



**AGENDA**  
**REGULAR MEETING OF THE CITY COUNCIL OF**  
**THE CITY OF WHITE BEAR LAKE, MINNESOTA**  
**TUESDAY, APRIL 10, 2018**  
**7:00 P.M. IN THE COUNCIL CHAMBERS**

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

PLEDGE OF ALLEGIANCE

**2. APPROVAL OF MINUTES**

Minutes of the Regular City Council Meeting on March 27, 2018

**3. APPROVAL OF THE AGENDA**

**4. VISITORS AND PRESENTATIONS**

- A. White Bear Lake Lions – Soldier’s Memorial Flagpole Monument
- B. Swearing in Officer Marc Verrill
- C. Fire Department
  - Retirement recognition, Tom Ballis and Mike Turnbull
  - Introduction of new Assistant Fire Chiefs, Rick Current and Joel Schmidt

**5. PUBLIC HEARINGS**

Nothing scheduled

**6. LAND USE**

A. Consent

- 1. Consideration of a Planning Commission recommendation for a resolution granting a conditional use permit for 4961 Campbell Avenue (18-1-CUP)

B. Non-Consent

- 1. Consideration of a Planning Commission recommendation for a resolution granting a fence height variance for 4941 Long Avenue (18-3-V)

**7. UNFINISHED BUSINESS**

- A. Dog exercise area at Matoska Park

**8. ORDINANCES**

Nothing scheduled

## **9. NEW BUSINESS**

- A. Resolution approving cooperative construction agreement with Metropolitan Council
- B. Resolution accepting bids and awarding contract for the 2018 Street Reconstruction Project, City Project Nos. 17-06, 18-01, 18-06
- C. Resolution accepting bids and awarding contract for the 2018 Mill and Overlay Project, City Project No. 17-13
- D. Resolution Ordering Project, Approving Plan and Authorizing Advertisement for Bids for the 2018 Sanitary Sewer Lining Program, City Project No. 18-07

## **10. CONSENT**

- A. Acceptance of minutes: February White Bear Lake Conservation District; February Environmental Advisory Commission; February Park Advisory Commission; March Planning Commission Minutes
- B. Resolution approving massage therapist licenses
- C. Resolution approving coin operated amusement device license for Kohler Coin, LLC
- D. Resolution accepting donations from the White Bear Lake Lions Club for the Soldiers Memorial Flagpole Monument project

## **11. DISCUSSION**

Nothing scheduled

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

## **13. ADJOURNMENT**

## **14. CLOSED SESSION - PURSUANT TO MINNESOTA STATUTE SECTION 13D.05, SUBD. 3(B), PROPOSED LITIGATION RELATED TO DAMAGES INCURRED FROM CONTAMINATION OF STORMWATER SEDIMENTS RELATED TO CHEMICALS FROM COAL TAR SEALANTS**



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, MARCH 27, 2018  
7:00 P.M. IN THE COUNCIL CHAMBERS**

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

Mayor Jo Emerson called the meeting to order at 7:01 p.m. Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh in attendance. Staff members present were City Manager Ellen Richter, Assistant City Manager Rick Juba, Finance Director Don Rambow, City Engineer Mark Burch, Assistant City Engineer Jesse Farrell, Community Development Director Anne Kane, City Clerk Kara Coustry and City Attorney Andy Pratt.

PLEDGE OF ALLEGIANCE

**2. APPROVAL OF MINUTES**

It was moved by Councilmember **Jones** seconded by Councilmember **Engstran**, to approve the Minutes of the Regular City Council Meeting on March 13, 2018.

Motion carried unanimously.

**3. APPROVAL OF THE AGENDA**

It was moved by Councilmember **Biehn** seconded by Councilmember **Engstran**, to approve the agenda as presented.

Motion carried unanimously.

**4. VISITORS AND PRESENTATIONS**

**A. Marketfest update - Dale Grambush**

Dale Grambush remembered Deb Stender who recently passed away. In the absence of a Director, he reported that the Marketfest Board is continuing to plan for Marketfest, which is well underway. Mr. Grambush was happy to report that Lisa Beecroft, the past Marketfest Director from 2007-2009, has accepted the position. He explained that it is their intention that all vendor and entertainment commitments made by Deb Stender will be honored. Mr. Grambush mentioned they are still looking for area non-profits and businesses who desire exposure on a Thursday night, weather dependent.

Mayor Emerson thanked Dale Grambush and the Marketfest Board for carrying forward with Marketfest.

**B. Ramsey County Sheriff Jack Serier**

Sheriff Serier provided an update on 2017 and reviewed initiatives of the Ramsey County Sheriff's office for 2018.

Sheriff Serier reported promoting 28 people and hiring 115 people in 2017 for a total staff of about 450 people. He reported that five academy classes in the latter half of 2017 had a diversity rate of 50-60% for women and people of color in each class. Sheriff Serier attributed this to an initiative he calls the community circle for race and gender equity as an employer of choice. One example of this is a women's academy planned in June, which will provide women with an opportunity to explore a career in law enforcement. Sheriff Serier reported he swore in 18 new deputies today who will be out on the streets.

Sheriff Serier stated they are collaborating with the Ramsey County Attorney and Minnesota Adult and Team Challenge next month to address opioid addiction. One of those public forums will take place on April 25<sup>th</sup> at White Bear Lake High School. PSA's will also be playing in movie theatres to education and raise awareness of the dangers of opioids. He stressed the importance of destroying unused medications. Sheriff Serier reported 72 opioid deaths in Ramsey County in 2017.

Sheriff Serier recalled recent work establishing a new records management system and explained that the jail information system will also be improved. The detention facility can hold up to 500 people at any given time. A new jail management system would provide information specific to a detainee, such as court dates, visitors, medication, etc.

Sheriff Serier reported that Ramsey County took over law enforcement services for Falcon Heights in the beginning of 2018. He thanked folks for attending the annual Fright Farm and explained that funds raised go toward support of school patrols. Finally, hot dogs with deputies started in 2016 and has grown from 400 hotdogs per night to 800 hotdogs per night.

Sheriff Serier thanked White Bear Lake and Chief Julie Swanson and staff for their partnership with Ramsey County. He emphasized the County is a partner and its role is to provide support to local law enforcement.

Councilmember Edberg inquired about the status of the asset forfeiture laws in Minnesota and how they are applied in Ramsey County. He asked, if property is confiscated only after conviction, or if law enforcement officers have discretion to confiscate on suspicion of ill-gotten gain?

Sheriff Serier responded that asset forfeitures typically revolve around DUI and narcotics with money and property going several places including to local law enforcement. Sheriff Serier explained that property may be seized on suspicion but the property is not taken until the case has been adjudicated.

Councilmember Biehn remarked that he spent 29 years working at the Sheriff's office and his experience is that the Ramsey County Sheriff's office is second to no other agency. Councilmember Biehn inquired as to the telephone fees and whether they are less onerous. Sheriff Serier stated he would have to research that information.

Mayor Emerson thanked Sheriff Serier for his update and assistance with the TRIAD.

C. Emerald Ash Borer – Dr. Gary Johnson, University of Minnesota Department of Forestry Services

Dr. Gary Johnson reviewed the state of Emerald Ash Borer (EAB) management. He stated that EAB hit newspapers in Michigan in 2002 and today EAB has reached well

over thirty states and into Canada. EAB spreads primarily from moving firewood. Dr. Johnson explained that EAB is difficult to identify because the majority of symptomology occurs high up in the tree.

Dr. Johnson explained that because EAB is relatively new, control and treatment are still evolving. The first chemical used to control EAB was found to be harmful to pollinators. Today a pesticide known as Emamectin Benzoate is injected directly into the tree, which minimizes collateral damage. Because the pesticide is so effective, it is likely human error when it does not work, so Dr. Johnson recommends ensuring contractors hired to treat EAB are experienced and will stand behind their product and its application.

Dr. Johnson stated that doing nothing is not an option. Ash trees are extremely brittle and an infected tree will start dropping its top branches first, creating a hazard below. If the tree is not removed, after about one year of being completely dead, the whole tree becomes a hazard and an unacceptable risk depending on its location.

Dr. Johnson recommended identifying trees that are worthy of being saved. He described worthy trees as mature, or almost mature, with large canopies, that are in good condition without decay and are well placed. Trees provide the following benefits: reduction in stormwater runoff, save energy, store carbon, improve air quality, improve human health, reduce crime, reduce noise and are popular with people.

Councilmember Jones inquired as to the lifespan of trees after reaching maturity. Dr. Johnson responded that it takes a tree about 30-40 years to become an asset, which means less care goes into it than the benefits it provides. Boulevard trees have a shorter average lifespan of 35 years regardless of the tree. A green ash in its natural environment has a lifespan of 150 years.

Councilmember Edberg asked how long it takes for other ash trees in the community to become infected, to which Dr. Johnson replied, about 5-7 years. Councilmember Edberg asked if Dr. Johnson had a list of alternate trees for consideration. Professor Johnson mentioned to hold off on planting maple trees because the Asian Longhorn Beetle is after them. He stated that a genetic diversity of trees would be the key for replacing the canopy with a healthy population. He agreed to provide a list of a variety of trees to the City Manager.

Councilmember Edberg asked about the prospects for bio-controls, such as natural predators of the EAB. Professor Johnson mentioned that the MN Department of Agriculture has been releasing three parasitic wasps over the past five – six years, which are showing effectiveness fighting EAB in larger, more rural areas where there are many ash trees.

Councilmember Biehn inquired as to the effectiveness and duration of the chemical treatment. Professor Johnson stated that treatments should be applied in two-year cycles. He said if trees are treated in time (less than 1/3 dead) and injections are applied in the correct dosage, using the correct procedure and at the right time of year, the treatment rate for the tree is well over 90%.

Councilmember Edberg inquired as to the biology of EAB and the likelihood they will become resistant to the current treatment compound, and whether other control compounds are being considered for future treatment. Professor Johnson explained that

rapid reproduction of insects means one tiny mutation could provide the resistance needed. He also stated that other chemical controls are constantly being researched, especially by the big ten schools.

Mayor Emerson thanked Dr. Johnson for addressing the Council and for making EAB easy to understand.

**D. Arbor Day Proclamation**

Mayor Emerson read the Arbor Day Proclamation, declaring Arbor Day on May 5, 2018 in the City of White Bear Lake.

City Engineer Birch explained that this proclamation is used to secure the annual Tree City recognition. He also stated that in observance of Arbor Day, trees will be planted in Rotary and Podvin parks on May 5<sup>th</sup>.

**5. PUBLIC HEARINGS**

Nothing scheduled

**6. LAND USE**

Nothing scheduled

**7. UNFINISHED BUSINESS**

Nothing scheduled

**8. ORDINANCES**

Nothing scheduled

**9. NEW BUSINESS**

**A. Resolution approving an agreement with Rainbow Tree Company for arborist services**

City Engineer Burch recapped recent discussion about the importance of treating infected ash trees. He stated that the city has been researching management of its forestry through treatment options, and expressed desire to share treatment options with private property owners so they can also address EAB in their yards.

Mr. Burch explained that in seeking a contractor for EAB treatment, it was important to find a company who could provide an arborist to assist with community inquiries and respond to calls for help. He stated that Rainbow Tree Company has provided an attractive proposal, which has been successful in other Metro communities.

Mr. Burch stated that the agreement with Rainbow Tree Company will provide arborist services to evaluate trees for residents at no cost. They will give recommendations and will also provide treatment of trees at a reduced rate to the city and residents. Residents may choose among any licensed tree care company, but if Rainbow Tree is used, they will guarantee treatments by providing refunds if the treatment fails and the beetle returns. Rainbow Tree Company will also provide EAB literature to help educate residents.

Mr. Burch displayed an inventory of ash trees on public property in White Bear Lake, indicating 2,057 trees on public property, 1,733 along streets and 324 in city parks. He explained the Council will need to assist setting policy to determine which trees are worthy and should be treated and which trees should be taken down. He stated that treatment is expected to manage the cost and impact of losing ash trees over the next 10-20 years. Treatments are relatively inexpensive compared to the cost of tree and stump removal.

City Manager Richter explained that staff has not yet assessed the tree inventory to determine what to treat and what to remove. Once the diameter and health of these trees has been reviewed, a budget can be set and a proposed treatment plan, which would include criteria for assessing health of trees, will be brought back to Council for consideration.

Councilmember Edberg inquired as to the cost of this agreement. Mr. Burch explained that the average cost of treating a 18- 20 inch diameter tree with Rainbow Tree is about \$60-\$70. Ms. Richter explained that the unit cost for treating ash trees was considerably less through Rainbow Tree than other licensed tree companies that were contacted.

In response to Councilmember Biehn, City Engineer Birch explained that residents will receive postcards mailed by Rainbow Tree (at their expense) to White Bear Lake residents. Other determinations about when and which trees to treat, and where, will be made after staff has an opportunity to better assess the data and make a recommendation to the Council.

Councilmember Edberg stated he likes the direction of this program so far. He would like an assessment of options once the numbers start coming in. Councilmember Edberg asked Dr. Johnson about his experience with non-licensed tree care companies. Dr. Johnson stated that these companies are out there, but check references, see how long the company has been in operation and determine whether the company has its MN Pesticide license, which is required for treatments. Dr. Johnson mentioned that costs for tree removal can be deceiving, but there is an EAB cost calculator available online at Purdue and at the University of Wisconsin.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12193** approving an agreement with Rainbow Tree Company for arborist services.

Motion carried unanimously.

Mr. Burch mentioned Deb Neutkens published an informative article in the White Bear Press several weeks ago describing EAB, which is a great reference for residents.

- B. Resolution ordering project, approving specifications and authorizing advertisement for bids for the 2018 Bituminous Seal Coating Project, City Project No.: 18-02

City Engineer Burch stated that staff recommends approval of seal coating specifications for seeking bids for the 2018 bituminous seal coating projects, which is part of the city's pavement maintenance program. Once bids are obtained, the Engineering Department will return bids to the Council for further consideration.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Engstran** to

adopt **Resolution No. 12194** ordering project, approving specifications and authorizing advertisement for bids for the 2018 Bituminous Seal Coating Project, City Project No.: 18-02.

Motion carried unanimously.

- C. Resolution ordering project, approving specifications and authorizing advertisement for bids for the 2018 Crack Sealing Project, City Project No.: 18-03

City Engineer Burch stated that crack sealing is part of the city's pavement maintenance projects. Sealing cracks to keep water out helps preserve pavement integrity. Staff recommends seeking bids for the 2018 crack sealing projects.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Engstran**, to adopt **Resolution No. 12195** ordering project, approving specifications and authorizing advertisement for bids for the 2018 Crack Sealing Project, City Project No.: 18-03.

Motion carried unanimously.

- D. Resolution approving an agreement with Ramsey County for election services

City Manager Richter reported that the city utilized the election services of Ramsey County in 2017 to launch a pilot program for countywide early voting through the use of centralized early voting locations, including the Ramsey County Library.

Ms. Richter recounted a recent Council presentation by Joe Mansky, the Ramsey County Elections Administrator. Mr. Mansky had described current election trends, mainly in relation to early voting and security. Elections are becoming increasingly contentious and results are being contested at a higher frequency than ever before.

Ms. Richter reported that the pilot project with Ramsey County went well last year, with the exception of the display of flags at a few locations. She reported that staff would work with Ramsey County to ensure polling places are displayed as accustomed.

Ms. Richter stated that the cost for Ramsey County to administer the upcoming state election is \$87,000. The city budgeted \$94,000, however \$30,000 represents costs for existing staff. Ms. Richter stated that a review of the budget reveals monies saved through current vacancies are sufficient to make up the budget variance. She added that shuffling existing staff to cover elections is disruptive to normal business practices and forwarded a recommendation to continue an agreement with Ramsey County to administer elections for 2018 - 2020.

Councilmember Walsh stated he thought this was a good idea and the County is the right level of government to assume election responsibilities. There is considerable election coordination between the city and county regardless. On a personal note, he has faith in Joe Mansky and the current set up of Ramsey County Elections.

Councilmember Jones supported the recommendation, stating that he has seen staff ramp up through the years to relearn and prepare for elections. He stated that city staff are not election experts as these duties come around only once per year.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Biehn**, to adopt **Resolution No. 12196** approving an agreement with Ramsey County for election



services.

Motion carried unanimously.

- E. Resolution receiving a feasibility report on the proposed Centerville Road Street and traffic signal improvements and ordering a public hearing on the proposed improvements (City Project No. 18-16)

City Engineer Burch stated that the final phase of the Centerville Road development is underway. The traffic patterns in the area are being generated by a variety of businesses and need to be cleaned up now that the final development is nearing completion.

Mr. Burch explained that improvements are being considered to Centerville Road with the addition of a traffic signal at the intersection where Cub Foods' entrance is located. A traffic study of this area was conducted a couple of years ago, whereby a service grade of "F" was assigned.

Mr. Burch explained that this is a joint project with the White Bear Township and Ramsey County. Although Centerville Road is a County Road, Ramsey County asked the City of White Bear Lake to take the lead because of the city's ability to move the project forward at an accelerated pace. Mr. Burch stated, that the City can take the lead on this project with the assistance of a consulting engineer who has been working for the developer. While the City will take the lead managing the project, the bulk of the work will be handled by the consultant and will be considered as part of the improvement costs.

Mr. Burch stated that Lunds & Byerlys expects to be open in September, which is only five months away. Many of the materials will need to be ordered in advance, such as the signal system equipment, which take 8-10 weeks. Design and bids are compressed from the normal schedule given the tight turn-around.

Mr. Burch stated the County will pay for a portion of the improvements to the road. In consideration of assessing benefitting properties, the city has asked its assessor, Dahlen, Dwyer, Foley & Tinker, Inc., to prepare an appraisal report to determine the benefits to area property owners in both White Bear Lake and White Bear Township. This information will be used for preparation of special assessment rolls, which will be considered by the City Council at a future meeting. The remaining costs, which cannot be covered through township, city and county assessments, are to be covered by the developer.

Mr. Burch provided a brief overview of the plans for improvements to the area. He stated the Council will need to receive the request from Ramsey County for taking the project lead, receive the feasibility report and order the public meeting on April 24<sup>th</sup>, and ordering the project advertised for bids. This will allow the city to receive bids after the public hearing so the Council can consider award of a contract at the May 8<sup>th</sup> Council meeting. There will be a public information meeting regarding the proposed improvements in White Bear Lake City Hall on April 4<sup>th</sup>.

City Manager Richter added that the city will be bringing forward a reimbursement agreement with the developer at the April 24<sup>th</sup> Council meeting. This will protect the city from being on the hook for any of the funding as the city's share of this project will be recovered through special assessments to affected properties.

Councilmember Jones asked for clarification related to the 17% management fee. It was confirmed this cost would be passed along to the developer.

Councilmember Walsh commented related to the public hearings, there will likely be many people attending and he suggested preparing for a lot of feedback about traffic in this area.

Community Development Director Kane stated an Open House will be held on April 4<sup>th</sup> to describe the project and construction timeline. A public notice was mailed to impacted commercial properties, neighboring residential neighborhoods and all neighboring jurisdictions.

City Attorney Pratt requested the following change to section two of the resolution, striking assessment hearing and replacing it with "improvement project".

It was moved by Councilmember **Walsh**, seconded by Councilmember **Edberg**, to adopt **Resolution No. 12197** receiving a feasibility report on the proposed Centerville Road Street and traffic signal improvements and ordering a public hearing on the proposed improvements (City Project No. 18-16), with a change to number 2, replacing "assessment roll" with "improvement project".

Motion carried unanimously.

F. Resolution calling for public hearing on a proposed property tax abatement

Finance Director Rambow explained that this is the first step in the process for selling bonds for the Sports Center renovation. The city is calling for a public hearing on April 24<sup>th</sup> related to designating certain properties within the city that would be obligated to pay the bonds on the Sports Center renovation project if necessary. An abatement bond states that taxes do not increase, but rather tax assessments are assigned, or designated, to repay the debt service.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12198** calling for public hearing on a proposed property tax abatement.

Motion carried unanimously.

G. Resolution calling for public hearing to identify a qualified user of the Sports Center

Finance Director Rambow explained that because the White Bear Hockey Association is a major tenant of the Sports Center and is a 501(c)(3) operation, the city must hold a public hearing to designate the principal benefiting renter. He stated that the White Bear Hockey Association will pay rent as the principal renter.

Councilmember Edberg inquired whether a public hearing is required for another principal tenant should the White Bear Hockey Association dismantle. Mr. Rambow explained this is only because it is part of financing of the Sports Center.

Councilmember Jones inquired as to the School District. Mr. Rambow explained that because they are a governmental agency, this is not required.

City Attorney Pratt explained further that if a private tenant moved into the Sports

Center, that would jeopardize the tax-exempt status of the bonds the city is issuing. He said there is a provision in the Internal Revenue Code that a 501(c)(3) can take the majority of ice time as long as the city holds a public hearing and designates the bonds as qualified 501(c)(3) bonds. The school district is lumped into “good users” of the Sports Center, whether they are non-profits or governmental agencies. The city could have an agreement with the school district but it would not jeopardize the tax-exempt bonds.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to adopt **Resolution No. 12199** calling for public hearing to identify a qualified user of the Sports Center.

Motion carried unanimously.

#### H. Resolution of support of legislation related to Lake Level Litigation

City Manager Richter explained that at the last meeting, the Council approved sending a letter to the DNR for an administrative appeal to contest the recent amendments to the city’s water appropriations permits. Until that administrative appeal process is concluded, the city is not obliged to execute the amendments.

Ms. Richter went on to explain that Representatives Runbeck and Fischer and Senators Chamberlain and Wiger have co-sponsored bills stating that no funding will be spent by the DNR to enforce the provisions of the amendments to the water permits until the appeals process is exhausted. If signed into law, this bill would effectively stay the Court’s ruling until the appeal process is exhausted. Ms. Richter explained that most of the eleven affected communities have considered supporting these bills.

Councilmember Walsh stated he is generally opposed to telling other governmental bodies what to do, however, he shared that when these bills are discussed in committees, it is a good idea for the city to let legislators know where it stands.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Edberg**, to adopt **Resolution No. 12200** support of legislation related to Lake Level Litigation.

Motion carried unanimously.

### 10. CONSENT

- A. Resolution accepting federal passport fee increase effective April 2, 2018. **Resolution No. 12201**
- B. Resolution ordering Public Hearing for Stormwater Pollution Prevention Program (SWPPP). **Resolution No. 12202**
- C. Resolution approving wine, strong beer and Sunday liquor licenses at Burger Bar. **Resolution No. 12203**
- D. Resolution approving an off-sale liquor license at The Cellars Wines & Spirits. **Resolution No. 12204**

It was moved by Councilmember **Biehn**, seconded by Councilmember **Walsh**, to adopt the Consent Agenda as presented.

Motion carried unanimously.

## 11. DISCUSSION

Nothing scheduled

## 12. COMMUNICATIONS FROM THE CITY MANAGER

### ➤ Work Session reminder

Ms. Richter reminded the Council of an upcoming work session on April 3<sup>rd</sup> to discuss fire and ambulance services. The work session was moved from 5:30 p.m. to 6:00 p.m.

### ➤ Newsletter

Ms. Richter relayed that the newsletter is expected to reach households by the 2<sup>nd</sup> week in April.

### ➤ Engineering update

City Engineer Burch stated that routine maintenance is happening to Well #3 in which the well is pulled from the ground and inspected. This is done every five years to each of the City's wells. The Sports Center project will start on Monday. Street projects are out for bids and information related to sidewalks will be provided at the April 10<sup>th</sup> Council meeting.

### ➤ Planning update

Ms. Kane was pleased to announce that six of seven required elements of the Comprehensive Plan were presented to the various advisory boards and commissions with good feedback provided. Currently the transportation element and the implementation element will be presented to the Planning Commission at the April 30<sup>th</sup> meeting along with a substantial draft of the Comprehensive Plan for public input. Ms. Kane anticipates presenting a complete draft to the Council during the May 8<sup>th</sup> City Council meeting for a formal public hearing.

Ms. Kane referenced a handout of proposed committees for the Rush Line Environmental Analysis Phase. She explained that Rush Line is seeking a lot of community input with three additional committees. The proposed working group would meet 2-3 times over the year with Kimberly Horn and the consulting team to help identify issues and provide community input on everything north of County Road E. Rush Line would also like to conduct one-on-one interviews with stakeholders and policy makers.

Ms. Kane explained that after this Thursday's policy advisory meeting, Rush Line will be announcing a broader, community-wide committee that will be staffed through an application, nomination and appointment process. Ms. Kane asked for Council recommendations for community participants, and whether if Councilmembers had an interest in participating in the one-on-one interviews.

Ms. Kane shared the timeline for these committees. She asked for recommendations by Tuesday, April 3<sup>rd</sup>. The first meeting of the broader task force and working group will be on April 17<sup>th</sup> and Crandall-Arambula, the station area planning and design sub-consultant, will be here April 17-19 for one-on-one interviews.

➤ Dog Swimming Area

Ms. Richter reminded the public of a planned discussion about the dog swimming area on April 10<sup>th</sup>. She stated that it is still the recommendation of the Park Advisory Commission that the 7<sup>th</sup> Street location be removed as a designated dog swimming area within the City of White Bear Lake.

**13. ADJOURNMENT**

There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Jones** to adjourn the regular meeting at 9:04 p.m.

---

Jo Emerson, Mayor

**ATTEST:**

---

Kara Coustry, City Clerk



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

***MEMORANDUM***

**To:** Ellen Richter, City Manager

**From:** The Planning Commission

**Through:** Samantha Crosby, Planning & Zoning Coordinator

**Date:** April 4, 2018 for the April 10, 2018 City Council Meeting

**Subject:** **BRENDA SWEET – Conditional Use Permit  
4961 Campbell Avenue - Case No. 18-1-CUP**

---

**REQUEST**

A Conditional Use Permit (CUP) for a home accessory apartment in order to establish a “mother-in-law unit” in the basement of a single-family residence.

**SUMMARY**

Other than the applicant, no one spoke to the matter.

**RECOMMENDED COUNCIL ACTION**

On a 6-0 vote, the Planning Commission recommended approval of the request as presented.

**ATTACHMENTS**

Resolution of Approval

**RESOLUTION NO.**

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR  
4961 CAMPBELL AVE  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (18-1-CUP) has been submitted by Brenda Sweet to the City Council requesting approval of a Conditional Use Permit of the City of White Bear Lake for the following location:

**LOCATION:** 4961 Campbell Avenue

**LEGAL DESCRIPTION:** Lot 8, Block 2, PARISEAU ADDITION, Ramsey County, MN (PID # 143022210013)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A Conditional Use Permit for a 417 square foot Home Accessory Apartment per Code Section 1302.125; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on March 26, 2018; and

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

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

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

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

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after granting the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the permit shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. This conditional use permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions. Proof of such shall be provided prior to the issuance of a rental license.
4. The right to rent the accessory apartment ceases upon transfer of title unless reissued by the City Council.
5. Per Section 1302.125, Subd.4.a, the owner of the single family structure shall reside in the principal structure. The permit becomes null and void if the owner ceases to reside in the residence. The accessory apartment shall remain an accessory rental apartment, owned by the occupant of the principal structure. There shall be no separate ownership of the accessory rental apartment.
6. The number of vehicles associated with the principal residence and accessory unit together shall not exceed that which can fit in the garage and on the driveway.
7. The number of occupants of the accessory apartment shall not exceed two (2) tenants.
8. The owner shall sign the Rental Property Licensing Exemption for Relative Homestead Occupancy.
9. The owner shall obtain a rental license prior to renting out the unit to anyone who is not related.
10. The applicant shall verify lot lines and have the property pins exposed at the time of inspection.

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

Ayes:  
Nays:  
Passed:



\_\_\_\_\_  
Jo Emerson, Mayor

**ATTEST:**

\_\_\_\_\_  
Kara Coustry, City Clerk

\*\*\*\*\*

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

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

\_\_\_\_\_  
Brenda Sweet (Applicant) Date

\_\_\_\_\_  
Dustin Holman (Owner) Date



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

***MEMORANDUM***

**To:** Ellen Richter, City Manager

**From:** The Planning Commission

**Through:** Samantha Crosby, Planning & Zoning Coordinator

**Date:** April 4, 2018 for the April 10, 2018 City Council Meeting

**Subject:** **LAKESHORE PLAYERS THEATRE – Variance**  
**4941 Long Avenue, Case No. 18-3-V**

---

**REQUEST**

A 2-foot variance from the 8-foot height requirement for a fence, in order to retain the existing 6-foot tall wooden privacy fence.

**SUMMARY**

One neighbor spoke in opposition, and requested that the fence height be the required 8 feet in the area adjacent to his two properties.

**RECOMMENDED COUNCIL ACTION**

On a 6-0 vote, the Planning Commission recommended approval of the variance as requested.

**ATTACHMENTS**

Resolution of Approval

**RESOLUTION NO.**

**RESOLUTION GRANTING A FENCE HEIGHT VARIANCE FOR  
4941 LONG AVENUE  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (18-3-V) has been submitted by Lakeshore Players Inc. to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

**LOCATION:** 4941 & 4951 Long Avenue

**LEGAL DESCRIPTION:** Lot 5, Block 3, Auditor's Subdivision No. 48, Ramsey County, Minnesota. (PID #143022110038) and Lots 6 thru 9, Block 3, Auditor's Subdivision No. 48, Ramsey County, Minnesota (PID # 143022110077).

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A 2 foot variance from the 8 foot height requirement for a fence, per Zoning Code Section 1303.130, Subd.4.e.3, in order to retain the existing 6 foot tall wooden privacy fence; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on March 26, 2018; and

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

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

1. The requested variance will not:
  - a. Impair an adequate supply of light and air to adjacent property.
  - b. Unreasonably increase the congestion in the public street.
  - c. Increase the danger of fire or endanger the public safety.
2. Because there is a 2 to 3 foot drop in grade adjacent to the fence in the areas where the fence is adjacent to residential property, the variance will be in harmony with the general purpose and intent of the City Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
3. Because the zoning code does not require community centers in other zoning districts to have an 8 foot tall fence, the requested variance will not unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.

- 4. The special conditions and circumstances are not the result of actions of the owner or a predecessor in title.
- 5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variances.

**FURTHER, BE IT RESOLVED**, that the City Council of the City of White Bear Lake hereby approves 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. The as-built drawings for the project shall verify the depth of the fence footings and the location of the fence in relation to the property lines.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

**ATTEST:**

\_\_\_\_\_  
Kara Coustry, City Clerk

\*\*\*\*\*

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

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

\_\_\_\_\_  
Rob Thomas, Managing Director

\_\_\_\_\_  
Date



City of White Bear Lake  
City Manager's Office

## MEMORANDUM

**To:** Mayor and City Council  
**From:** Ellen Richter, City Manager  
**Date:** April 5, 2018  
**Subject:** Consideration of Designated Dog Swimming Area

---

### BACKGROUND

At its June 28, 2016 meeting, the City Council heard extensive public comment regarding use of the public space on Lake Avenue between 6<sup>th</sup> and 7<sup>th</sup> Streets as a dog swimming area. The Council then requested the Park Advisory Commission to consider whether designation of this portion of the Matoska Park shoreline as a dog swimming area continues to be an appropriate use. The Park Advisory Commission ultimately concluded that this location was not an appropriate area for dogs off-leash due to its multi-uses and proximity to homes. A recommendation was then forwarded to Council for consideration at its February 28, 2017 meeting.

There were many people present at the February 28<sup>th</sup> meeting representing both those in favor of and opposed to the designated dog swimming area. Following extensive public comment and Council discussion, the Council agreed to temporarily maintain the dog swimming area for another year and established rules pertaining to its use, (see attached Resolution No. 11973). Included in the rules was a requirement that all dogs remain on leash no longer than 30-feet in length at all times.

Throughout the summer, a local group of volunteers worked to keep the area clean and educate users of the leash requirements. Despite their efforts, many users disregarded the leash requirement by allowing dogs to swim off leash. Staff received considerable feedback from concerned neighbors throughout the summer, as described on the attached comment log. Included among the comments logged are some observations of those who abided by the new regulations.

The Park Commission maintains its recommendation to discontinue the dog swimming area. Staff supports the logic behind the Park Commission's recommendation. It also acknowledges that, although many owners failed to heed the leash restrictions, conditions did improve last summer. An option might be to require all users to acquire a permit from the City to use the swimming area, which could be issued in the form of a lanyard to be worn by the owner. This may help to address a few concerns; permitted users not abiding by the regulations could be more easily identified by others wishing to issue a complaint. Additionally, it would ensure that dogs using the area have been properly vaccinated, and that owners receive clear guidelines regarding use of the area. While staff does not want to establish an expectation that police officers will be actively ticketing non-

compliant users, the City's CSO officers could randomly patrol the area weekday evenings and weekend afternoons.

**RECOMMENDATION**

Attached is a resolution forwarding the Park Advisory Commission's recommendation to close the dog swimming area. Staff will be prepared to further discuss this and other options at the meeting on April 10<sup>th</sup>.

**ATTACHMENTS**

Park Commission Resolution  
2017 Dog Activity Log  
February 2017 packet information

RESOLUTION NO.

RESOLUTION DELETING THE MATOSKA PARK WATERFRONT FROM THE  
CITY'S DESIGNATED DOG EXERCISE AREAS  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, in 2007, the City Council designated certain park areas within Lakewood Hills Park, Vamey Lake Park and Matoska Park as dog exercise areas, and

WHEREAS, concerns have been raised regarding continued use of the Matoska Park shoreline as a dog exercise area, and

WHEREAS, the City Council requested that the Park Commission review the use of Matoska Park as a dog exercise area and forward a recommendation regarding future use of Matoska Park as a dog exercise area, and

WHEREAS, the Park Commission received and reviewed many comments, e-mails and letters from park users and residents and inspected the area, and

WHEREAS, the Park Commission has concluded that Matoska Park is not an appropriate location for a dog exercise area and has forwarded a recommendation to the City Council to delete the Matoska Park dog exercise area from such City designated areas.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, THAT:

1. The Council hereby accepts the Park Commission recommendation to eliminate the Matoska Park shoreline from City designated dog exercise areas. The Park Commission recommendation includes the following items:
  - a. The City should continue to provide dog exercise areas at appropriate park spaces in the City and encourages other cities, counties and the township to provide dog exercise areas as well, where appropriate space is available.
  - b. The dog exercise area at Matoska Park should be discontinued. It is the Park Advisory Commission's opinion that Matoska Park does not have adequate space or shoreline to accommodate all of the activities currently attempting to use the Park. The first priority for Matoska Park should be marina use, secondly swimming and lastly, as space provides, other appropriate activities.
  - c. Dog exercise areas, which include dog beaches, should be located away from residential areas to avoid nuisances such as noise from barking dogs, vehicle traffic, unintentional interaction of dogs with pedestrians, and the negative health effects from dog waste which is not picked up by owners. Matoska Park is not an appropriate dog exercise area.
2. The Council hereby deletes Matoska Park from the City's designated dog exercise areas.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk



## Matoska Park Dog Area - Log

Date	Time	Who	Observations
5/9/17		Dan Louismet	Emailed 2 picture: one with 2 off leash dogs and one with 3 off leash dogs
5/10	6:30 pm	Anne Kane	Two dogs, one barker, no leashes
5/11		Wayne Grundstrom	E-mailed photo to Mayor, dog swimming off leash
5/11	5:45 pm	Anne Kane	One person two dogs, no leashes, running and fetching in lake
5/15	11:00 am	Wayne Grundstrom	One owner with unleashed dog walked right by the signage. Disgusted the City Council rejected the recommendation of its own advisory group; disgusted City Management has decided that all dog owners will follow the posted rules; disgusted that our City has set up a designated unfenced dog park on a busy multi-use beach in one of the most historic areas of the City. Disgusted the City hasn't committed resources to monitoring and policing activities, especially after being informed that dogs jump on people, knock people down and run loose in non-designated areas.
5/16	3:00 pm	Wayne Grundstrom	Emailed photo of dog off leash
5/22	3:30 pm	Mark Burch	One person swimming with black lab not on leash
5/24	4:45 pm	Wayne Grundstrom	Emailed a picture of dog off leash at WEST PARK BEACH
5/25		Wayne Grundstrom	Emailed a picture of dog off leash at WEST PARK BEACH; there are no signs posted at West Park Beach; The reality is that some pet owners either do not know the rules or ignore them; Any reasonable person would agree that WBL City endorsement of dog activity on public beaches presents financial and health risks that most residents would not choose.
5/25		Colleen Joyce	E-mailed concern that leash law not being followed or enforced
5/27	6:30 pm	Wayne Grundstrom	Emailed picture of dogs off leash
5/28	6:30 pm	Wayne Grundstrom	Emailed picture of owner playing fetch in the lake with off-leash dog off the T dock next to the dog park.
5/31		Heidi Hughes	Emailed picture of off-leash dog at Memorial... the same dog was off leash at West Park although there are no signs at that location.
5/31	1:00 pm	Wayne Grundstrom	Emailed picture of dog off leash at WEST PARK BEACH just after it pooped on the north edge of the beach, the owner saw us watching and apologized and said she would clean it up.
6/1		Colleen Joyce	E-mailed: Thirty minutes this morning of straight up barking coming from that dog beach! What used to

## Matoska Park Dog Area - Log

			be a beautiful peaceful place to live has been drastically changed for those of us who live here
6/1	4:45 pm	Dan Wachtler	Three women with 3 large off leash dogs romping in water
6/1		Heidi Hughes	Emailed a picture of lady in water with off leash dog
6/1		Heidi Hughes	Emailed a picture of girl throwing ball for dog to chase off leash
6/1		Heidi Hughes	Emailed picture of two with two off leash dogs in water in the skid area rather than the designated dog area
6/2	10:00 am	Connie Taillon	Emailed picture of dogs swimming with no leashes. Owner had 3 dogs swimming with no leashes and on the Y dock
6/2	2:57 pm	Lady left Voice Mail	The dogs at Matoska ARE on leashes – she spends a lot of time there
6/2	3:30 pm	Gene Peterson	Three women had their three dogs on leash. At the same time, one young man spent about 1/2 hr at the dog beach with his dog off leash and running far and wide. After watching this, one of the woman took her dog off leash as well. One of the dogs barked quite a bit for an extended period of time.
6/2	4:45 pm	Gene Peterson	A man and woman had a large dog off leash
6/3	6:05 pm	Gene Peterson	A man with an off leash dog
		Gene Peterson	I have been pleased to see several of the dog owners following the new leash regulation on the sign by the beach. This has prevented their dogs from running all over the place including frightening my grandchildren. It also seems to reduce the barking as the owners are near the dogs to keep them from going after or being frightened by other dogs.
6/4	8:20 am	Dan Wachlter	Family of 3 parked on 7 <sup>th</sup> Street, walked with leashed dogs to the park, read the sign, went down the stairs and unleashed their dogs to let them run
6/4 & 6/5	All weekend	Heidi Hughes	Emailed multiple pictures of off-leash dogs over the weekend. 7-10 off leash all day long, finally at 4:30 pm, one couple came with 2 dogs and kept them on the leash
6/4		Rachel Bonin	Emailed (4) pictures and (2) videos from the weekend of unleashed dogs pooping, peeing on water's edge
6/4	Morning	Michael Dutcher (VET)	Owns boat racks at Matoska – spots multiple off leash dogs every time since opening this spring. Just this morning a lady with a larger off-leash dog couldn't get her dog to respond. When she called it, it started a fight with another dog that was on a lead. The lady managed to leash her dog right before a picture could be snapped but she had it off lead again not long

## Matoska Park Dog Area - Log

			after. Still not under control and not responsive to her calls. During both times her dog was off leash, there was a young couple with toddler watching.
6/5		Heidi Hughes	Four dogs all LEASHED – impressive!
6/6	2:45 p.m.	Gene Peterson	Five dog owners with five larger dogs off leash at one time. Three of the five dogs ran out of the designated area. One of the five owners ignored the signs and used the children’s beach stairway instead of the dog beach stairway. One comment made, “they don’t enforce the leash law”.
6/7	4:49 p.m.	Mary Pollard	Off leash pit pull swimming on Memorial Beach
6/7		Mary Pollard	Emailed two pictures of 4 dogs off leash playing catch with owner
6/8		Joyce Colleen	In my garden people pull up with their dog headed to beach no leash. Lots of barking again. You need to understand this is a constant if I sent an email upon observation it would be a daily occurrence
6/8	3:44 p.m.	Gene Peterson	One owner with dog off leash
6/8	3:50 p.m.	Gene Peterson	New mother with off leash dog
6/8	4:00 p.m.	Heidi Hughes	Two dogs off leash right now
6/9	Noon	Dan Wachtler	Two large dogs off leash
6/9	11:30 am – 1:30pm	Gene Peterson	<p><u>PROBLEM:</u> At about 11:30 am today (Friday, June 9) a dog owner showed up and immediately took her larger dog off leash. About 15 minutes later a man and woman showed up with their larger dog and immediately took it off leash, right in front of the signs.</p> <p>The two dogs stayed in the dog beach area for about 20 minutes. Then one of the dogs, with owner yelling for return, ran to to the middle of the children's beach area and defecated in about a foot of water. (Natural behavior for dogs not wanting to foul their own play area with excrement.)</p> <p>After doing its business, the same dog ran full speed past his owner, the sail boat dock and the boats stored on shore to the motor boat launching dock. Again, the male owner was yelling for his dog to return to no avail. He and the woman with him finally caught their dog near the motor boat launch and left the area.</p> <p><u>SOLUTION:</u> An older man and woman came with a larger dog on a retractable 30 ft leash based on the new regulation. The man wearing Bermuda shorts waded in and played the retrieving game with his</p>

## Matoska Park Dog Area - Log

			<p>dog, only throwing the ball 30 ft since his dog was on leash.</p> <p>I know this compromise is not ideal for duck hunters who want to practice long ranges retrieves, but the both the man and his dog seemed to really enjoy the shorter retrieves for quite a long period of time.</p> <p>The retrieve exercise is not an issue for most of the dog owners since they just seem to want to wade with their dogs.</p> <p>On my almost daily bike ride by the beach I have seen many, many dogs off leash and a few on shorter leashes. This was the first time I saw anyone try the 30 ft leash.</p> <p>Also, based on what I have seen previously it was unusual for the older man to keep his dog on leash while others around him were ignoring the leash requirement.</p> <p>I am not intentionally monitoring the dog beach, but it seems like most dogs are not on leash every nice day that I ride by on my bike, and not infrequently are running outside of the designated area.</p>
6/8	6:30	Terry Honsa	<p>I was at the dog beach with my kids at 6:30 last evening. Only one other man there with 2 german shephards, both on leash. So 4 dogs, three people-all following rules and completely quiet. There was a man on the Y dock with 2 labs off leash throwing a dummy. I spoke to his wife and she could not believe they had to be on leash in the water. The man with the shephards also spoke with her. So beautiful night at the beach and almost everyone following the rules.</p>
6/13/17	2:30pm	Eileen Grundstrom	<p>Emailed pic of unleashed dogs with irresponsible owners</p>
6/13/17	4:40pm	Eileen Grundstrom	<p>Emailed a pic of a woman with unleashed puppy. Only one person obeying the beach rules</p>
6/13/17	4:40pm	Eileen Grundstrom	<p>Emailed pics of small dogs unleashed on the docks</p>
6/13/17	2:45pm	Eileen Grundstrom	<p>Emailed pics of uncontrolled (leashed dogs) not on the dog beach. The woman sunning on the dock got up and left after a few minutes of dogs barking.</p>
6/13/17	6:30 pm	Eileen Grundstrom	<p>Emailed pics of unleashed dogs</p>
6/13/17	1:30 pm	Gene Peterson	<p>Two dog owners with large dogs off leash. One of the owners, after spending time on the dog beach, stopped on the way out to play fetch with her large</p>

## Matoska Park Dog Area - Log

			unleashed dog right next to the sail boat dock for about 15 minutes, very close to four people who were rigging a boat.
6/13/17	2:33 pm	Gene Peterson	A woman with her two dogs were on-leash. She followed the instructions on the sign.
6/13/17	3:10 pm	Gene Peterson	Dog owner with unleashed dog in the lake for 15 + minutes by the boats, rather than in the dog beach area.
6/15/17	5:43 pm	Gene Peterson	Two dog owners with dogs off leash
6/16/17	5:25 pm	Gene Peterson	Dog owner with dog off leash
6/18/17	Noon	Wayne Grundstrom	Emailed picture of Observed yesterday (Sunday) at about noon a family with leashed dog did tell the group with unleashed yellow lab that leashes were required. After which one of the people with the unleashed dog went over to the rules signs and then stated he interpreted the rule to mean that leashes are just required when dogs are on land not when in the water. That was that and they proceeded to let their dog run unleashed in the dog beach. So it goes.
Here's my observation on a Saturday morning in early June.	Morning	Cathy Stahn	I want to commend the City Council on handling the Matoska Dog Park problem in such a fair way. Here's my observation on a Saturday morning in early June. One lady was standing in the water with her dog on a leash. A couple walk up with their dog unleashed. She nicely brought to their attention the new rules and pointed to the sign. They immediately complied. Here comes another car with two dogs two owners approaching the dog beach. No leashes. No attention given to the sign of rules. The lady brings to their attention the new rules. They let the dogs swim and bark nonstop for a while but eventually leashed them. If the homeowners don't get some relief from this nuisance by the end of the summer, I think the next best resolve is to move the dog park to a more appropriate area. Doesn't the dog barking fall into the category of noise pollution. Does the noise ordinance protect the residents? Not to mention to keep the peace on both sides of this issue. I do not live on the lake. I'm just a walker.
6/22/17	3:45 pm	Bryan Belisle	I have probably walked by the dog beach over (50) times during the last year. Here are a few on my observations. <ol style="list-style-type: none"> <li>1. I think this is a great community asset.</li> <li>2. I haven't noticed any aggressive dogs.</li> <li>3. It's enjoyable watching the dogs</li> <li>4. I haven't noticed excessive or loud barking.</li> </ol>

## Matoska Park Dog Area - Log

			5. I believe the dogs are under control and question the leash requirement.
6/23/17	4:31PM	Heidi Hughes	Emailed picture of two dogs- one they just put back on leash to soap him up and the other is off leash by the boy in green.
6/23/17		Heidi Hughes	Email picture of dog all over the swim dock area and then busted up a private dock. He's now running along lake
6/24/17	2:04 pm	Heidi Hughes	Emailed picture of two off leash dogs
6/30/17		Eileen Grundstrom	Emailed 7 pictures of dogs off leash
7/3/17		Rachel Bonin	Video and picture of off leash dogs
7/3/17		Heidi Hughes	Emailed 8 pictures of dogs off leash with multiple dogs off leash in each picture, only one dog out of 16 dogs were wearing a leash
7/3/17		Heidi Hughes	Emailed 2 more pictures totaling 5 unleashed dogs
7/5/17		Dan Louismet	Emailed three pictures of off leash dogs: two different dogs that ran up the hill from the dog beach to the walking path; the owners were still in the water and therefore obviously very far aware from their dogs
7/8/17	6:00 pm	Dan Wachtler	2 Large dogs swimming off leash
7/10/17		Joyce Colleen	Emailed: "Just another long week of barking off lease dogs defecating in the lake. "
7/10	3:47 p.m.	Heidi Hughes	Emailed picture of leash free dog swimming
7/10	5:08 pm	Heidi Hughes	Emailed picture of leash free dog swimming
7/10	8:00 pm	Dan Wachtler	Man with 2 dogs off leash Swimming off the dock.
7/10	5:00 pm	Dan Wachtler	2 large dogs off leash, swimming, one barking for 30 minutes
7/10	7:45 pm	Dan Wachtler	2 dogs off leash, swimming
7/11	11:18 am	Elizabeth Showalter	No dogs. 2 families fishing.
7/11	11:04am	Eileen Grundstrom	This is the shoreline of the dog beach. Mucky and smelly. And you expect citizens to swim next to that mess?
7/12/17	4:25pm	Brian Bonin	Emailed picture of three dogs off leash today. One is well inside the swimming beach
7/15/17	2:30pm	Dan Wachtler	7 dogs on the beach (only 2 of them on a leash)
7/15/17	2:39pm	Rachel Bonin	Sent 2 pictures of about 9 dogs with at least 5 off leash
7/16/17	3:05pm	Dan Wachtler	11 dogs swimming, 6 of them not on a leash. One of the off leash dogs barked constantly for at least 30 minutes
7/17/17	4:20pm	Heidi Hughes	Emailed picture of 3 dogs off leash
7/18/17	5:45pm	Heidi Hughes	Emailed picture of 3-4 dogs off leash
7/17/17	12:45pm	Rick Juba	6 dogs, 4 unleashed – no noise issue

## Matoska Park Dog Area - Log

7/20/17	3:48pm	Heidi Hughes	Emailed pictures of one dog off leash
7/20/17	4:16pm	Heidi Hughes	4 big dogs off leash
7/20/17	7:00 pm	Park Commission	One dog swimming with owner, quiet, but not on a leash. One dog with owner on his leash.
7/21/17		Dan Louismet	Emailed picture of two dogs off leash
7/22/17	2:22 pm	Heidi Hughes	Emailed pictures of two off leash, one on leash but the leash is not being held, one on leash. It's an eclectic mix.
7/22/17	2:34pm	Brian Bonin	Emailed three pictures of dogs off leash
7/22/17	4:17pm	Heidi Hughes	Emailed pictures of 4 dogs off leash
7/22/17	4:19pm	Heidi Hughes	Emailed picture of a dog swimming back under the bouys from the swim beach.
7/23/17	3:49pm	Heidi Hughes	Emailed pictures of two dogs off leash and seven adults for whom the law apparently doesn't apply
7/23/17	4:26pm	Heidi Hughes	Emailed picture of three dogs off leash, one owner
7/23/17	5:04pm	Heidi Hughes	Emailed picture of two dogs off leash with two owners for whom the law doesn't apply.
7/26/17	3:35 p.m.	Heidi Hughes	Emailed a picture of off leash dog
7/26/17	5:18 p.m.	Heidi Hughes	Emailed a picture of off leash dog and a whole bunch of Pokémon go players were reported to be there
7/8/17		Scott Slocum	Reported a successful dog beach clean-up event in which a muck pile the size of 6.5 feet by 9 feet by 2 feet was removed. The drained (yet still moist) pile is estimated to weigh 4 tons! Partial credit goes to the human-beach cleanup crew, who had begun the pile before the dog-beach cleanup event. They seem to have been working on the shoreline north of the dock. I haven't heard about their plans since my 7/7/2017 talk with one of the crew.
7/30/17	3:11 pm	Rachel Bonin	Emailed two pictures of several dogs off leash, only one on shore was leashed
7/29/17	7:30 am	Dan Wachtler	Dog barking and retrieving tennis ball, owner yelling at dog to "come". Woke us up.
7/29/17	3:40 pm	Dan Wachtler	Five dogs off leash running all over the place, one barking continuously
8/1/17		Dan Louismet	Emailed picture of two dogs off leash
8/7/17	3:25 pm	Heidi Hughes	Emailed 2 pictures, each with one unleashed dog
8/8/17	4pm – 5:30 pm	Heidi	Emailed 4 pictures containing off leash dogs from various times through the evening. One was outside the boundary
8/11/17	11:40 am	Ben Eggan	Emailed picture of off leash dog
8/14/17	5:00 p.m.	Wayne Grundstrom	Emailed a video of 3 off leash dogs and owner
8/19/17		Heidi Hughes	Emailed picture of 2 dogs
8/20	9:45	Eileen Grundstrom	Emailed 2 pictures of total of 3 dogs off leash
9/12/17	1:17 p.m.	Colleen Joyce	Emailed: “Just walked by the dog beach 5 dogs down there and not one of them was on a

## Matoska Park Dog Area - Log

			leash. Same old story nothing is being done its a joke”
9/14/17	2:36 pm	Heidi Hughes	Emailed picture of 2 dogs off leash
9/13/17	6:00 pm	Dan Wachtler	Emailed: 3 dogs off leash with 3 owners throwing frisbees. 2 dogs barking for at least 20 minutes. Please record. Thanks. Dan Wachtler p.s. I could send this description virtually every nice day. It gets a bit tiresome after a While. Same story. Over and over.
9/22/17	Various	Dan Wachtler	Emailed that dogs off leash running all over and barking continuously throughout the entire day
9/23/17	10:20 am	Dan Wachtler	Emailed: 3 dogs off leash running all over and retrieving, one barking continuously





City of White Bear Lake  
Engineering Department

## MEMORANDUM

**To:** Ellen Richter, City Manager  
**From:** Mark Burch, Public Works Director/City Engineer  
**Date:** February 22, 2017  
**Subject:** Park Advisory Commission Recommendation on Matoska Park Dog Beach

---

### SUMMARY

At its regular meeting on June 28, 2016, the City Council took considerable public comment regarding use of the public space on Lake Avenue between 5<sup>th</sup> and 6<sup>th</sup> Street as a dog swimming area. Attached is a memorandum presented by the City Manager to Council in January, 2016 which outlines the history of its use. Following considerable discussion at the June 28<sup>th</sup> meeting, the City Council requested the Park Advisory Commission to consider whether designation of this portion of the Matoska Park shoreline as a dog swimming area continues to be an appropriate use.

The Park Advisory Commission spent considerable time listening to comments from interested parties and personally inspecting the area in July 2016. The Park Commission's conclusion is that Matoska Park is not an appropriate location for a dog beach and this use should be discontinued. Attached is the January 19, 2017 Park Advisory Commission recommendation outlining its findings, as well as additional background information. The Council has received numerous emails and calls regarding this issue, many of which have been captured on the attached documents.

Representatives of the Park Advisory Commission members are prepared to speak to their recommendation at the meeting on February 28<sup>th</sup>.

### RECOMMENDED COUNCIL ACTION

The Park Advisory Commission recommends that the public space along White Bear Lake between 5<sup>th</sup> and 6<sup>th</sup> Streets no longer be listed as a designated dog exercise area as described in the attached resolution.

### ATTACHMENTS

Resolution

Past Memorandums on Dog Beach at Matoska Park

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION DELETING THE MATOSKA PARK WATERFRONT FROM THE  
CITY'S DESIGNATED DOG EXERCISE AREAS  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, in 2007, the City Council designated certain park areas within Lakewood Hills Park, Varney Lake Park and Matoska Park as dog exercise areas, and

**WHEREAS**, concerns have been raised regarding continued use of the Matoska Park shoreline as a dog exercise area, and

**WHEREAS**, the City Council requested that the Park Commission review the use of Matoska Park as a dog exercise area and forward a recommendation regarding future use of Matoska Park as a dog exercise area, and

**WHEREAS**, the Park Commission received and reviewed many comments, e-mails and letters from park users and residents and inspected the area in July of 2016, and

**WHEREAS**, the Park Commission has concluded that Matoska Park is not an appropriate location for a dog exercise area and has forwarded a recommendation to the City Council to delete the Matoska Park dog exercise area from such City designated areas.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, THAT:**

1. The Council hereby accepts the Park Commission recommendation to eliminate the Matoska Park shoreline from City designated dog exercise areas. The Park Commission recommendation includes the following items:
  - a. The City should continue to provide dog exercise areas at appropriate park spaces in the City and encourages other cities, counties and the township to provide dog exercise areas as well, where appropriate space is available.
  - b. The dog exercise area at Matoska Park should be discontinued. It is the Park Advisory Commission's opinion that Matoska Park does not have adequate space or shoreline to accommodate all of the activities currently attempting to use the Park. The first priority for Matoska Park should be marina use, secondly swimming and lastly, as space provides, other appropriate activities.
  - c. Dog exercise areas, which include dog beaches, should be located away from residential areas to avoid nuisances such as noise from barking dogs, vehicle traffic, unintentional interaction of dogs with pedestrians, and the negative health effects from dog waste which is not picked up by owners. Matoska Park is not an appropriate dog exercise area.
2. The Council hereby deletes Matoska Park from the City's designated dog exercise areas.



**City of White Bear Lake**  
Engineering Department

**MEMORANDUM**

**To:** Ellen Richter, City Manager

**From:** Mark Burch, Public Works Director/City Engineer

**Date:** January 19, 2017

**Subject:** Park Advisory Commission Recommendation to the City Council Regarding Use of Dog Beach at Matoska Park

---

**SUMMARY**

The City Council has requested that the Park Advisory Commission review the use of the Matoska Park waterfront area and forward a recommendation regarding the continued use of a portion of the park for a dog beach. The Park Commission has discussed the issue at several meetings in 2016, visited the site to observe activity, listened to many interested residents and dog owners, and reviewed numerous e-mails and letters.

**RECOMMENDED COUNCIL ACTION**

Based upon its investigation, the Park Advisory Commission has the following recommendations for the City Council:

1. The City should continue to provide dog exercise areas at appropriate park spaces in the City and encourage other cities, counties and the township to provide dog exercise areas as well, where appropriate space is available.
2. The dog exercise area at Matoska Park should be discontinued. It is the Park Advisory Commission's opinion that Matoska Park does not have adequate space or shoreline to accommodate all of the activities currently attempting to use the Park. The first priority for Matoska Park should be marina use, secondly swimming and lastly, as space provides, other appropriate activities.
3. Dog exercise areas, which include dog beaches, should be located away from residential areas to avoid nuisances such as noise from barking dogs, vehicle traffic, unintentional interaction of dogs with pedestrians, and the negative health effects from dog waste which is not picked up by owners. Matoska Park is not an appropriate dog exercise area.



## City of White Bear Lake

City Manager's Office

# MEMORANDUM

**To:** Mayor and City Council

**From:** Ellen Richter, City Manager

**Date:** June 21, 2016

**Re:** Consideration of concerns related to use of public dog beach on White Bear Lake

---

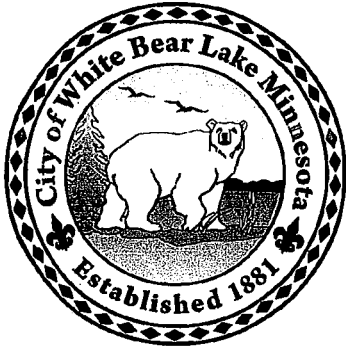
### Background

After considerable discussion, in 2007 the City formally designated a dog swimming area on the lakeshore between 6<sup>th</sup> and 7<sup>th</sup> Streets along Lake Avenue through the adoption of an ordinance to allow for an exercise area for dogs in designated park waters; a subsequent Council resolution designated three areas for exercising dogs off leash: Lakewood Hills, Varney Lake and the waterfront at Matoska Park between the boat ramp and 7<sup>th</sup> Street as indicated by signs posted by the City. These actions were taken in response to growing concerns over the proximity of an unofficial and increasingly popular area used by dog owners to the adjacent public swimming area at the end of 7<sup>th</sup> Street. After establishment of the dog swimming area, the City constructed a second staircase, created signage and placed a log barrier on land that was intended to keep dogs out of the public swimming area. Since then, as the waters receded over the next several years, the public swimming area became unusable and the availability of dryland increased, encouraging expanded use of the area to exercise dogs. The City has made additional modifications to accommodate this use over the years; most recently, higher water levels prompted placement of buoys between the dog swimming area and public swimming area, as residents are again beginning to utilize the 7<sup>th</sup> Street access.

It was reported by staff at the June 14<sup>th</sup> Council meeting that neighboring residents have raised concerns regarding continued use of this area, citing its mixed use nature and proximity to the public beach. There have also been barking and nuisance complaints. It was the consensus of Council to add this item to its next agenda to allow opportunity for public input. Maps and photos of the area will be presented at the meeting to help facilitate the discussion.

### Recommendation

Staff recommends that following public and Council input and on this topic, the Council forward this to the Park Commission for further study and ask that it come back to the Council with a recommendation for consideration.



City of White Bear Lake  
Engineering Department

**MEMORANDUM**

**TO:** Park Advisory Commission

**FROM:** Mark Burch, P.E., Public Works Director/City Engineer

**DATE:** June 30, 2016

**SUBJECT:** Matoska Park Dog Beach and 7<sup>th</sup> Street Swimming Beach Concerns

---

The City Council has asked the Park Commission to review the use of the Matoska Park Dog Beach Area and the 7<sup>th</sup> Street swimming area. The 7<sup>th</sup> Street swimming area has been a popular swimming area in the past, but when the lake water level receded, its use diminished. With lake levels now recovering, there is more interest in use of the 7<sup>th</sup> Street area for swimming again. We also have a dog beach area south of the 7<sup>th</sup> Street swimming beach and it is gaining popularity. We are hearing concerns from park users about the interaction of dogs and people.

The City Council opened its meeting on June 28<sup>th</sup> to hear from people concerned about the swimming beach and dog beach interaction. The Council heard respective comments from many people. The City Council has asked that the Park Advisory Commission review the issue and provide recommendations.

I will include this item on our July agenda and provide you with information which we will gather between now and our July meeting. I hope to have some examples from other cities and some options for you to consider.

This issue has come up in the past and the Park Commission has provided the City Council with good advice. The Council is asking again for incite and I am sure we can provide them with some good recommendations.



City of White Bear Lake  
Engineering Department

*MEMORANDUM*

**TO:** Park Advisory Commission

**FROM:** Mark Burch, P.E., Public Works Director/City Engineer

**DATE:** July 12, 2016

**SUBJECT:** July 21<sup>st</sup> Park Commission Meeting relocated to Matoska Park

---

The City Council has requested that the Park Advisory Commission review the operation of the 7<sup>th</sup> Street swimming beach and dog beach and forward recommendations concerning use of these areas. As the lake level recovers, there is renewed interest in the swimming beach and dog beach areas which has been absent with the low water levels the last several years. With increased use of these areas, users are expressing concerns about the close proximity of swimming beach and dog beach recreational areas and potential conflicts.

The City Council held a public hearing on June 28<sup>th</sup> and received comments from users of both areas. A copy of the City Council minutes is attached for your reference.

Due to the request of the City Council, we are relocating the July 21<sup>st</sup> Park Commission meeting to Matoska Park. Let's meet at the Matoska Park Boat Launch at 6:30 pm and walk the area from the boat launch to 7<sup>th</sup> Street to review current conditions and see what possible changes can be made to the waterfront facilities. If the lake continues to recover there is more shoreline available and perhaps we can return to configurations that provided more separation of these two activities in the past.

We have also researched how other cities with dog beach and dog park facilities regulate use of these areas and will include some of that information with the agenda packet.

ORDINANCE NO. 07-08-1043

AN ORDINANCE AMENDING SECTION 905 OF THE  
CITY OF WHITE BEAR LAKE MUNICIPAL CODE  
RELATING TO PARKS AND OPEN SPACE TO ALLOW FOR EXERCISE AREA FOR DOGS IN  
DESIGNATED PARK WATERS

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE DOES HEREBY ORDAIN

SECTION I. 905 of the City's Ordinance Code be amended by modifying the following:

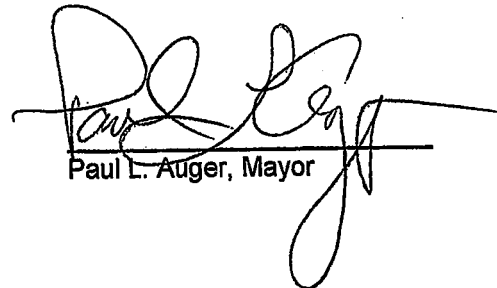
§ 905.070 Parks and Open Space: Swimming. No person shall bathe, wade or swim in any Park waters or at any beach in any Open Space Site except in such areas as specifically designated for such use, and only at such times when a City of White Bear Lake or otherwise authorized lifeguard is on duty. No person shall bring into or use at any beach any innertube, life raft or other inflatable or buoyant object intended to support a person except life belts or jackets approved by the U.S. Coast Guard. No person using Park waters shall swim outside of the marked area. No person shall possess, carry onto or scatter on any beach any glass bottle, broken glass, metal can or other debris which could be a safety hazard. No person shall use any beach area for purposes of picnicking. No person being in custody of any animal shall permit said animal to enter any beach area in an Open Space Site or Park waters during the swimming season so established by the Director, except within the boundaries of a 'Designated Area' when under the active supervision of said person and obedient to person's command as defined in Section 701.090 of the Municipal Code.

§ 905.180 Parks and Open Space: Animals. No Person owning, being in custody or having control of any animal, whether wild, pet or domestic, shall cause or allow such animal to roam or be at large in any Open Space Site, unless the Site is otherwise designated by the City pursuant to Section 701.090 of the Municipal Code. No person being in custody of any animal shall permit said animal to enter any nature interpretive area, wildlife refuge, golf course or park building, whether leashed or otherwise, and when said animals are authorized they shall be restrained at all times by a suitable leash not more than eight (8") feet long or confined to a suitable cage. No person in custody of any pet or animal shall allow said animal to disturb, harass or interfere with other Open Space Site users or their property. Any unattended domestic animal or pet found roaming or at large within any Open Space Site shall be impounded. All state laws and local ordinances relating to the licensing and muzzling of animals and pets shall apply to same brought into any Open Space Site that is not otherwise designated by the City pursuant to Section 701.090 of the Municipal Code. No person shall release or introduce any exotic or wild animal in any Open Space Site without written permission of the Director. No person owning or in custody of any pet or domestic animal shall allow such animal to graze or browse in any Open Space Site.

SECTION II. This ordinance shall take effect and be in force following its passage and publication.

First Reading July 24, 2007

Second Reading August 28, 2007

  
Paul L. Auger, Mayor

ATTEST:

  
Cory Vadnais, City Clerk

**RESOLUTION NO. 10183A**

**A RESOLUTION ESTABLISHING DESIGNATED AREAS FOR  
EXERCISING DOGS IN PUBLIC PARKS**

**BE IT RESOLVED** by the White Bear Lake City Council as follows:

**WHEREAS**, residents of the City of White Bear Lake have requested that the City set aside certain park areas to exercise their dogs;

**WHEREAS**, the City of White Bear Lake recognizes the benefits of having designated areas to exercise dogs in that it promotes active living for its owners and helps build community;

**WHEREAS**, the City of White Bear Lake adopted an ordinance on June 11, 1991 to allow for the establishment of 'Designated Areas' in City parks where a dog may be off-leash when under the active supervision of the person owning, harboring or keeping the dog and obedient to that person's command;

**WHEREAS**, the White Bear Lake Park Commission had reviewed potential areas for designation when the ordinance was first adopted in 1991. Consideration was given to such factors as: 1) proximity to high-use areas, 2) presence of man-made and natural borders to populated areas that would minimize risk of incident, 3) amenities that would represent a variety of dog training and exercise opportunities, (e.g. woodlands, grasslands, marshlands, hills, open water);

**WHEREAS**, the White Bear Lake City Council approved the designation of an exercise area for dogs on a segment of waterfront at Matoska Park between the boat ramp and 7<sup>th</sup> Street beach at its regular meeting on July 24, 2007;

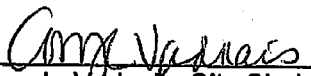
**NOW THEREFORE, BE IT RESOLVED** by the White Bear Lake City Council that the following park areas be designated pursuant to Section 701.090 of the city's Municipal Code:


1. Lakewood Hills Park, more than 300 feet from picnic or organized areas;
2. Varney Lake Park;
3. Segment of waterfront at Matoska Park between the boat ramp and 7<sup>th</sup> Street as indicated by signs posted by the City.

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

Ayes: DEVORE, FEFFER, FRAZER, JOHNSON, LEMIRE  
Nays: NONE  
Passed: AUGUST 28, 2007

**ATTEST:**

  
Cory L. Vadnais, City Clerk

  
Paul L. Auger, Mayor



To: The White Bear City Council

Re: Matoska Park – Dog Beach

We the undersigned, live in the White Bear Lake “Neighborhood” near and adjacent to the Dog Beach in Matoska Park. We understand that the White Bear Lake Park Board is unanimously recommending to the City Council that the Dog Beach be closed. We also understand that the Park Board will be presenting a report in support of that recommendation at the February 28, 2017 City Council meeting and that the Council will vote on the matter at that meeting. We agree with and support the Park Board’s recommendation and urge the City Council to vote in accord with the recommendation; i.e. to close the Dog Beach. Our request is based on the following:

1. History. The 7<sup>th</sup> street beach started as a neighborhood street end swimming beach over 30 years ago. At some point the City installed a small dock for the swimmers. Later the City added boat bouys for rent, boat skids and canoe racks. All of this was located on the lake shore on a narrow strip of land between 7<sup>th</sup> street and 6<sup>th</sup> street, north of the boat launch. People started to bring their dogs to the beach and the dog numbers increased. At some point the City put in a second stairway south of the 7<sup>th</sup> street stairway for the dog owners and installed signage directing the dog owners to the new stairway. Signage was also installed on the beach directing the dog owners to stay away from the swimming beach and clean up after their dogs. However the dog beach and the swimming beach were right next to each other and the signs did not work very well. The dogs were off leash and they often left their designated area and ran free on the swimming beach and dock. It became clear that dogs running off leash and children swimming in the same immediate area was not healthy or safe, signs or no signs. When the swimming dock was removed due to low lake level the dog owners took over, and the number of dogs began to increase at a rapid rate.
2. The Dog Beach has now become a popular destination and the number of visitors has increased substantially. Many of the dog owners are from outside White Bear Lake. The dog Beach is advertised by local merchants and restaurants and is on the Google map. It was recently recommended in the Minneapolis Star as a place for people to take their dogs for “water access”.(See Star Tribune Feb. 5 article attached, explaining that the Ramsey County Parks and Recreation was closing dog access to a pond in Shoreview.)
3. The very small strip of land on which the Dog Beach is located is already overloaded with park resources for “PEOPLE “; i.e. bouys, boat skids and canoe racks. When a swimming beach and dock are added this summer it will be even more crowded. There is simply not enough room.
4. The dogs are allowed to run “off leash” on the beach and their owners can’t and often don’t control them. They often leave the beach and run north on the shore line or west up the hill behind the beach and disturb private

property owners on Lake Avenue as well as people on the walking path. Dogs also regularly urinate and defecate on the beach or in the water. On weekends the Dog Beach is particularly busy and we have counted as many as 21 dogs running off leash on many occasions.

5. Another significant problem is the barking. On many occasions the barking has continued unabated for more than 30 minutes. We have called the White Bear police, but that hasn't helped. Thus the local Police Regulations regarding "barking dogs" and "prohibited noises" (Police reg. sections 701.130 and 703.070, subd. 3A), are regularly violated and not enforced. The barking is a terrible annoyance and there is no way to stop it. (See attached Sept. 15, 2015 Email to Mark Sather to which there was no response)
6. This beach is in a "neighborhood". There are homes immediately across the street. Unlike Ramsey Beach or West Park there is no park behind the beach. No buffer. As residents of White Bear Lake we have the same right to peace, quiet and safety as any other residents.

In conclusion, this dog beach should be closed. We anticipate you will Hear strong opposition from dog owners, and we understand they have established a strong feeling of "community". But that can easily happen at other locations. If the Council wants to sponsor a dog park, it can clearly find a more suitable place. Matoska Park is a bad location. Our parks are for people. This location simply doesn't make sense, and if it stays, the problem will only get worse as usage continues to increase. Thank you for your consideration.

NAME	DATE	ADDRESS
Dene Peterson	2/20/17	2343 7th St, WBL
Susan Peters	2/20/17	2343- 7th St, WBL
Rewal Opensen	2/21/17	4870 Johnson, WBL
Bob Kniff	2/21/17	4898 Johnson WBL
E. Keith Smelser	2/21/17	2335 7th Street, WBL
Carolyn Kniff	2/21/17	4898 Johnson Ave, WBL
Mary Gove	2/21/17	4799 Johnson Ave WBL
Huda Hughes	2/21/17	4835 Lake Ave 55110
John Poppar	2/21/17	4841 LAKE AVE WBL MN 55110

NAME	DATE	ADDRESS
Chris Wachtler Chris Wachtler	2-21-17	4767 LAKE AVE
Judy Grubs	2/22/17	4846 Morehead Ave.
Jim Grubs	2/22/17	4846 Morehead Ave, WBL
Mary Nieklauske (Mary Nieklauske)	2/22/17	4830 Johnson Ave WBL. MN 55110
Dan Wachtler	2/22/17	4859 Lake Ave, WBL
Judy Wachtler	2/22/17	4859 Lake Ave, WBL
Mary Mengel	2/22/17	2346 7th Street, WBL
Paul Ackerman	2/22/17	4887 Lake Ave. WBL
Rachel Bonin	2/22/17	2279 8th Str. WBL 55110
Brian Bonin	2/22/17	2279 8th St WBL 55110
Mom Bonin	2-22-17	4871 Lake Ave WBL 55110
Phil Bonin	2-22-17	4871 Lake Ave WBL 55110
Willie	2/22/17	4847 Lake Ave WBL 55110

property owners on Lake Avenue as well as people on the walking path. Dogs also regularly urinate and defecate on the beach or in the water. On weekends the Dog Beach is particularly busy and we have counted as many as 21 dogs running off leash on many occasions.

5. Another significant problem is the barking. On many occasions the barking has continued unabated for more than 30 minutes. We have called the White Bear police, but that hasn't helped. Thus the local Police Regulations regarding "barking dogs" and "prohibited noises" (Police reg. sections 701.130 and 703.070, subd. 3A), are regularly violated and not enforced. The barking is a terrible annoyance and there is no way to stop it. (See attached Sept. 15, 2015 Email to Mark Sather to which there was no response)
6. This beach is in a "neighborhood". There are homes immediately across the street. Unlike Ramsey Beach or West Park there is no park behind the beach. No buffer. As residents of White Bear Lake we have the same right to peace, quiet and safety as any other residents.

In conclusion, this dog beach should be closed. We anticipate you will hear strong opposition from dog owners, and we understand they have established a strong feeling of "community". But that can easily happen at other locations. If the Council wants to sponsor a dog park, it can clearly find a more suitable place. Matoska Park is a bad location. Our parks are for people. This location simply doesn't make sense, and if it stays, the problem will only get worse as usage continues to increase. Thank you for your consideration.

NAME	DATE	ADDRESS
Vicki Graves	2/21/17	4893 Lake Ave.
Bob An	2/21/17	" "
Anne Ringle	2/21/17	4885 Lake Ave.
DA D Liff	2/21/17	4885 Lake Ave

# NORTH & EAST

SUNDAY, FEBRUARY 5, 2017

EXTRA

STARTRIBUNE.COM • B6

## BRIEFS

### SHOREVIEW

## Doggie damage forces changes at canine park

Pets visiting an off-leash dog park in Ramsey County are doing so much damage to a wetland that officials are fencing off the pond.

Starting Monday, Ramsey County Parks and Recreation plans to close off access to the pond near the Rice Creek Off-Leash Dog Area in Shoreview.

While the pond seems to the dog a big bowl of water, according to the announcement, it's actually a protected wetland that "helps with stormwater treatment and filtration." In four years, the shoreline has "eroded considerably" as dogs have dug in.

To protect the wetland, all access to the pond will be closed to people and pets and signs will be posted to that effect.

People who want water access for their dogs may visit Matoska Park in White Bear Lake, which lets dogs enter the water.

DAVID PETERSON

From: Kathy & Dan Wachtler dkwachtler@msn.com  
Subject: Barking Dogs - Dog Beach Matoska  
Date: September 7, 2015 at 5:39 PM  
To: msather@whitebearlake.org

---

Hi Mark,

I hope you had a nice holiday weekend. I'm following up on our conversation a few weeks ago.

It's Labor Day, 5:00 p.m. We spent the afternoon working in the yard, listening to 2 dogs, one in particular, bark continuously for 2 hours. Despite the temptation I did not confront them. Their owners were clearly in violation of Police regulations, section 701.130. (Barking Dogs) They were also in violation of Police reg. sec. 703.070, subd. 3A (Noises prohibited) and sec. 701.010, subd. 4 (dogs running at large). This prolonged barking occurs regularly on weekends and holidays.

As you know, the "Dog Beach" is right in front of our house. It has been created on a de facto basis and thrived as a result of the low lake level. Until now we have not complained, notwithstanding the barking and the fact that many dog owners do not clean up after their dogs.

We want the City to do something about the situation. We don't think this is an unreasonable request. I would be happy to meet with you and/or other City employees to discuss this. Thanks for listening when we talked. I look forward to hearing from someone. Regards.

Dan Wachtler  
4859 Lake Ave.  
651-429-5689

Sent from my iPad

June 26, 2016

White Bear City Lake Council

White Bear Lake, MN 55110

Dear Council Members,

I am writing to voice my complaints about the current dog beach and encourage the idea of moving it to another location, hopefully away from residential properties. My husband and I have lived in our current house between 7<sup>th</sup> and 8<sup>th</sup> streets for 17 years. When we moved in, we loved the sounds of the lake and the people enjoying it. Since the inception of the dog beach, all we have heard is dogs barking and occasionally their owners yelling or screaming at them. It doesn't seem to matter if it's morning or afternoon, weekday or weekend. It's happening pretty much all the time with many dogs, many sizes, and many breeds. There is one dog owner with two large dogs that comes every day. He parks on 7<sup>th</sup> street and the dogs are barking and howling before they are let out of the car. They usually stay at the beach for at least an hour, so we have to put up with the barking and howling of those two as the owner taunts them with a ball to get them revved up before he throws it. Sometimes other dogs join in and all we can do is grit our teeth and go up into the house. I can hear the barking from inside our house even if the windows are closed. I work from home and used to think I had the most wonderful workplace, sitting at my desk on our third floor, looking out the window at the lake. It became impossible to have the windows open because I couldn't concentrate with the constant barking. It has become impossible to sit down at the lake and read a book, expecting any peace and quiet, or even enjoy working in my gardens on the hillside. It has gotten so that halfway into the summer I can tell you who the problem dogs are for the season just by hearing their owners screaming at them. One year it was Chloe, another it was Castro. By the end of the day I'm hitting the Advil bottle instead of the wine bottle.

Barking is not the only problem. Runaway dogs are another. Sometimes the dogs break away from the designated beach area and take off running. We have been entertaining big groups of people and all of a sudden a dog comes bolting up into the group. If there is food on a table, the bigger dogs think it's for them. This past Memorial Day our two and four year old grandkids were sitting at a small table on our lakefront yard when a dog came charging over. The adults had to dive in front of the dog to keep it from wiping out both kids and their food. The owner never followed, just stayed back at the dog beach screaming for the dog. Other times the runaways leave a pile of poop on our beach, or go running down the dock. Wouldn't you like to have a big dog lift their leg on an inner tube you had sitting out on your dock that you were going to float around in later?

I'm all about giving people access to the lake and beaches so they can enjoy it just like we do, but not when it interferes with a lifestyle we have worked so hard to build. It took us a long time to get here and this isn't what I was expecting when we signed on. Please find another location for the dogs and their owners to recreate where it won't be a problem for nearby homeowners.

Sincerely,

*Anne Ringle*

No dog shall be released from the pound unless the owner or other person entitled to demand release of the dog purchases a proper license for said dog and pays the required fees set forth in the animal control service contract currently in effect. All dogs taken to a pound and not claimed and released within five (5) days after being impounded, shall be disposed of in a humane manner, subject to Minnesota Statutes §35.71, Subd. 3, and any animal control service contract currently in effect. (Ref. §§1301.100, 1301.110, 1301.120, 1301.130, Code 1966; Ord. Nos. 524, 12/14/71; 595, 12/14/76; 611, 6/13/78; 649, 4/14/81)

**§701.110 DOGS; ENFORCEMENT.** It shall be the duty of any Animal Control Officer designated by the City to enforce the provisions of this chapter. Such Officer shall keep accurate and detailed records of the impounding and disposition of all dogs picked up in the City and furnish monthly reports to the City Manager as to services performed during the month. (Ref. §1301.140, Code 1966; Ord. No. 524, 12/14/71)

**§701.120 DOGS; CRUELTY.** No person may keep a dog or dogs where the Health Officer or a licensed veterinarian finds unkempt surroundings which may cause a health hazard for either the owner or dog. (Ref. §1301.150, Code 1966; Ord. No. 595, 12/14/76)

**§701.130 DOGS; BARKING AND OFFENSIVE.** No person shall keep or harbor a dog which shall by any noise, unreasonably disturb the peace and quiet of any person in the vicinity. The phrase "unreasonably disturb the peace and quiet" shall include, but is not limited to, the creation of any noise by a dog which can be heard by any person from any property line. The noise must occur over at least a five minute period of time without any interruption of thirty (30) seconds or more. (Ref. §1301.160, Code 1966) (Ref. Ord. 901, 8/24/93)

**§701.140 DOGS; VICIOUS AND RABID.** No person shall own or harbor a fierce or vicious dog, or a dog that has been afflicted with rabies. Any person who shall have in his or her possession a dog which has contracted or is suspected of contracting rabies, or which has been bitten by an animal known to have been afflicted with rabies, shall, upon demand of the Health Office, Animal Control Officer or any police Officer of the City, produce and surrender up said dog to said Officer, to be held for observation and treatment. With the approval of the Health Officer, any such dog may be surrendered to a registered veterinary or to any approved non-profit corporation organized for the purpose of sheltering dogs. Whenever a dog is taken by such Officer for having bitten a person, such Officer may, if deemed necessary and advisable, after holding such a dog a sufficient length of time to meet the requirements of the Health Officer or investigator, cause such dog to be destroyed as a vicious dog (Ref. §1301.170, Code 1966).

**§701.150 DOGS; KENNELS; LICENSE REQUIRED.** No person shall operate a dog kennel within the City of White Bear Lake unless he shall pay the City Clerk a license fee of Twenty-Five Dollars (\$25.00) and submit an application stating therein the maximum number of dogs to be harbored in the kennel, the exact location of the kennel and the qualification and experience of the applicant in the operation of a dog kennel. The City Council shall grant or deny the license. (Ref. §1301.180, Code 1966; Ord. No. 648, 1/13/81)



§703.070 MISCELLANEOUS OFFENSES; EXCESSIVENOISE. Subd. 1. Definitions.

**A. General.** Words and phrases defined in this section have, when used in this ordinance, the meanings given below. Any other word or phrase used in this ordinance, and defined in Rules NPC 1, 2 and 4 of the Minnesota Pollution Control Agency, has the meaning given in those rules.

**B. Person.** Means an individual, firm, partnership, corporation, trustee, association, the state and its agencies and subdivisions, or any body of persons whether incorporated or not. With respect to acts prohibited or required herein, "person" shall include employees and licensees.

Subd. 2. Receiving Land Use Standards.

**A. Maximum Noise Levels By Receiving Land Use Districts.** No person shall operate or cause or permit to be operated any source of noise in such a manner as to create a noise level exceeding the limits established in the rules promulgated by the Minnesota Pollution Control Agency, except for household unit(s) on property zoned for other than residential uses, shall be classified as Noise Area Classification 2. The Minnesota Pollution Control Agency, NPC-2 Noise Standards, in force and in effect on June 14, 1983, and as they may be hereinafter amended, are hereby adopted by reference and incorporated herein. (Ref. Ord. No. 865, 4/92)

B. Exemptions.

- 1) The levels prescribed in subparagraph 1 do not apply to noise originating on public streets and alleys but such noise shall be subject to all other applicable sections of this ordinance.
- 2) The removal or moving of snow from public and private roadways, driveways and sidewalks using machinery equipped with the manufacturers exhaust noise mitigation components are exempt from the provisions of this section. (Ref. Ord. 1078, 11/09/11)
- 3) Street sweeping or cleaning operations sanctioned by the City of White Bear Lake are exempt from the provisions of this section. (Ref. Ord. 1078, 11/09/11)

Subd. 3. Noises Prohibited.

**A. General Prohibition.** No person shall make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person or precludes their enjoyment of property or affects their property's value. This general prohibition is not limited by the specific restriction of the following subparagraphs.

**§703.050 MISCELLANEOUS OFFENSES; DISORDERLY CONDUCT.** No person shall conduct himself in a disorderly manner by disturbing, tending to disturb or aiding in disturbing the comfort, repose, health, peace or safety of others within the City by violent, tumultuous, offensive or obstreperous conduct and no person shall knowingly permit such conduct upon any premises owned or possessed by him or under his control.

The following conduct shall be deemed disorderly:

1. Any person who congregates with two (2) or more other persons together or near each other in any public street, or on any footwalk or sidewalk in the City so as to obstruct the free passage or foot passage and who so standing refuses to move immediately after requested to do so by any law enforcement officer.

2. Any person who uses vulgar, profane or indecent language on any public street or other public place or in any public dance hall, club dance, skating rink or other place of business open to public patronage.

3. Any person who acts in any manner as to annoy, disturb, interfere with, obstruct or to be offensive to another or other person.

4. Any person who shall make, continue or cause to be made or continued, any loud, unnecessary or unusual noise or shouts or any noise or shouting which either annoys, disturbs, injures or endangers any other person.

5. Any person who engages with others in brawling, fighting or other quarrelsome, boisterous or noisy conduct.

6. Any person who uses or exhibits offensive, disorderly, threatening, indecent, profane, vulgar, abusive or insulting language, conduct, behavior or appearance.

7. Any person who interferes with, obstructs or renders dangerous for passage any lake, park, public square, street, alley, sidewalk or any public place in the City. (Ref. §1302.050, Code 1966)

**§703.060 MISCELLANEOUS OFFENSES; LOITERING.** The following conduct shall be deemed loitering:

1. Any person who stands or loiters in or about a doorway or any building or sits upon the steps, window sill or railing of any building in such a manner to obstruct ingress or egress to and from such building or to the annoyance of occupants thereof, or the public in case of a public building.

2. Any person who loiters or wanders without apparent business or reason in a place or manner not usual for law abiding individuals and under circumstances which justify suspicion that he may be engaged or about to engage in crime and who refuses the request of a law enforcement officer that he identify himself and give a reasonably credible account of the lawfulness of his conduct and purposes. (Ref. §1302.050, Code 1966; Ord. No. 441, 5/9/67)

C. Any owner or resident of the building or place who has knowledge of the disturbance and fails to immediately abate said disturbance shall be guilty of a violation of this subparagraph.

Subd. 5. Noise Near Schools, Churches, Hospitals, Etc. No person shall create any excessive noise on a street, alley, or public grounds adjacent to any school, institution of learning, church, or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents and when conspicuous signs indicate the presence of such institution.

Subd. 6. Radios, Phonographs, Paging Systems, Etc. No person shall use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine, or other device for the production or reproduction of sound in a distinct and loudly audible manner so as to disturb the peace, quiet, and comfort of any person nearby. Operation of any such set, instrument, phonograph, machine, or other device in such a manner as to be plainly audible at the property line of the structure of building in which it is located, in the hallway or apartment unit adjacent if located in an apartment unit, or at a distance of 50 feet if the source is located outside a structure or building shall be prima facie evidence of a violation of this section. This includes radios and stereos emitting from a motorized vehicle. (Ref. Ord. 987, 7/10/01)

Subd. 7. Loudspeakers, Amplifiers for Advertising, Etc. No person shall operate or permit the use or operation of any loudspeaker, sound amplifier, or other device for the production or reproduction of sound on a street or other public place for the purpose of commercial advertising or attracting the attention of the public to any commercial establishment or vehicle.

Subd. 8. Exception for Emergency Work. Noise created exclusively in the performance of emergency work to preserve the public health, safety, or welfare, or in the performance of emergency work necessary to restore a public service or eliminate a public hazard shall be exempt from the provisions of this ordinance for a period not to exceed 24 hours after the work is commenced. Persons responsible for such work shall inform the issuing authority of the need to initiate such work, or if the work is commenced during non-business hours of the City, at the beginning of business hours of the first business day thereafter. Any person responsible for such emergency work shall take all reasonable actions to minimize the amount of noise.

Subd. 9. Enforcement.

A. Enforcement Duties. The White Bear Lake Police Department and City Code Enforcement Office shall enforce the provisions of this ordinance. The Police Department or its members and the officers of the Code Enforcement Department may inspect private premises other than private residences and may make all reasonable efforts to prevent violations of this ordinance.

**Public Response re: Park Advisory Commission recommendation to close Dog Beach**

2/2: A caller asked if the Council meetings are open re: dog beach item.

2/3: A caller asked about the status of the dog park, asked if dogs were allowed in City Hall and warned us that there was going to be a protest during the February 28<sup>th</sup> Council meeting.

2/3: Mayor Emerson received the following email:

From: Diana S <cariboucottage@msn.com>  
Date: February 3, 2017 at 11:20:00 AM CST  
To: "mayor@whitebearlake.org" <mayor@whitebearlake.org>  
Subject: Please, do not close the dogpark at Matooska Park  
It is a prized park for dogs to run and play, neighbors converse, and community is shared in that space. Swimmers have a larger beach just down the way and rarely do the boats come in and out?

2/3: A caller expressed dismay that the dog beach closing. The other areas suggested as alternative dog swimming areas contain algae that are harmful to dogs.

2/4: Bill Ganzlin, a Park Commission member, received this email:

Shawn Haag <haag0025@umn.edu> wrote:  
I just saw the article about the park commissions recommendation to close the dog beach on White Bear Lake. I am disappointed; we frequent White Bear's dog beach almost weekly in the summer with Teddie. And really enjoy the lake. But, I can understand the amount of traffic doesn't meet the spacing needs of the area. It's such a wonderful location for the dogs. I might try and attend the council meeting, even though I am not a resident of White Bear Lake to hear both sides. I will, though, plan to check out other dog parks in the area that have access to a lake, if the commissions recommendation passes.

Park Commissioner's response: Hi, thanks for your note. I understand your disappointment. The biggest challenge in our view is that the space available at Matoska is too small for all of the competing marina and swimming needs and with continued growing interest in the dog exercise area, user conflicts became more and more common. Yes, you're welcome to come to the meeting....I think there will be a crowd.

2/6: Commissioner Biehn received a phone call from Dan Walker who lives across the street from the dog beach. He indicated his very strong support of the park commission's recommendation. He stated that the dog beach is a lot more complicated than it was when it opened many years ago. He also stated that the dog beach has been mentioned in The Minneapolis newspaper as a location for people to bring their dogs.

2/6

To: White Bear Lake City Council and Staff.

From: Scott Slocum, 1416 Birchcrest Drive, White Bear Lake, MN 55110. 651-429-8487.

Re: White Bear Lake dog beach.

It looks like the White Bear Lake dog beach is still under attack. In reading the coverage in the 2/1/2017 White Bear Press, I sense that the opposition is well-organized and determined to paint the dog beach in a negative light--despite its obvious amenities for the community as a whole. Whenever I'm walking with the dog along Lake Avenue, I take her down to visit the dogs at the beach. They and their owners have always been very polite and considerate to us and others. It's a popular spot, and news of it is shared widely among dog owners. Even without further development, it's another charming point that puts White Bear Lake "on the map" for tourism, residential and commercial success.

When I wrote to you last June, I made a few points to balance the negative press coverage: first, that Memorial Beach, just a few blocks away, is the overwhelming choice for a public beach; second, that the marina's dinghy system could be improved to serve its purpose better without taking up so much of the beach; and third, that the dog beach could use a fence.

I can now add the results of my August search for a dog beach at Lakewood Hills Park: there's no such thing. I walked with the dog along the northern and eastern shores of Hanlo's Pond looking for a beach, or even an identifying sign, but saw nothing. Mark Burch explained that a small area of the shore had been used by dog owners many years ago, but that it had long since overgrown with brush. The water didn't look clean, and the muddy bottom wasn't promising for recreational use. Mark recommended Varney Lake, but we haven't visited there yet; and it's an area we don't get to often. We're regular users and volunteers at Otter Lake Dog Park. We appreciate the opportunities it offers for recreation with our furry friends. But of course, it doesn't offer anything like the beach on White Bear Lake.

Surely, the press coverage doesn't do justice to the many discussions that must be underway at City Hall, but what I'm seeing in the press doesn't leave me with confidence that all of the stakeholder groups have been equally considered in the closure recommendation by the Park Advisory Commission. First of all, the assumed "priorities" seem to be more historical than current. Reportedly, those "priorities" put the marina first, the public beach second, and the dog beach third. As I've written above, there are alternatives to using those "priorities" as if they're written in stone:

- 1) the marina design could be improved to make room for other uses,
- 2) the public beach doesn't seem to be in much demand, given the advantages of Memorial beach just a few blocks away, and
- 3) the dog beach is so well loved that it deserves a re-prioritization. If, indeed, the City of White Bear Lake is "supportive of areas to exercise dogs," then we need to realize that there is not, in fact, "plenty of space for dogs to swim and exercise" off-leash in the area.

I don't know what to say about the quote in the press, that dog owners should understand that "the demand on that space was not adequate to support the increased activity." I don't think it has any meaning--literally--yet it seems to have been advanced as a reason to close the dog beach. What we have in the White Bear Lake dog beach is a spot that's uniquely suited for an off-leash dog running/playing/swimming area. The

next-best thing might be the Minnehaha dog park in Minneapolis; but for location, convenience, water quality, sandy beach and community charm, there's nothing like the dog beach on White Bear Lake. The community of dog lovers who frequent it, love it, and depend on it is significant and growing. With improvements, it could be even better, and fit more smoothly into the multiple-use area of Matoska Park, including the walking trails, benches, gazebo, boat launch, and marina.

We mustn't let the complications of this issue discourage us from continuing--and even building upon this unique, popular, and delightful amenity for people and their dogs in White Bear Lake.

-Scott Slocum

2/7: Commission Biehn received a phone call from William Anderson who utilizes the canoes at Matoska Park. Mr. Anderson supports the Park Commission recommendation to close the dog beach.

2/14: Terri Strobel expressed dismay about the dogs running around at Lakewood Hills and wanted to know when it was designated a dog park. She also inquired as to her right to pepper spray dogs that get her face.

Timestamp	Name:	City of residence:	Say a few words to the City of White Bear Lake regarding the potential closure of its dog beach:
2/3/2017 15:29:29	Deb Casper	North St Paul	I've been taking my dog to the dog beach near Manitou bridge for years. I grew up in White Bear and there and there is no other place on the lake that allows dogs. I have never seen any problems there. It is well loved and used by dog lovers of all kinds. Please reconsider!
2/3/2017 15:31:16	Kathleen Wuorinen	Minneapolis	There are countless places in the metro for humans to swim and have fun at the beach, but the number allow them to swim, are very few. To lose yet another place for dogs to get great low impact exercise We go fishing/boating on whitebear lake weekly and our dog enjoys swimming after being out in the water to swim and play with the other dogs.
2/3/2017 17:33:10	Sherri Prael	Maplewood	Please do not close this dog beach, this is the one place that my dog loves to go and socialize with other dogs. It makes you have to be responsible for your dog. It also helps dogs to socialize with other dogs and makes you re-think the closing of the beach. Thank you
2/13/2017 11:31:06	Shaina Rae	White Bear Lake	Please don't close the dog beach!!!
2/13/2017 12:15:41	Erin Wahlmark	Saint Paul	Please do not close dog beach. I have searched high and low for a safe place for my dog to enjoy the beach but there are not. The areas are often man-made ponds which then become riddled with algae and are not safe for dogs.
2/13/2017 12:18:22	Joline Schuessler	Chaska	On a personal note, I drive all the way from Chaska to WBL for the sole purpose of dog beach and playing in the sun, in the water, with myself and my dog.
2/13/2017 12:35:29	Tanya Hunter	Carver	I use to live in White Bear Lake and would walk my dog to beach nearly everyday. I have moved 50 miles to your beach. While I'm in town, I shop, get gas and normally get take out to have while at the beach but stays to spend a little money in the local shop! The beach is my draw back to WBL.
2/13/2017 12:47:45	Ryan Sepion	Shoreview	While I'm in town, I shop, get gas and normally get take out to have while at the beach. The beach is my draw back to WBL. I come to the beach, but stays to spend a little money in the local shop!
2/13/2017 12:50:49	Pam Vruwink	Willmar, MN	When I lived in New Richmond, WI I would drive over to the dog beach in WBL to take my dog swim to spend a weekend day at the park: pick up a sandwich at a local cafe and enjoy lunch at the park. I would like to see a place for dog owners to take their dogs for fun and exercise!
2/13/2017 13:44:41	Julie Johnson	White Bear Lake	Please keep the dog beach open. It is a wonderful and unique space for our dogs. If not there, could you please consider it?
2/13/2017 14:03:42	Emma Morse	Woodbury	This is terrible. We love this beach for taking our dogs. It's always safe and clean.
2/13/2017 14:38:54	Corina Paulson	Inver Grove Heights	Please don't close the dog beach! It is one of the only places in the twin cities you can legally take your dog to the water there. We go there on the hot summer days to cool her off and then spend the day at the beach we wouldn't ever come to WBL. We build our fun activities around where we can take our dogs to the beach.
2/13/2017 16:00:26	Laura Eck	Vadnais Heights	Please don't close the dog beach. It's very hard to find places for dogs to swim lawfully near our home. We would be so incredibly sad for my family. I bring my dog with my two young boys 4-5 times per week to the beach always feel safe. The patrons are so respectful of the space, clean up after their animals and are always respectful of the community.
2/13/2017 16:51:10	Jennie Enz	White Bear Lake	closing this beach is so ridiculous. This dog park is part of what makes this community special. Please don't close the dog beach. It's very hard to find places for dogs to swim lawfully near our home. We would be so incredibly sad for my family. I bring my dog with my two young boys 4-5 times per week to the beach always feel safe. The patrons are so respectful of the space, clean up after their animals and are always respectful of the community.
2/13/2017 17:56:29	Karen Olson	St Paul	Please leave a place our dogs can enjoy your beautiful lake!!! So few places we can take them! Don't close the dog beach.
2/13/2017 19:14:24	Thompson	White bear township	Closing a dog beach will not change dogs getting cooled off and exercising in the lake. Plenty of people will still have a dog who loves to run and play on the beach with other dogs. She is really friendly and would love to play with other dogs.
2/13/2017 19:15:03	Halden Nielsen	North Oaks	I have a dog who loves to run and play on the beach with other dogs. She is really friendly and would love to play with other dogs.

2/13/2017 22:11:51 Sofie Salmon	Roseville	Hello, As an avid explorer and lake lover, I am limited in lakes where I can bring my dog, aka explorin I truly hope you will please keep open this favorite spot of many. I would also like to mention while I was in White Bear Lake for the visit to the dog beach I filled up of townner who does this. I know I planned to take more trips to the dog beach this summer thus I We enjoy visiting family and taking their dogs to the dog beach. Please reconsider your decision to cl The White Bear dog beach is a favorite summertime spot by so many! We have brought our dog, Tex many awesome people in the community through our experiences at the beach. It has also given off. We always use the nearby park, and walking trails during our visits and stop by places in dow going to the beach. After the beach, sometimes we stop at Cup and Cone! The White Bear Dog Beach is one of our favorite parks to visit, please don't close it! We love the White Bear Dog Beach and would be very sad if it closed! The dog beach has been our family's pooch, Cooper's, favorite place in the entire world for years. Co hard for him to walk for long periods of time, which means dog parks are not an option for Cooper and socialize with other dogs. Not being able to spend time with our ENTIRE family at the beach, People do not swim in the lake unless out on a boat because of such low water levels. This is the onl not think people will actually use the space as much as the dogs use it now. We love this park for our handicapped springer Cooper, its very shallow and a safe place for him to p very much, it would be a shame to close this beach to the pups and their families. We hear one areas for people to swim...this seems like a pretty bad excuse, as there is a swimming beach for areas are muddy most of the time. For the dogs and their families, its a perfect safe playplace, d dog zone, as the pups are seperated from the upper walkway and can not mingle with people ear community! Just one more way to limit the public from using White Bear Lake, which we all love! closing this park to dogs and their families is a huge loss to all of us! It makes no sense and see be run through memberships? Perhaps fencing it in and paying a fee to use and maintain it? Loo I love bringing my dog to White Bear a lake. It is quite a drive for us, but always a fun adventure. Pleas The dog beach is the only reason I make the trek to White Bear Lake! I would love to swim with my there are no closer options. Please keep it open!!
2/13/2017 22:25:19 Jennifer Haag	Buffalo	
2/13/2017 22:26:39 Nina Brooks Haag	Hugo	
2/13/2017 22:27:19 Katie Churchill	Woodbury	
2/13/2017 22:28:46 Shawn Churchill	Woodbury	
2/13/2017 22:53:08 Nicolle Danus	Minneapolis	
2/13/2017 22:55:30 Katie Reed	White bear lake	
2/14/2017 0:08:04 Sandy danus	Birchwood	
2/14/2017 2:24:21 Lynnea West	Eden Prairie	
2/14/2017 6:17:48 Amy Gustafson	Minneapolis	
2/14/2017 7:34:25 Amanda Mata	Circle Pines	
2/14/2017 8:26:56 Kris Possehl	White Bear Lake	
2/14/2017 8:36:00 Megan Coe	North St Paul	
2/14/2017 8:44:55 Monica Danus	White bear lake	
2/14/2017 9:00:29 Kimberly Kolar	Maplewood	
2/14/2017 9:00:51 Nicole Errante	Oakdale	



2/14/2017 15:11:08	Shannon Mullaney-S	Yes	White Bear Lake	<p>Please close this dog park. I am sick of all the dog poop everywhere. Dogs poop in the water, yuck! The Dog Beach is an awesome spot for residents and their pooches to get exercise and socialize with their dogs. This whole thing stemmed from one single complaint. Although more have come since, over time it has gone well until now and I think that speaks for why the beach should remain a place for the dogs that is in the shallow area of the water, so the argument that this should be a beach for swimmers. As far as the complaints go about dogs being a danger and a liability, this claim is just kind of absurd. I pass an ordinance that requires all dogs to wear muzzles in public.</p> <p>I'm opposed to closing the dog beach. It's my favorite place to visit in the summer and a large part of my life. Don't do this, it'd just be a jerk move. Have a conscious, and for gosh sake don't be a dick. Please don't regulate everywhere. I love to share the beauty of that spot with my dog.</p> <p>No, all dogs love going there great for exercise. For instance my dog hates walking but loves to swim. Dear City of White Bear, please do not close the dog beach. There are plenty of beaches for people to enjoy but as soon as the weather permits I be there with my dog. Please let us enjoy the beach with our dogs. I grew up in White Bear Lake and would like to move back. The city however needs to keep sites to keep dogs is crucial as it is now well-known that dogs are now becoming more known as family than pets to people. Please keep the dog beach open, there are so few places where people can take their dogs to swim and it's a nice alternative to each other.</p> <p>Please don't close the dog park. I often dogsit on Lake Avenue and it's such a fun place to take the dogs. I'm totally against closing the park.</p> <p>We love the dog beach!!! Please keep it!!!</p> <p>I am sad you are considering this closure. I am a senior citizen here in the neighborhood. When I was a kid, and the owners playing at the waters edge. Many of these seniors live in the apartments in town. I would love to watch. It is hard to move to a sr apartment, you give up so much. Please don't take away the Dog Beach on White Bear Lake! Its a great place for Pets AND their owners to cool down. Please keep the Dog Beaches around, there are PLENTY of Beaches for Humans. PLEASE SAVE THE DOG BEACHES! I didn't even know this park existed! I grew up in WBL, now live in N. St. Paul. What a shame it would be to close it. There is no one else that I am aware of it. PLEASE, for the love of dogs, don't let this park close!</p> <p>The dog beach closure issue started with one complaint stating the dog beach was larger than the human beach. I have NEVER, NOT ONCE, seen any human using the human beach! So if the human beach is closed, this dog beach is a favorite of ours from May through September. I load the pups up and always make sure they are happy to close it, but maybe an annual user fee, fencing, or user requirements could help keep the dog beach open. I ha I'm extremely disappointed that ONE complaint will penalize so many. Don't let this happen.</p> <p>My dogs love the water and would love to continue to swim at the dog park.</p> <p>I really hope you reconsider the closing of the doggie beach! We drive from Anoka just to go to the beach. I would love to see a special treat for him to get to play in the water. We are respectful of everyone's property and always make sure he is getting sick from the water. I will be very sad if it closes!</p> <p>I've been taking my dogs to the dog beach for several years, and almost always spend money in White Bear Lake. I would love to see a metro that is a safe spot for my dogs and I to enjoy the water. Please keep it open for dog swimmers. Please do not close the dog beach</p> <p>Places like the WBL dog beach are benefiting humans as much as dogs. Pet owners love having their dogs and a socialized and tired dog is a better dog in our community. Please do not close this special place. Our family loves taking our pooch to the WBL dog beach. Please keep it open, and let families like ours enjoy the water. Please don't close the only place that's clean enough for both my dog and I to enjoy the water</p>
2/14/2017 20:18:43	Kelly Reed		White Bear Lake	
2/14/2017 20:25:01	Hannah Schewe		Minneapolis	
2/14/2017 23:58:01	Jack Steele		White Bear Lake	
2/15/2017 8:14:47	Ann wild		Bennet, NE	
2/15/2017 10:40:46	Emily peka		White bear	
2/15/2017 12:10:27	Carien Amezcua		Maplewood	
2/15/2017 12:16:58	Greg Spude		Maple Lake	
2/15/2017 12:19:04	Courtney Hansen		Mounds View	
2/15/2017 13:16:58	Richard Ankrum		Minneapolis	
2/15/2017 15:23:02	Jennifer Andersen		Wyoming	
2/15/2017 19:34:31	Cynthia Burroughs		White Bear Lake	
2/16/2017 7:51:12	Michelle Montgomery		Oakdale, MN	
2/16/2017 7:54:10	Wendy Hanson		N. St. Paul	
2/16/2017 10:09:54	Kathy Boden		White Bear Lake	
2/16/2017 14:51:25	Carissa Ockwig		Saint Paul.	
2/16/2017 22:21:17	Shirley plumb			
2/17/2017 13:57:18	Susan Anderson		White Bear Lake	
2/17/2017 14:04:49	Melody Kushinski		Anoka	
2/17/2017 22:04:31	Jayne Griffith		Blaine	
2/18/2017 11:10:41	Judy Dawson		Shoreview	
2/19/2017 10:02:16	Wendy Harter		St Paul	
2/19/2017 10:03:40	David Meyer		St Paul	
2/19/2017 10:06:07	Emma Kwapiszeski		Forest Lake	



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

# *MEMORANDUM*

**To:** Ellen Richter, City Manager

**From:** Mark Burch, Public Works Director/City Engineer

**Date:** April 5, 2018

**Subject:** **Construction Cooperation Agreement with the Metropolitan Council for Construction of a Sanitary Sewer Force Main Replacement Project**

---

## **BACKGROUND / SUMMARY**

The Metropolitan Council has requested that the City incorporate the replacement of a segment of its sanitary sewer forcemain along Old White Bear Avenue in the City's 2018 Street Improvement Project. The work will include removal and replacement of the Council's existing sanitary sewer forcemain which runs from the lift station on South Shore Boulevard north to approximately Cottage Park Road. The work has been designed by Met Council's engineering consultant and the plans and specifications were incorporated into the City's plan set for the 2018 Street Improvement Project. The City's Engineering Department will supervise the construction and the Metropolitan Council will reimburse the City for all construction and engineering expenses. The City has assisted the Metropolitan Council on similar projects along Lake Avenue South in the past so we are familiar with their system.

A construction cooperation agreement has been prepared to facilitate the construction and payment to the City for the work. The attached resolution has been prepared for City Council consideration which would approve the agreement and authorize the City Manager to execute the agreement.

## **RECOMMENDED COUNCIL ACTION**

Our recommendation is that the City Council adopt the resolution approving the agreement.

## **ATTACHMENTS**

Resolution

**RESOLUTION NO.:**

**RESOLUTION APPROVING A CONSTRUCTION COOPERATION AGREEMENT  
(NO. 181004) WITH THE METROPOLITAN COUNCIL FOR CONSTRUCTION OF A  
REPLACEMENT SANITARY SEWER FORCEMAIN (WL-417)**

WHEREAS, the Metropolitan Council has determined that it needs to replace a segment of its sanitary sewer forcemain (WL-417) along Old White Bear Avenue; and

WHEREAS, the City of White Bear Lake is undertaking street improvements on Old White Bear Avenue in 2018; and

WHEREAS, it has been determined that the two improvements can most efficiently be constructed under a single contract; and

WHEREAS, the Metropolitan Council has prepared plans and specifications for construction of its forcemain improvements; and

WHEREAS, the City has incorporated the Metropolitan Council plans into the total bid package for the 2018 Street Improvement Project; and

WHEREAS, the Metropolitan Council has agreed to reimburse the City for all costs including engineering for construction of the improvements; and

WHEREAS, a Construction Cooperation Agreement has been prepared to facilitate the construction and Metropolitan Council reimbursement to the City for the work.

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

1. The City Council hereby approves the Construction Cooperation Agreement (No. 181004) with the Metropolitan Council for construction of a sanitary sewer forcemain (WL-417) on Old White Bear Avenue.
2. The City Manager is hereby authorized to execute the agreement on behalf of the City.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk



**City of White Bear Lake**  
Engineering Department

## *MEMORANDUM*

**To:** Ellen Richter, City Manager

**From:** Mark Burch, Public Works Director/City Engineer

**Date:** April 5, 2018

**Subject:** **Award of Contract for the 2018 Street Reconstruction Project**  
**City Project Nos.: 17-06, 18-01 & 18-06**

### **SUMMARY**

We received three (3) bids for construction of the 2018 Street Reconstruction Project on April 4, 2018 with Forest Lake Contracting, Inc. of Forest Lake, Minnesota submitting the lowest base bid of \$2,894,016.85. The low bid included an additional \$194,889.00 in MCES sanitary sewer forcemain work so the City portion of the bid is \$2,699,127.85. The bid is \$101,731 more than the estimated cost anticipated in the feasibility report and we believe this is due to the increased cost of precast concrete sewer structures and a higher cost for excavating material and trucking off site. We included a contingency of \$265,526 in our estimate so we believe the bid with the contingency added is within the acceptable range for work on this project.

The bid also included unit prices for private driveway work which will be at the discretion of individual property owners who will pay separately for that work. Bid alternates A1, A2, A3, A4 and A5 provide unit prices for the extra driveway work and bid totals based on estimated quantities. We recommend that the Council award the contract with these driveway bid alternates included for a total amount of \$133,600.

The bid also included an alternate bid (Alt Bid 2) as an incentive to the contractor to complete the project by September 21, 2018 which is 3 weeks earlier than specified in the contract. Forest Lake Contracting submitted a bid of \$12,000 for the incentive and we believe there is value to encouraging the contractor to complete the project early. We, therefore, recommend that this incentive be included in the contract award.

A copy of the bid tabulation sheet is attached to this memorandum for reference. Staff believes Forest Lake Contracting, Inc. is qualified to complete this work and recommends that the City Council accept their bid and award them the 2018 Street Reconstruction Project.

### **RECOMMENDED COUNCIL ACTION**

Staff recommends that the Council receive the bids and award a contract to Forest Lake Contracting, Inc. for the base bid amount of \$2,894,016.85 plus driveway alternates of \$133,600 and incentive alternate of \$12,000 for a total contract of \$3,039,616.80.

### **ATTACHMENTS**

Resolution

**RESOLUTION NO.:**

**RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT  
FOR THE 2018 STREET RECONSTRUCTION PROJECT  
CITY PROJECT NO. 17-06, 18-01 & 18-06**

WHEREAS, pursuant to resolutions of the City Council, specifications were drawn and advertisement for bids were made; and

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

<b>Contractor</b>	<b>Total Base Bid</b>	<b>Alt Bid A1 Driveway 2" Bituminous</b>	<b>Alt Bid A2 Driveway 2" Bit Alley</b>	<b>Alt Bid A3 Driveway 6" Concrete</b>	<b>Alt Bid A4 Driveway 6" Conc Alley</b>	<b>Alt Bid A5 Sod</b>	<b>Alt Bid 2 Final Completion</b>
Forest Lake Contracting	2,894,016.85	27,200.00	20,000.00	67,000.00	11,000.00	8,400.00	12,000.00
TA Schifsky & Sons, Inc.	2,972,103.84	27,200.00	22,000.00	53,600.00	8,500.00	12,600.00	-
Arnt Construction Co., Inc.	3,155,590.00	20,400.00	12,000.00	48,240.00	7,200.00	8,400.00	10,000.00

WHEREAS, it appears that Forest Lake Contracting, Inc. is the lowest responsible bidder.

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

1. The Mayor and City Clerk are hereby authorized and directed to enter into contract with Forest Lake Contracting, Inc., in the amount of \$3,039,616.80 which includes the \$2,894,016.85 base bids plus \$133,600 driveway alternates and \$12,000 for the incentive as approved by the City Council and on file in the office of the City Engineer.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk



City of White Bear Lake  
Engineering Department

# MEMORANDUM

**To:** Ellen Richter, City Manager

**From:** Mark Burch, Public Works Director/City Engineer

**Date:** April 2, 2018

**Subject:** Award of Contract for the 2018 Mill & Overlay Project  
City Project No.: 18-13

---

## SUMMARY

At the bid opening on April 5, 2018, we received four (4) bids for construction of the 2018 Mill and Overlay Project with Park Construction Company of Minneapolis, Minnesota submitting the lowest base bid of \$345,357.30. A copy of the bid tabulation sheet is attached for reference. The low bid is 13% under our Engineer's Estimate. We believe Park Construction Company is qualified to complete this work; and we recommend that the City Council accept their bid and award the 2018 Mill and Overlay Project to them.

A review of the tabulation sheet demonstrates that we continue to experience very competitive bids on projects here in White Bear Lake. Conversations with contractors indicate that the volume of construction projects has increased significantly in the last 2 years yet the construction market remains very competitive at this time of year.

## RECOMMENDED COUNCIL ACTION

Staff recommends that the Council receive the bids and award a contract to Park Construction Company for the base bid amount of \$345,357.30.

## ATTACHMENTS

Resolution

**RESOLUTION NO.:**

**RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT  
FOR THE 2018 MILL AND OVERLAY PROJECT  
CITY PROJECT NO. 18-13**

WHEREAS, pursuant to resolutions of the City Council, specifications were drawn and advertisement for bids were made; and

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

<b>Contractor</b>	<b>Total Base Bid</b>
Park Construction Company	345,357.30
Hardrives Inc.	375,734.85
North Valley, Inc.	396,179.91
T.A. Schifsky & Sons, Inc.	348,679.00

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

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

1. The Mayor and City Clerk are hereby authorized and directed to enter into contract with Park Construction Company, in the amount of \$345,357.30 as approved by the City Council and on file in the office of the City Engineer.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk



**City of White Bear Lake**  
Engineering Department

# MEMORANDUM

**To:** Ellen Richter, City Manager

**From:** Mark Burch, Public Works Director/City Engineer

**Date:** April 5, 2018

**Subject:** **2018 Sanitary Sewer Lining Program**  
**City Project No.: 18-07**

---

## SUMMARY

The Engineering Department has prepared specifications for the 2018 Sanitary Sewer Lining Program (City Project No. 18-07). Since 1994, the City has been installing liners in sanitary sewer mains which are difficult to maintain due to access constraints, root intrusion problems, frequent backup problems and/or pipe failures. Liners also seal pipe joints, preventing groundwater from entering the sewer main (known as “infiltration”). Installing liners rather than new pipe minimizes the cost because the liners do not require excavation of the roadway or easement area, disturbance of existing water, storm sewer or other private utilities or the disruption of service to customers.

The 2018 Sanitary Sewer Lining Program will include the lining of sewer mains on Bloom Avenue, Birch Lake Avenue, Webber Street, Shady Lane, Douglas Lane, Martin Way, Mayfair Avenue, Oak Terrace, among others. All of the sanitary sewer mains recommended for lining in the 2018 Program are prone to root intrusion problems, have cracks in the pipe, misaligned joints or pipe failures which create flow restrictions or prevent routine maintenance operations.

The attached map indicates – in purple – the sanitary sewer mains which have had liners installed in them since 1994. The proposed installation for 2018 is highlighted in blue.

This project has an estimated construction cost of \$124,775.50. The project is proposed to be funded from the Sewer Improvement Fund, which provides \$125,000 in the 2018 Budget. Since 1994, the City has invested nearly \$1.8 million in sanitary sewer lining projects. These improvements have been a major factor (along with regular cleaning and inspection by the Public Works Department) in the reduction of sanitary sewer main backups. The liners prevent roots from entering the main through joints, cracks or broken pipes and improve flow by providing a smooth interior surface for the pipe. The liners also seal the sewer main in areas with high groundwater conditions, which reduces the City’s sanitary sewer flow and thus billing from the Metropolitan Council Environmental Services.

## RECOMMENDED COUNCIL ACTION

Staff recommends that the Council approve the resolution ordering the 2018 Sanitary Sewer Lining Program and order the project advertised for bids.



**ATTACHMENTS**

Resolution

Sanitary Sewer Lining Program 2018 Map

**RESOLUTION NO.:** \_\_\_\_\_

**RESOLUTION ORDERING PROJECT, APPROVING PLANS AND AUTHORIZING  
ADVERTISEMENT FOR BIDS FOR THE 2018 SANITARY SEWER LINING PROGRAM  
CITY PROJECT NO. 18-07**

WHEREAS, the City Engineer has prepared plans and specifications for the 2018 Sanitary Sewer Lining Program – City Project 18-07, and has presented such plans and specifications to the City Council for approval.

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

1. The City Engineer is hereby designated as the Engineer for this improvement and has prepared plans and specifications for the making of such improvements.
2. The plans and specifications are hereby approved.
3. The 2018 Sanitary Sewer Lining Program is hereby ordered.
4. The Public Works Director/City Engineer shall prepare and cause to be inserted in the official paper an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 10 days, shall specify the work to be done, shall state that bids will be received by the Public Works Director/City Engineer until 11:00 a.m. on Wednesday, May 9, 2018, at which time they will be publicly opened in the City Hall by the City Clerk and City Engineer, will then be tabulated and will be considered by the Council at 7:00 p.m. on Tuesday, May 22, 2018, in the Council Chambers.

The foregoing resolution, offered by Councilmember \_\_\_\_\_, and supported by

Councilmember \_\_\_\_\_, was declared and carried on the following vote:

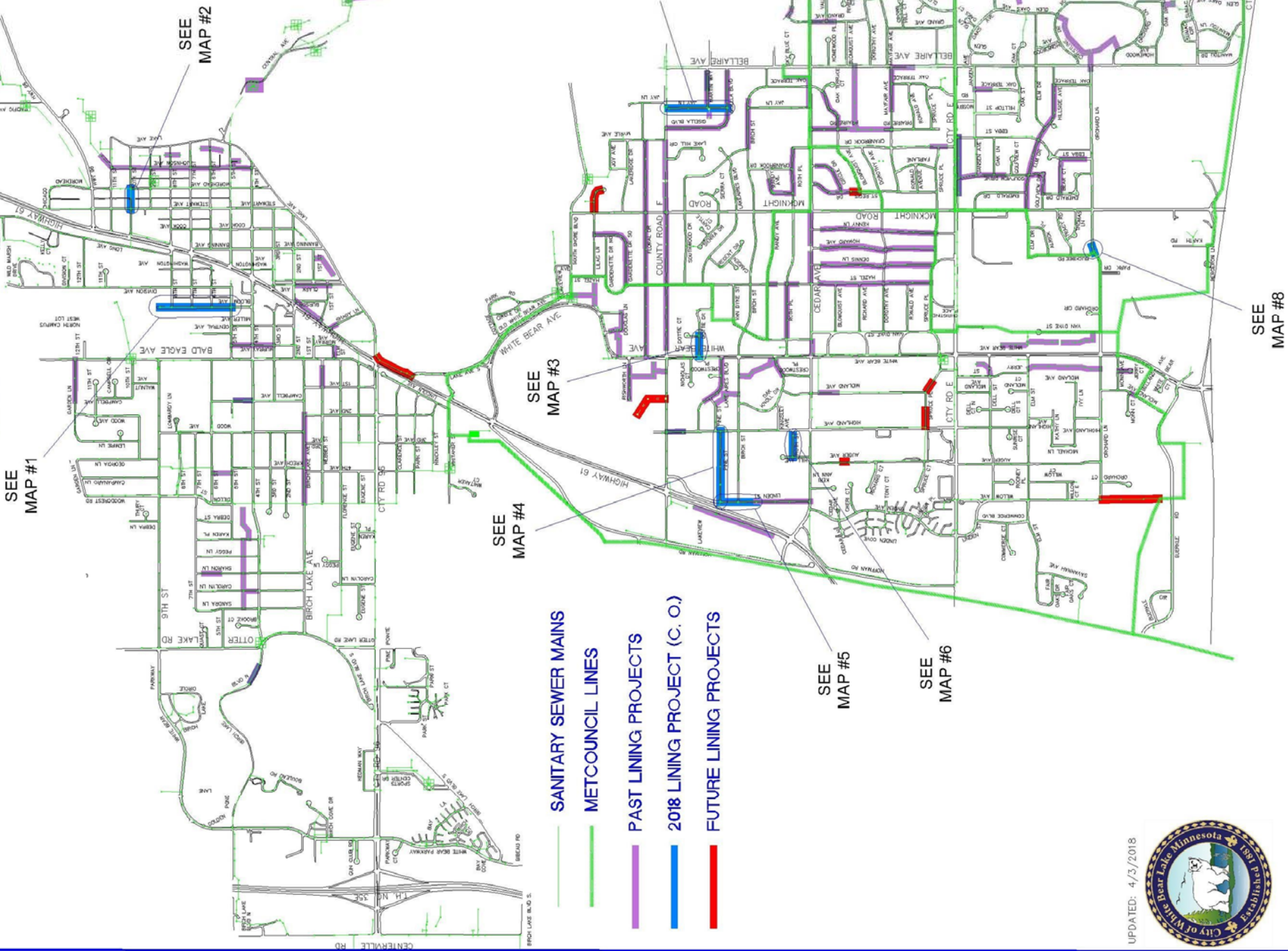
Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk

# CITY OF WHITE BEAR LAKE SANITARY SEWER LINING PROGRAM 2018



- SANITARY SEWER MAINS
- METCOUNCIL LINES
- PAST LINING PROJECTS
- 2018 LINING PROJECT (C. O.)
- FUTURE LINING PROJECTS

UPDATED: 4/3/2018





REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT  
7:00 P.M. WHITE BEAR CITY HALL  
MINUTES OF February 20, 2018

APPROVAL DATE: February 20, 2018

**1. CALL TO ORDER** The February 20, 2018 meeting of the White Bear Lake Conservation District was called to order by Chair Bryan DeSmet at 7:00 pm in the White Bear Lake City Hall Council Chambers.

**2. ROLL CALL** Present were: Chair Bryan DeSmet, Vice Chair Mark Ganz; Secretary/Treasurer Diane Longville; Directors: Mike Parenteau, Scott Costello, Brady Ramsay, Marty Rathmanner, Barton Winter; absent were Directors Geoff Ratte and Susie Mahoney. A quorum was present.

**3. AGENDA** ----Chairperson DeSmet asked for any changes to tonight's agenda - None

**4. APPROVAL OF MINUTES OF - January 16, 2018 Board Meeting**  
Motion (Parenteau/Ganz) Moved to approve with corrections all aye passed.

**5. PUBLIC COMMENT TIME**

- Larry Mahoney of 479 Lake Ave, Birchwood asked that all his comments be recorded in the minutes for future reference if needed. He feels they are not being treated fairly or the same as others. Mr. Mahoney said he has been asking for a copy of the Harrods information from the county and was not able to receive until 5 minutes ago when he was handed a copy. The information received he feels in incorrect, at which time he was told he would need to contact the county to discuss the matter with them.

**6. NEW BUSINESS**

None

**7. UNFINISHED BUSINESS**

None

**8. REPORTS/ACTION ITEMS**

**Executive Committee**

- Introduced and welcomed new office Administrative Secretary Kim Johnson and two new board members Marty Rathmanner representing Dellwood and Barton Winter representing Birchwood.
- Nomination of Officers for 2018 – Bryan DeSmet asked if there were any other

Nomination of Officers for 2018 (vote in February)

Mike Parenteau felt current officers should continue so he nominated Bryan DeSmet, for Chairperson, Mark Ganz for Vice Chairperson and Diane Longville for Secretary/Treasurer. Other nominations were welcomed and will be open up to voting time at February 20 Board Meeting.

Committee Chair appointments: After election of 2018 Board Chair at 2/20/18

## **9. Lake Level Resolution Committee**

Inactive

## **10. Lake Quality Committee – Mike Parenteau**

Nothing to report at this time.

## **11. Lake Utilization Committee – Mark Ganz & George St. Germain**

- Multiple Docks License (all below moved, seconded and passed)
  - VFW – Approved
  - Tally’s – Tabled until March board meeting to gather further information. Mark Ganz will contact Keith Denhardt.

## **12. Lake Education – Scott Costello**

Lake clean up will be March 10, 2018 at 10:00 am by the boy scouts. This information is also posted on the website. Need help, VFW providing free lunch.

Reported website traffic,

Scott Costello motioned to have us continue working with our current provider Wirebuilt to update the website and social with maximum of \$3,500 for updates and training. Second by Mark Ganz all aye passed.

## **13. Treasurer’s Report**

Motion (Longville/Ganz) approval of February 2018 Treasurer’s report and payment of check numbers 4470-4476. All aye passed.

## **14. Board Counsel**

Nothing to report.

## **15. CONSENT AGENDA**

Motion (Longville/Parenteau) Move to accept the consent agenda All Aye. Passed

## **16. ANNOUNCEMENTS**

Bryan DeSmet will be scheduling a work session and training for new board members. Bryan and Kim will work on dates and forward them to the board.

New office hours will be Tuesday, Wednesday, & Fridays from 11:00 am – 3:30 pm.

Thank you card received from Fishing for Life,

## **17. ADJOURNMENT**

Motion (Desmet/Ramsay) MOVE TO ADJOURN All aye passed.

Meeting Adjourned at 7:40 pm

ATTEST:

Kim Johnson \_\_\_\_\_  
Administrative Secretary, WBLCD

2/20/18  
Date

APPROVED:

Bryan Desmet \_\_\_\_\_  
Board Chairperson

2/20/18  
Date

# City of White Bear Lake Environmental Advisory Commission

## MINUTES

Date: February 21, 2018	Time: 6:30pm	Location: WBL City Hall
COMMISSION MEMBERS PRESENT	Sheryl Bolstad, Chris Greene, June Sinnett	
COMMISSION MEMBERS ABSENT	Bonnie Greenleaf, Gary Schroeder, Eric Wagner	
STAFF PRESENT	Connie Taillon	
VISITORS	Samantha Crosby, Planning and Zoning Coordinator	
NOTETAKER	Connie Taillon	

### 1. CALL TO ORDER

The meeting was called to order at 6:33pm.

### 2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had no changes. Staff requested to move item 6a to item 4. Commissioner Sinnett moved, seconded by Commissioner Greene, to approve the agenda as amended. Motion carried, vote 3/0.

### 3. APPROVAL OF MINUTES

#### a) January 17, 2018 meeting

The commission members reviewed the January 17, 2018 draft minutes and had no changes. Commissioner Greene moved, seconded by Commissioner Sinnett, to approve the minutes of the January 17, 2018 as presented. Motion carried, vote 3/0.

### 4. VISITORS & PRESENTATIONS

Samantha Crosby, Zoning and Planning Coordinator, introduced the draft Natural Resources section of the Comprehensive Plan and asked for feedback from the commission members. Commissioner Bolstad asked how the water supply section relates to the lake level lawsuit. Staff responded that the language alludes to the lawsuit and includes objectives for water conservation measures. The Surface Water Management Plan does not address low lake levels but focuses more on flooding and water quality issues. Staff also mentioned that per capita water use in the City is low compared to other metro communities because the population is aging and the average household size is going down. We might see a future increase in water use as younger families move in.

Staff updated the commission members on the City's Emerald Ash Borer initiative identified in the Natural Resources section. City staff has mapped the location of Ash trees in public areas and has identified approximately one-third of these trees for treatment. Commission members noted that a consultant attended an Environmental Advisory Commission meeting about three years ago to talk about EAB strategies.

If the commission members are interested in commenting on other sections of the Comprehensive Plan, they can attend upcoming planning and parks commission meetings or email Samantha Crosby with comments.

**5. UNFINISHED BUSINESS**

**a) Storm drain stenciling - update**

Staff reported that the VLAWMO storm drain stenciling kit supplies cost \$320 dollars and includes stencils, brushes, paint, vests, and cones. Pendants are more expensive than stencils and cost \$70 for two boxes of twenty pendants. Staff also talked with RWMWD and they do not have a storm drain stenciling program but they are willing to work with us if there is a group interested in storm drain stenciling within their watershed.

**b) Downtown area recycling**

No discussion.

**c) Review last month's do-outs**

Staff will report on how many catch basins are in the City at the March meeting.

**6. NEW BUSINESS**

**a) Comprehensive Plan – Parks and Natural Resources Chapter**

Moved to item 4.

**b) Surface Water Management Plan – goals and objectives**

Staff introduced the Surface Water Management Plan draft issues, goals, and objectives tables. Issues and goals were identified through a public survey, review of watershed district plans, and staff interviews.

For Table 6.1 Stormwater Runoff Volume, Commissioner Greene asked about the health risks associated with using stormwater runoff for irrigation at Lakewood Hills. His colleagues are conducting research on the health risks of irrigating with stormwater.

For Table 6.2 Lake and Wetland Management, Goose Lake is a topic of interest for the commission; the Bald Eagle Lake subwatershed is a high priority for storm drain stenciling; dog waste bags are located at the corner of Lake and Clark and Lake and 7<sup>th</sup> and are high quality.

For table 6.3 Commissioner Greene asked how the City manages gas station sites that are abandoned. Samantha stated that the MPCA requires underground tanks to be removed after 5 years.

The Commissioners suggested adding a list of acronyms to the plan.

The Surface Water Management Plan goals and objectives discussion will be continued at the March meeting, and will focus on Table 6.4 Natural Resources and Recreation and Table 6.5 Public Education and Outreach.

**c) New do-outs**

- Commission members will review Table 6.4 and Table 6.5 of the Surface Water Management Plan and bring comments and questions to the March meeting.
- Forward any additional comments on the Natural Resources section of the Comprehensive Plan to Samantha.
- Staff to contact Rice Creek Watershed District about storm drain stenciling.



**7. DISCUSSION**

- **Staff Updates**

- Spring newsletter

Staff is currently drafting articles for the spring newsletter, which will be mailed to residents the beginning of April. VLAWMO submitted an Adopt a Stormdrain article. Commission members would like to see a map of VLAWMO included with the article.

Staff provided an update on the status of solar panel installation on some of the City buildings. Staff is working with Clean Energy Resource Teams (CERTs) to determine next steps for a solar RFP, and will update the commission on any progress.

- **Commission Member Updates**

No updates

- **March Agenda**

Commissioner Greene will give a 10-minute presentation on drinking water quality at the March meeting.

**8. ADJOURNMENT**

The next meeting will be held on March 21, 2018 at 6:30pm at City Hall. Commissioner Sinnett moved, seconded by Commissioner Greene, to adjourn the meeting at 8:03 pm. Motion carried, vote 3/0.

# Park Advisory Commission Meeting Minutes

FEBRUARY 15, 2018

6:30 P.M.

CITY HALL

MEMBERS PRESENT	Anastacia Davis, Bryan Belisle, Dan Louismet, Mike Shepard, Don Torgerson, Joann Toth
MEMBERS ABSENT	Bill Ganzlin,
STAFF PRESENT	Mark Burch, Jesse Farrell, Mike Natterstad and Ellen Richter
VISITORS	Paul Peltier with White Bear Township, Deb Neutkens with White Bear Press and Jeff Hafner with Rainbow Treecare
NOTE TAKER	Mark Burch

## 1. CALL TO ORDER

Dan Louismet called the meeting to order at 6:30 pm.

## 2. APPROVAL OF MINUTES

Approval of the minutes from January 16, 2018 was moved by Mike Shepard and seconded by Joann Toth. Motion carried.

## 3. APPROVAL OF AGENDA

Approval of the February 15, 2018 agenda was moved by Bryan Belisle and seconded by Mike Shepard with the addition of 6.c. EAB Presentation. Motion carried.

## 4. COMMITTEE REPORTS

None.

## 5. UNFINISHED BUSINESS

None.

## 6. NEW BUSINESS

### a) Gazebo Renovation

Mark Burch reported that the inspection report is not yet available.

### b) Arbor Day Activities – May 5, 2018

The Park Advisory Commission continued the Arbor Day discussion to the March meeting.

### c) Emerald Ash Borer Presentation

Mark Burch and Mike Natterstad explained to the Park Commission that the DNR has detected Emerald Ash Borer (EAB) in ash trees on the south side of White Bear Lake. This is the first confirmed detection of EAB in the City. The Public Works Department is developing

a program to manage the ash tree population on both public and private property. Jeff Hafner, an arborist from Rainbow Treecare, presented information on the history of EAB in other states as well as what current practices are being followed by other cities. The current best practices, learned from 15 years of research, is a balanced approach of treatment of select ash trees and removal of others with a replanting strategy accompanying both.

The DNR estimates that there are approximately 11,400 ash trees in the City and most are medium to large in size. The City has about 350 ash trees on its municipal building grounds and manicured park spaces. Based upon proposals received from the Parks Department, the cost to treat trees on municipal property is \$3.90 per inch when trees are measured at breast height. Trees on private property can be treated for \$5.75 per inch.

The Commission discussed many components of the ash tree program, contract alternatives and how the Commission could get involved. The Park Advisory Commission adopted a motion by Joann Toth, seconded by Mike Shepard to support City efforts to treat ash trees on City property. City staff will continue to develop an overall EAB program to assist private property owners as well as address ash trees on City property.

#### **7. OTHER STAFF REPORTS**

None.

#### **8. COMMISSION REPORTS**

None.

#### **9. OTHER BUSINESS**

None.

#### **10. ADJOURNMENT**

The next meeting will be held on March 15, 2018 at 6:30 p.m. at City Hall.

There being no further business to come before the Park Commission, the meeting was adjourned. Moved by Joann Toth and seconded by Mike Shepard.

**MINUTES  
PLANNING COMMISSION MEETING  
CITY OF WHITE BEAR LAKE  
MARCH 26, 2018**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, March 26, 2018, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61, White Bear Lake, Minnesota by Chair Jim Berry.

**1. CALL TO ORDER/ROLL CALL:**

MEMBERS PRESENT: Chair Jim Berry, Mary Alice Divine, Marvin Reed, Peter Reis, Ken Baltzer, Mark Lynch.

MEMBERS EXCUSED: Erich Reinhardt.

MEMBERS UNEXCUSED: None.

STAFF PRESENT: Anne Kane, Community Development Director; Samantha Crosby, Planning & Zoning Coordinator; Mark Burch, City Engineer; and, Connie Taillon, Environmental Specialist.

OTHERS PRESENT: Brenda Sweet, Kristie Holman, Dustin Holman, Dave Cebula, Rob Thomas

**2. APPROVAL OF THE MARCH 26, 2018 AGENDA:**

Member Reis moved approval of the agenda. Member Baltzer seconded the motion, and the agenda was approved unanimously (6-0).

**3. APPROVAL OF THE FEBRUARY 26, 2018 PLANNING COMMISSION MEETING MINUTES:**

Member Baltzer moved approval of the minutes. Member Reed seconded the motion, and the minutes were approved unanimously (6-0).

**4. CASE ITEMS:**

**A. Case No. 18-1-CUP:** An application by **Brenda Sweet** for a Conditional Use Permit, per Code Section 1302.125, for a home accessory apartment in the basement of the property located at 4961 Campbell Avenue

Crosby discussed the case. Staff recommended approval of the conditional use permit subject to the standard conditions.

Berry opened the public hearing.

Brenda Sweet, 4961 Campbell Ave, stated she is the mother-in-law. Sweet commented that she has lived at the property for one year and stated that she has enjoyed it very much, but would like to have her own space.

Dustin Holman, 4961 Campbell Ave, stated that he is Brenda's son-in-law and commented that they moved from a White Bear township to the Campbell address about a year ago. Holman explained that his mother-in-law has been a great support system for him and his wife, and visa versa. He stated that they did not plan on ending up in this situation but are very happy with how it has turned out.

Kristie Holman, 4961 Campbell Ave, stated that she also agreed.

As no one else came forward, Berry closed the public hearing.

Member Reis moved to recommend approval of Case No. 18-1-CUP. Member Lynch seconded the motion. The motion passed by a vote of 6-0.

- B. Case No. 18-3-V:** An application by **Lakeshore Players Theatre** for a 2-foot height variance from the 8-foot height requirement for a fence, per Code Section 1303.130, Subd.4.e.3, in order to retain the existing 6-foot tall wooden privacy fence at 4941 Long Avenue.

Crosby discussed the case. Staff recommended approval of the requested variance subject to the standard conditions.

Berry opened the public hearing.

Dave Cebula, 4952/4946 Division Ave, stated that he owns the two properties behind the theater. Cebula stated that he has raised foster children there for 24 years and stated that he prefers the 8-foot fence requirement. Cebula stated that they had also requested the adjacent art center to have an 8-foot fence. Cebula stated that he felt an 8-foot fence provided more safety for the children.

Berry inquired as to the exact nature of his safety concerns. Cebula responded that a 6-foot fence could be easily seen over and that an 8-foot fence would require a ladder to view over the top of it. Cebula also stated that a 6-foot fence could be more easily climbed, and he requested that those parts of the fence which abutted his property be required to meet the 8-foot height requirement and stated that he did not care if the remainder of the fence were only 6-feet in height.

Reed asked, when it was a nursery what was the height of the fence. Cebula responded that he was not exactly sure. Reed inquired if it was a chain link fence. Cebula responded yes, it was a chain link fence with vinyl slats. Reed inquired if the chain link fence was 6-feet in height. Cebula responded that he did not know for sure but stated that it very well could have been. Cebula commented that it was a private business and stated that the lot was not as open

back then as it will be now with the parking lot in the back of the building. Cebula voiced his concern with more people traveling through that proposed parking lot area.

Reed asked Cebula how many foster children he currently has. Cebula responded that he currently has four foster children and that he has had a total of 187 foster children throughout the past 24 years. Reed inquired how many children Cebula could have at one time. Cebula responded that they could have up to five children at one time. Cebula stated that they have children of all different ages and commented that they have each child for various lengths of time.

Baltzer asked Cebula to further explain why he thought that the taller fence provided more safety for the children. Cebula replied that having an 8-foot fence would make it more difficult for anyone to see into his property and stated it would also make it more difficult for anyone to trespass onto his property.

Reis commented that it would cost substantially more for the owners to replace the existing 6-foot fence with a new 8-foot fence and asked Cebula if he would be willing to share into that cost. Cebula replied that a mistake was made somewhere along the line in order to have gotten a 6-foot fence in the first place and stated that he would not be willing to share in the cost.

Divine questioned whether or not there was room for green space on the theater side along the fence. Crosby replied that there was a 20-foot setback between the fence and the parking lot. Divine further questioned if there were landscape plantings being proposed along that strip. Crosby replied yes and stated that there were sporadic plantings that already existed on site. Divine stated that perhaps planting additional shrubs along the fence would make it more difficult for anybody to access it.

Berry commented that evergreen trees might be a good thing to plant along that area to provide additional screening. Cebula commented that there is a slope there abutting the infiltration area so he was unsure of what could be planted there.

Reed asked Cebula to clarify if he was more concerned with people coming onto his property or more concerned with children wandering off of his property. He also asked Cebula if he has had security issues in the past. Cebula replied that there have not been any security issues, with the nursery, in the past. Cebula then stated that he was concerned with the planned expansion of the White Bear Center for the Arts (WBCA) project into the residential property adjacent to his.

Crosby elaborated on the project that Cebula was referring to: the White Bear Center for the Arts recently purchased a residential property directly behind the WBCA property and north of Cebula's property. Crosby stated that the Center has already made an application, which is scheduled to be discussed on next month's agenda. The request is a conditional use permit to expand their parking lot onto the residential lot.

Member Baltzer questioned if the new WBCA fence would be an 8-foot fence then and suggested that trees be planted along the existing 6-foot fence. Crosby replied that because

WBCA was applying for a conditional use permit on a residentially zoned property, the code only requires a 6-foot fence along that area.

Cebula stated that he also went to a neighborhood meeting regarding the Center for the Arts project and voiced his concern there. At that meeting he was told that they would try to install an 8-foot fence from the garage eastward. Crosby reiterated that the project will be before the Planning Commission on April 30, 2018.

Lynch questioned if Cebula had two houses there. Cebula replied yes and stated that he owned two properties, 4946 and 4952.

Baltzer asked approximately how many feet of his property abutted the properties in question. Cebula replied that his two properties together were under 100 feet.

Berry asked if a two foot height extension on the existing fence would suffice. Cebula replied yes.

Lynch questioned if that would be possible.

Divine questioned if the footings would need to be redone then. Crosby stated that neither the building code nor the zoning code would require the footings to be redone but stated that it was more so a common practice to do so. Crosby also pointed out a jog in Cebula's property line that would make it over 100 feet of lineal frontage.

Berry suggested that the fence could have a lattice addition to the top portion. Cebula agreed.

Rob Thomas, Managing Director at Lakeshore Players Theatre, stated that the theater's goal is to continue to be a growing asset to the community and the surrounding neighborhood. He stated that the theater has worked extensively to construct an aesthetically pleasing building, and he stated that they have also worked extensively to preserve as many neighboring trees as possible. Thomas commented that replacing the fence would be a financial strain on the current construction budget. Thomas explained that the theater had considered adding to the existing fence before requesting a variance and stated that the fencing contractor would not add to the fence without voiding the fence's warranty.

Baltzer inquired about extending only the portion of the fence abutting Cebula's property rather than extending the height of the entire fence. Thomas replied that the theater could certainly get a cost estimate for that. Baltzer questioned if Thomas knew the total length of the existing fence. Thomas replied that he did not. Baltzer asked if the theater would be opposed to making some adjustments to the fence only for the portion that abuts Cebula's property. Thomas replied that the theater would rather not change the fence, but stated that, if necessary, they would certainly look into it.

Reis stated that he felt that the idea of planting conifers would still be good compromise to add an additional visual barrier and commented that there is a 20-foot setback.

Crosby stated that the grade was not clearly shown but said that it could have an affect what could be planted along the fence area.

Lynch questioned if the slope was that steep, would it be more difficult to climb the fence.

Reis stated that he was not trying to diminish Cebula's concerns. Reis stated that the art center has young children and asked if there were security issues on that site. Kane stated that staff was not aware of any issues there and commented that the slope away from the fence appeared to be fairly steep.

As no one else came forward, Berry closed the public hearing.

Divine asked staff to clarify why an 8-foot fence was required here by the code. Crosby replied that in the B-4, commercial zoning district an 8-foot fence is required by code, when abutting residential property.

Lynch questioned what the plan was for the property to the north. Crosby replied that the plan was to tear down the existing home and add approximately 50 parking stalls. Lynch asked if there was any type of formal or informal parking agreement between the theater and the art center. Crosby stated that there was a connecting sidewalk, but that staff was not aware of any formal agreement.

Kane stated that at the time the art center was constructed, the parking was up to code, but the parking need on the site has changed over time with increased popularity and growth.

Lynch stated that an 8-foot fence would have been nice, but stated that due to the existing site conditions, specifically the slope, he feels that an 8-foot fence is not necessary. Lynch then stated that he hears the concerns of Cebula, but he is okay with leaving the existing 6-foot fence due to the site conditions.

Reed stated that he agrees with Lynch and Divine, and he pointed out there have been 24 years with little to no incidents to worry about. He stated he is okay with the 6-foot fence.

Reis pointed out that there will likely be more children on east side of the fence at the theater and the art center; he then said that he is also okay with the existing fence remaining at 6-feet in height.

Member Baltzer moved to recommend approval of Case No. 18-3-V as presented by staff. Member Reis seconded the motion.

The motion passed by a vote of 6-0.

Berry explained that this matter would be addressed by the City Council on April 10, 2018.

## **5. DISCUSSION ITEMS:**

- A. Comprehensive Plan: Transportation Element – postponed to April agenda**



Kane explained that the engineering department takes an extensive street project on each year and stated that the department was very busy with this year's current street project. Kane further explained that there was recently a lengthy public hearing held at the City Council meeting for the project and said that as a result the Transportation Element portion of the Comprehensive Plan update was postponed to next month's Planning Commission meeting to allow for more time to complete the section.

## **B. Comprehensive Plan: Public Facilities and Services Element**

Crosby explained that the Public Facilities and Services Element was very similar to the Public Utilities Element of the last Comprehensive Plan update and stated that the section covers three parts: wastewater, solid waste, and public facilities. Crosby pointed out the table, on page 2 of the draft section, and commented that staff is currently discussing the details of that table with the Metropolitan Council.

Lynch inquired about the legend on the Sewer Infrastructure map. Crosby apologized and stated that the map had been incorrectly updated and it would need to be fixed. Burch clarified that there were two types of lines: force main lines and gravity main lines.

Crosby stated that there are only 20 remaining residences that still utilize private septic systems.

Berry inquired about how septic system remediations were handled. Burch stated that generally the tanks are not fully removed but are cleaned out and filled with sand to remain in place.

Crosby stated that the solid waste part of this element has been largely expanded on from the previous 2030 comprehensive plan and stated that there is a strong focus on organics recovery. Crosby stated that data collection is already occurring for future planning on how to handle organics. Crosby also stated that collection of organics would likely start in a central location and then progress to curb side pickup.

Berry asked if there was an estimated time for when curb side pickup would begin. Crosby replied that 2025 was the estimated year to begin curb side pickup for organics

Berry inquired about the objective, on page 10, to collect textiles from single-family residences and questioned if this would include carpet. Taillon replied that the objective was aimed towards clothing and then stated that they could work with local haulers in the future to coordinate curb side pickup for bulky items such as carpet.

Lynch inquired about the objective, on page 11, to amend top soil requirements for new construction projects and asked how that would be achieved. Taillon replied that MNDOT currently does this in certain road construction projects and commented that composted soils compact differently.

Divine stated that businesses are not currently required to recycle and asked why new commercial buildings are not required to build trash enclosures that are large enough to accommodate recycling to further encourage it. Kane stated that requiring enclosures to accommodate recycling could be a future amendment to the code. Kane explained that after a Comprehensive Plan update is approved the following year typically results in changes and amendments to the zoning code to allow the code to better reflect the goals that were outlined in the plan update.

Taillon commented that current state law requires businesses, including multi-family facilities, to recycle but only if their trash dumpster exceeds a certain size. Taillon also stated that the County's master plan **will be** requiring multi-residential facilities to have recycling by 2020.

Divine stated that future plans should be better designed to accommodate for recycling.

Crosby agreed and went on to explain the Public Facilities part of the element; that a main tenant is to reduce energy use and focus on energy efficient updates.

Lynch asked for an explanation of "cold storage" and inquired which fire station was which. Crosby replied that cold storage referred to non-heated buildings and Station One is in the Public Safety building next to City Hall.

#### C. Comprehensive Plan: Parks and Recreation Element

Crosby stated that updates to this element include the inventory of the City's parks and open spaces as well as the amenities in these areas. Crosby stated that the maps were updated and pointed out that the maps now include private park amenities and some amenities just outside city limits. Crosby explained that most communities aim for a 10-minute walking distance to the nearest open space area and stated that staff was pleased with the current map, which meets a 5-minute walking distance with only one significant gap area.

Lynch inquired about the gap area and asked how an open space or park could be developed there. Kane explained that there are park dedication fees paid with both residential and commercial developments throughout the city.

Crosby further elaborated and stated that most of the time developers pay these fees but explained that in this case the developer would likely be required to build or dedicate the area.

Kane stated that the walking distance to the tot lots should be reduce down to perhaps a 2 and ½ minute walk versus the current 5-minute walk. This would provide a more refined shape for the gaps areas.

Crosby summarized that, as a fully built-out community, the over-all goals and objectives are primarily focused on maintenance and improvement of existing amenities.

Reis voiced a concern for more benches to be added along the Mark Sather trail; right now there is only one between Matoska Park and Veteran's Park. If the trail is extended all the way around the lake, there should be more opportunities to rest along the way.

Lynch inquired about the exercise stations along the County Road E corridor. Kane explained that this topic has been discussed by the Parks Commission and stated that the county jurisdiction complicates it, and the high traffic and narrow right-of-way may not be conducive either.

Lynch further inquired about art murals and asked if there was any opportunity for the public sector to work with private sectors to encourage more development of them. Kane replied that the White Bear Center for the Arts has an interest in developing these types of enhancements and the City hopes to be able to work with them on incorporating increased opportunity for public art throughout the community.

Lynch inquired about the historic markers and asked what types of markers existed. Kane stated that there are stone based monuments that tell a detailed story. Kane stated that there is a plan which details additional opportunities for future historical markers.

Divine inquired if there were ongoing discussions about the Marina Triangle public space. Kane stated that the public art was recently finished in the plaza and a spring unveiling is planned. She explained that there is a strong desire to make the space more user friendly but that resources are limited.

Berry inquired if the site could accommodate any musical opportunities. Kane stated that the City Council has approved concerts in other public spaces but stated that they have to be mindful of whether or not the events are non-profit or not.

Berry asked if there were further questions, comments, or feedback.

Reis stated that if composting increases as projected, there could be opportunity to use some of that composted material for City projects and improving the open spaces.

**D. City Council Meeting Summary from March 13, 2018**

No Discussion.

**E. Park Advisory Commission Meeting Minutes from March 15, 2018**

No Discussion.

**5. ADJOURNMENT:**

Member Lynch moved to adjourn, seconded by Member Baltzer. The motion passed unanimously (6-0), and the March 26, 2018 Planning Commission meeting was adjourned at 8:41 p.m.



City of White Bear Lake  
City Manager's Office

## MEMORANDUM

**To:** Ellen Richter, City Manager  
**From:** Kara Coustry, City Clerk  
**Date:** April 5, 2018  
**Subject:** Massage Therapist Licenses

---

### BACKGROUND

On January 1, 2016, City Ordinance 1127 went into effect which requires all persons performing massage therapy and related businesses to be licensed. The licensee is required to submit documentation which demonstrates they have received the appropriate training and insurance. A criminal history check and financial review are also conducted and approval from the Council is required for all massage related licenses.

### SUMMARY

The city received a complete application for a massage therapist license from Annette Marie Havlicek to work at Got A Pain Massage Therapies, a licensed massage therapy establishment located at 4744 Washington Square #2, White Bear Lake.

The city received a late renewal notice from previously licensed massage therapist Margaret Netko at LifeSpa, a licensed therapy establishment located within Lifetime Fitness at 4800 White Bear Parkway, White Bear Lake.

The city received a complete application for a massage therapist license from Xiangyu Hua to work at White Orchid Spa, a licensed massage therapy establishment located at 1979 Whitaker Street, White Bear Lake.

The White Bear Lake Police Department verified the new applicants' training credentials, insurance coverage, finances and criminal history reports, and found nothing to preclude issuance of the above referenced massage therapist licenses.

### RECOMMENDED COUNCIL ACTION

Staff recommends Council approval of the attached resolution for massage therapist licenses.

### ATTACHMENTS

Resolution

**RESOLUTION NO.**

**RESOLUTION APPROVING MASSAGE THERAPIST LICENSES  
FOR THE BUSINESS CYCLE ENDING MARCH 31, 2019**

**BE IT RESOLVED** by the City Council of the City of White Bear Lake that the following massage related licenses be approved for the business cycle ending March 31, 2019.

**Massage Therapists License**

Annette Marie Havlicek	Got A Pain Massage Therapies 4744 Washington Square #2 White Bear Lake, MN 55110
Xiangyu Hua	White Orchid Spa 1979 Whitaker Street White Bear Lake, MN 55110

**Massage Therapist License Renewal**

Margaret Netko	LifeSpa – Lifetime Fitness 4800 White Bear Parkway White Bear Lake, MN 55110
----------------	------------------------------------------------------------------------------------

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

**ATTEST:**

\_\_\_\_\_  
Kara Coustry, City Clerk



City of White Bear Lake  
City Manager's Office

## MEMORANDUM

**To:** Ellen Richter, City Manager  
**From:** Kara Coustry, City Clerk  
**Date:** April 5, 2018  
**Subject:** **Coin operated amusement device license for Kohler Coin, LLC**

---

### BACKGROUND

Coin operated amusement devices are regulated through the City's Municipal Code Section 1105. Pursuant Municipal Code 1105.020, no person shall own, operate, maintain, or keep for operation within the city any coin operated amusement device without a license.

### SUMMARY

The city received a complete application from Robin Kohler for a coin operated amusement device to be located in Don Julio White Bear Inc. at 4660 Hwy 61 N., White Bear Lake. The applicant has fully satisfied the requirements of the code by submitting a complete application provided by the City and supplying the serial number for the claw machine.

In addition to the license, the owner shall receive a tag for the licensed machine, which identifies the machine's serial number and provides users with a call for service number.

### RECOMMENDED COUNCIL ACTION

Staff recommends Council approval of the attached resolution for a coin operated amusement device license.

### ATTACHMENTS

Resolution

**RESOLUTION NO.**

**RESOLUTION APPROVING COIN OPERATED AMUSEMENT DEVICE LICENSE TO KOHLER COIN LLC FOR THE BUSINESS CYCLE ENDING MARCH 31, 2019**

**BE IT RESOLVED** by the City Council of the City of White Bear Lake that the following business license be approved for the business cycle ending March 31, 2019.

**Coin Operated Amusement Device**

<b>Applicant</b>	<b>Amusement Device</b>	<b>Location of Device</b>
Kohler Coin LLC 2089 Dogwood Ct. Lino Lakes, MN 55038	Claw Machine Serial No. MA0142C2C0010513041	Don Julio White Bear Inc. 4660 Hwy 61 N. White Bear Lake

**BE IT FURTHER RESOLVED** by the City Council of the City of White Bear that the clerk be directed to issue a tag for the licensed machine, which identifies the serial number and phone number for servicing.

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

Ayes:

Nays:

Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

**ATTEST:**

\_\_\_\_\_  
Kara Coustry, City Clerk



City of White Bear Lake  
City Manager's Office

## MEMORANDUM

**To:** Ellen Richter, City Manager

**From:** Kara Coustry, City Clerk

**Date:** April 5, 2018

**Subject:** **Donation to the City of White Bear Lake for the Soldiers Memorial Flagpole Monument on Clark Avenue**

---

### **BACKGROUND / SUMMARY**

The White Bear Lake Lion's Club met with city staff last year and choose to undertake fundraising for the restoration of the Soldiers Memorial Flagpole Monument. The flagpole was originally constructed in 1939 for \$349.72, with financial assistance from local businesses and residents and work completed by the Federal Works Progress Administration (WPA). The restoration project is expected to cost approximately \$65,000.

At its August 8, 2017 meeting, the City Council accepted \$15,000 from the Lion's Club to initiate the flagpole renovation project. The Lion's Club made a club donation and with additional funds donated by community members, is prepared to donate another installment of \$18,000 at the April 10<sup>th</sup> City Council meeting. This will bring the total donation to \$33,000. Funding to cover the remaining costs of this project were budgeted with funds being drawn from the 2018 Park Improvement Fund.

### **RECOMMENDED COUNCIL ACTION**

Staff recommends the Council adopt the attached resolution to formally recognize the White Bear Lake Lions Club donation of funds for the Soldiers Memorial Flagpole Monument project.

### **ATTACHMENTS**

Resolution



**RESOLUTION NO.**

**A RESOLUTION ACCEPTING A DONATION FROM THE WHITE BEAR LAKE  
LIONS CLUB TO THE CITY OF WHITE BEAR LAKE**

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

**WHEREAS**, the White Bear Lions Club contributed \$15,000 to the City of White Bear Lake on August 8, 2017 to be to initiate the Soldiers Memorial Flagpole Monument renovation project.

**WHEREAS**, with donations from community members, the White Bear Lions Club contributed another \$18,000 to the City of White Bear Lake on April 10, 2018 for the Soldiers Memorial Flagpole Monument renovation project.

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

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

**NOW THEREFORE**, BE IT RESOLVED by the City Council of the City of White Bear Lake that the donations described above are accepted and shall be used to renovate the Soldiers Memorial Flagpole Monument.

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

\_\_\_\_\_  
Kara Coustry, City Clerk