fourteen (14) of the required thirty four (34) enclosed parking spaces.

## **RECOMMENDATION**

Staff and the Planning Commission recommend denial of the request, based on the following findings and determinations:

1. The variance is not in harmony with purposes and intent of the ordinance.
2. The variance as requested is inconsistent with the Comprehensive Plan.
3. The variance as requested is not necessary for the reasonable use of the land or building.
4. There are not unique circumstances to the property not created by the landowner.
5. Deviations from the code without reasonable justification will slowly alter the City's essential character.

**ATTACHMENT**

Resolution

Zoning/Location Map

Applicant's Narrative & Plans

**RESOLUTION NO.**

**RESOLUTION DENYING A PARKING STALL VARIANCE AT  
3521 CENTURTY AVENUE WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, Solid Ground has requested a 14 stall variance from the one enclosed parking space per dwelling unit in order to demolish the existing garages, per code section 1302.050, Subd. 8.c, at the property located at following location:

**LOCATION:** 3521 Century Avenue

**LEGAL DESCRIPTION:** The South 416.22 feet of the East  $\frac{3}{4}$  of the Northeast Quarter of Section 36, Township 30, Range 22, except the East 538.48 feet thereof, in Ramsey County, Minnesota.

**WHEREAS**, the City Planner prepared a memorandum dated April 29, 2024 regarding the requested variance ("Staff Report") recommending denial of the variance and the Staff Report, together with any updates provided the City Council for its meeting, is incorporated in and made part of this Resolution by reference; and

**WHEREAS**, the Planning Commission held a public hearing, after due notice having been provided, regarding the requested variance on April 29, 2024, at which it provided the applicants and interested members of the public an opportunity to be heard; and

**WHEREAS**, after conducting the hearing and discussing the matter, the Planning Commission voted to forward the application to the City Council with a recommendation that it be denied; and

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

**WHEREAS**, the City Council hereby finds and determines as follows:

1. The findings contained in the Staff Report are adopted and made part of the City Council's findings.
2. The variance is not in harmony with purposes and intent of the parking ordinance, zoning code section 1302.050, Subd. 8.c, which requires one fully enclosed parking stall per multi-family dwelling unit.
3. The variance as requested is inconsistent with the housing section of the Comprehensive Plan.
4. The variance as requested is not necessary for the reasonable use of the land or building.
5. There are not unique circumstances to the property not created by the landowner.

**RESOLUTION NO.**

Adequate space exists on the site for enclosed parking stalls.

6. Deviations from the code without reasonable justification will slowly alter the City's essential character.
7. The City Council agrees with the Planning Commission's findings and recommendation.
8. The City Council determines the applicants are not eligible under the Zoning Code for the requested variance.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of White Bear Lake, Minnesota that, based on the Staff Report, the Planning Commission's recommendation, the findings contained herein, and the record of this matter, the requested variance is hereby denied.

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

Ayes:

Nays:

Passed:

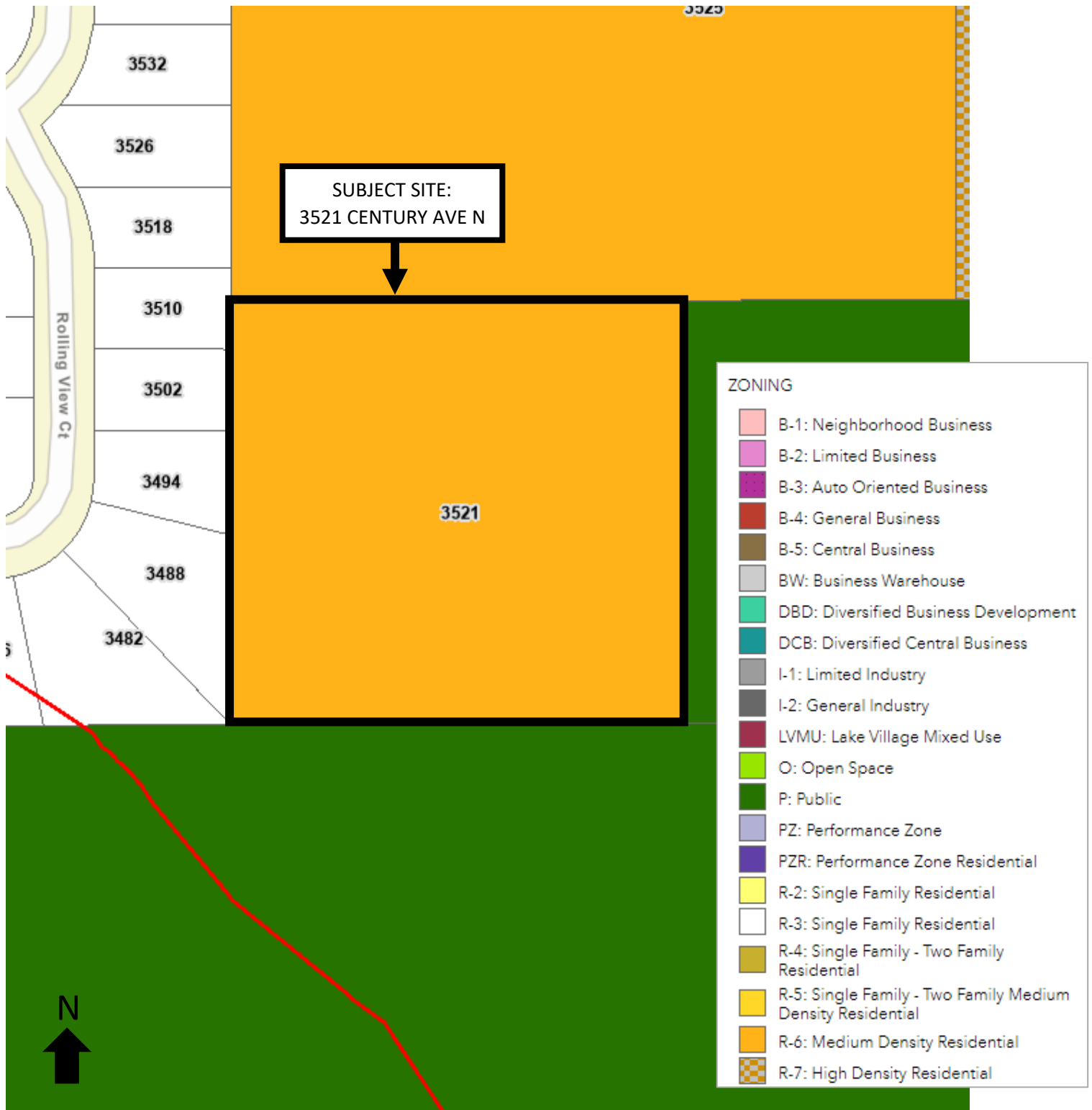
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Dan Louismet, Mayor

**ATTEST:**

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Caley Longendyke, City Clerk



 <p>City of White Bear Lake Planning &amp; Zoning 651-429-8561</p>	<b>CASE NO.</b> : <u>24-6-V</u>
	<b>CASE NAME</b> : <u>Solid Ground</u>
	<b>DATE</b> : <u>April 29, 2024</u>

**Solid Ground, dba EMP Limited Partnership**  
**Request for Variance to Zoning code §1302.050,f,Subd 8.c.**  
**March 2024**

Narrative

Solid Ground, doing business as the EMP Limited Partnership, owns East Metro Place, a 34-unit supportive housing community in White Bear Lake. The mission of Solid Ground is to prevent and end homelessness for families with children through housing, resources and opportunity. Solid Ground's organizational offices are located onsite at East Metro Place. A professional property management company, Sand Companies, is contracted to manage the building.

Solid Ground is proposing to expand East Metro Place by approximately 1,700 square feet (as described in our separate application for construction permitting) to expand its office space and make improvements to the program spaces for residents and visitors, including a new single, secure front entry. The existing building entrance will host the new secure front entry, as well as a courtyard with paving, signage, and landscaping. The entry will be identified with a canopy, including lighting and brand color integration to help with wayfinding.

As part of this project, Solid Ground is requesting a variance to zoning code **§1302.050,f,Subd8.c.** to remove the existing 14 detached garage units located on the eastern portion of the property, near the new secure front entry. The existing retaining walls will remain, and the pavement will be re-stripped, allowing for 5 additional surface parking spaces near the new entry. Three accessible parking stalls are being relocated to be closer to the main entry as well.

The eastern parking lot is poorly designed, and the garages are frequently damaged by vehicles backing into them, creating a constant eyesore and significant ongoing expenses for Solid Ground that take away from available resources for resident services. Also, the entire building will be re-sided as part of the remodeling project, providing a sleek, modern look that does not align with the garages.

Approval of this variance request will help achieve the following goals:

1. Safety
2. Access
3. Preservation of green space
4. Reduced maintenance costs

We believe this request is reasonable and meets the requirements of a variance for the following reasons:

**1. The variance is in harmony with the purposes and intent of the ordinance.**

Covered parking for residential units may be desired so that residents have space for storing outside equipment such as bicycles, grills, etc. However, the residential lease does not allow items other than vehicles to be stored in the garage units. There are several spaces in the building for resident storage.



Covered parking may also be desired to minimize the view of a parking lot by neighbors. Due to the location of the garages at the edge of the property line abutting a wooded area owned by the city (water tower property), open air parking would not impact the view of our neighbors.

Further, historically only 50% of residents own a vehicle, so the need for parking is less than is typical for a residential building.

**2. The variance is consistent with the comprehensive plan.**

There is little usable green space at East Metro Place. As part of a variance received about 20 years ago, a 17-space "proof of parking" area exists on the western edge of the property. If paved over, this proof of parking area would result in exceeding our impervious surface area limit and triggering watershed issues. It would also bump right up to the children's playground and require the removal of our community garden. By gaining parking spaces on the eastern side of the property instead, we preserve as much green space as possible, do not increase impervious surface on site, and limit the impact on neighboring properties.

**3. The proposal puts the property to use in a reasonable manner.**

The use of the space will not change; we would replace 14 covered parking spaces with 19 surface parking spaces. Adding parking spaces near the new secure front entry creates better access for residents and visitors, some of whom are elderly volunteers.

**4. There are unique circumstances to the property not created by the landowner.**

There is a 50-foot open space easement along the western property line as well as a wetland easement. Together, they make up about 35% of the total site area and limit our options for additional parking.

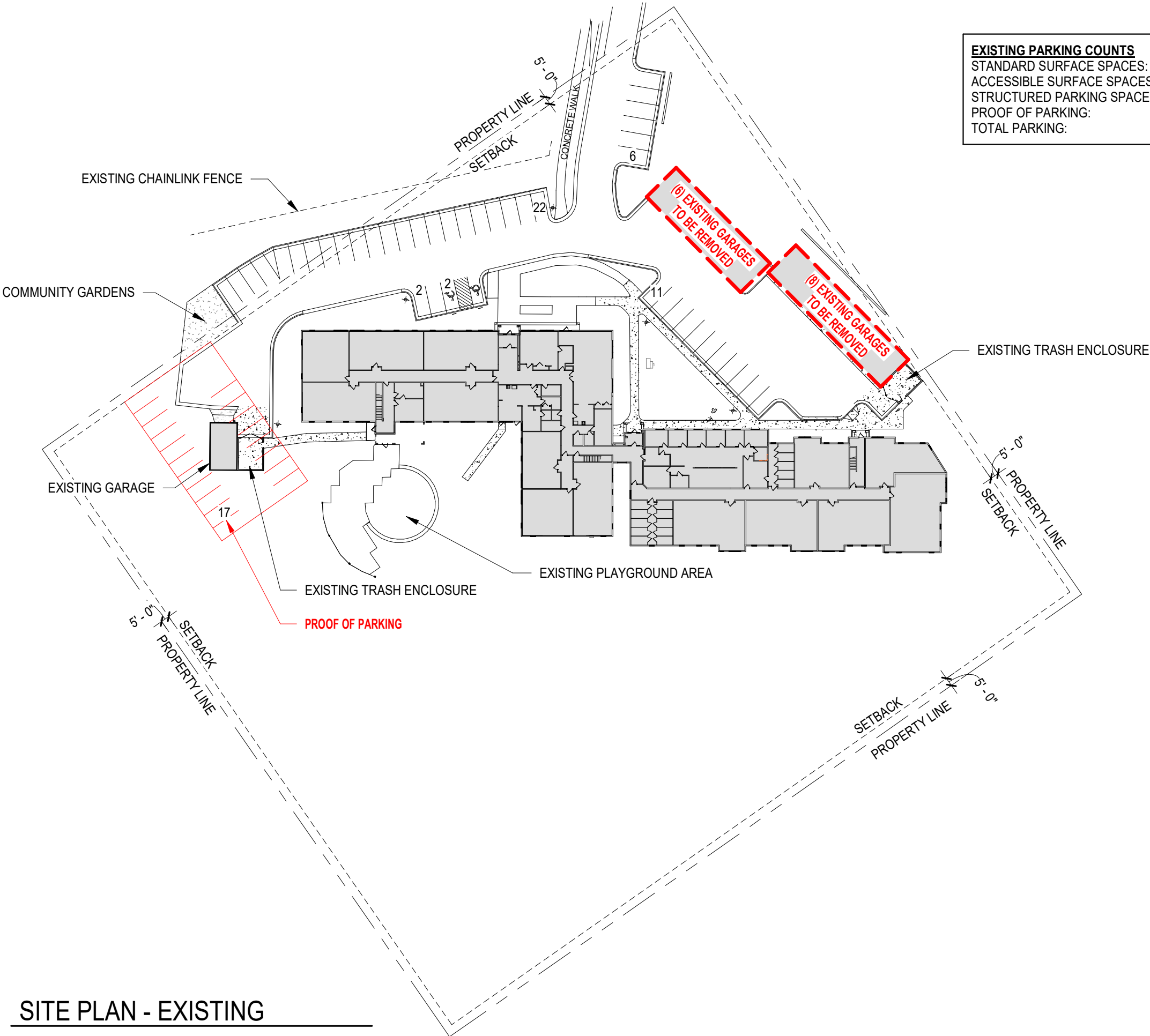
The existing garages abut a wooded area owned by the city and create a hidden area sometimes used by trespassers; their removal will improve visibility and safety for residents and public safety personnel.

**5. The variance, if granted, will not alter the essential character of the locality.**

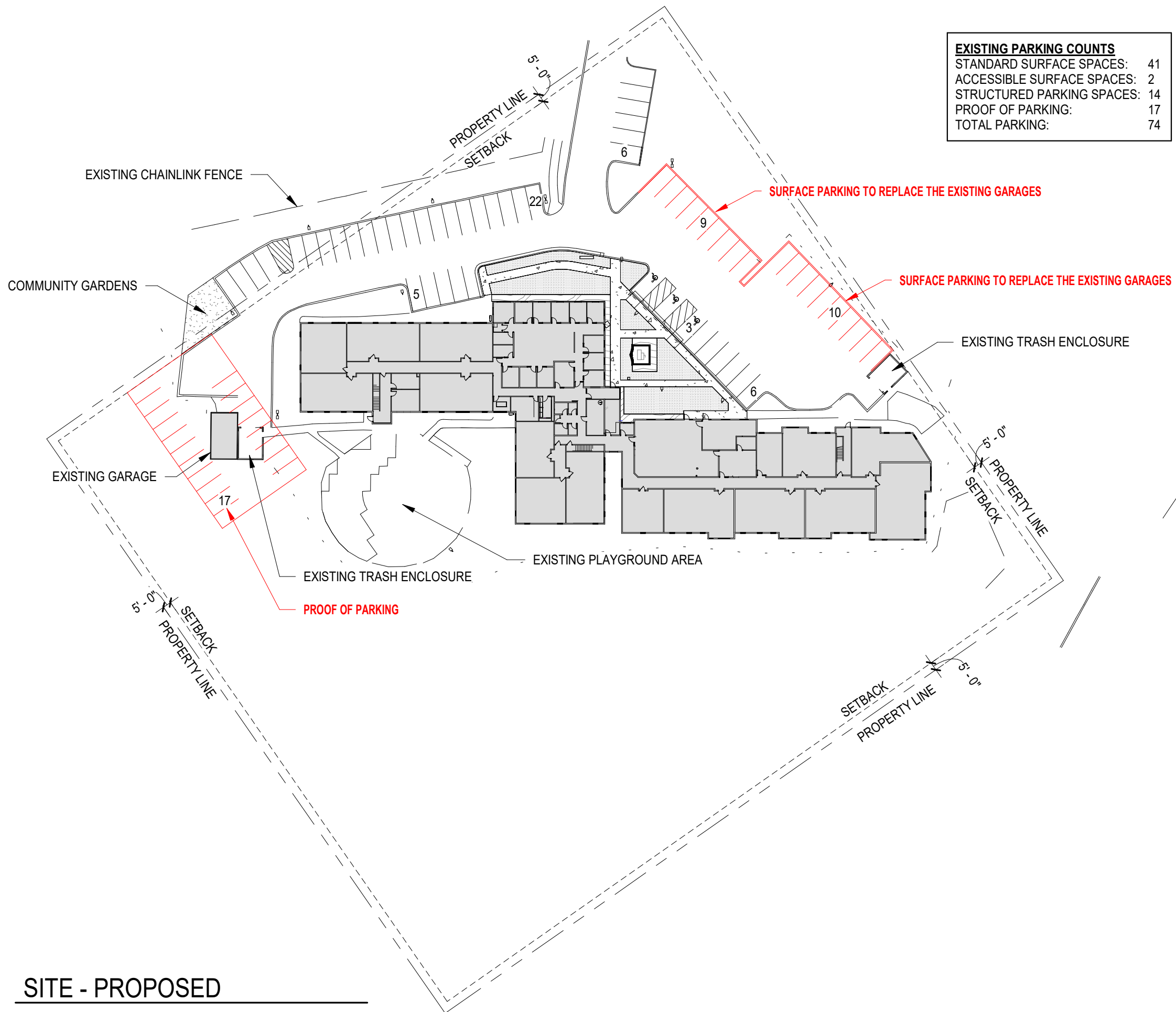
We are replacing existing covered parking with surface parking spaces in an area that is screened from view by topography and the building itself. By gaining parking spaces on the eastern side of the property rather than to the west, we preserve as much open, green space as possible and limit the impact on neighboring properties.

EXISTING PARKING COUNTS	
STANDARD SURFACE SPACES:	41
ACCESSIBLE SURFACE SPACES:	2
STRUCTURED PARKING SPACES:	14
PROOF OF PARKING:	17
TOTAL PARKING:	74

PROPOSED PARKING COUNTS	
STANDARD SURFACE SPACES:	58
ACCESSIBLE SURFACE SPACES:	3
STRUCTURED PARKING SPACES:	0
PROOF OF PARKING:	17
TOTAL PARKING:	78



SITE PLAN - EXISTING



EXISTING PARKING COUNTS	
STANDARD SURFACE SPACES:	41
ACCESSIBLE SURFACE SPACES:	2
STRUCTURED PARKING SPACES:	14
PROOF OF PARKING:	17
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SITE - PROPOSED