City Council Agenda: March 26, 2019



# AGENDA REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA TUESDAY, MARCH 26, 2019 7:00 P.M. IN THE COUNCIL CHAMBERS

#### 1. CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

#### 2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on March 12, 2019

#### 3. APPROVAL OF THE AGENDA

#### 4. VISITORS AND PRESENTATIONS

- A. Manitou Days Presentation
- B. Boy Scout Eagle Project
- C. Arbor Day Proclamation

#### 5. PUBLIC HEARINGS

Nothing scheduled

#### 6. LAND USE

Nothing scheduled

#### 7. UNFINISHED BUSINESS

Nothing scheduled

#### 8. ORDINANCES

Nothing scheduled

#### 9. NEW BUSINESS

- A. Resolution ordering project, approving specifications and authorizing advertisement for bids for the 2019 Bituminous Seal Coating Project, City Project No. 19-02
- B. Resolution ordering project, approving specifications and authorizing advertisement for bids for the 2019 Crack Sealing Project, City Project No. 19-03
- C. Resolution authorizing the City Manager to contract with Polco for on-line community engagement technology

City Council Agenda: March 26, 2019

#### 10. CONSENT

- A. Resolution authorizing financial participation in Manitou Days
- B. Resolution of support for Accessible Space, Inc.'s 2019 CDBG application to Ramsey County
- C. Resolution approving massage therapy establishment and massage therapy licenses
- D. Resolution ordering the Annual Public Meeting and Annual Report on the City's Storm Water Pollution Prevention Program (SWPPP)
- E. Resolution Approving Consent and Assessment Agreement
- F. Resolution approving Cinco de Mayo celebration at El Pariente Mexican Grill
- G. Resolution denying massage therapist and massage therapist licenses

#### 11. DISCUSSION

A. Refuse and Recycling Hauling Contract

#### 12. COMMUNICATIONS FROM THE CITY MANAGER

#### 13. ADJOURNMENT



# MINUTES REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA TUESDAY, MARCH 12, 2019 7:00 P.M. IN THE COUNCIL CHAMBERS

#### 1. CALL TO ORDER AND ROLL CALL

Mayor Emerson called the meeting to order at 7:00 p.m. Councilmembers Dan Jones, Kevin Edberg, Steven Engstran and Bill Walsh were present. Councilmember Doug Biehn was excused absence. Staff members present were City Manager Ellen Hiniker, Assistant City Manager Rick Juba, Finance Director Kerri Kindsvater, Community Development Director Anne Kane, City Engineer Paul Kauppi, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

#### 2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on February 26, 2019

Councilmember Edberg noted at the bottom of page 2, a motion to approve the Ordinance did not denote the motion carried unanimously.

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to approve the corrected Minutes of the Regular City Council Meeting on February 26, 2019.

Motion carried unanimously.

#### 3. APPROVAL OF THE AGENDA

Ms. Hiniker asked to remove the refuse discussion from the agenda with the intention to include this item on the March 26, 2019 agenda.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to approve the agenda as amended.

Motion carried unanimously.

#### 4. VISITORS AND PRESENTATIONS

#### A. Swearing in Officer Joe Kill

Chief Swanson introduced Officer Joe Kill whose lifelong dream has been to become a Police Officer. Joe was born and raised in White Bear Lake. He has served on the White Bear Lake Fire Department and as a Police Reserve for a number of years. After graduating from White Bear Lake High School, he earned a degree in law enforcement from Century College. Joe enlisted in the Army and served in a Military Police

Company where he was deployed to Guantanamo Bay, Cuba. When Joe returned to White Bear Lake about a year ago, he became a Community Service Officer.

Chief Swanson noted that Joe was joined by his wife Channing, and daughters Hailey and Bexly, as well as his parents. The oath of office was administered by the city clerk and Joe's badge was pinned by his daughter, Hailey.

#### B. Tom Snell – Autonomous Vehicle Pilot Project

Tom Snell, Director of the White Bear Area Chamber of Commerce stated he has been working to bring a pilot project to White Bear Lake to test an autonomous vehicle on the City's streets. He relayed that he wants White Bear Lake to be known as Minnesota's center for innovation, opportunity and a magnet to attract the creative class to our wonderful community. As such, Mr. Snell is a strong supporter of this pilot project and he introduced Frank Douma and Sara Paul to speak more about it.

Frank Douma, Director of State and Local Policy Program and Coordinator for the Masters of Regional Planning Degree Program at the University MN, Humphrey Institute, addressed the Council. He mentioned the Senate Transportation Committee is considering a bill to allow driverless vehicles on any street in Minnesota. Mr. Douma cited advances for autonomous vehicles including improved safety, increased mobility and better efficiency with electric vehicles.

Mr. Douma explained that micro-shuttles would be the type of vehicle tested, which are low-speed vehicles with a capacity for 12-15 passengers. He stated these small bus-like vehicles have no steering wheel or brake pedal and are being tested in larger cities in the US already, but this research study is intended to test autonomous vehicles in smaller urban and rural communities.

Mr. Douma reported that White Bear Lake fit several criteria including population, seniors, transit gaps and community interest. As such, they met with the Chamber, NewTrax, School District, the City and others to create a proposed route. The proposed route would commence at the YMCA, proceed west along Orchard Avenue, north on Willow to the Boulders Senior Living Apartments and back again.

Sara Paul, Assistant Superintendent of the White Bear Lake Area School District, explained the mission of the school calls for the community to be at the forefront of educational excellence, which is accomplished through these types of partnerships. Ms. Paul explained the stakeholders are ahead of the nation in deep conversations related to working through the three phases of this project: research, opportunities for students, career pathways. This is a great opportunity for students and future careers.

City Manager Hiniker stated the City is still working through how this would be structured. She highlighted a grant opportunity through MNDOT and possible fundraising by the Chamber to fund the project. The City's role is to provide feedback related to logistics in identifying a safe route. Ms. Hiniker noted the vehicle would be attended by a person to provide back-up to the technology.

Ms. Hiniker highlighted the partners would the University, the School District, Newtrax and the City of White Bear Lake. She relayed feedback from the League of Minnesota Cities (LMC), who was interested in how cities might coordinate testing. Staff has reached out to the League of Minnesota Cities to inquire about liability. LMC indicated

that the liability would fall primarily on the owner of the vehicle, which would not fall on the City.

Councilmember Walsh inquired about the attendant in the vehicle. Mr. Douma stated that although AV technology is feasible, an attendant would be included for the pilot to secure safety. Councilmember Edberg asked what the role of an attendant is, if there is no brake and no steering wheel. Mr. Douma explained the attendant would have the ability to operate the vehicle manually at very low speeds and can break in an emergency with an emergency stop-button.

Councilmember Jones expressed curiosity regarding autonomous vehicles operating in the snow. Mr. Douma stated that the vehicle stopped in the snow when MnDOT first tested it. Over the process of a few weeks, Mr. Douma reported the vehicle learned how to maneuver slowly in the snow.

Ms. Hiniker mentioned more community engagement would be needed with the YMCA and residents along the route, if this project is of interest to the City Council.

Councilmember Edberg acknowledged this is a new policy area. He stated he did not want the City to carry the liability for this pilot project. Ms. Hiniker relayed LMC's belief that the use of City streets was not a concern and reiterated the ownership of the vehicle would be clearly spelled out in the grant.

There was general consensus by the Council that staff should continue to look into this pilot project.

#### 5. PUBLIC HEARINGS

A. Resolution ordering improvements, approving plans and specifications and authorizing advertisement for bids for the 2019 Mill and Overlay Project and 2019 Street Reconstruction Project

PW Directory/City Engineer Kauppi reviewed the scope of the 2019 Street Reconstruction Project, which generally includes 7<sup>th</sup> Street and south between Stewart Avenue and Lake Avenue as well as Garden Lane. The project scope involves full pavement removal and replacement, addition of curb and gutter, alley reconstruction, drainage improvements and repairs, spot water and sewer repairs, watermain addition/replacement, water service replacement/separation (galvanized and lead replaced with copper), sewer "wye" replacement and private utility work.

Mr. Kauppi relayed residents' concern regarding the proposed sidewalk along Morehead Avenue. He explained that because there are sidewalks on parallel streets and this is not a main feeder street, the proposed sidewalk was not critical and recommended removal of the sidewalk from the project scope. Mr. Kauppi also did not recommend proceeding with construction of sidewalk along Garden Lane due to conflicts with utilities, trees and drainage concerns. He noted special design on Garden Lane is needed to improve drainage with use of infiltration in a ditch section, driveway culverts and drain tile.

Mr. Kauppi relayed the Street Reconstruction Project was estimated to cost \$3,312,000, with special assessments covering \$634,000 and the remainder covered through City funds, including \$1.5 - \$2 million in bonding.

Mr. Kauppi reviewed the scope of the 2019 Mill and Overlay and Trail Rehabilitation Project including mill and replacement of the top layer of pavement, spot curb repairs, spot drainage system repairs, spot utility repairs, private utility work and replacement of trail pavement. The Mill and Overlay Project replaces the surface pavement that is deteriorated and typically lasts for another 20-25 years. Mr. Kauppi reported that Xcel will be replacing gas lines during this work.

Mr. Kauppi reported that mill and overlay areas include Lemire Lane, Wood Avenue, Campbell Avenue and Court, Walnut Street, 10<sup>th</sup>, 11<sup>th</sup> Streets, Morehead Avenue, Stewart Avenue, Chicago Avenue and the alleyway.

Mr. Kauppi stated Ramsey County will pay half the expense of trail rehabilitation along County right-of-way, which is desired and fits well with the mill project. Trails within this scope of work include White Bear Avenue from Highway 61 to South Shore Blvd, and County Road 96 Trail from White Bear Parkway to Birch Lake Blvd.

Mr. Kauppi reported the Mill and Overlay Project was estimated to cost \$1,006,000 with \$303,000 paid through special assessments and \$703,000 from the City funds. All trail rehabilitation project funding will be covered by 50/50 by the City and Ramsey County.

Mr. Kauppi reviewed the project schedule and noted that road loads will not be lifted until mid-May depending on frost, which will set projects back two weeks over last year. Substantial completion would be expected in September. With that Mr. Kauppi recommended The City Council hold a public hearing, order the improvements, approve the plans and specifications and authorize advertisement for bids.

Mayor Emerson opened the public hearing at 7:53 p.m.

Bob Wentink 4821 Morehead, stated he was concerned with widening the streets and alleyways and the affect that would have on speeding traffic. He noted excessive speed, especially in the summer, with summer visitors. He also asked that the old community theatre be knocked down prior to construction so the road did not suffer additionally from those construction activities.

Mr. Kauppi responded that roadway widths are being matched to existing 24-foot street widths; 30- feet is more typical. He explained that Morehead is getting 24 feet to allow room to park on-street, which is needed. The roadway is currently irregular in its width. With regard to the alleyways, those widths are being averaged at about 10 feet in width. He clarified that alleyways will be expanded on a case-by-case basis, sufficient to allow access by garbage trucks and emergency response vehicles.

Dennis Larson of 1995 10<sup>th</sup> Street mentioned that although the mill and overlay is less expensive, the cost seems high. He asked how these rates are calculated and asked why this needs to be done now, because the road is not that bad. Mr. Kauppi recommended the preventative mill and overlay today at a much cheaper rate, to prolong the need for full street reconstruction of the road, which is much more expensive. He described the process for taking historic road construction rates and applying an inflationary factor to get an idea of the estimated cost of these projects this year.

Peter Reis of 2297 4<sup>th</sup> Street thanked the Engineering Department for the quality of their communication. He asked if homeowners were on their own to find a contractor to replace bad water lines and sewer lines. Mr. Kauppi responded that the equipment and contractors used for road construction are not equipped for the more delicate work involving yards and homes. Private contractors would be more cost effective for the service of private lines and Mr. Kauppi explained the engineering department would be able to provide recommendations to homeowners. In response to a question by Mr. Reis, Finance Director Kindsvater confirmed the 2% interest rate over the bond rate is fixed, but the overall rate is floating depending upon interest rates at the time the assessments are finalized.

Mr. Reis inquired as the Manitou Days' Parade and if there were any changes to the route anticipated. Ms. Hiniker stated that at this time, the map indicates the parade will go down 4<sup>th</sup> Street like always, however, it is likely to be diverted down Stewart and Lake, depending on the status of construction and utility work at the time. Ms. Hiniker stated that the final route will be determined closer to the parade date.

Mary Nicklawske of 4830 Johnson Avenue expressed support for the overall project. She asked how wide the alleyway will be and why this assessment is being charged to her property when she does not use the alleyway. She also asked whether crews notify homeowners before removing things like fences. Mr. Kauppi stated that each alley will be reviewed on a case-by-case basis for the ability of service vehicles to pass, with the goal of 10 foot width. Mr. Kauppi relayed that the assessment is to the benefit of the property and not to its current use.

Ms. Nicklawske inquired as to the next level if she does not agree with the alley assessment. Mr. Kauppi deferred to City Attorney Gilchrist who explained that property owners who wish to contest their assessments must do so in writing either before or during the assessment hearing in the fall. Failure to contest the assessment in writing by that hearing, waives the ability to do so. The Council may choose to lower the proposed assessment, and if property owners wish to pursue it further, they may appeal to the District Court within 30 days of the assessment hearing.

Jay Walser of 2687 Sumac Ridge inquired as to specification requirements for contractors to allow access of emergency vehicles. Mr. Kauppi stated that access would be open at all times and contractors will immediately make access for emergency vehicles.

Bill Mast 4780 Johnson Avenue inquired as to the length of time a resident will not be able to access their driveway and whether the contractor would consider doing driveway work. Mr. Kauppi stated that typically there are only minor interruptions to access but he would go through extra efforts to ensure Mr. Mass has as little impact as possible. Mr. Kauppi stated that driveways are not bid as part of the project, however, if the contractor who gets the bid is willing to do this work, the Engineering Department will work with property owners to coordinate that work.

Lori Mariani 1957 Garden Lane, expressed concern over the road being widened. City Engineer Kauppi stated that given the drainage issues on Garden Lane, that road will not be widened as first thought and there will be little impact to the yards of homeowners. He explained he would work with homeowners who would have any impacts to their yard.

Mr. Kauppi stated that anyone who has a special circumstance should communicate with the Engineering Department. Councilmember Jones added, there was a time when excessive rains prevented access to vehicles on multiple streets for 18 hours, so things can happen.

Peter Gove 4799 Johnson Avenue inquired as to the two trees between the road and his home, one of them does not look good. He asked about the arborist and how that works. Mr. Kauppi stated that trees are taken down as part of the project, but there are options working through Public Works for an arborist to assess trees and utilize a 50/50 cost share program for tree removal. Mr. Gove asked whether Xcel would bury power lines. Mr. Kauppi explained that would be at the expense of the homeowner, as the City does not include this in the scope of this work.

Jean Kreger of 4779 Lake Avenue stated that at the November 7<sup>th</sup> meeting she expressed concern over rusty water that she and her neighbor experience regularly. Mr. Kauppi stated that without digging things up first, there is no way to know what is causing rust in the water line. He stated that within the bid, there is an alternate to replace that water line. She stated there is a problem with people driving down both 4<sup>th</sup> and 5<sup>th</sup> Streets, and taking a left onto Lake Avenue. Mr. Kauppi stated he would take a look at the area to see what could be done.

Steven Kovalik of 1930 Garden Lane said they have a drop down culvert that fills from water and looks bad. Are there any solutions being considered for this? Mr. Kauppi said there are significant challenges with drainage on Garden Lane. He mentioned the City's plan for this area is to install deep infiltration trenches with drain tile to minimize the ditches. Mr. Kauppi explained that what City is proposing will be better than what is there today, but it will not solve the problem completely.

There being no others wishing to speak, Mayor Emerson closed the public hearing at 8:25 p.m. and returned to the Council for discussion.

Councilmember Edberg asked if the 24 foot width of Morehead Lane was current street width, or after construction street width. Mr. Kauppi explained that both are essentially true, as the widths are currently irregular. Councilmember Edberg stated this is the first time he has seen the use of a construction cost escalator as an inflator. He asked what that inflator was this year. Mr. Kauppi explained the construction cost index has averaged about 3% every year for the past few years, which assists in estimating project costs. Ms. Hiniker stated that the inflator has always been used but perhaps not articulated. Once bids are obtained, those estimates are replaced with actual figures.

Councilmember Walsh stated that the alley assessment was discussed last year. He explained that the decision the Council has come to on alleys is logical and the policy applied consistently. He reminded folks to watch their speeds, especially on the newly paved roads that tend to travel fast. City Engineer Kauppi mentioned that speed studies actually show the largest offenders are the residents on these roads.

Mary Nicklawske added that at 6<sup>th</sup> Street on Morehead, there is a large bump that teenagers bottom out on currently. This was a deterrent for speeders and she is concerned that is will be gone after the new road is constructed.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to adopt **Resolution No. 12356** ordering improvements, approving plans and

City Council Minutes: March 12, 2019

specifications and authorizing advertisement for bids for the 2019 Street Reconstruction Project

Motion carried unanimously.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to adopt **Resolution No. 12357** ordering improvements, approving plans and specifications and authorizing advertisement for bids for the 2019 Mill and Overlay Project.

Councilmember Jones spoke against reconstructing the trail along Goose Lake at this time. He normally supports trails and sidewalks, but this is a trail to nowhere. He expressed concern over trails leading to three bad, large intersections: South Shore, Highway 61 and White Bear Shopping Center. He said we are inviting people to cross Ramsey County roads without doing any major improvements to these intersections. He mentioned there is no established public lake access at this time, and it already runs parallel to Mark Sather Trail on Old White Bear Avenue. He expressed concern with there being no buffer to 40 mile per hour traffic and he respectfully asked to remove this from the mill and overlay project.

Mayor Emerson recessed the Council Meeting at 8:34 p.m. due to a medical emergency. Mayor Emerson reconvened the Council Meeting at 8:55 p.m.

Councilmember Walsh was sympathetic to Councilmember Jones's point about the trail. He did not understand why the City would pay 50% to fix the County's trail.

Mr. Kauppi explained that Ramsey County's adopted cost participation policy requires the City to 50% of the maintenance of trails regardless of who fixes them. Councilmember Jones inquired as to the cost of snow removal, which Mr. Kauppi confirmed was the City's responsibility.

Motion carried unanimously.

#### 6. LAND USE

#### A. Consent

1. Consideration of a Planning Commission recommendation of approval of a request by Walser Polar Chevrolet for two Conditional Use Permits and eleven Variances in order to demolish and rebuild the dealership at the property located at 1801 County Road F East (19-1-CUP & 19-1-V). **Resolution of Approval No. 12358, Resolution of Denial No. 12359** 

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to adopt the consent agenda as presented.

#### 7. UNFINISHED BUSINESS

Nothing scheduled

#### 8. ORDINANCES

#### 9. NEW BUSINESS

A. Resolution authorizing the City to sell bonds for 2019 Street Improvement Projects

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12360** authorizing the City to sell bonds for 2019 Street Improvement Projects

B. Resolution approving Hoffman Property purchase agreement

It was moved by Councilmember **Edberg**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12361** approving Hoffman Property purchase agreement.

C. Resolution approving annual business license renewals

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to adopt **Resolution No. 12362** approving annual business license renewals.

D. Resolution approving annual liquor license renewals

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to adopt **Resolution No. 12363** approving annual liquor license renewals.

#### 10. CONSENT

- A. Acceptance of minutes of the January Park Advisory Commission, February Planning Commission
- B. Resolution approving temporary liquor license for Level Up Academy. Resolution No. 12364

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to adopt the consent agenda as presented.

Motion carried unanimously.

#### 11. DISCUSSION

#### 12. COMMUNICATIONS FROM THE CITY MANAGER

- Ms. Hiniker stated she has the details of the Water Gremlin stipulation agreement, which imposed a penalty and establish safety measure. She explained the testing of ground water and soils will be taking place. Ms. Hiniker offered herself as a resource for questions that Council might have.
- Mr. Kauppi asked the public to assist wherever possible with snow and ice removal for 3,800 inlets and outlets in the system.
- ➤ Ms. Hiniker reminded Council of a 6:00 Work Session on Tuesday, March 19, 2019.

City Council Minutes: March 12, 2019

#### 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 9:02 p.m.

	Jo Emerson, Mayor	
ATTEST:		
Kara Coustry, City Clerk		

## PROCLAMATION

## Arbor Day May 4, 2019

WHEREAS, the City of White Bear Lake has historically been committed to maintaining the urban forest in City parks and throughout the City by adding to and replacing its valuable tree stock; and

WHEREAS, the City annually confirms its commitment to the urban forest by promoting public awareness of forestry issues through tree planting projects, tree pruning and maintenance seminars, invasive species control projects and other educational opportunities; and

WHEREAS, the City recognizes Arbor Day as an annual occasion during which the community pauses to recognize the importance of trees and their impact on our environment and daily lives and encourages public awareness of urban forestry issues; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas and beautify our community and park system; and

WHEREAS, trees are a source of joy and spiritual renewal; and

WHEREAS, the Mayor and City Council desire to extend their support for, and recognition of, the importance of trees within our City.

NOW, THEREFORE, I, Jo Emerson, Mayor of the City of White Bear Lake, do hereby proclaim May 4, 2019, as Arbor Day in White Bear Lake and with fellow members of the City Council, the Park Board and City staff do hereby call upon all White Bear Lake residents to participate in the annual Arbor Day observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of White Bear Lake to be affixed this 26th day of March, 2019.

Jo Emerson,	Mayor



**To:** Ellen Richter, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

**Date:** March 21, 2019

**Subject:** Ordering 2019 Bituminous Seal Coating Project

City Project 19-02

#### **BACKGROUND / SUMMARY**

The Engineering and Public Works Departments are preparing for the 2019 Bituminous Seal Coating Project by patching streets, contracting for joint and crack sealing and preparing specifications for seal coating. The City undertakes seal coating projects on a regular basis to maintain the wearing surface of the streets, seal small cracks to prevent water penetration and improve the overall appearance of the roadway.

#### **SUMMARY**

In 2019, we are proposing to perform seal coating of City streets in various locations throughout the city. Some of these streets were last seal coated in 2012. Other streets are those which were reconstructed or milled & overlaid in 2013 and are now showing signs of wear. It is important to seal the surface of these streets before they degrade to a point where more extensive maintenance needs to be performed.

All proposed streets will be seal coated using a trap rock as the cover aggregate. The trap rock is a durable, hard, crushed rock which will provide a double surface with a nice appearance. The 2019 Bituminous Seal Coating Project will be completed in late July and August.

Various streets have been identified in attached maps as candidates for seal coating in 2019. However, the Engineering and Public Works Departments will reevaluate all city streets in the next several weeks to determine if they remain good candidates for seal coating this year, or if additional streets need to be added. The streets which are proposed for rehabilitation (either reconstruction or mill & overlay) from 2020 through 2024 are excluded due to their planned improvements.

The estimated cost of the seal coating project for 2019 is \$150,000. Funding for the seal coating program is allotted in the Construction Fund. We anticipate continuing seal coating projects annually. These projects have been programmed into the Capital Improvement Plan.

#### RECOMMENDED COUNCIL ACTION

Our recommendation is that the Council adopt the resolution ordering the 2019 Bituminous Seal Coating Project and authorizing advertisement for bids.

#### **ATTACHMENTS**

Resolution North and South Seal Coat Maps

<b>RESOLUTION NO.:</b>	
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## RESOLUTION ORDERING PROJECT, APPROVING SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE 2019 BITUMINOUS SEAL COATING PROJECT CITY PROJECT NO: 19-02

WHEREAS, the City Engineer has prepared specifications for the 2019 Seal Coating Project – City Project No.: 19-02, and has presented such specifications to the City Council for approval.

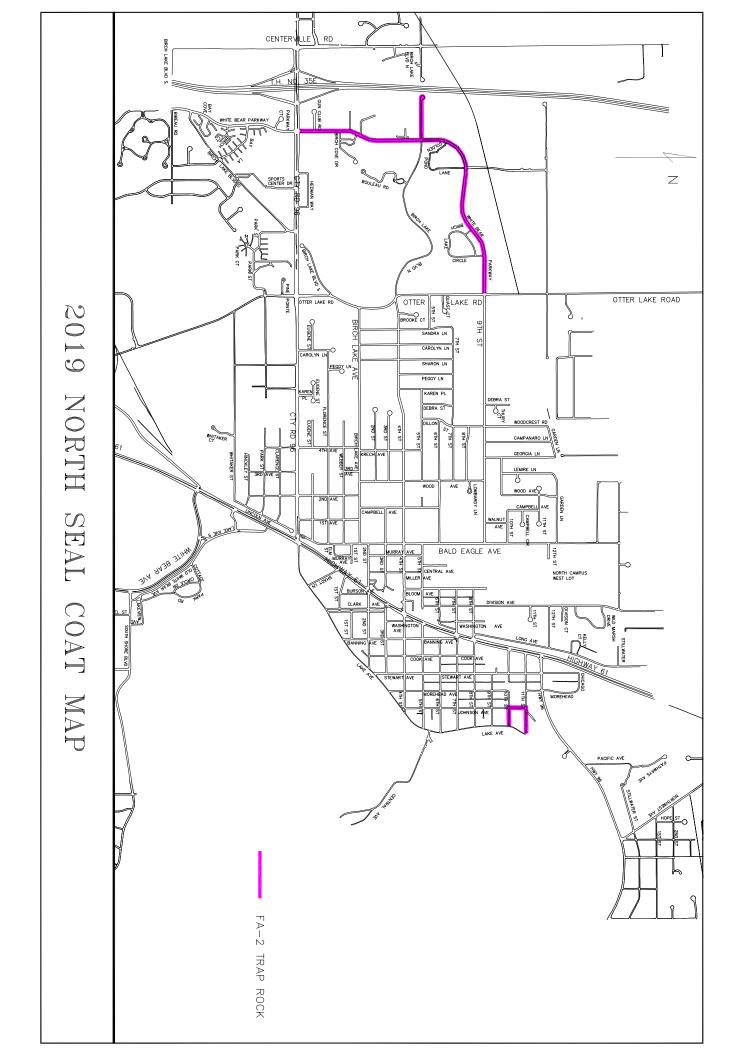
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that:

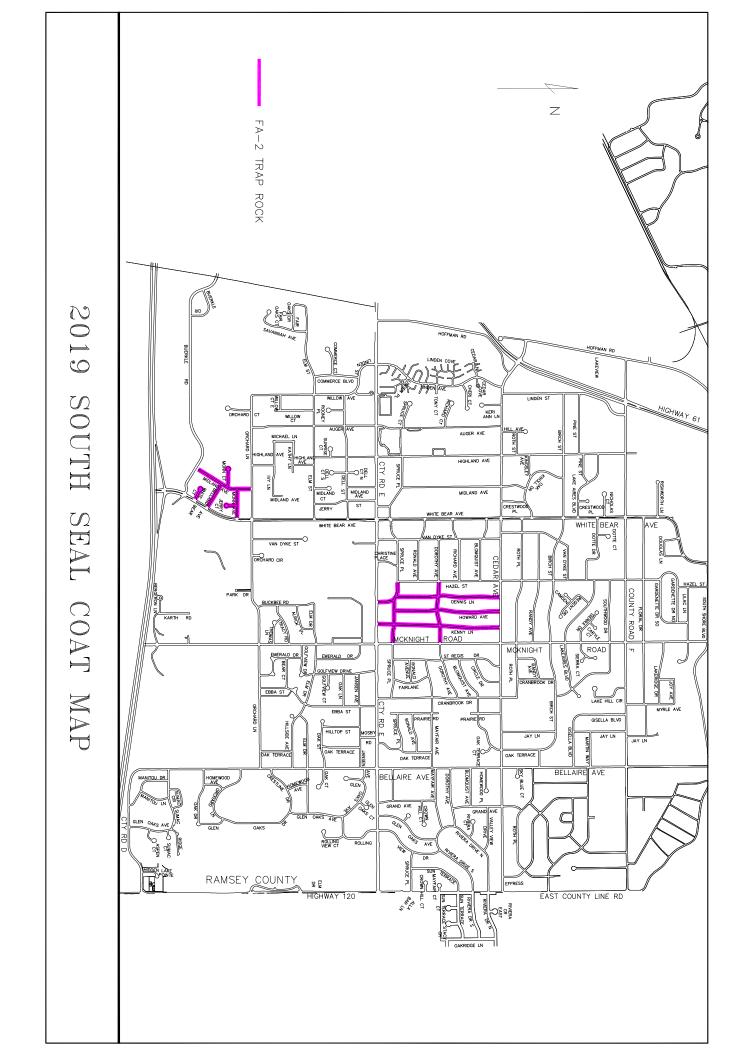
- 1. The City Engineer is hereby designated as the Engineer for this improvement and has prepared specifications for the making of such improvements.
- 2. The specifications are hereby approved.

Kara Coustry, City Clerk

- 3. The 2019 Seal Coating Project 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 10:00 a.m. on Wednesday, April 17, 2019, at which time they will be publicly opened in the City Hall by the City Engineer and City Clerk, will then be tabulated and will be considered by the Council at 7:00 p.m. on April 23, 2019, in the Council Chambers.

The foregoing resolution	ution, offered by Council Member	, and supported by
Council Member	, was declared and carried on the following.	lowing vote:
Ayes: Nays: Passed:		
ATTEST:	Jo Emerson, May	yor







**To:** Ellen Richter, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

**Date:** March 21, 2019

**Subject:** Ordering 2019 Crack Sealing Project

City Project 19-03

#### BACKGROUND / SUMMARY

As part of the City's ongoing Pavement Management Program, the Engineering Department is preparing for the 2019 Crack Sealing Project. The City undertakes crack sealing projects on a regular basis to maintain the wearing surface of the streets and seal cracks to prevent water penetration into the base and subbase where it weakens the street and causes failures. It is important to seal the cracks in these streets before the surface degrades to a point where more extensive maintenance needs to be performed.

#### **SUMMARY**

The crack sealing project involves cleaning of random cracks in bituminous street pavements with a router and then filling the cracks with a hot, liquid, rubberized sealant. The crack sealing process is accomplished ahead of the sealcoating operation so that the smaller random cracks not sealed by the crack sealing contractor are sealed by the seal coat emulsion. On streets that are 5 years old or have been resurfaced in the last 5 years, we are also recommending to seal the edge of the pavement along the lip of the concrete gutter. This also helps to prevent water from penetrating into the base.

Various streets have been identified as candidates for crack sealing in 2019. However, the Engineering and Public Works Departments will reevaluate all city streets in the next several weeks to determine if they remain good candidates for crack sealing this year, or if additional streets need to be added. The estimated cost of the crack sealing project for 2019 is \$150,000. Funding for the crack sealing project is allotted in the Construction Fund. We anticipate crack sealing projects annually. These projects have been programmed into the Capital Improvement Plan.

#### RECOMMENDED COUNCIL ACTION

Our recommendation is that the Council adopt the resolution ordering the 2019 Crack Sealing Project and authorizing advertisement for bids.

#### **ATTACHMENTS**

Resolution

#### **RESOLUTION NO.:**

## RESOLUTION ORDERING PROJECT, APPROVING SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE 2019 CRACK SEALING PROJECT CITY PROJECT NO: 19-03

WHEREAS, the City Engineer has prepared specifications for the 2019 Crack Sealing Project – City Project No. 19-03, and has presented such 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 specifications for the making of such improvements.
- 2. The specifications are hereby approved.

Kara Coustry, City Clerk

- 3. The 2019 Crack Sealing Project 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, April 17, 2019, at which time they will be publicly opened in the City Hall by the City Engineer and City Clerk, will then be tabulated and will be considered by the Council at 7:00 p.m. on April 23, 2019, in the Council Chambers.

The foregoing re	solution, offered by Councilmember, and so	apported by
Councilmember	, was declared and carried on the following vote:	
Ayes: Nays:		
Passed:		
	Jo Emerson, Mayor	-
ATTEST:		

**To:** Mayor and City Council

**From:** Ellen Hiniker, City Manager

**Date:** March 21, 2019

**Subject:** Polco on-line community engagement technology

#### **BACKGROUND/SUMMARY**

Staff and Council had significant discussion at its recent strategic planning retreat regarding technology and its potential to enhance communications and opportunities for community engagement. Staff has researched a variety of on-line engagement tools over time, but more recently became aware of a tool developed by Polco, a tool used by many other cities in the metro area, which facilitates community feedback at a reasonable cost.

Among its key features, Polco offers baseline and annual community survey tools. Participation in Polco surveys requires residents to opt-in by signing up to receive notifications via email, text or a phone application. While the results would not reflect a randomly selected sampling of the community, it would broaden the opportunity for public engagement and provide informative feedback.

Staff would use this tool to begin building a user-base by posting baseline survey questions each month, (see attached). Other questions would be posted as issues arise. Many communities conduct annual telephone/cell phone surveys to measure community satisfaction levels at costs ranging from \$20,000 - \$30,000 every few years. The attached proposal, (dated but still valid), reflects a \$3,000 annual cost. If the City chooses to participate, staff would recommend we sign up for a three-year contract, which would result in a 15% discount, (\$7,650 for 36 months). Technology funds received through the RWSCC cable franchise fees would be used to pay for this tool.

Maplewood, North St. Paul, Vadnais Heights and New Brighton recently contracted with Polco, and are now among the sixteen (16) metro cities utilizing this tool. Northfield, Rochester, Mankato and Red Wing have also signed up for this service. Attached is a brief description of Polco included in the proposal staff received in December. Council can also learn more about its application by going to <u>overview.polco.us.</u>

#### RECOMMENDATION

Staff has had an opportunity to review Polco's on-line survey tool and believes it would enhance public engagement efforts to solicit input on general service satisfaction, as well as specific

project input. The cost of this on-line tool is less than others that have been explored in recent months, and considerably less than the more traditional phone surveys.

If Council would like to see a demonstration, Matt Fulton of Polco could be invited to a future meeting. However, staff is prepared to recommend approval of the attached resolution authorizing the City Manager to contract with Polco for a three-year period.

#### **ATTACHMENT**

Resolution

RESOLUTION NO.:	
-----------------	--

## RESOLUTION AUTHORIZING CITY MANAGER TO CONTRACT WITH POLCO FOR ON-LINE COMMUNITY ENGAGEMENT TECHNOLOGY

WHEREAS, advancements in technology continue to enhance the speed in which information is disseminated and feedback achieved; and

WHEREAS, citizens have come to expect efficient communication and public engagement opportunities that are immediate and that do not necessarily require attendance of a meeting; and

WHEREAS, the City of White Bear Lake desires to broaden its public outreach capability and make engagement easier for residents and feedback more immediate for staff and Council; and

WHEREAS, Polco provides an on-line engagement tool at a reasonable cost compared to other similar engagement tools; and

WHEREAS, Polco is used by many other surrounding cities in the metro area so that baseline questions asked of all member cities' residents provide a benchmark in which to measure and compare a city's service; and

WHEREAS, Polco offers a 15% discount for a 36-month contract term, which would result in a total 3-year cost of \$7,650 for the engagement tool.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby authorizes the City Manager to enter into a 3-year contract with Polco for the on-line community engagement tool.

The foregoing resolution, offered	d by Council Member	, and supported by
Council Member, was d	eclared and carried on the fol	lowing vote:
Ayes: Nays: Passed:		
	Jo Emerson, Ma	yor
ATTEST:		
Kara Coustry, City Clerk		



#### Polco's Annual Community Survey

#### **Ensuring a Safe Community**

- 1. Do you feel safe in your community?
- **2.** Do you feel safe in your neighborhood?
- **3.** Do you believe that the public safety services (Police/Fire/Emergency Services) in your community will be able to serve you in your time of need?

#### **Quality of Infrastructure**

- **4.** How would you rate the physical condition of your community's infrastructure (Roads/Sidewalks/Bridges)?
- **5.** How often are you able to get to your desired destination in your community within a reasonable time?
- **6.** Do you have access to the technology and connectivity you need on a daily basis?

#### **Physical Appearance of the Community**

- 7. How would you rate the overall appearance of the community?
- **8.** How would you rate the overall appearance of your neighborhood?

#### **Quality of Community Life**

- **9.** Does your community do a good job at keeping you informed on important local issues?
- **10.** Are there enough activities in your community for you to enjoy during your free time?
- **11.** Does your community have adequate retail, dining, and entertainment options for you?

#### **Return on Community Investment**

- **12.** How would you rate the value you receive for the amount of local property taxes you pay?
- 13. Do you feel you have adequate opportunities to engage in community decision making?
- **14.** How strongly would you recommend your community to others as a good place to live?

#### **Quality of Public Service Delivery**

- **15.** How would you rate the overall quality of public services provided by your community?
- **16.** How satisfied are you with the level of communication from the community government?

#### General

Do you have any parting thoughts for your community leaders



#### Polco Baseline Question Scheduling

#### January

- Is the community moving in the right direction?
- Do you think that economic conditions in the community as a whole are getting better, staying the same, or getting worse?
- What is your favorite thing about the community?
- How would you rate the overall image or reputation of the community?

#### **February**

- How would you rate your community as a place to live?
- How would you rate the community as a place to raise children?
- How would you rate the community as a place to work?
- How would you rate this community as a place to visit?
- How would you rate this community as a place to retire?
- How would you rate this community as a place to play?

#### March

- How would you rate the overall performance of the community's police department?
- How would you rate the overall performance of the community's fire department?
- How would you rate the overall performance of the community's emergency medical response teams?
- How would you rate the availability of recreational programs in the community?
- How would you rate the community's communication and engagement with the public?

#### April

- How satisfied are you with the community's government? Is this the best month for this question? Locals re elected in April in WI
- How would you rate the sense of community?
- What areas would you like to see the community improve in?
   How would you rate the community's overall performance in maintaining its streets and utilities (Water/Sanitary Sewer/Stormwater)?

#### May

- How would you rate the condition of streets in the community as a whole?
- How would you rate the condition of streets in your neighborhood?
- How would you rate the ease of getting around the community?

#### June

 How would you rate the quality of the community's maintenance of streets throughout the year?



• How would you rate the appearance and maintenance of the community]'s public parks and open spaces?

#### July

- How much should the community prioritize funding for parks?
- How much should the community prioritize funding for bike and walking trails?
- How much should the community prioritize funding for playing fields and playgrounds?

#### August

- How would you rate the community as a place to live?
- How would you rate the community as a place to raise children?
- How would you rate the community as a place to work?
- How would you rate this community as a place to visit?
- How would you rate this community as a place to retire?
- How would you rate this community as a place to play?

#### September

- How easy or difficult is it for you to access to groceries and food in the community?
- Is there adequate supply of different housing types in the community?
- How satisfied are you with the housing affordability in the community?
- How would you rate the community's enforcement of property maintenance and code compliance?

#### October

Polco's Annual Community Survey

#### November

- How would you characterize health and wellness opportunities in the community?
- How would you rate the availability of employment opportunities in the community?
- How would you rate the ease of walking in the community?
- How would you rate the community's openness and acceptance toward people of diverse backgrounds?



**POLCO** 

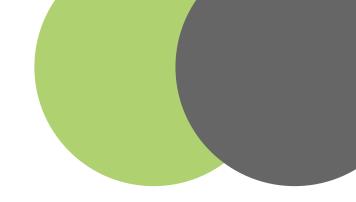
## PROPOSAL

## City of White Bear Lake, MN



#### **POLCO**

Civic Communication that Counts



### **OUR PRODUCT**

Polco is a civic engagement platform helping municipalities to receive civil, insightful ideas and feedback from their community online and realtime. It is also an easy way for residents to participate, so city staff hears from more than the same 10 people.

**PROPOSAL** 

Polco is pleased to offer access to our platform's Tier 1 features, including Baseline and Annual Community Survey tools through December 31, 2019. Launch and ongoing engagement support is provided by members of the Polco team.



The platform can verify respondents using voter files and other verification lists if desired and can provide results with breakdowns by age, gender, and other categories. Polco is being used to enhance civic input around the country.

### **KEY FEATURES**

- Unlimited questions and surveys
- Background materials for every question
- Live-stream video town-halls integrated with surveys and all questions
- Real-time respondent verification
- Automated real-time results dashboards organized by age, gender, precinct/ward.

### **SPECIFICS**

#### **TIMING**

Polco license starting immediately upon execution and will extend through December 31, 2019.

02 **cost** \$3,000

## EXPIRATION

Proposal expires January 31, 2019



### A NOTE FROM OUR TEAM TO YOURS

Polco was founded by a team of military and public service veterans who are passionate about good government and civil, constructive conversations about the decisions that affect communities. We also have experience at some of the world's best tech companies left there to build Polco because we know that communities around the country need better ways to engage residents - and residents need a better way to share feedback, thoughts, and innovative ideas.



Dear Ellen,

We are very excited about the opportunity to work with the City of White Bear Lake, the best City in Minnesota! Thanks for your interest in Polco. We are looking forward to next steps with you and appreciate the opportunity to provide this proposal for an unlimited Tier 1 Polco subscription through 2019. Please do not hesitate to call me at 651-242-2422 or email me at matful@polco.us if you have any questions and when you might want to get going with your Polco account!

SINCERELY,

MATT FULTON NATIONAL ENGAGEMENT DIRECTOR **To:** Ellen Hiniker, City Manager

**From:** Rick Juba, Assistant City Manager

**Date:** March 20, 2019

**Subject:** Manitou Days – authorizing use of public space and services

#### BACKGROUND

Planning for the upcoming Manitou Days activities began in February after the White Bear Events committee wrapped up its work on the BEARly Open Fundraiser. The White Bear Events committee has evolved over the years into a large group of community members representing local service organizations, businesses, education and faith-based organizations, as well as members from the community-at-large. Its organizational structure is designed to accommodate year 'round community event planning, with Manitou Days being its biggest event.

#### **SUMMARY**

Last year over 60 events were promoted through the Manitou Days brochure, which is distributed throughout the White Bear Lake area. Highlighted below are events that will require assistance from Public Works and/or the Police Department to address safety and traffic-flow issues.

- Manitou Days Grande Parade: At this time, the parade route is scheduled to remain the same as last year, beginning at Clark Street, moving through downtown on 4<sup>th</sup> Street, continuing down Lake Avenue and ending at West Park. Planned street reconstruction on 4<sup>th</sup> Street may interfere with the section on 4<sup>th</sup> Street between Stewart Avenue and Lake Avenue and may require the route to detour on Stewart. City staff will work with the parade committee to ensure all parking restrictions and road closures are in place accordingly.
- **Beach Dance:** As in past years, the Beach Dance will be held at Memorial Beach immediately following the parade. Organizers of the event will erect the required fencing and issue bracelets to identify persons of legal drinking age. There will also be City representatives, uniformed and non-uniformed, present at the dance.
- "Celebrate the Lake": The annual Classic & Vintage Boat Show and WB Shopping Center Arts and Craft Fair will be held again this year. To accommodate these activities, South Lake Avenue, south of Whitaker and north of the entrance to the shopping center, will be closed for the day.

- **Community Pancake Breakfast:** This family event will be held at the Armory. Details are pending
- **Family Fun Night:** Family Fun Night will be held in Lions Park. The event will include food and free activities for kids. Depending upon some activities they still hope to attract, there may be a need to close So. Lake Avenue south of Whitaker and north of the entrance to the shopping center during the event. If necessary, this closure would first be coordinated with affected businesses.
- **Annual Pet Parade:** The Pet Parade will be held on Clark Avenue between Lake Avenue and 2<sup>nd</sup> Street. Access to northbound traffic on Clark will be restricted from 11:00 12:30 that day.
- **Fourth of July Fireworks:** As in past years, the fireworks are being coordinated by a standing fireworks committee that includes the participation of city and fire department officials.

#### RECOMMENDATION

Staff continues to work closely with the White Bear Events Committee to ensure logistical details are addressed and recommends that the City Council approve the use of City resources to allow use of City parks and provide logistical support related to traffic and public safety needs for the 2019 Manitou Days activities. Staff recommends the Council adopt the resolution as attached.

#### **ATTACHMENTS**

Resolution

#### RESOLUTION NO.

## RESOLUTION AUTHORIZING USE OF PUBLIC SPACE AND SERVICES TO SUPPORT MANITOU DAYS - 2019

**WHEREAS,** Manitou Days is a summer festival in White Bear Lake consisting of over 60 events spread throughout the City; and

WHEREAS, Manitou Days kicks off on June 13, 2019 and runs through July 4, 2019; and

**WHEREAS,** the festival in general, including the following events, will require assistance from the White Bear Lake Public Works and/or Police Departments to maintain safety and address traffic-flow issues:

- Manitou Days Grande Parade: At this time, the parade route is scheduled to remain the same as last year, beginning at Clark Street, moving through downtown on 4<sup>th</sup> Street, continuing down Lake Avenue and ending at West Park. Planned street reconstruction on 4<sup>th</sup> Street may interfere with the section on 4<sup>th</sup> Street between Stewart Avenue and Lake Avenue and may require the route to detour on Stewart. City staff will work with the parade committee to ensure all parking restrictions and road closures are in place accordingly.
- Beach Dance: As in past years, the Beach Dance will be held at Memorial Beach immediately following the parade. Organizers of the event will erect the required fencing and issue bracelets to identify persons of legal drinking age. There will also be City representatives, uniformed and non-uniformed, present at the dance.
- "Celebrate the Lake": The annual Classic & Vintage Boat Show and WB Shopping Center Arts and Craft Fair will be held again this year. To accommodate these activities, South Lake Avenue, south of Whitaker and north of the entrance to the shopping center, will be closed for the day.
- Community Pancake Breakfast: This family event will be held at the Armory. Further details are pending.
- Family Fun Night: Family Fun Night will be held in Lions Park. The event will include food and free activities for kids. Depending upon some activities they still hope to attract, there may be a need to close S. Lake Avenue south of Whitaker and north of the entrance to the shopping center during the event. If necessary, this closure would first be coordinated with affected businesses.

- Annual Pet Parade: The Pet Parade will be held on Clark Avenue between Lake Avenue and 2nd Street. Access to northbound traffic on Clark will be restricted from 11:00 12:30 that day.
- Fourth of July Fireworks: As in past years, the fireworks are being coordinated by a standing fireworks committee that includes the participation of city and fire department officials.

**WHEREAS**, the City Council has determined these events provide an economic and social benefit to the City, its residents and its businesses; and

**WHEREAS,** the City Council has determined the benefits of this festival warrant the use public space and services.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of White Bear Lake approves the use of City resources to allow use of City parks and provide logistical support related to traffic and public safety needs for the 2019 Manitou Days activities.

The foregoing resolution offered by Councilmember and supported by Councilmember, was declared carried on the following vote:		
Ayes:		
Nays:		
Passed:		
	Jo Emerson, Mayor	
	Jo Emerson, Mayor	
ATTEST:		
Kara Coustry, City Clerk		

**To:** Ellen Hiniker, City Manager

**From:** Kara Coustry, City Clerk

**Date:** March 20, 2019

Subject: Support for Accessible Space, Inc.'s application for 2019 Ramsey County

**Community Development Block Grant Funds** 

#### **BACKGROUND**

Accessible Space, Inc. (ASI) is a Minnesota-based, tax-exempt, 501 (c)(3)nonprofit organization incorporated in 1978. The mission of ASI is to provide accessible, affordable, assisted/supportive and independent living opportunities for persons with physical disabilities and brain injuries, as well as seniors.

ASI has submitted an application to Ramsey County for 2019 Community Development Block Grant Funds (CDBG) and Ramsey County agreed to accept a letter of support from the community after the application was submitted.

#### **SUMMARY**

ASI proposes to use funds from Ramsey County CDBG for the following renovations of Cedar Home, a rent-subsidized shared home with supportive services in White Bear Lake for adults with traumatic brain injuries.

<b>Cedar Home Improvement</b>	Budget
Basement windows	\$3,000.00
Sidewalk replacement	\$10,000.00
Decks	\$12,000.00
Common area flooring	\$5,000.00
Gutter guards	\$1,200.00
Bath remodel (Best Bath)	\$12,000.00
<b>Total Improvement</b>	\$43,200.00

ASI's project benefits residents in several ways. The line items requested save energy, make the buildings safer, and make the buildings more attractive. These renovations will allow the buildings to be more financially independent.

#### RECOMMENDATION

Staff recommends approval of the attached resolution of support for ASI's application to Ramsey County for 2019 Community Development Block Grant funds.

#### **ATTACHMENTS**

Resolution

#### RESOLUTION NO.

## RESOLUTION OF SUPPORT FOR ACCESSIBLE SPACE, INC.'S APPLICATION FOR 2019 RAMSEY COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS

WHEREAS, Accessible Space, Inc. (ASI) is a Minnesota-based, tax-exempt, 501 (c)(3) nonprofit organization whose mission is to provide accessible, affordable, assisted/supportive and independent living opportunities for persons with physical disabilities and brain injuries, as well as seniors; and

WHEREAS, ASI submitted an application for 2019 Ramsey County Community Development Block Grant (CDBG) program funds, which requires a resolution of support from the applicable Ramsey County Municipality; and

WHEREAS, ASI proposes renovations at Cedar Home, a rent-subsidized shared home with supportive services in White Bear Lake for adults with traumatic brain injuries; and

WHEREAS, the Community Development Block Grant Program works to provide services to the most vulnerable in our communities and monies from this project would assist with renovations intended to make the property more efficient, more attractive and safer.

BE IT RESOLVED, by the City Council of the City of White Bear Lake supports ASI's application for funding through the 2019 Ramsey County Community Development Block Grant Program and authorizes ASI's submittal of the proposal to Ramsey County.

<b>Cedar Home Improvement</b>	Budget
Basement windows	\$3,000.00
Sidewalk replacement	\$10,000.00
Decks	\$12,000.00
Common area flooring	\$5,000.00
Gutter guards	\$1,200.00
Bath remodel (Best Bath)	\$12,000.00
Total Improvement	\$43,200.00

9 9	on offered by Council Member, was declared carried on the following vot	· • • •
Ayes:		
Nays:		
Passed:		
	Jo Emers	son, Mayor
ATTEST:		
Kara Coustry, City Clerk		

**To:** Ellen Richter, City Manager

**From:** Kara Coustry, City Clerk

**Date:** March 20, 2019

**Subject:** Massage Therapy Establishment and Massage Therapy 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 completed massage therapy establishment license application from Dr. Jenna Rose Goldsmith for her business called Lux Family Chiropractic, located at 1310 Highway 96, Suite 118, White Bear Lake, MN.

Dr. Goldsmith attached an independent contractor agreement with Stephanie Tennessen who is already licensed in the City of White Bear Lake to provide massage.

The White Bear Lake Police Department verified the applicants' credentials, insurance coverage, finances and criminal history reports and found nothing to preclude issuance of the massage therapy establishment license for Dr. Goldsmith.

#### RECOMMENDED COUNCIL ACTION

Staff recommends the City Council adopt the attached resolution approving issuance of a massage therapy establishment license for Dr. Jenna Rose Goldsmith at Lux Family Chiropractic.

#### **ATTACHMENTS**

Resolution

# 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 Therapy Establishment License**

	Dr. Jenna Rose Goldsmith	Lux Family Chiropractic 1310 Highway 96, Suite 118 White Bear Lake, MN 55110
		Councilmember and supported by ared carried on the following vote:
Aye Nay Pas		
		Jo Emerson, Mayor
ATTEST:		
Kara Coust	try, City Clerk	

**To:** Ellen Hiniker, City Manager

From: Connie Taillon, Environmental Specialist

**Date:** March 19, 2019

Subject: Ordering 2018 Annual Public Meeting and Annual Report on the City's Storm

Water Pollution Prevention Program (SWPPP)

## **BACKGROUND / SUMMARY**

The City of White Bear Lake maintains a Storm Water Pollution Prevention Program (SWPPP) which is required by the Minnesota Pollution Control Agency (MPCA) for its General Storm Water Permit for Municipal Separate Storm Sewer Systems (MS4). The goal of the City of White Bear Lake's SWPPP is to improve the quality of the storm water runoff discharged from the City's storm sewer system. The City's SWPPP describes how the City proposes to accomplish improved storm water quality through implementation of six Minimum Control Measures (MCM) that are required by the MPCA.

The six MCM's included in the City's program are:

- 1. Public education and outreach
- 2. Public participation and involvement
- 3. Illicit discharge detection and elimination
- 4. Construction site storm water runoff controls
- 5. Post construction storm water management
- 6. Pollution prevention/good housekeeping for municipal operations

The City is implementing Best Management Practices (BMPs) to support each of the MCM's and annually reviews the plan and the BMPs employed to ensure they are meeting the goals set forth in the SWPPP.

The Engineering Department is preparing the City's 2018 Annual Report on our SWPPP and the City Council is being requested to schedule a public meeting to be held on April 23, 2019. Although the public meeting is no longer a specific requirement of the MS4 Permit, we feel it is still a valuable forum for staff to educate the City Council and the public about our SWPPP and allow feedback on it. At the public meeting we will present an overview of the City's SWPPP and activities that were accomplished in 2018 which support the six MCM's. After the public meeting, the Engineering Department will prepare the final annual report and submit it to the MPCA.

# RECOMMENDED COUNCIL ACTION

Staff recommends the City Council order a public meeting on the City's SWPPP to be held at the regular City Council meeting on April 23, 2019. If the Council adopts the resolution, the Engineering Department will prepare the required advertisements and prepare a draft 2018 Annual Report for discussion at the April 23<sup>th</sup> public meeting.

# **ATTACHMENTS**

Resolution

<b>RESOLUTION NO.:</b>
------------------------

# RESOLUTION ORDERING A PUBLIC MEETING TO BE HELD ON APRIL 23, 2019 TO DISCUSS THE CITY OF WHITE BEAR LAKE'S STORM WATER POLLUTION PREVENTION PROGRAM (SWPPP)

WHEREAS, the City of White Bear Lake adopted a Storm Water Pollution Prevention Program (SWPPP) in March, 2003 to comply with the Minnesota Pollution Control Agency requirements for obtaining a General Storm Water Permit for Municipal Separate Storm Sewer Systems; and

WHEREAS, the permit was updated and renewed on October 22, 2008; and

WHEREAS, the permit was updated and renewed on April 3, 2014; and

WHEREAS, the City of White Bear Lake desires to comply with the Minnesota Pollution Control Agency requirements to hold an annual public meeting to review the Storm Water Pollution Prevention Program, the status of compliance with permit conditions, the appropriateness of the Best Management Practices listed in the Storm Water Pollution Prevention Program and the City's progress towards achieving the measurable goals included in the program.

## NOW, THEREFORE, BE IT RESOLVED, that

- 1. The City Council of White Bear Lake hereby orders a public meeting be held at the regular City Council meeting on April 23, 2019 to review the City's Storm Water Pollution Prevention Program and receive public comments on the program.
- 2. The comments received at the public meeting will be recorded and considered as the City prepares its 2018 annual report to the Minnesota Pollution Control Agency on its Storm Water Pollution Prevention Program.

The foregoing resol	ution offered by Council Member	, and supported by
Council Member	, was declared carried on the following vot	e:
Ayes:		
Nays:		
Passed:		
	 Jo Emer	son, Mayor
	0 0 <u></u>	5011, 1:1wj 01
ATTEST:		
Kara Coustry, City Clerk		

**To:** Ellen Hiniker, City Manager

**From:** Rick Juba, Assistant City Manager

**Date:** March 21, 2019

Subject: 4775 Campbell Avenue Consent and Assessment Agreement

## BACKGROUND

There has been a history of ordinance violation issues at 4775 Campbell Avenue. The house was vacated by its owner in November 2018. Foreclosure proceedings have been initiated by the mortgage holder for the property, however those proceedings have not concluded and until they do the property owner is still responsible for the property. Recently, there was a notable domestic incident at this property that resulted in an arrest. While on the scene, Police Officers were told that most of the people present were renting the property, although it was unclear who the rent was actually being paid to. Code Enforcement Staff then followed up with the property owner who now lives in a different community. The property owner indicated that they had not given permission to anyone to live in the house and were not currently receiving rent payments from anyone. The property owner indicated to Staff that they did not want to burden the neighborhood and verbally agreed to allow the City to take measures to secure the property and assess any associated costs to the property taxes. In the meantime, Staff has posted the property no trespassing and advised the occupants that nobody has permission to be at the property.

## **SUMMARY**

A consent and assessment agreement has been drafted by the City Attorney and delivered to the homeowner who has indicated they will voluntarily sign it. This agreement will clarify the Cities rights in the process to secure the property and collect the costs to do so through the property taxes.

## RECOMMENDATION

Consider approving a Resolution authorizing the Mayor and City Manager to execute a Consent and Assessment Agreement with the property owner of 4775 Campbell Avenue.

## **ATTACHMENTS**

Resolution

# RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER CONSENT AND ASSESSMENT AGREEMENT

**WHEREAS,** It was recently discovered that the Property at 4775 Campbell Avenue is being trespassed on by numerous unknown individuals without the Owner's permission, creating an immediate and imminent threat to public health and safety that needs to be promptly addressed; and

WHEREAS, The Owner does not currently reside at the Property; and

**WHEREAS**, The Owner has indicated to the City that she does not have the present ability to have the Property posted as private, secured with new locks, and boarded up, all of which are necessary to prevent unlawful access to the Property and the ongoing threat to public health and safety; and

**WHEREAS,** The Owner has requested that the City complete all of these tasks (the "Project") and assess its costs thereof against the Property in accordance with Minnesota Statutes, chapter 429; and

**NOW, THEREFORE, BE IT RESOLVED** that the White Bear Lake City Council hereby authorizes the Mayor and City to enter into a Consent and Assessment Agreement with the Owner of the property at 4775 Campbell Avenue.

The foregoing resolution, offered by Councilmember	and supported by
Councilmember, was declared carried on the follow	ring vote:
Ayes:	
Nays:	
Passed:	
	Jo Emerson, Mayor
	•
ATTEST:	
Kara Coustry, City Clerk	



**To:** Ellen Richter, City Manager

**From:** Kara Coustry, City Clerk

**Date:** March 21, 2019

Subject: El Pariente Mexican Grill – Cinco de Mayo Single Event Extension License

# **BACKGROUND**

Banquetes El Pariente Lupe dba El Pariente Mexican Grill wishes to put on a special celebration for Cinco de Mayo – the 5<sup>th</sup> of May. The establishment is currently licensed for on-sale intoxicating liquor.

## **SUMMARY**

The owner of El Pariente Mexican Grill, Guadalupe Sanchez, is planning a 2<sup>nd</sup> annual grand celebration on May 5, 2019 to recognize Cinco de Mayo. They have permission from the owner of the parking lot, Michael Callas, to place tents for additional external seating and for a mariachi band. Mr. Sanchez will also be parking his food truck in the parking lot of his business to provide alternate outside food vending for attendees.

The applicant has applied for a tent permit and the City's Fire Marshal will conduct a tent inspection at the site to ensure compliance with State Fire Codes. The applicant provided a sketch of the parking lot indicating the food truck, tent locations and fencing, which are acceptable to staff.

Alcohol extension license service outside of the designated restaurant area requires Council's approval. The required certificate of insurance is on file to cover liquor service for this event. Consumption of alcohol will be controlled within a 20 x 80 tent next to the building and fencing. The other two open sides of the tent (entrance and exit) will be manned by two security guards. Mr. Sanchez will be issuing wristbands to those old enough to consume alcohol and is seeking approval for a single event extension to their on-sale liquor license as follows:

El Pariente Mexican Grill 961 Wildwood Road - Parking Lot White Bear Lake, MN 55110 12:00 p.m. – 7:00 p.m.

Staff relayed to the applicant there were calls received about excessive noise from last year's 1<sup>st</sup> annual Cinco de Mayo celebration. The applicant has agreed to reduce the amplified music decibels and direct speakers toward the intersection, away from residents' homes. They are also building 30 minute rest periods between music sets and ending at 7:00 p.m., 3 hours earlier than last year.

A copy of the City's noise ordinance was provided to the applicant and conditions of approval are outlined in the attached resolution.

Captain Henry noted the event was well coordinated to minimize any police related issues. He mentioned that last year's event resulted in two noise complaints being called in; one at 8:46 pm and another at 9:34 pm. One notable difference this year is the event is scheduled to end at 7:00 pm.

# RECOMMENDED COUNCIL ACTION

Staff recommends that the City Council adopt the resolution as presented.

# **ATTACHMENTS**

Resolution

# A RESOLUTION APPROVING A SINGLE EVENT EXTENSION TO AN ON-SALE LIQUOR LICENSE FOR BANQUETES EL PARIENTE LUPE DBA EL PARIENTE MEXICAN GRILL

WHEREAS, an application for a Single Event Extension to an their On-Sale Liquor License on the premises outside the building has been made by El Pariente Mexican Grill, and;

WHEREAS, El Pariente Mexican Grill is hosting a grand celebration for Cinco de Mayo on May 5<sup>th</sup>, 2019 in the parking lot at the premises of 961 Wildwood Road, and;

NOW THEREFORE, BE IT RESOLVED that the White Bear Lake City Council approves a Single Event Extension to an On-Sale Liquor License to the premises outside the building of 961 Wildwood Road subject to the following conditions:

- 1. Approval from the owner of the parking lot (received)
- 2. Compliance with the noise ordinance, with outdoor festivities concluding by 10:00 p.m.
- 3. Erection of approved tents in locations approved by City staff. A 20 x 80 tent abutted to the building, combined with fencing and staff must restrict the space in which liquor is consumed.
- 4. Security or staff will be assigned to entrance/exit of the tent and wristbands will be provided to those of legal age to consume alcohol.
- 5. Proof of general and liquor liability insurance naming the City as an additional insured up to municipal liability limits (received)

	n offered by Councilmember and supported by, was declared carried on the following vote:
Councilinemoer	_, was declared earlied on the following vote.
Ayes:	
Nays:	
Passed:	
	Jo Emerson, Mayor
ATTEST:	
Kara Coustry, City Clerk	

**To:** Ellen Hiniker, City Manager

**From:** Kara Coustry, City Clerk

**Date:** March 15, 2018

**Subject:** Massage Therapist Establishment and Practitioner Licenses for WBL Asian

Massage – recommendation for denial

## **BACKGROUND**

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

## **SUMMARY**

The City received a massage therapist establishment and massage therapist application from Yulan Zhao. Ms. Zhao seeks a license to operate a massage establishment at the location of 1350 Hwy 96, Ste. 16, called WBL Asian Massage. The City also received a massage therapist application from Lijuan Zou to practice massage at WBL Asian Massage.

During the background investigation, it was discovered that both Ms. Zhao and Ms. Zou failed to list two separate massage establishments in Blaine. As noted in the letters mailed to each applicant, these material omissions were cause for concern and the reason the applicants did not successfully pass the background investigation. Both applicants signed the consent to background check, which stated that by signing, the information provided on the application is truthful and that falsification of answers or incomplete data may result in denial of the application.

During the interview, Ms. Zhao and Ms. Zou stated they did not understand what was being asked on the application. Ms. Zhao added that she did not work at either of the Blaine massage establishments and that is why they were not listed on her application. The City's licensing agent noted that a bilingual student assisted Ms. Zhao and Ms. Zou and clarified the question of past licensure and what should be included on the application. The licensing agent also circled a portion of this question while explaining it to the student translator, which is found on Ms. Zhao's establishment license application.

Due to a misunderstanding of Blaine licensing practices, it was originally thought that Ms. Zhao was also the business owner of the two Blaine establishments that were omitted from her

application. After meeting with Ms. Zhao to discuss omissions on her license applications in more detail, and getting clarification from the Blaine licensing agent, it was determined that Ms. Zhao was not the owner, but was licensed as a massage therapist practitioner at both locations.

It should also be noted that many of the businesses that Ms. Zhao and Ms. Zou have been licensed at, are found to advertise on adult erotic websites including adultlook.com and rubmap.com. Consider a summary of the businesses for which Ms. Zhao has been or is currently licensed below. Ms. Zou held licenses at Indigo and Asian Massage (the last two entries), which were not included on her application, even though they are very recent licenses (2018 and 2019).

Business	MN Location	Disclosed on Application /	<b>Erotic Advertising</b>
		License Status	
Zen Spa	1570 Century Point,	Yes / license status is	Rubmap.com
	Eagan	current	
Deng Massage	17600 Hwy 61 NE,	Yes / license status is	Rubmap.com
	Ham Lake	current	Adultlook.com
Therapeutic Spa	748 County Rd 10	Yes / status not renewed	Rubmap.com
	NE Blaine	1/22/15-6/30/15 &	
		1/1/18-12/31/18	
Indigo Massage	1506 125 <sup>th</sup> Ave NE,	No / status current	Called Daily Massage
	Blaine	2/10/15-12/31/15 &	on rubmap.com with
		1/1/19-12/31/19	the same address
Asian Massage	10561 University	No / status not renewed	Rubmap.com
	Ave NE, Blaine	1/1/15-6/30/15 &	
		3/30/18-12/31/18	

Today Zen Spa is closed, but the business address can still be found on rubmaps.com, now noted as being closed on the adult erotic website.

The new massage ordinance does not take effect until April. Under the current ordinance, final approval of all massage related licenses shall be granted by the City Council.

## RECOMMENDATION

Based on background check findings that revealed material omissions of massage businesses that both applicants were licensed at, and Ms. Zhao's and Ms. Zou's licensure at massage businesses that advertise extensively on adult erotic websites, staff does not recommend massage business or practitioner licenses for these applicants in the City of White Bear Lake.

The applicants have indicated they may appeal this decision to Council at its meeting on Tuesday, March 26. If the applicants appear and wish to speak, staff would ask that this item be removed from consent and added to New Business for consideration. Legal counsel is prepared to speak to this matter if needed.

## **ATTACHMENTS**

Resolution of Denial Supporting Applications, Licenses and Advertisements

# RESOLUTION DENYING MASSAGE THERAPIST BUSINESS LICENSE AND RELATED MASSAGE THERAPIST LICENSES

**WHEREAS**, Chapter 1127 of the Municipal Code of the City of White Bear Lake requires anyone desiring to establish a massage therapist business to obtain a massage therapist business license ("Business License") and anyone desiring to perform services as a massage therapist at a massage therapist business to obtain a massage therapist license ("Therapist License");

**WHEREAS**, Yulan Zhao applied for a Business License to operate a massage establishment at 1350 Hwy 96, Suit 16 in the name of WBL Asian Massage ("Proposed Business");

**WHEREAS**, Yulan Zhao also applied for a Therapist License to perform massage services at the Proposed Business;

**WHEREAS**, Lijuan Zou has also applied for a Therapist License to perform massage services at the Proposed Business;

**WHEREAS**, the City, in accordance with City Code, Chapter 1127 and the consents signed by the applicants, conducted background checks on the applicants;

**WHEREAS**, the consent forms in the application materials contain the following declaration that the applicants expressly agree to by signing the document:

"I declare that the information I have provided on this application is truthful and I understand that falsification of answers or incomplete data may result in denial of the application."

**WHEREAS**, the City Council considered the applications at its March 26, 2019 meeting and hereby finds and determines as follows:

- a. The staff memos regarding the license requests submitted to the City Council are incorporated in and made part of this Resolution by reference (collectively, the "Staff Reports");
- b. The application form for a Business License requires the applicant to disclose whether in the person has "ever operated a massage therapy establishment, been licensed as a massage therapist, or practiced massage professionally";
- c. The application form for a Therapist License requires the applicant to disclose whether in the last five years the person has "ever worked at a massage therapy establishment, been license as a massage therapist or practices massage professionally";

- d. The application form for a Therapist License requires the applicant to identify the licensed massage therapy establishment at which the person expects to practice;
- e. With respect to the Business License requested by Ms. Zhao, the City Council finds:
  - (1) The applicant failed to disclose that she was licensed as a massage therapist at two massage therapy establishments in the City of Blaine; and
  - (2) Some of the massage therapist establishments at which the applicant worked advertise on adult websites suggesting they offers services that are not allowed under state and local laws;
- f. With respect to the Therapist License requested by Ms. Zhao, the City Council finds:
  - (1) The applicant failed to disclose that she was licensed as a massage therapist at two massage therapy establishments in the City of Blaine;
  - (2) Some of the massage therapist establishments at which the applicant worked advertise on adult websites suggesting they offers services that are not allowed under state and local laws; and
  - (3) The denial of the Business License for the Proposed Business means that there is no licensed massage therapist establishment identified as the place at which the person expects to practice;
- g. With respect to the Therapist License requested by Ms. Zou, the City Council finds:
  - (1) The applicant failed to disclose that she was licensed as a massage therapist at two massage therapy establishments in the City of Blaine;
  - (2) Some of the massage therapist establishments at which the applicant worked advertise on adult websites suggesting they offers services that are not allowed under state and local laws; and
  - (3) The denial of the Business License for the Proposed Business means that there is no licensed massage therapist establishment identified as the place at which the person expects to practice;
- h. When asked why the applicants did not disclose the other licenses they responded that they did not understand they needed to disclose them. However, they were assisted in filling out the applications by someone they brought who was fluent in English and City staff emphasized the need to identify all past licenses;
- i. Massage therapy is a legitimate business, but the nature of the business, the potential for such businesses to be used as a front for illegal activities, and the difficulties related to identifying and enforcing violations occurring at massage therapy

establishments compels the City Council to carefully scrutinize applications for Business Licenses and Therapist Licenses;

- j. The City has previously had to act to close massage therapist businesses not operating in accordance with law and is aware of the costs associated with having to take such enforcement actions;
- k. The City Council is charged with protecting public health, safety, and welfare, including from the activities of businesses licensed by the City;
- 1. Cities necessarily have broad authority to consider the circumstances surrounding a license application as part of deciding whether to approve a license
- m. The failure to disclose message therapy businesses at which an applicant has previously worked violates the requirements of the applicant form and the applicants acknowledged and agreed that a failure to disclose the required information constitutes sufficient grounds for denial of the requested license; and
- n. The fact that a number of other massage therapist establishments at which the applicants worked have advertised on adult erotic website raises legitimate concerns over whether the Proposed Business would be operated in accordance with state and local laws and, if not, the costs associated with having to investigate and take enforcement action.

**NOW, THEREFORE**, the City Council of the City of White Bear Lake, based on the application materials, the Staff Reports, the findings and determinations contained herein, and the record of this matter, hereby resolves as follows:

- 1. The application submitted by Yulan Zhao for a massage therapy business license is hereby denied.
- 2. The application submitted by Yulan Zhao for a massage therapist license is hereby denied.
- 3. The application submitted by Lijuan Zou for a massage therapist license is hereby denied.
- 4. The City Clerk is hereby authorized and directed to provide the applicants a copy of this Resolution to serve as notice of the denial.

The foregoing resolu	tion offered by Councilmember	and supported by
Councilmember	carried on March 26, 2019 on the follo	wing vote:
Ayes:		
Nays:		
Passed:		

ATTEST:	Jo Emerson, Mayor	
Kara Coustry, City Clerk		

# White Bear Lake Police Department Memo



To: Chief Julie Swanson From: Angle Stewart Date: 01/24/2019

Subject: Massage Establishment Licensing for WBL Asian Massage

Massage Therapist Licensing for Yulan Zhao

**WBLPD CN: 19001019** 

On January 24, 2019 I completed a background investigation on Yulon Zhao, dobted the purpose of massage therapist licensing and the Massage Establishment Licensing for WBL Asian Massage. Yulan Zhao states she is the owner and will be practicing massage therapy at WBL Asian Massage, located at 1350 Hwy 96, Ste. 16. White Bear Lake, MN.

Ms. Zhao has listed a home address of Anoka, MN 55303, MN. She also has a current, valid MN Driver's License.

Ms. Zhao lists Zen Spa 1570 Century Point, Eagan, MN, Deng Massage 17600 Hwy 65 NE, Ham Lake, and Therapeutic Spa 748 County Rd 10 NE, Blaine, MN as previous employers. During this investigation I also found that Ms. Zhao has worked and owned two separate massage businesses in Blaine. First is Indigo Massage, 1506 125th Ave. NE, Blaine MN, it was found that Ms. Zhao owns the business license and a massage therapist license for this establishment and has held licenses since 2015, with the most current just being renewed on January 1, 2019. Second is Asian Massage 10561 University Ave. NE Blaine, MN, Ms. Zhao has held a current massage therapist license for this establishment since February 2015 thru December 2018. On her application for massage therapist in The City of Blaine at Asian Massage she also lists a previous employer as Liu Therapeutic Massage 9201 Lexington Ave. N in Circle Pines MN, none of these three establishments were disclosed on Ms. Zhao's application for a massage establishment license nor her application for massage therapist. It should also be noted that all of these establishments in Blaine advertise on adult erotic websites Rubmap.com and Adultlook.com.

Ms. Zhao attended and received her certificate for Massage Therapy from The America Academy of Acupuncture and Oriental Medicine on June 22, 2015. The American Academy of Acupuncture and Oriental Medicine is certified and recognized by the MN Higher Education

Office. Ms. Zhao also has the appropriate liability Insurance through The American Massage Council with a per occurrence limit of \$3,000,000.

I have attached a copy of Yulan Zhao's credit report for review.

Ms. Zhao has no criminal history in the State of Minnesota. For licensing we are not allowed to run a national check.

Yulan Zhao does meet the minimum requirements for massage therapist and establishment licensing under WBL City Ordinance 1127.100 and 1127.1, however due to the nondisclosure of her ownership and employment with several massage establishments and the fact that all of these establishments advertise on adult erotic websites it seems highly likely that Ms. Zhao will run WBL Asian Massage in violation of White Bear Lake City Ordinance 1127.00 and 1127.1. It also should be noted that Lijuan Zou who applied for a massage therapist license with The City of White Bear Lake to work at WBL Asian Massage also did not disclose working at two of the establishments that Ms. Zhao owned and worked at.

A. Stewart

Sewant

Attachments: Application, Training Certificates, Insurance, Lease Agreement

# City of White Bear Lake

4701 Highway 61, White Bear Lake, Minnesota 55110 Phone (651) 429-8526 / Fax (651) 429-8500

January 25, 2019

Yulan Zhao 2207 7<sup>th</sup> Avenue Anoka, MN 55303

RE: MASSAGE ESTABLISHMENT AND MASSAGE THERAPIST LICENCE APPLICATION

Dear Ms. Zhao:

This letter serves as notification that you did not pass the background check stage for your massage therapist license in White Bear Lake, MN. During the background investigation, the White Bear Lake Police Department discovered that you failed to disclose two separate massage business licenses and massage therapist licenses in Blaine, MN.

Both applications you submitted contained a consent to a background check. By signing, you declared that the information you provided on the applications is truthful and you understand that falsification of answers <u>or incomplete data</u> may result in denial of the application." Based on the failure to fully disclose information related to your business license, your application is no longer being considered for licensure in the City of White Bear Lake.

If you feel this information is not accurate, please contact me at 651-429-8508.

Sincerely,

**Kara Coustry** 

City Clerk of White Bear Lake

Kara F. Coustry

cc: Chief of Police, Julie Swanson City Manager, Ellen Hiniker

# City of White Bear Lake

4701 Highway 61, White Bear Lake, Minnesota 55110 Phone (651) 429-8526 / Fax (651) 429-8500

February 28, 2019

Yulan Zhao 2207 7<sup>th</sup> Avenue Anoka, MN 55303

RE: MASSAGE ESTABLISHMENT AND MASSAGE THERAPIST LICENCE APPLICATION

Dear Ms. Zhao:

Thank you for your time in meeting today related to omissions on your applications for a massage establishment and massage license discovered during the background check investigation.

During the background investigation, the White Bear Lake Police Department discovered that you failed to disclose two separate massage licenses in Blaine, MN. Both applications you submitted (one for a business and one as a practitioner) contained a consent to a background check. By signing, you declared that the information you provided on the applications is truthful and you understand that falsification of answers or incomplete data may result in denial of the application."

You provided two claims in your defense. You stated you did not understand and you also stated that you did not work at either of the Blaine massage establishments and that is why you did not list them. The licensing agent noted that you had assistance with your applications from a bilingual student who clarified the question of past licensure and what should be included on the application. The licensing agent also circled a portion of this question while explaining it to the student translator, which is found on your application for the establishment's license (copies of submitted applications attached).

If you wish to continue with the application process, staff will schedule review of your request for licensure to occur at the March 12, 2019 City Council meeting at 7:00 p.m. Based on material omissions, staff will be recommending to the City Council that both applications for massage licensure in White Bear Lake be denied. You may present your case directly to the City Council, as they are responsible for granting this license in the City of White Bear Lake.

Please contact the licensing agent, Kara Coustry, to confirm your attendance via email to <a href="mailto:clerk@whitebearlake.org">clerk@whitebearlake.org</a> or by phone 651-429-8508. If this date does not work for you, we can consider this review at another scheduled Council meeting.

Sincerely,

Ellen Hiniker

City Clerk of White Bear Lake

Kara Coustry

cc: Chief of Police, Julie Swanson Licensing Agent, Kara Coustry



City of White Bear Lake 4701 Highway 61 White Bear Lake, MN 55110 City Clerk clerk@whitebearlake.org (651) 429-8508

# **Massage Therapist License Application**

It is unlawful for any person to perform as a massage therapist in the City of White Bear Lake without having first secured a license as provided in Chapter 1127 of the Municipal Code.

<u>Instructions:</u> Return completed application with requested copies of supporting documentation. Enclose cash or check payable to "City of White Bear Lake" in the amount of \$50.00, which covers \$25 for an initial background check and \$25 for the massage therapist license. Licenses are valid through March 31.

I. Full Legal Name (Please print)	Yulan zhao	\$4.	<u> </u>
2. Home Address	Anoka	MN	55303
(Street)	(City)	(State)	(Zip)
3. Daytime Phone	4. E-mail		
	wn by any name other than your leg	al name given ab	ove?
✓ No	th dates and places where used:	* * * *	9 - 4 1 - 4 - 2
Talles, list cacif famic diotig. Wi	err dates and proces where dates.		*. :4.
		*	A Table Comments
5. Licensed Massage Therapy Estab	olishment at which you expect to pra 1350 Highway 96 E Suite White Bear Luke MN55	2/6	
Name of business	Address of business		siness Tax ID
suspended, revoked, not renew	elow. If you were licensed, include y yed). Attached additional form if nee	ded.	s (active, Current
Name of business	tury Point Eagan MN 55 Address of business	144	Status of Licens
Tea T	Hwy 65 NE Ham Lake A		Current
Name of business	Address of business		Status of Licens
THErapeutic Spa 748	County Rd 10 NE. Blaine	MN55434	renewed
Name of business	Address of business		Status of Licens
Al distribution of the control of th		·	98 · 
Name of business	Address of business	in the second	Status of Licens
3. If suspended/revoked license lis	ted above, provide the reason:	<u> </u>	
<del> </del>		· <del>· · · · · · · · · · · · · · · · · · ·</del>	
	and the state of the	متعملات ويجرون والمساورة والمساورة	
A STATE OF THE STA		* * ** **	

# Background Check Authorization and Consent for Release of Consumer Credit Information

Unless otherwise indicated, the data in this application will be used to approve your license or permit. Upon approval of the license or permit, the information contained in this application shall be deemed public unless classified as private by State Statute. Private data is available to you and the City or State who need this information to perform their duties, but is not available to the public. You are not legally required to provide this data, but the City may not be able to approve your license or permit if you do not provide it.

I have received a copy of White Bear Lake Municipal Code 1127: Massage Therapist/Massage Therapist Businesses" and will familiarize myself with the provisions contained within it. You may sign up for "Notify Me" on the City's website at <a href="https://www.whitebearlake.org">www.whitebearlake.org</a> to receive email notifications anytime the City posts a Public Notice. Public Notices may contain information relating to Ordinance revisions or updates, which could potentially modify business license fees and requirements.

Minnesota Statute Chapter 270C, Section 72 requires the licensing authority to provide to the Minnesota Commissioner of Revenue the Minnesota business tax identification number and social security number of each license applicant. Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, the City is required to advise you of the following regarding the use of this information.

- 1. This information may be used to deny the issuance or renewal of your license in the event you owe Minnesota sales tax, employer's withholding or motor vehicle excise taxes;
- 2. Upon receiving this information, the licensing authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service;
- 3. Failure to supply this information may jeopardize or delay processing of your license or renewal.

I declare that the information I have provided on this application is truthful and I understand that falsification of answers or incomplete data may result in denial of the application. I authorize the City of White Bear Lake to investigate and make whatever inquiries necessary to verify accuracy of the information provided. Please note that background checks may take up to 30 days to complete.

By signing below, applicant agrees to the background check authorization above and authorizes the White Bear Lake Police Department to request a copy of your consumer credit report for purpose of conducting a license background investigation. Attach additional background check authorization forms for each owner.

Applicant's Signature: WAWMO	
Social Security #	Date of Birth
Attach copy of driver's license #	state MN of government issued identification.
Attach lease agreement (agreements should be	e contingent on an approved license).
Attach proof of professional liability insurance	with coverage of up to \$1,000,000 per occurrence.
Attach proof of workers' compensation insuran	nce. I don't have any employee.
그는 解析되어 있다면 하는 물리는 그 그를 하면서 나를 가는 것이 하는 것이 되는 것이다.	hite Bear Lake" (\$25 for the background check plus

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

19001019

-paid 475 on 1/10/19 - Kara (fore background)

City Clerk clerk@whitebearlake.org

(651) 429-8508

# **Massage Therapy Establishment License Application**

It is unlawful for any person, firm or corporation to operate a massage therapist business in the City of White Bear Lake without having first secured a license as provided in Chapter 1127 of the Municipal Code.

Instructions: Return completed application with requested copies of supporting documentation. Enclose cash or check payable to "City of White Bear Lake" in the amount of \$50.00, which covers \$25 for an initial background check and \$25 for the massage therapist license. If the owner is also seeking a massage therapist license, only one background check fee is paid. Licenses are valid through March 31.

1. Business Name WBL SAS	ian Massage	y	**************************************
2. Business Address	Highway 96 E. Sui	tere Whit	<u>e Bæar Lake</u>
(Str		(State)	(Zip) MNSSI
3. Business Phone <u>651-429</u>	-0077 4. Website		<del></del>
5. MN Tax ID, Number	6. Federal Tax ID Numb	er <u> </u>	
7. Business Owner(s) Yula	n zhao		· · · · · · · · · · · · · · · · · · ·
8. Home Address	Anoka	MN	<u>55303</u>
(Street)	(City)	(State)	(Zip)
9. Daytime Phone	10. E-mails		: · · · · · · · · · · · · · · · · · · ·
44 Unite view avierational en keen kee		d'anna a airean airea	~3
No	own by any name other than your leg	ai name given abov	rer
☐ Yes, list each name along wit	h dates and places where used:	*	
	ye.		The second secon
practiced massage professionall  □ No	age therapy establishment, beer lice y? elow. If you were licensed, include yo		
	ewed). Attached additional form if ne		- 454-6062
K Zen Spa 1570 C	entury Point Eagan. MNS	312Z	Carrent-
Name of business	Address of business	Stal	tus of License
L Deng Massage 1760		the second control of	-Carrent
Name of business	Address of business	Stal	tus of License
V - THerapeutic spa 749	? County Rd 101VE. Blaine	MN55434	<del>-Yenewed</del>
Name of business	Address of business	Stal	tus of License
Name of business	Address of business	<sup>3</sup> Stal	tus of License
Explain any revoked/suspended lice	nse:		
Solicitor's Permit Application		Pa	te 1   2

# Background Check Authorization and Consent for Release of Consumer Credit Information

Unless otherwise-indicated, the data in this application will be used to approve your license or permit, upon approval of the license or permit, the information contained in this application shall be deemed public unless classified as private by State Statute. Private data is available to you and the City or State who need this information to perform their duties, but is not available to the public. You are not legally required to provide this data, but the City may not be able to approve your license or permit if you do not provide it.

I have received a copy of White Bear Lake Municipal Code 1127: Massage Therapist/Massage Therapist Businesses" and will familiarize myself with the provisions contained within it. You may sign up for "Notify Me" on the City's website at <a href="https://www.whitebearlake.org">www.whitebearlake.org</a> to receive email notifications anytime the City posts a Public Notice. Public Notices may contain information relating to Ordinance revisions or updates, which could potentially modify business license fees and requirements.

Minnesota Statute Chapter 270C, Section 72 requires the licensing authority to provide to the Minnesota Commissioner of Revenue the Minnesota business tax identification number and social security number of each license applicant. Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, the City is required to advise you of the following regarding the use of this information.

- 1. This information may be used to deny the issuance or renewal of your license in the event you owe Minnesota sales tax, employer's withholding or motor vehicle excise taxes;
- 2. Upon receiving this information, the licensing authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service;
- 3. Failure to supply this information may jeopardize or delay processing of your license or renewal.

I declare that the information I have provided on this application is truthful and I understand that falsification of answers or incomplete data may result in denial of the application. I authorize the City of White Bear Lake to investigate and make whatever inquiries necessary to verify accuracy of the information provided. Please note that background checks may take up to 30 days to complete.

By signing below, applicant agrees to this background check authorization above and authorizes the White Bear Lake Police Department to request a copy of your consumer credit report for purpose of conducting a license background investigation.

Applicant's Signature;	Pulpo silfu				
Social Security #_		Date of Birth_			**************************************
Attach copy of driver	's license #	py of government is	State ssued identifi	MN cation.	
Attach verification of	one of the following: cation from National Certifi	cation Board for the	rapeutic Ma	sage and	
Bodywork; or B. Membership	- 10 1 M. Page 1 1 - 10 - 10 - 10 - 10 - 10 - 10 - 10	credited profession	al association		

MN Higher Education Office, or recognized by AMTA or ABMP.

Attach proof of professional liability insurance with coverage of up to \$1,000,000 per occurrence.

C. Certification of graduation from an accredited institution, which is either registered with the

Associated Bodywork and Massage Professionals (ABMP)

Attach \$50 cash or check payable to "City of White Bear Lake" (\$25 for the background check plus \$25 for the massage therapist license). Credit cards are not accepted.



# CITY OF BLAINE 2019 Business License Certificate

MASSI 19-07440-02

**Business License No:** 

Effective:

01/01/2019 to 12/31/2019

Licensee:

YULAN ZHAO

INDIGO MASSAGE 1506 125TH AVE NE BLAINE, MN 55449

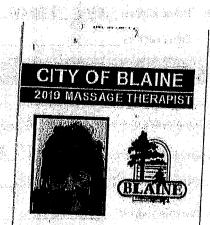
TYPE OF LICENSE:

Individual Massage Renewal

DEC 6 2018

Date Approv

(POST IN A CONSPICUOUS PLACE)



Name: Yulan Zhao Employer: Indigo Massage Address: 1506 125th Avenue NE City, State: Blaine, MN 55449 Expires: 12/31/19

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CITY OF

BLAINE

MINNESOTA

# Individual Massage Therapist "RENEWAL"

Date received in office // / / / / / / / / / / / / / / / / /	For office use only License Fee: <u>\$</u>	100.00 Background F	اء ج e: \$ 35.00
Approved	License No. 1	<b>C</b> O	No No manufacture & St. 34
<u>DIRECTIONS:</u> PLEASE PRINT this form must be filled ou	ut in ink or it must be typed.		
The City of Biaine has an electronic notification system			
www.blainemn.gov and click on NotifyMe to receive Bl	aine updates or click on Agend	a & Minutes for more inforn	nation.
Section 1	: Personal Applicant Informati	on	
1. Date / / /5/) 8		Cell Phone(	A Company of the Comp
2. Name of applicant <u>Zhaû</u>	YULAN Middle	Home Phone (	PA P 10 DECEMBER 1
3. Home address	Anoka		55303
Stieet. 4. Email address	city Social Secu	State Irity Number	20
	on 2: Employer Information		
	e provide employer information		
5. Employer's name <u>ไทฟเซอ Massa</u>		Work Phone ( <u>763)</u>	7.54 6947
		and the state of t	tuus
6. Employer's address 150h 121th AVE	NE Blaine	State	z(p)
7. Owners name Yu Ping Wang			
8. Website address		and the second s	
9. Are you a member of a National or State Ma	ssage Organization: Yes	□ No 🛛	
If yes, give name of the organization			
10. Individual Tax ID Number or Social Security Numb			
Saction	n 3: Renewal Information		
11. The information supplied on my Massage Ind NOT changed, (If you checked this box you do	dividual original Application	or 2019 renewal HAS "Application" forms)	<b>X</b>
12. The information supplied on my 2019 Massa (If you check this box, contact our office for instruct	ige Therapist License Applic Lion. You may need to complet	ation HAS changed. te <u>ALL</u> or parts of the " <u>Appl</u>	[]   <u> cation</u> " forms.
ANY FAI SIFICATION OF ANSWERS TO TH	IE ABOVE QUESTIONS WILL	RESULT IN DENIAL, SUSF	ension.

ANY FALSIFICATION OF ANSWERS TO THE ABOVE QUESTIONS WILL RESULT IN DENIAL, SUSPENSION, REVOCATION OR NON-RENEWAL OF THE LICENSE.



# CITY OF BLAINE

# 2015 Massage License Certificate

Effective:

02/10/2015 to 06/30/2015

Licensee:

INDIGO MASSAGE 1506 125TH AVE NE

BLAINE, MN 55449

YULAN ZHAO

TYPE OF LICENSE:

Individual Massage Renewal

OST IN A GONSPICUOUS PLACE)

A september

Date Approved

Business License No:

MASSI 15-07440

NOT TRANSFERRABLE



# **CITY OF BLAINE 2015 Massage License Gertificate**

Effective:

02/10/2015 to 12/31/2015

Licensee:

YULAN ZHAO

Business License No: MASSI 15-07440 NOTTRANSFERRABLE

INDIGO MASSAGE 1506 125TH AVE NE BLAINE MN 55449

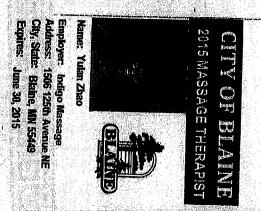
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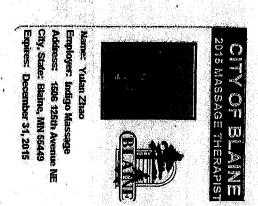
TYPE OF LICENSE:

Individual Massage Renewal

astal fur

Date Approved







# CITY OF BLAINE 2018 Business License Certificate

Business License No: MASSI 18-06766-03
NOT TRANSFERRABLE

Effective:

03/30/2018 to 12/31/2018

Licensee:

Yulan Zhao

ASIAN MASSAGE 10561 UNIVERSITY AVE NE BLAINE, MN 55434-5543

(POST IN A CONSPICUOUS PLACE)



TYPE OF LICENSE:

Individual Massage

The second section of the second seco

City Clerk

Date Approved

CITY OF BLAINE





Name: Yulan Zhao Employer: Aslan Massage Address: 10661 University Ave NE City, State: Blaine, MN 66494

Expires: 12/31/2018



CITY OF

BLAINE

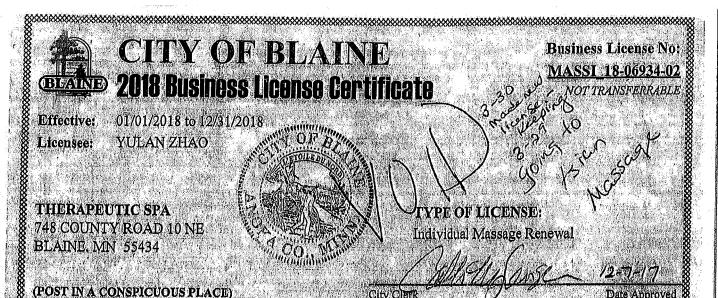
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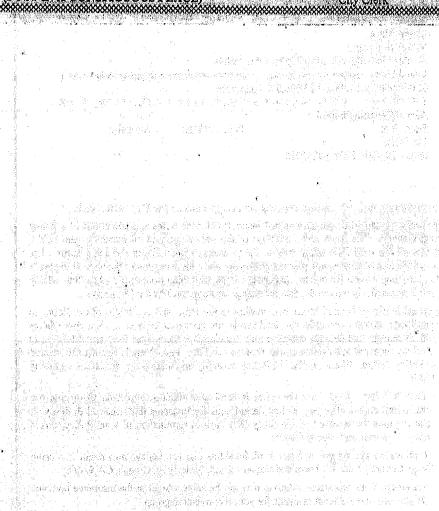
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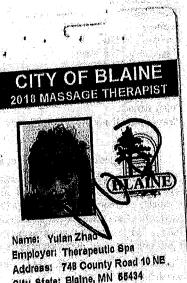
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Cl	TY CLERK OFFICE	10801 Town Squ	uare Drive PH	763-785-6124			







City, State: Blaine, MN 55434 Expires: 12/31/2018



# CITY OF BLAINE

# 2015 Massage License Certificate

Effective:

01/22/2015 to 06/30/2015

Licensee:

YULAN ZHAO

TYPE OF LICENSE:

Individual Massage Renewal

(POST IN A CONSPICUOUS PLACE)

THERAPEUTIC SPA

BLAINE, MN 55434

748 COUNTY ROAD 10 NE

City Clerk

Date Approved

Business License No: MASSI 15-06934-02

NOT TRANSFERRABLE

CITY OF BLAINE
2015 MASSAGE THERAPIST

Name: YULAN ZHAO

Employer: Therapeutic Spa Address: 748 County Road 10 NE City, State: Biaine, MN 55434 Expires: June 30, 2015

 transferred locations)



# Individual Massage Therapist 4RENEWAL\*

	or office use only
Date received in office <i></i>	License Fee: <u>\$ 100.00</u> Background Fee: <u>\$ 25:00</u> License No. MASSI <u>/5</u> - <u>6934-02</u>
<u>DIRECTIONS</u> : PLEASE PRINT this form must be filled out in in	k or it must be typed.
Section 1: Person	onal Applicant Information
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Section 2: E	mployer Information
	lde employer Information
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6. Employer's address 784 COUNTY R	1 10 N.E. BLAINT: NN 55434
7. Owners name And Sieget & V	E FILM 6: City State Zip
8. Website address	
9. Are you a member of a National or State Massage	e Organization: Yes 🗌 No 🗵
If yes, give name of the organization	<b>,</b>
Section 3: R	enewal Information
10. The Information supplied on my 2015 Massage (If you checked this box you do not need to comp	
11. The information supplied on my 2015 Massage T (If you check this box, contact our office for instruction.	You may need to complete <u>ALL</u> or parts of the <u>"Application"</u> forms.
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City Clerk Division Licensing Section PH 763-785-6122 <u>www.ci,blaine.mn.us</u>
10801 Town Square Drive PH 763-785-6124
Blaine, MN 55449 FAX 763-785-6156

Forum (/F/)

Sponsor ads

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AdultLook Escort Reviews (/) / Blaine, Minnesota (/l/blaine-mn) / Blaine, Minnesota Massage F

• Right now you are visiting the best website in the adult industry. You're welcome! (/a/register)

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# **Deng Asian Massage**

AdultLook ID: #1185592

Write a Review (/p/1185592/reviewgulde)

₩ Write a short review (/p/1185592/writeashortreview)

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# **▲** Main Info

Address: 17600 Hwy 65 NE UNIT2 Ham Lake, Minnesota 55304

Contact: 763-434-5018

♣ Blaine, Minnesota Massage Parlors (/I/blaine-mn?cat=MassageParlors)

SEARCH: (suggestion Erotic massage Eden Prairie, Asian massage Eden Prairie)

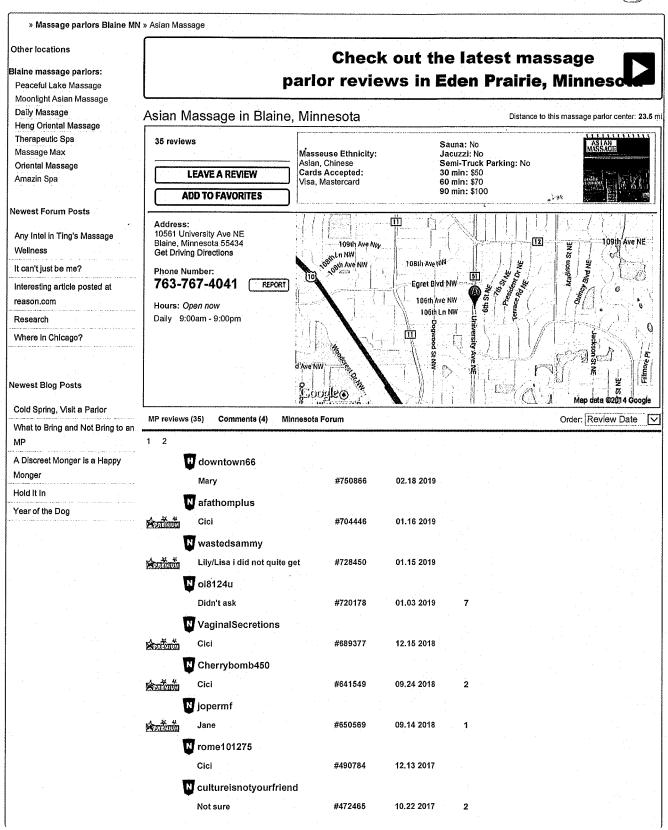
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SEARCH: (suggestion Erotic massage Eden Prairie, Asian massage Eden Prairie)

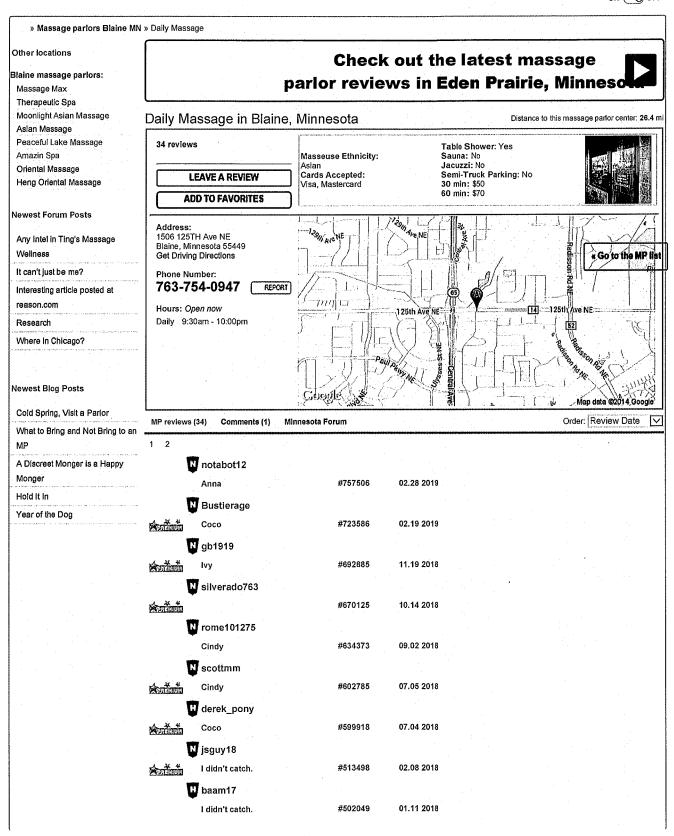
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Minneapolis

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MINNEAPOLIS Female Escorts (92)



All Locations » Minnesota » Minneapolis » Erotic Massage » Daily Massage

# ພວ່ເຊັ Daily Massage

(763) 754-0947 1506 125th Ave. NE Minneapolis, MN 55449

MASSEUSE Asian TABLE SHOWER NO JACUZZI No TRUCK PARKING No PRIVATE PARKING No. 4 HAND MASSAGE Yes **30 MINUTES** \$50.00 **60 MINUTES** \$60.00 ACCEPTED CREDIT CARDS VISA/MC

(Your Business? ) (Report An Error

# (Upload Photo

View Larger Map / Directions / Street View

## Hours

MONDAY TUESDAY 9:30AM 9:30AM 9:30PM 9:30PM

WEDNESDAY 9:30AM 9:30PM

THURSDAY 9:30AM 9:30PM

FRIDAY 9:30AM -9:30PM

SATURDAY 9:30PM

SUNDAY 9:30PM

treat yourself in a very relaxing way here aDaily Massage. We've got well-skilled and we-experienced masseuse that can make you feel fresh and free fom stress. What arre you waiting for? Visit us now!

# 0 AdultSearch User Reviews





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### **Discreet Hookup Sites**

The Real Facts of Sex The Real Facts of Sex ...thehookupsites.com

# Top 10 Sex Hookup Sites

3497 Sexy Single Women- Online Hot Women From Your City Are Lc ..find-a-hookup.com

# Local Hookup Site

Users in 200+ Countries 76 Million Members. ...usa-quide.com

# Be A Sugar Daddy

Meet Smart Beautiful Sugar Babie: Meet Smart Beautiful Sugar Babie: http://dateonenight.mobi

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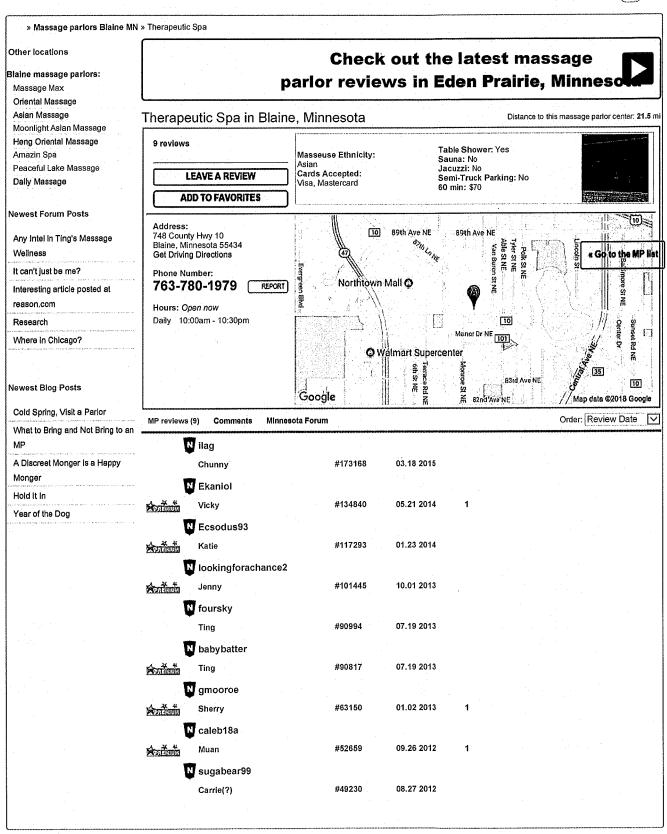
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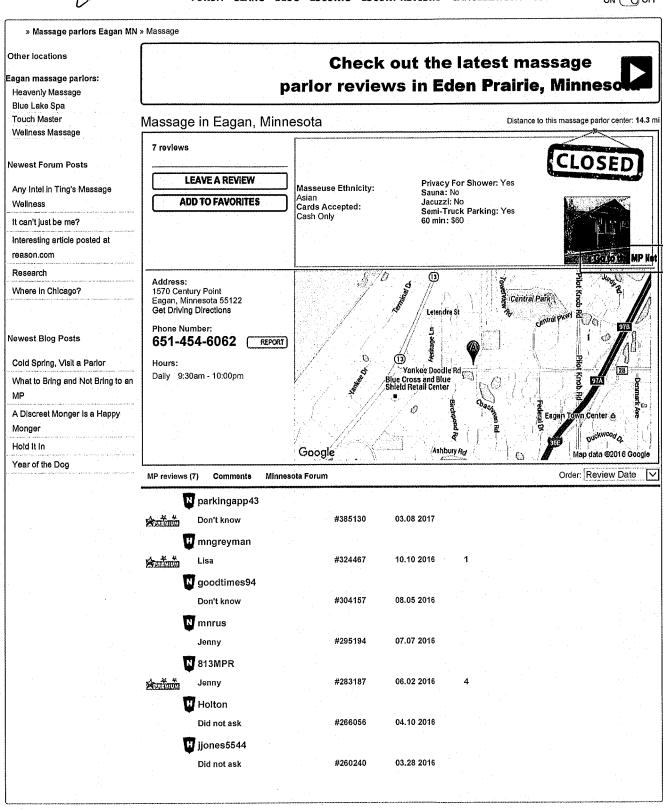
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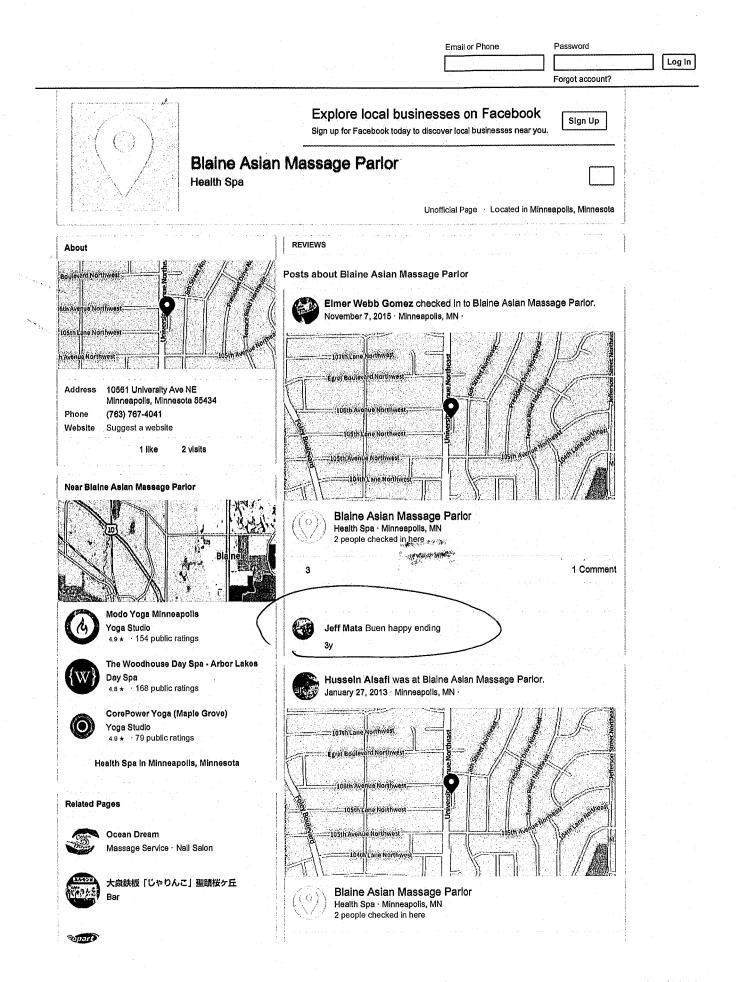
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### White Bear Lake Police Department Memo



To: Chief Julie Swanson From: Angle Stewart Date: 01/24/2019

Subject: Massage Therapist Licensing for Lijuan Zou

WBLPD CN: 19001019

On January 24, 2019 I completed a background investigation on Lijuan Zou, dob the purpose of massage therapist licensing. Lijuan Zou states she will be practicing massage therapy at WBL Asian Massage, located at 1350 Hwy 96, Ste. 16. White Bear Lake, MN.

Ms. Zou has listed a home address of Ms. Zou has a current, valid MN Driver's License.

Ms. Zou lists Indeego Wellness Spa 979 Post Rd. E, Westport, CT 06880 as a previous employer. Through this investigation it was also discovered that Ms. Zou has been employed at Indigo Massage 1506 125<sup>th</sup> Ave., NE in Blaine, MN and has also applied for a license with the City of Blaine to work at Asian Massage 10561 University Ave. NE. Both of these establishments are operated by Yulan Zhao, the proprietor of WBL Asian Massage. Both of the establishments in Blaine advertise on adult erotic websites Rubmap.com and Adultlook.com.

Ms. Zou attended and received her certificate for Massage Therapy from The America Academy of Acupuncture and Oriental Medicine on July 21, 2015. The American Academy of Acupuncture and Oriental Medicine is certified and recognized by the MN Higher Education Office. Ms. Zou also has the appropriate liability Insurance through The American Massage Council with a per occurrence limit of \$2,000,000.

I have attached a copy of Lijuan Zou credit report for review.

Ms. Zou has no criminal history in the State of Minnesota. For licensing we are not allowed to run a national check.

Lijuan Zou does meet the minimum requirements for massage therapist licensing under WBL City Ordinance 1127.100 and 1127.1, however due to Ms. Zou's nondisclosure of being employed at the same massage establishments that her future employer also did not disclose

on her applications it seems likely Ms. Zou would engage in activity that would be in violation of White Bear Lake City Ordinance 1127.00 and 1127.1

A. Stewart

Attachments: Application, Training Certificates, Insurance

# 19001019



City of White Bear Lake 4701 Highway 61 White Bear Lake, MN 55110 City Clerk clerk@whitebearlake.org (651) 429-8508

### **Massage Therapist License Application**

It is unlawful for any person to perform as a massage therapist in the City of White Bear Lake without having first secured a license as provided in Chapter 1127 of the Municipal Code.

<u>Instructions:</u> Return completed application with requested copies of supporting documentation. Enclose cash or check payable to "City of White Bear Lake" in the amount of \$50.00, which covers \$25 for an initial background check and \$25 for the massage therapist license. Licenses are valid through March 31.

1.	Full Legal Name (Please print) Zou, Lijuan
2.	Home Address (Street) (City) (State) (Zip)
3.	Daytime Phone 4. E-mail
5.	Have you ever used or been known by any name other than your legal name given above?  ☑ No ☐ Yes, list each name along with dates and places where used:
6.	Licensed Massage Therapy Establishment at which you expect to practice:
	WBL Asian Massage 1350 Highway 96 E Suite 16
	Name of business Address of business White hear MN Business Tax ID
7.	Have you ever worked at a massage therapy establishment, been licensed as a massage therapist or practiced massage professionally?  ☐ No  ☒ Yes, list the past five years below. If you were licensed, include your license status (active, suspended, revoked, not renewed). Attached additional form if needed.
	Indeego Wellness Spa 979 Post Rd. E. Westport, CT 06880 Current Name of business Address of business Status of License
	Name of business Address of business Status of License
	Name of business , Address of business Status of License
٠	Name of business Address of business Status of License
8.	If suspended/revoked license listed above, provide the reason:

### **Background Check Authorization and Consent for Release of Consumer Credit Information**

Unless otherwise indicated, the data in this application will be used to approve your license or permit. Upon approval of the license or permit, the information contained in this application shall be deemed public unless classified as private by State Statute. Private data is available to you and the City or State who need this information to perform their duties, but is not available to the public. You are not legally required to provide this data, but the City may not be able to approve your license or permit if you do not provide it.

I have received a copy of White Bear Lake Municipal Code 1127: Massage Therapist/Massage Therapist Businesses" and will familiarize myself with the provisions contained within it. You may sign up for "Notify Me" on the City's website at www.whitebearlake.org to receive email notifications anytime the City posts a Public Notice. Public Notices may contain information relating to Ordinance revisions or updates, which could potentially modify business license fees and requirements.

Minnesota Statute Chapter 270C, Section 72 requires the licensing authority to provide to the Minnesota Commissioner of Revenue the Minnesota business tax identification number and social security number of each license applicant. Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, the City is required to advise you of the following regarding the use of this information.

- 1. This information may be used to deny the issuance or renewal of your license in the event you owe Minnesota sales tax, employer's withholding or motor vehicle excise taxes;
- 2. Upon receiving this information, the licensing authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service;
- 3. Failure to supply this information may jeopardize or delay processing of your license or renewal.

I declare that the information I have provided on this application is truthful and I understand that falsification of answers or incomplete data may result in denial of the application. I authorize the City of White Bear Lake to investigate and make whatever inquiries necessary to verify accuracy of the information provided. Please note that background checks may take up to 30 days to complete.

By signing below, applicant agrees to this background check authorization above and authorizes the White Bear Lake Police Department to request a copy of your consumer credit report for purpose of conducting a license background investigation.

Applicant's Signature: <u>A Juan Zou</u>			v .	
Social Security #	Date of Birth_			
Attach copy of driver's license #	copy of government is	State _ ssued identif	MN ication.	
Attach verification of <u>one</u> of the following:  A. Current certification from National Cert Bodywork; or  B. Membership with one of the following			· '	

- - a. American Massage Therapy Association (AMTA), or:
  - b. Associated Bodywork and Massage Professionals (ABMP)
- C. Certification of graduation from an accredited institution, which is either registered with the MN Higher Education Office, or recognized by AMTA or ABMP.

V-7			professional liability	. Imarunanaa usith	coverage of up to	. ¢1 000 000 i	ant accultrance
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🙀 Attach \$50 cash or check payable to "City of White Bear Lake" (\$25 for the background check plus \$25 for the massage therapist license). Credit cards are not accepted.

## City of White Bear Lake

4701 Highway 61, White Bear Lake, Minnesota 55110 Phone (651) 429-8526 / Fax (651) 429-8500

January 25, 2019

Lijuan Zou 9950 University Ave NW Apt. 309 Coon Rapids, MN 55448

RE: MASSAGE THERAPIST LICENCE APPLICATION

Dear Ms. Zou:

This letter serves as notification that you did not pass the background check stage for your massage therapist license in White Bear Lake, MN. During the background investigation, the White Bear Lake Police Department discovered that you failed to disclose two separate massage therapist licenses in Blaine, MN.

By submitting an application, you consent to a background check. By signing, you declared that the information you provided on the application is truthful and you understand that falsification of answers or incomplete data may result in denial of the application." Based on the failure to fully disclose information related to your business license, your application is no longer being considered for licensure in the City of White Bear Lake.

If you feel this information is not accurate, please contact me at 651-429-8508.

Sincerely,

Kara Coustry

City Clerk of White Bear Lake

Kara E. Coustry

cc: Chief of Police, Julie Swanson City Manager, Ellen Hiniker New Application Received 12/4/15

Didigo - moving to Asian Individual Therapeutic Massage

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NEW TY	CLERK OFFICE	Licensing Section		763-785-6122			
		10801 Town Square Blaine, MN 55449	Drive PH	763-785-6124	www.c	il.blaine.mn.i	iz

	MassageTher	apist Individual License Application, Page
ou ever been convicted of any felony,		Yes No X
provide the time, place and offense. A	criminal conviction will not neces:	satily be grounds for denial.
ou ever had any ownership in any pre ded or not renewed?	vious establishment for a theraped	utic massage license that was revoked, Yes No X
explain in detail providing dates of suc	h revocation,	ye.
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the Following Documents :		
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of at least 500 hours of certified the issuing authority (Original transcripties).	nerapeutic massage training from showing dates of training and nan	n an accredited institution approved ne and address of the training
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te	ia to the applicant or financially inte	References. Provide the names, residence and business addresses of ad to the applicant or financially interested in the business, who may in a character.

Massage Therapist Individual License Application, Page 3

### Section 3: Tennessen Warning & Signature

Note: A photo ID card will be issued to each massage therapist.

All applicants must apply in person at the Licensing Section so that an ID photo can be taken.

The data on this form will be used to approve your license. Some requested data is private. Private data is available to you and the City or State staff who need this information to perform their duties, but is not available to the public. You are not legally required to provide this data, but the City may not be able to approve your license if you do not provide it.

You are being asked to answer questions and provide information pursuant to the application process that is required by Minnesota State Law and the City of Blaine ordinance. The information you provide is government data in accordance with Chapter 13 of State law known as the "Minnesota Government Data Practices Act". You are not required by law or ordinance to answer questions or provide the information requested. A refusal to answer questions or provide information being requested will prevent the City of Blaine from processing the application for which you are applying.

As a consequence of that action, no license application will be forwarded to the Blaine City Council for their consideration. The information you provide may be classified as "public", "private" or "confidential" pursuant to the "Government Data Practices Act". Access to this information can be obtained by persons who are deemed eligible pursuant to the "act", This access can include the subject(s) of the license application, anyone they give their informed consent to consistent with Minnesota State law, or by court order.

I have received from the City of Blaine a copy of the *Therapeutic Massage Ordinance*, Chapter 22 of the City Code, and will familiarize myself with the provisions. I understand that a criminal conviction will not bar me from obtaining a license unless the conviction is directly related to the occupation for which the license is sought and there is no showing of sufficient rehabilitation and present fitness to perform the duties of the occupation (Minnesota Statute 364.03). I understand that falsification of the application, including failure to reveal a criminal conviction, constitutes grounds for denial of the license.

The information I have provided on this application is truthful. I authorize the City of Biaine to investigate the information and contact persons/organizations named on this application. My signature constitutes agreement of the Tennessen Warning and this entire application.

X I Juan Zou

Applicant's Signature



# CITY OF BLAINE MINNESOTA

# Individual Massage Therapist "RENEWAL"

eate received in office $10/17/8$	For office use o	ense Fee: <u>\$ 100.00</u>	Background Fee	e: \$ 35.00
oproved/	· ::	ense No. MASSI	9 744	1
			Year	
URECTIONS: PLEASE PRINT this form must be filled	out in ink or it must	be typed.		
he City of Blaine has an electronic notification syste www.blainemn.gov and click on NotifyMe to receive	m where all propose	d ordinances are poste	d for Council considers for more information	deration. Go to
TVI NI				
Section	n 1: Personal Applica	nt Information		
1. Date			Phone (	)
2. Name of applicant Zou	<u>Lijuan</u>	Middle Ho	me Phone (	
3. Home address		coon Rupids	MN_State	££433
4. Email address		_Social Security Nun	ber	
, Sec	tion 2: Employer In	ormation		
Ple	ase provide emplay	er Information		
5. Employer's name Indigo Mas	sage	Work I	Phone ( <u>763)</u>	754-094
6. Employer's address 150b 121 Th	AVE NE	Blaine	MN .	stoug
7. Owners name Yu Ping Womg	•	LIIV	State	Zip
	•			
			No 🔀	
9. Are you a member of a National or State				
If yes, give name of the organization				<del></del> .
10. Individual Tax ID Number or Social Security Nu	ımber			
11. The information supplied on my Massage NOT changed, (if you checked this box yo	ction 3: Renewal Inf e Individual origina ou do not need to	Application or 2019	renewal HAS ation" forms)	区
12. The information supplied on my 2019 Ma (If you check this box, contact our office for inst	assage Therapist L truction. You may n	icense Application H eed to complete <u>ALL</u> o	AS changed. parts of the " <u>App</u>	Dication" forms
ANY FALSIFICATION OF ANSWERS TO	O THE ABOVE QUE	STIONS WILL RESUL WAL OF THE LICENSI	T IN DENIAL, SUS	PENSION,

#### Section 3: Tennessen Warning & Signature

The data on this form will be used to approve your license. Some requested data is private. Private data is available to you and the City or State staff who need this information to perform their duties, but is not available to the public. You are not legally required to provide this data, but the City may not be able to approve your license if you do not provide it.

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The Information I have provided on this application is truthful. I authorize the City of Blaine to investigate the Information and contact persons/organizations named on this application. My signature constitutes agreement of the Tennessen Warning and this application.

<b>X</b> _	Liduan zou
	Applicant's signature
STATE OF Minnesote	
county of Anoka ) ss.	
application and that the statements made herein are true of	s that she/he is the applicant who has executed this of her/his own knowledge and hellef
Subscribed and sworn to before me thisday of	October, 20 18
	Stacy Sells Cl.  Signature  In 1-3 (_20_ d-O)

**City Clerk Division** 

Licensing Section 10801 Town Square Drive Blaine, MN 55449 PH 763-785-6122 PH 763-785-6124 FAX 763-785-6191

www.blainemn.gov

Form SP:C1



### **State of Minnesota**

### **Business Tax Identification Information**

<u>DIRECTIONS</u>: PLEASE PRINT this form must be filled out in ink or it must be typed. If the application is an individual, by that person; if a corporation, by an officer thereof; if a partnership, by one of the partners; if an unincorporated association, by the manager or managing officer thereof.

	Section 1: Lice	nse Informatio	n		
1. Type of License Being Applied for <u>WOS</u>	Stage Enterpr	ise / Th	erapist	Licence	
2. Licensing Authority (name of city, count			3		
3. Application or Renewal Date					
	Section 2:	Assalianas			
		eted by applican	t		
4. Name <u>20</u> 00	hi Juan		Phone (	j	
5. Home address		Obon.		HX	55433
Street  6. Social Security Number		City		State	Zlp
	Section 3: Busine	es Information			<u> </u>
7. Business name Indigo Wassag.				n 101	- 19117
				19 ) 739.	1 62-111
8. Business address 1500 125th	Aller NE		Bleine	MI	taté Z/p
9. Minnesota tax Identification number		·.			
10. Federal tax identification number					· · · · ·
11. Individual Tax ID Number or Social Securit	y Number 📩				
	Section 4: Notice	and Signature			
Under Minnesote law (M.S.270C.72(4)), the agency	feetilng vou thie lleaned	te radiulrad to	nrouldo to the A	Alministrata Comm	discioner of Povenue
your Minnesota business tax identification number of	and the Social Security n	umber of each	license applican	vinitesota contin t.	institute of Mevalide
Under the Minnesota Government Data Practices Ad					ala Danamurana a
<ul> <li>This information may be used to deny Revenue delinquent taxes, penalties, o</li> </ul>	or Interest;				, , , ,
<ul> <li>The licensing agency will supply it only information Act, the Department of Re</li> </ul>	evenue is allowed to sup	ply this inform	ation to the inter	nai Revenue Ser	vice;
Failing to supply this information may		•			
Please fill in the following information and return the form to the Department of Revenue.	is form along with your a	application to t	he agency issuin	g the license. Do	NOT return this .
\ \ 1 1	•				
x) Li Juan Zou	·			101	18,18
Applicant's Signature		Title			Date :



# **Background Investigation**Blaine Police Records Division

		For office use only			1
Application Date	1 23/18	Date to Police Dept.	101	33/1	<b>X</b>
Processed by 10/23	18 Approved D	Dented	No Record		
Your background check may inclu	ide (but not limited to);				
<ul> <li>Criminal History</li> <li>Drivers License Check</li> <li>Outstanding warrant</li> </ul>	Fingerprinting  Fhotograph  Civil & Criminal	Record Chack	IRS Do Credit		
	ATTACH A COLOR COPY OF Y	OUR DRIVER'S LICEN	SE (FRONT AN	D'BACK)	
	Section	n 1: License			
	Please print legibly o	or your request will be returned.			
1, License being applied for _	Theraputic Massage	. Enterprise_			
l w	this is for a Liquor License please an	swer the following, other	rwise skip to Sec	lon2	•
2. Name		and the state of t	Phone (	) }	
tast 3. Type of liquor license	F/rst	Middle			<del></del> -
4. Responsible party					
*Not	et For all liquor licenses, this form must both applican	be completed by and backy t and responsible party.	round checks will d	occur on	
	Section	2: Business			
5. Business name Ladique	Massage		hone (	14.61 <b>1</b>	
6. Business address 1506	115-16 AND NE	Blaine	Me	55449	
	Street	City	State	Zĺp	
	Section	3: Applicant			
7. Name 20U	LiJuan		Maiden n	ime	
8. Address	Flist	Com Ruptals	MN	55433	
9. Drivers license, state identi	Street	City	State  10. Sex M	<i>zip.</i> F∭	
and the same of the same of	ghtlbs. Hair colorBL_K		•		
	BIN IDS. ) Idil COIO)C/I=_C	Lye color <u>Horpe</u>			
12. Any other addresses	Street	City	State	Z/p	
RELEASE INFORMATION TO	D: CITY CLERK'S OFFICE				
i, the undersigned do here permitted by law.	by authorize the BLAINE POLICE DE	PARTMENT to release an	y background inf	ormation on me	e as
X LiJuan	20 U Applicant's Signature		Date_10/1	1/18	



# 1-2-19 x Moved to Asian Massage from Dudgo Individual Massage Therapist

# "RENEWAL"

DIRECTIONS: PLEASE PRINT this form must be filled out in	Integrate must be tuned
The City of Blaine has an electronic notification system wh <u>www.blainemn.gov</u> and click on NotifyMe to receive Blaine	ere all proposed ordinances are posted for Council consideration. Go to a updates or click on Agenda & Minutes for more information.
	ersonal Applicant Information
1. Date / / 2 / 2019	Cell Phone
2. Name of applicant <u>Zou Lij</u>	Wan Home Phone ()  Flist Middle
3. Home address	Loon Rapids MN 55448
4. Email address	Social Security Number
Saction 2	: Employer Information
	ovide employer information
5. Employer's name Lijuma Zou	Work Phone ()
6. Employer's address	City Rupids MN ST5448
7. Owners name huazhen Li	
8. Website address	
9. Are you a member of a National or State Massa	age Organization: Yes 🗌 No 🔽
If yes, give name of the organization	
10. Individual Tax ID Number or Social Security Number	
Continua	December 1997
11. The Information supplied on my Massage Indiv NOT changed, (If you checked this box you do a	
12. The Information supplied on my 2019 Wassage	Therapist License Application HAS changed.  Now may need to complete <u>ALL</u> or parts of the "Application" forms.

### Section 3: Tennessen Warning & Signature

The data on this form will be used to approve your license. Some requested data is private. Private data is available to you and the City or State staff who need this information to perform their duties, but is not available to the public. You are not legally required to provide this data, but the City may not be able to approve your license if you do not provide it.

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The Information I have provided on this application is truthful. I authorize the City of Blaine to investigate the Information and contact persons/organizations named on this application. My signature constitutes agreement of the Tennessen Warning and this application.

	* Jouan Tou
STATE OF Minnesote	Applicant's signature
COUNTY OF ANDKEL	ss.
Tiuan Zou  application and that the statements made herei	says that she/he is the applicant who has executed this in are true of her/his own knowledge and belief.
Subscribed and sworn to before me this 3	
STACY DELLICH NOTARY PUBLIC - MINNESOTA My Commission Expires Jan. 31, 2020	Notary Signature My Commission expires 1-31 20 20

City Clerk Division

Licensing Section 10801 Town Square Drive Blaine, MN 55449 PH 763-785-6122 PH 763-785-6124 FAX 763-785-6191

www.blainemn.gov





### **State of Minnesota**

### **Business Tax Identification Information**

<u>DIRECTIONS</u>: PLEASE PRINT this form must be filled out in ink or it must be typed. If the application is an individual, by that person; if a corporation, by an officer thereof; if a partnership, by one of the partners; if an unincorporated association, by the manager or managing officer thereof.

Section	on 1: License Information		
1. Type of License Being Applied for Massage			
2. Licensing Authority (name of city, county or state age	ency issuing license)Ci	TY OF BLAINE	
3. Application or Renewal Date//			
S	ection 2; Applicant		
	o be completed by applicant		
4. Name Zou Biagin	Phone (		-
5. Home address Street	Middle (now Rapids	MM 5/	5448 Zip
6. Social Security Number	<u> </u>		
Section	3: Business Information		
7. Business name Asian Massage	Phone ( <u>7/</u>	3 767 - 401	<u>Ll</u>
8. Business address 10561 University Ave.	NE Blaine	MN Stole	55434
9. Minnesota tax identification number  10. Federal tax identification number			•
11. Individual Tax ID Number or Social Security Number			
Section	4: Notice and Signature		· · · · · · · · · · · · · · · · · · ·
Under Minnesota law (M.S.270C.72(4)), the agency issuing you the your Minnesota business tax identification number and the Social Sunder the Minnesota Government Data Practices Act and the Fede  This information may be used to deny the issuance, received the management of Revenue delinquent taxes, penalties, or interest;  The licensing agency will supply it only to the Minness Information Act, the Department of Revenue is allow Falling to supply this information may jeopardize or delinquent of the Department of Revenue.	Security number of each license applica aral Privacy Act of 1974, we must advise enewal or transfer of your license if you ota Department of Revenue. However, ed to supply this information to the inteleta lelay the issuance of your license or pro	nt. You that: I owe the Minnesota Depai under the Federal Exchang ernal Revenue Service; cessing your renewal appli	rtment of ge of cation.
* 1 Juan 2011 -	·	1 1 3 1	2019
Applicant's Signature	Title	. Date	1 1

If a Minnesota tax identification number is not required, please explain (use reverse side of form if necessary)







# **Background Investigation**Blaine Police Records Division

		or office use only		
Application Date Processed by 11319 ///6/	9 Approved N TW	Date to Police Dept	No Record	<u>,                                    </u>
Your background check may Include (but no	t limited to); at 60 Ser	of to Det W	at 21Ce	64-1-14-19
<ul> <li>Criminal History</li> <li>Drivers License Check</li> <li>Outstanding warrants</li> </ul>	<ul> <li>Fingerprinting</li> <li>Photograph</li> <li>Civil &amp; Criminal Re</li> </ul>	cord Check	IRS Document C Cradit Check	heck
ATTAC	A COLOR COPY OF YO	UR DRIVER'S LICENSE	FRONT AND BAC	<u> </u>
	Section 1	L: License		
	Please print legibly or	your request will be returned		
1. Ucense being applied for Massa	xge			
if this is for	a Liquor License please ans	ver the following, otherwi	se skip to Section 2	
2. Name	and the second of the second o	e Marie e Marie de M Os de Marie	Phone ()	
tost 3. Type of Ilquor license	First	Middla	110110 14/	
4. Responsible party				
*Note: For all li		e completed by and background responsible party.  : Business	nd checks will occur on	
5. Business name Asima Mu	SSUAR	Phó	ne (763 ) 765	1-4041
	sity Ave. NE	BLAINE	MN 55	434
	Section 3:	Applicant		
T News "Y	Lizacia		Ka Managana	
7. Name Zou Last 8. Address Street	- First	Coan Respons	Malden name  MN 555 State Zia	
9. Drivers license, state identification or	military ID	1 10.	Sex M □ F Ø	
11. Height <u>5</u> ft <u>5</u> Weight <u>/39</u>	bs, Hair color Brown	Eye color Brow	DOB TO	
12. Any other addressesStreet		City	State Zip	
RELEASE INFORMATION TO: CITY C	LERK'S OFFICE			
I, the undersigned do hereby author permitted by law.	ize the BLAINE POLICE DEPA	ARTMENT to release any b	ackground Informatio	n on me as
X July 2001			Date //	2010
Applicant's	Signature		S	<del></del>



# CITY OF BLAI 2019 Business License C

Effective:

01/01/2019 to 12/31/2019

Licensee:

LIJUAN ZOU

INDIGO MASSAGE 1506 125TH AVE NE BLAINE, MN 55449

(POST IN A CONSPICUOUS PLACE)

OFACO

1-2-19 Moved to Asian Massage

ense No: 07440-01 FERRABLE

2016

te Approved

CITY OF BLAINE





Name: LIJUAN ZOU Employer: INDIGO MASSAGE Address: 1506 125TH AVE NE Oity, State: BLAINE, MN 55449 Expires: 12/3/1/9



**To:** Mayor and City Council

**From:** Ellen Hiniker, City Manager

**Date:** March 21, 2019

**Subject:** Refuse and Recycling Hauling Contract – Extension Update

#### **SUMMARY**

The current contract for refuse and recycling collection expires August 30, 2019. Staff has been working with Republic Services on terms for an extension since December, 2018 and is satisfied that the current rates proposed are competitive. If Council concurs, staff will continue negotiations to finalize the details of a new seven (7) year contract with Republic Services for Council's consideration.

#### **BACKGROUND**

In spring of 2014, the City received bids for refuse and recycling hauling services from six (6) haulers and ultimately awarded a five-year contract to the lowest bidder, Troje's Trash, effective September 1, 2014. The decision to request bids for service in 2014 was based on dissatisfaction with the previous hauler. The City had not otherwise gone out for bids since 1996.

Unfortunately, as the Council is aware, Troje's Trash encountered significant financial issues that led to its bankruptcy. Troje's contract was ultimately purchased by Republic Services through the bankruptcy proceedings; the original rates and terms of the contract remained in place. While advantageous to the City, Troje's rates were lower than industry standards and resulted in losses for Republic. Furthermore, since assuming the contract in the fall of 2016, Republic's rates have been increased only once, which was a 2% increase. Because Republic is a national company with a significant presence, it has been able to absorb these losses for the short term. However, a more significant adjustment is needed in order for Republic to continue providing service.

Staff has spent significant time working with representatives from Republic and gathering data from other communities to ensure that the rates proposed by Republic for a contract extension are the best they can offer. While the rates reflect an increase that would result in a 7.5% increase in residential rates in 2020, staff believes they are very competitive, as further demonstrated below. Republic has provided excellent service and has been very responsive to any issues that arise. Staff also has confidence in Republic's ability to sustain its service levels, as it is a financially sound national hauler.

Staff reported to Council at its meeting in January that it would be recommending the City go out for bids if the rates proposed by Republic could not be further refined. While the rates as proposed earlier this year seemed reasonable relative to the market, the increase from current rates was too significant to justify without requesting additional proposals. Since then, Republic has further reduced its proposed rates and staff is satisfied that they are as low as Republic will go. Furthermore, based on recent experiences in two other metro communities, there is a risk that bid rates would actually be higher than what is currently being proposed by Republic.

To maximize its pro forma, Republic is requesting a 7-year contract. An abbreviated term would adversely impact the proposed rates. Seven to ten year contracts are becoming more common in the industry.

There are two proposals for a 7-year contract. One would reflect a 2% increase in 2019, as budgeted, an overall 10% increase in 2020 (changing to a flat hauler rate), 4% increase in 2020, and a 2% increase for the remaining years. These rates would result in a residential rate increase of 7.5% in 2020, assuming a 3% increase in tipping fees. A 3% residential rate increase would then be needed in 2021 to support the hauler's 4% rate increase in 2021:

**Proposed Hauler Rates** 

_ 1 o p o s t									
Proposed 201		Proposed 2020	Proposed 2021						
	2% as budgeted	Approx. 10% overall	4% increase						
Senior	8.32	10.62	11.04						
30	8.32	10.62	11.04						
60	9.36	10.62	11.04						
90	12.23	10.62	11.04						

**Proposed Residential Rates** 

= - or							
	2019 Residential	019 Residential Proposed 2020					
	no change	7.5% increase	3% increase				
Senior	10.55	11.34	11.68				
30	10.80	11.61	11.96				
60	15.90	17.09	17.61				
90	21.65	23.27	23.97				

The hauler offered an alternative proposal, which also satisfies its pro forma, to minimize the impact of an initial adjustment in 2020: \$10.00 in 2020 with a 4.5% increase each year thereafter. While this would have been less of an initial impact on residential rates, this approach results in rates nearly 7.5% higher in 2026 than they would otherwise be if the first alternative were to be selected.

	Proposal A	1	Proposal B			
2020	10.62	10%	10.00	5%		
2021	11.04	4%	10.45	4.5%		
2022	11.27	2%	10.92	4.5%		
2023	11.49	2%	11.46	4.5%		
2024	11.72	2%	11.97	4.5%		
2025	11.96	2%	12.51	4.5%		
2026	12.19	2%	13.07	4.5%		

To further evaluate Republic's proposal, staff compared proposed rates against those that were bid in 2014, assuming a 2% annual increase to the 2014 rates:

	Hauler A	Hauler B	Hauler C	Hauler D	Hauler E	Proposed rates
2014	\$ 9.90	\$ 10.40	\$ 11.03	\$ 9.85	\$ 12.98	
2015	\$ 10.10	\$ 10.61	\$ 11.25	\$ 10.05	\$ 13.24	
2016	\$ 10.30	\$ 10.82	\$ 11.48	\$ 10.25	\$ 13.50	
2017	\$ 10.51	\$ 11.04	\$ 11.71	\$ 10.45	\$ 13.77	
2018	\$ 10.72	\$ 11.26	\$ 11.94	\$ 10.66	\$ 14.05	
2019	\$ 10.93	\$ 11.48	\$ 12.18	\$ 10.88	\$ 14.33	
2020	\$ 11.15	\$ 11.71	\$ 12.42	\$ 11.09	\$ 14.62	\$ <b>10.62</b>

As shown, if rates proposed by competing haulers in 2014, (Troje's notwithstanding), had increased by 2% each year, all rates would have been greater than those currently being proposed by Republic.

Staff also looked at the rates in other communities with organized collection:

2018 QUARTERLY RATES (from December, 2018)

	White Bear Lake (weekly recycling)	Forest Lake (bi-weekly)	North St. Paul (bi-weekly)	St. Louis Park* (bi-weekly)		
			` '	` '		
30	29.10	38.40	48.90	39.50		
60	42.75	46.50	52.77	67.50		
90	58.20	53.10	60.06	99.00		

White Bear Lake in 2020, reflecting proposed rates 34.83 51.27 69.81

\* St. Louis Park's contract includes unlimited yard waste collection.

It is difficult to compare rates to other communities as each contract is nuanced slightly differently. However, the above comparisons demonstrate that White Bear Lake has remained very competitive. Staff will, however, want to evaluate the differences in rates within the tierrate system as it considers future rate adjustments.

Lastly, under a new contract with Republic, the manner in which refuse and recycling is broken out would change. Currently, the recycling base collection fee is approximately 20-25% percent of the total collection fee, depending on the service level. Under a new contract, the split would be 50/50, which would result in lower bills for residents due to the county and state tax on refuse. Because recyclables are processed under a separate contract and trash disposal is paid for directly by the City, the City's hauling contract is purely for collection services. With weekly recycling collection, costs related to the collection of refuse and recycling are the same. All residential refuse in Ramsey County is taxed at a rate of 37.75%, so shifting more of the total collection costs onto recycling will reduce the burden to homeowners, as shown below.

			2019			2020	
senior							
	refuse	\$ 8.45	38%	\$ 11.64	\$ 6.03	38%	\$ 8.31
	recycling	\$ 2.10		\$ 2.10	\$ 5.31		\$ 5.31
	total	\$ 10.55		\$ 13.74	\$ 11.34		\$ 13.62
30							
	refuse	\$ 8.65	38%	\$ 11.92	\$ 6.30	38%	\$ 8.68
	recycling	\$ 2.15		\$ 2.15	\$ 5.31		\$ 5.31
	total	\$ 10.80		\$ 14.07	\$ 11.61		\$ 13.99
60							
	refuse	\$ 12.70	38%	\$ 17.49	\$ 11.78	38%	\$ 16.23
	recycling	\$ 3.20		\$ 3.20	\$ 5.31		\$ 5.31
	total	\$ 15.90		\$ 20.69	\$ 17.09		\$ 21.54
90							
	refuse	\$ 17.30	38%	\$ 23.83	\$ 17.96	38%	\$ 24.75
	recycling	\$ 4.35		\$ 4.35	\$ 5.31		\$ 5.31
	total	\$ 21.65		\$ 28.18	\$ 23.37		\$ 30.06

### RECOMMENDATION

Staff recommends the City continue negotiating a seven-year with Republic toward finalization of a final draft for Council's consideration at the end of April or early May. While no formal action is needed at the March 26, 2019 meeting, staff is requesting direction from the Council.