



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, APRIL 9, 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 26, 2019

3. APPROVAL OF THE AGENDA

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

A. Resolution approving multifamily housing Revenue Note (Century Hills Project), Series 2019 conduit debt

6. LAND USE

A. Consent

Nothing scheduled

B. Non-Consent

1. Consideration of a Planning Commission recommendation of approval of a request by Honsa Family Funeral Home for an Amendment to an existing Conditional Use Permit to allow a building addition at 2460 County Road E (93-15-Sa)

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

A. Resolution approving adoption of the Ramsey County Multi-Hazard Mitigation Plan

B. Resolution accepting bids and awarding contract for the 2019 Street Reconstruction Project, City Project No. 19-01 & 19-06

- C. Resolution accepting bids and awarding contract for the 2019 Mill and Overlay Project, City Project No. 19-04 & 19-13
- D. Resolution ordering project, approving plans and authorizing advertisement for bids for the 2019 Sanitary Sewer Lining Program, City Project No. 19-07

10. CONSENT

- A. Acceptance of White Bear Lake Conservation District Minutes, February Park Commission Minutes, February Environmental Advisory Commission Minutes March Planning Commission Minutes
- B. Resolution Accepting a Donation of \$2,453.38 from the White Bear Lake Fire Relief Association for the purchase of a set of struts
- C. Resolution authorizing the City Manager to execute the Washington County Recycling Grant Agreement
- D. Resolution approving a temporary liquor license for the Church of St. Pius X

11. DISCUSSION

- A. Summary presentation of Land Use section of the Comprehensive Plan

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 26, 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 Doug Biehn, Dan Jones, Kevin Edberg, Steven Engstran and Bill Walsh were present. Staff members present were City Manager Ellen Hiniker, Assistant City Manager Rick Juba, Finance Director Kerri Kindsvater, 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 March 12, 2019

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to approve the Minutes of the Regular City Council Meeting on March 12, 2019.

Motion carried. Councilmember Biehn abstained.

3. APPROVAL OF THE AGENDA

Mayor Emerson moved 10G, resolution denying massage therapist and massage therapist licenses to 9D.

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

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

A. Manitou Days Presentation

Dale Grambush reported that this year's theme for Manitou Days is "Bears that Shine". The event runs June 13 – July 4, for a total of 22 days and each day someone will be picked as a "bear that shines." Mr. Grambush described some of the events being planned and referenced the website, manitoudays.com. He mentioned Marketfest continues through July 25 and noted Dick Galena's efforts working with the Fireworks Committee to coordinate Fireworks, live music and a fly-over, which concludes the community festival. Mr. Grambush reported there are opportunities for sponsorships of Manitou Days and individuals can also donate to the fireworks fund.

Mr. Grambush stated they hope to have 60 Manitou Days events, some of which require assistance from city staff, Public Works and Public Safety. He asked Council to

adopt the resolution allowing Manitou Days use of city parks, public space and services to support Manitou Days 2019.

B. Boy Scout Eagle Project

Fire Chief Peterson stated that each year sudden cardiac arrests affects 356,000 people with a national survival rate of about 11%. Of those who go unconscious, only one-third receive CPR. In seeking to resolve this, Ramsey County, the Communications Center and Fire Chiefs implemented PulsePoint, a software program that notifies those who opt in of a cardiac arrest within .25 miles.

Chief Peterson introduced Zach Van Dyke from Boy Scout Troop 494. Zach documented all GPS coordinates, descriptions and added some pictures to assist in locating all public automated external defibrillators (AEDs) in White Bear Lake. Zach located and entered 96 AEDs into the system, making White Bear Lake the most documented municipality in Ramsey County.

Chief Peterson expressed appreciation and recognized Zach for the important work that he did and presented him with a Life Saving Award. Councilmember Edberg thanked Mr. Van Dyke and asked what was most impactful for him during this project. Zach stated he was most impacted by the number of volunteers who were willing to assist him in trying to make this world safer for everyone in the community.

Mayor Emerson thanked Zach for his work and for making a difference in this community. Mayor Emerson also extended thanks to the Fire Department.

C. Arbor Day Proclamation

Mayor Emerson read the annual Arbor Day Proclamation and encouraged all residents to participate in Arbor Day activities. City Engineer Kauppi stated that Arbor Day activities occur on Saturday May 4, with focus on mulching and tree trimming rather than new tree plantings. Mr. Kauppi reported that the Boy Scouts and Lions will be working at Lakewood Hills Park and the Rotarians will be working at Rotary Park.

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing listed

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

City Engineer Kauppi explained that seal coating is completed 5-7 years after street reconstruction. The sun, traffic and weather begin deteriorating the top road layer. Seal coating add oil and rock to the top of the pavement, which prolongs pavement life. He stated that seal coating will take place on White Bear Parkway and Birch Lake Blvd, north of Hwy 96 and two areas south of town in a neighborhood off McKnight and County Road E, as well as near Buerkle Road and White Bear Avenue.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to adopt **Resolution No. 12365** 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

City Engineer Kauppi explained that crack sealing is done 2-5 years after street reconstruction to prevent water entering the pavement and creating potholes.

Councilmember Edberg referenced staff's memo identifying areas in need of treatment and asked if nominations were being accepted. Mr. Kauppi stated to let staff know if an area seems in need of this treatment so it can be reviewed in relation to the overall street maintenance program.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Engstran**, to adopt **Resolution No. 12366** 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 Manager Hiniker prefaced her report by offering Council the option of learning more about Polco at an upcoming work session. She noted recent discussion at a strategic planning session regarding the use of technology to enhance communications and opportunities for community engagement. Ms. Hiniker relayed staff research of various communication tools and introduced Polco as an on-line engagement tool used by many other metro area communities for engagement and feedback.

Ms. Hiniker reported that Polco is reasonably priced compared to other survey tools. She stated that participation in Polco surveys requires residents to opt-in by signing up to receive notifications via email, text or a phone application. Results would not reflect a randomly selected sampling of the community, but would broaden the opportunity for public engagement and provide informative feedback.

Councilmember Jones mentioned the issues of late and believed the use of another communication tool would be useful for getting more information out into the community. He supported staff's recommendation for Polco.

Councilmember Edberg distinguished between citizen engagement and opportunities for input/feedback from surveys. He cautioned this tool was not designed with controls like a survey, but was supportive of providing a platform to allow people to interact, unfiltered with the City. Councilmember Edberg stated the cost is reasonable and supported City's participation for a three-year term.

In response to Councilmember Walsh, Ms. Hiniker confirmed there is opportunity for residents to provide open-ended responses to questions.

Councilmember Biehn asked if the app verified residency of responders. Ms. Hiniker explained that users are cross-checked through SVRS, the voter database, for general location information of the responder.

It was moved by Councilmember **Jones**, seconded by Councilmember **Engstran**, to adopt **Resolution No. 12367** authorizing the City Manager to contract with Polco for on-line community engagement technology

D. Resolution denying massage therapist and massage therapist licenses.

Ms. Hiniker reported that findings from a background check revealed that both applicants failed to list two businesses in Blaine for which they were licensed. Based on material omissions, staff was recommending denial of both applicants' licenses. She also noted that all current and past employers of both applicants were advertising erotic services on adult websites.

City Attorney Gilchrist reminded Council the new massage ordinance does not take effect until April 6. Under the current ordinance, Council makes determinations for both the business and practitioners licenses.

Mandarin interpreter Yu Jiang spoke on behalf of the applicants, Yulan Zhao and Zou Lijuan. She explained that both applicants did not fully understand the application and as a result they applied their own assumptions to the question about past employment. Interpreter Jiang stated that the applicants only put down the places they currently worked and not those that, while licensed to practice, they do not currently work at.

Councilmember Walsh appreciated the applicants appeared in person to offer an explanation. He stated that with these licenses, he is of a mind to be cut and dry and supports staff's recommendation to deny the licenses. He stated it is okay with him that White Bear Lake have a reputation that getting a business license is difficult if everything is not in order.

Councilmember Edberg appreciated that perspective, but mentioned the applicants did not have a criminal history - there have been no charges and no convictions of these applicants. Councilmember Edberg pointed out that there is only an affiliation and not a direct tie between adult advertisements and these applicants. He explained that the applicants' presence to speak on behalf of their applications provides credibility.

Ms. Hiniker restated the basis for license denial is omissions on both applications. Ms. Hiniker explained that at the time of application there was considerable conversation between the clerk and the interpreter, the daughter of applicant Zou, about what was being asked of this particular question. There were markings on the application noting what was to be included and both applicants omitted the same two establishments.

City Attorney Gilchrist added that when these applicants signed the application forms, they acknowledged that they understood and agreed that failure to fully disclose information on the application may be a basis for license denial. He stated that the Council could decide not to follow staff's recommendation.

Councilmember Edberg inquired whether employment at firms using adult ads automatically constitutes guilt. He stated there is no obstruction of a particular action because the underlying act was not a crime.

Councilmember Jones asked if there were no omissions of employment in this case, would that change staff's recommendation. Ms. Hiniker replied, there have been applications with these affiliations, but staff did not recommend denial in those cases. Ms. Hiniker clarified, that if there was only an association, it would not be a basis to recommend denial.

Councilmember Biehn stated this is a difficult decision because it affects someone's livelihood, but Council must balance that with staff's recommendation and the investigation. He asked how long before an application can be resubmitted. Staff relayed the new massage ordinance has a provision to wait one year before re-applying, but added that the former ordinance under which these applications are being considered does not address timing for reapplication.

Ms. Hiniker explained there have been instances where massage licenses were revoked in the past. As a result, Council's direction to staff was to remain diligent during the application process. Ms. Hiniker stated that as a result, staff continues to be thorough with review of massage applications.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12374** to deny massage therapist and massage therapist licenses.

Councilmember Biehn clarified this application was made under the original ordinance. That being the case, he asked, would that prohibit a new application sooner than one year. Staff confirmed it would not prohibit a new application from being submitted. Councilmember Biehn did not feel comfortable approving the license and supported the denial at this time, but would consider another application in the future.

Motion carried. Councilmember Edberg nay.

10. CONSENT

- A. Resolution authorizing financial participation in Manitou Days. **Resolution No. 12368**
- B. Resolution of support for Accessible Space, Inc.'s 2019 CDBG application to Ramsey County. **Resolution No. 12369**
- C. Resolution approving massage therapy establishment and massage therapy licenses. **Resolution No. 12370**
- D. Resolution ordering the Annual Public Meeting and Annual Report on the City's Storm Water Pollution Prevention Program (SWPPP). **Resolution No. 12371**

- E. Resolution Approving Consent and Assessment Agreement. **Resolution No. 12372**
- F. Resolution approving Cinco de Mayo celebration at El Pariente Mexican Grill. **Resolution No. 12373**

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

Motion carried unanimously.

11. DISCUSSION

A. Refuse and Recycling Hauling Contract

City Manager Hiniker highlighted proposed rates in support of renewing a 7-year refuse hauler contract with Republic Services. While proposed rates reflect a 7.5% increase in residential rates in 2020, staff research revealed the rates are very competitive. She reported that Republic Services has provided excellent service and has been very responsive to issues. Ms. Hiniker relayed confidence in Republic’s ability to sustain its service levels, as it is a financially sound national hauler.

	2019 Residential no change	Proposed 2020 7.5% increase	Proposed 2021 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

Ms. Hiniker described two proposals for the breakdown of increases over the 7-year contract as follows. While proposal A is a larger initial increase, staff is leaning toward this rate structure, which results in a lower end rate and 2% increases year after year are more manageable in the event of future economic decline.

	Proposal A		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%

Ms. Hiniker stated that after verification of Republic’s pro-forma to ensure the numbers match, staff would recommend proceeding with a contract.

Councilmember Walsh supported the direction of staff, although philosophically he pointed out that staff was negotiating rates for private citizens and they should have the option to negotiate their own services.

Councilmember Edberg stated he supported continued negotiations over other alternatives. He liked the idea of structuring rates in order to reduce taxation by breaking out recycling, while noting uncertainty in the future of recycling. Councilmember Edberg believed that \$2.50/week to pick-up trash and recycling is a

good rate.

Councilmember Jones echoed Councilmember Edberg comments and added that Republic Services has provided good service to the residence, which is important to retain.

Regarding recycling, Ms. Hiniker clarified the City contracts with Eureka for the processing of recyclables. Ms. Hiniker mentioned the City shares in the revenues from the sale of recyclables; however, for the past year since the decline of the recycling market, the City has had to pay Eureka approximately \$1,500/month. She mentioned that refuse rates reflect the cost of recycling, which may be adjusted as needed.

12. COMMUNICATIONS FROM THE CITY MANAGER

- Reminder of upcoming work sessions: April 30 - Capital Improvement Plan; May 21 - Long Range Financial Planning.
- Wednesday, July 31 is being proposed for a joint meeting of elected officials representing the School District and all cities/township within the school district. This would be the first of an annual effort.
- The student intern from Germany will arrive on April 4th to work at the City for the summer. This is made possible through participation in the Climate Smart Municipalities program, which is grant funded by the Federal Republic of Germany.
- Long lines for the License Bureau are expected to continue under MNLARS because data entry is now completed on the front lines. Using the municipal building budget, Ms. Hiniker intended to bring someone in to assess the space and recommend restructuring to better accommodate lengthier transactions resulting in long lines.

Councilmember Walsh mentioned the Senate passed a bill to reimburse deputy registrars and asked if the City was in line to receive funds. Ms. Hiniker stated that the appropriation was not clear, but the City expects to receive something.

Councilmember Edberg stated he had two interactions in the license bureau last week and relayed his appreciation for the way staff handled his transactions, their use of two lines and their ability to remain polite and reasonable. He believed staff was doing as well as possible under conditions that are not optimal.

- City Engineer Kauppi mentioned that the City has an opportunity to nominate a basketball court for renovation, however, doing so would require the City to agree to incorporate three logos on the court: Timberwolves, Fast Break Foundation, US Bank. Staff would nominate the basketball court at Spruce Park if Council was agreeable to these logos, in the event the court was selected through the process.

Council was agreeable to allowing the logos if Spruce is chosen for renovation.

13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Biehn** to adjourn the regular meeting at 8:45 p.m.

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
Community Development Department

M E M O R A N D U M

To: Ellen Richter, City Manager

From: Tracy Shimek, Housing and Economic Development Coordinator

Date: April 4, 2019 for the April 9th City Council Meeting

Subject: **Century Hills Townhomes/Revenue Note Issuance**

BACKGROUND

Century Hills Partners (“Century Hills”) is requesting a Public Hearing and final authorization to proceed with the issuance of \$6,000,000 in tax-exempt conduit revenue bonds. In December, the City Council adopted Resolution No. 12316 granting preliminary approval to the issuance of revenue obligations under Minnesota Statutes Chapters 462C and 474A to Century Hills. The proceeds will be used to acquire, rehabilitate and equip an existing 55 unit affordable multifamily rental property located at 3525 Century Ave; and to cover the cost of issuance (the “Project”).

DISCUSSION

Notice of this hearing was published in the March 20th edition of the White Bear Press. Draft documents have been on file with the City Clerk for the public’s review and, to date, no inquiries have been received. The public hearing is intended to provide the opportunity for interested individuals to express their views on the Project and the proposed issuance of bonds for the purpose of acquiring, rehabilitating and equipping of the existing multi-family property.

The attached resolution drafted by the City’s bond counsel, Julie Eddington of Kennedy and Graven, authorizes the issuance of the Note as requested by Century Hills and authorizes the Mayor and City Manager to execute all related documents to facilitate this action. As detailed in Section 3.03 of the draft Resolution, ***the note will not constitute a general or moral obligation of the City and will not be secured or payable from any property or assets of the City and will not be secured by any taxing power of the City.*** The City is merely serving as the conduit issuer for Century Hills to borrow funds at a low interest rate and to designate the note as a “qualified tax-exempt obligation.”

Per the terms of the agreement, a minimum of 40% of the units will be affordable at 60% area median income, however with the resyndication of debt, the owners intend to renew their Housing Assistance Payment contract with the Department of Housing and Urban Development when it expires in 202, which will maintain affordability of 100% of the units at the property for an additional 20 years. Staff believes the rehabilitation of Century Hills will retain quality affordable housing in White Bear Lake, which is consistent with local and regional plans to preserve and expand affordable housing opportunities within the community.

RECOMMENDED COUNCIL ACTION

Staff recommends approval of the attached Resolution authorizing the issuance of a \$6,000,000 revenue note for the benefit of Century Hills Partners.

ATTACHMENTS

Resolution Authorizing the Issuance of a \$6,000,000 Multifamily Housing Revenue Note - Series 2019
Supporting Letter
Housing Program

CITY OF WHITE BEAR LAKE, MINNESOTA

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE ISSUANCE OF A MULTIFAMILY HOUSING REVENUE NOTE; ADOPTING A HOUSING PROGRAM FOR MULTIFAMILY HOUSING; AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE MULTIFAMILY HOUSING REVENUE NOTE AND RELATED DOCUMENTS

Be it resolved by the City Council (the “Council”) of the City of White Bear Lake, Minnesota (the “City”) as follows:

Section 1. Recitals.

1.01. The City is a home rule city duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota.

1.02. Pursuant to Minnesota Statutes, Chapter 462C, as amended (the “Act”), the City is authorized to carry out the public purposes described in the Act by providing for the issuance of revenue obligations to provide funds to finance multifamily rental housing developments located within the City.

1.03. Century Hills Partners, a Minnesota limited partnership, or any of its affiliates or partners (collectively, the “Borrower”), has proposed that the City issue its multifamily housing revenue obligations in the maximum aggregate principal amount of \$6,000,000, in one or more series, as taxable or tax-exempt obligations, for the benefit of the Borrower for the purposes of (i) financing all or a portion of the acquisition, rehabilitation, construction, and equipping of an approximately 55-unit existing multifamily rental housing facility located at 3525 Century Avenue East in the City; (ii) funding of one or more reserve funds to secure the timely payment of the revenue obligations, if necessary; (iii) paying interest on the revenue obligations during the construction of the Project, if necessary; and (iv) paying the costs of issuing the revenue obligations, if necessary (the “Project”). The Project will be owned and operated by the Borrower.

1.04. On December 11, 2018, the Council adopted a resolution (the “Preliminary Resolution”) authorizing the submission of an application to the office of Minnesota Management & Budget for an allocation of bonding authority with respect to the revenue bonds or other obligations to finance the Project in accordance with the requirements of Minnesota Statutes, Chapter 474A, as amended (the “Allocation Act”), and providing preliminary approval for the sale and issuance of the revenue bonds or other obligations for the Project. The Preliminary Resolution constitutes a reimbursement resolution and an official intent of the City to reimburse expenditures with respect to the Project from the proceeds of tax-exempt revenue bonds in accordance with the provisions of Treasury Regulations, Section 1.150-2.

1.05. On January 8, 2019, the City received Certificate of Allocation No. 343 from the Minnesota Department of Management & Budget allocating bonding authority to the City in the amount of \$6,000,000, pursuant to the Allocation Act. In accordance with the Allocation Act, the

revenue bonds or other obligations must be issued within one hundred twenty (120) days of the allocation award date (the “Allocation Expiration Date”).

1.06. In order to provide interim financing for the Project, the Borrower has requested that the City issue its Multifamily Housing Revenue Note (Century Hills Townhouses Project), Series 2019 (the “Note”), in one or more series, in the maximum principal amount of \$6,000,000. The Borrower has further proposed that Bridgewater Bank, a Minnesota banking corporation, or another commercial lender selected by the Borrower (the “Purchaser”), purchase the Note.

1.07. The Note is expected to be issued on an interim basis. Bonds or other revenue obligations (the “Bonds”) are expected to be issued at a later date and secured by a mortgage loan, tax credit investor contributions, and/or other security. The financing approvals necessary to issue the Bonds will not be complete prior to the Allocation Expiration Date. The Bonds are proposed to be issued as permanent financing for the Project at a later date, at which time proceeds of the Bonds will refund the Note and finance the remaining costs of the Project.

1.08. With respect to the Note, there have been presented before the Council (i) a form of Loan Agreement (the “Loan Agreement”) proposed to be entered into between the City and the Borrower, pursuant to which the City will loan the proceeds of the Note to the Borrower; (ii) a form of Pledge Agreement (the “Pledge Agreement”) proposed to be entered into between the City and the Purchaser, pursuant to which the City will assign the repayments to be made under the Loan Agreement to the Purchaser; (iii) a form of the Note; (iv) a form of Regulatory Agreement (the “Regulatory Agreement”) proposed to be entered into between the City, the Borrower, and the Purchaser to ensure compliance with certain rental and occupancy restrictions imposed by the Act and Section 142(d) of the Code, and to ensure compliance with certain restrictions imposed by the City; and (v) a form of Disbursing Agreement (the “Disbursing Agreement”) proposed to be entered into between the Borrower and the Purchaser.

1.09. In accordance with the Act, the City has prepared a housing program (the “Housing Program”) to authorize the issuance by the City of the Bonds to finance the acquisition, rehabilitation, construction, and equipping by the Borrower of the Project. The Housing Program was prepared and submitted to Metropolitan Council for its review and comment.

1.10. A notice of public hearing (the “Public Notice”) was published in the *White Bear Press*, the official newspaper of and a newspaper of general circulation in the City, with respect to the required public hearing under Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and Section 462C.04, subdivision 2 of the Act.

1.11. The Public Notice was published at least fifteen (15) days before the regularly scheduled meeting of the Council of the City, and on the date hereof, the Council conducted a public hearing on the Housing Program and the issuance of the Note at which a reasonable opportunity was provided for interested individuals to express their views, both orally and in writing.

Section 2. Housing Program. The Housing Program, in the form substantially on file with the City, is hereby approved.

Section 3. The Note.

3.01. The Borrower has requested that the City issue, sell, and deliver the Note, in one or more series, in the maximum principal amount of \$6,000,000, to the Purchaser.

3.02. The proceeds derived from the sale of the Note will be loaned by the City to the Borrower pursuant to the terms of the Loan Agreement.

3.03. The Note will be a special, limited obligation of the City. No holder of the Note shall ever have the right to compel any exercise of the taxing power of the City to pay the Note or the interest thereon, nor to enforce payment thereof against any property of the City. The Note and the interest on the Note (i) shall be payable solely from the revenues pledged therefor under the Loan Agreement and additional sources of revenue provided by or on behalf of the Borrower; (ii) shall not constitute a debt of the City within the meaning of any charter, constitutional or statutory limitation; (iii) shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; (iv) shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City's interest in the Loan Agreement; and (v) shall not constitute a general or moral obligation of the City.

3.04. The loan repayments to be made by the Borrower under the Loan Agreement will be fixed so as to produce revenue sufficient to pay the principal of, premium, if any, and interest on the Note when due. Such loan repayments will be assigned to the Purchaser under the terms of the Pledge Agreement.

3.05. The City acknowledges, finds, determines, and declares that the issuance of the Note is authorized by the Act and is consistent with the purposes of the Act and that the issuance of the Note, and the other actions of the City under the Loan Agreement, the Pledge Agreement, and this resolution constitute a public purpose and are in the interests of the City. In authorizing the issuance of the Note for the financing of the Project and the related costs, the City's purpose is and the effect thereof will be to promote the public welfare of the City and its residents by providing multifamily housing developments for low or moderate income residents of the City and otherwise furthering the purposes and policies of the Act.

3.06. For the purposes set forth above, the issuance, sale, and delivery of the Note is hereby authorized in the maximum aggregate principal of \$6,000,000. The Note shall bear interest at the rate or rates, shall be designated, shall be numbered, shall be dated, shall mature, shall be in the aggregate principal amount, shall be subject to redemption prior to maturity, shall be in such form, and shall have such other terms, details, and provisions as are prescribed in the Note, substantially in the form now on file with the City, with the amendments referenced herein. The City hereby authorizes all or a portion of the Note to be issued as a "tax-exempt bond," the interest on which is not includable in gross income for federal and State of Minnesota income tax purposes.

The Mayor and the City Manager are hereby authorized and directed to execute the Note in accordance with the terms hereof. All of the provisions of the Note, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as

if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Note shall be substantially in the form now on file with the City, which form is hereby approved, with such necessary and appropriate variations, omissions, and insertions (including changes to the aggregate principal amount of the Note, the stated maturity of the Note, the interest rate or rates on the Note and the terms of redemption of the Note) as the Mayor and the City Manager, in their discretion, shall determine. The execution of the Note with the manual or facsimile signatures of the Mayor and the City Manager and the delivery of the Note by the City shall be conclusive evidence of such determination.

3.07. The Note shall be a special, limited revenue obligation of the City payable solely from the revenues provided by the Borrower pursuant to the Loan Agreement.

3.08. The Mayor and the City Manager are hereby authorized and directed to execute and deliver the Loan Agreement, the Pledge Agreement, and the Regulatory Agreement. All of the provisions of the Loan Agreement, the Pledge Agreement, and the Regulatory Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Loan Agreement, the Pledge Agreement, and the Regulatory Agreement shall be substantially in the forms on file with the City which are hereby approved, with such omissions and insertions as do not materially change the substance thereof, and as the Mayor and the City Manager, in their discretion, shall determine, and the execution thereof by the Mayor and the City Manager shall be conclusive evidence of such determinations.

3.09. The Mayor, the City Manager, and the Finance Director of the City are hereby authorized to execute and deliver, on behalf of the City, such other documents and certificates as are necessary or appropriate in connection with the issuance, sale, and delivery of the Note, including various certificates of the City, an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038 (Rev. September 2018), an endorsement of the City to the tax certificate of the Borrower, and similar documents, and all other documents and certificates as shall be necessary and appropriate in connection with the issuance, sale, and delivery of the Note. The City hereby authorizes Kennedy & Graven, Chartered, as bond counsel (“Bond Counsel”), to prepare, execute, and deliver its approving legal opinion with respect to the Note.

3.10. The Council authorizes the execution and delivery of the Disbursing Agreement by the Borrower and the Purchaser and authorizes the disbursement of proceeds of the Note pursuant thereto or any other agreement providing for the disbursement of proceeds of the Note. The Purchaser is authorized to accept the Pledge Agreement and any mortgage lien, security interest, guaranty, or other security in order to secure payment of the Note and is hereby authorized to take all actions necessary or appropriate under the terms of the Pledge Agreement to ensure timely payment of the principal of, premium, if any, and interest on the Note.

Section 4. Additional Findings and Certifications.

4.01. Except as otherwise provided in this resolution, all rights, powers, and privileges conferred and duties and liabilities imposed upon the City or the Council by the provisions of this resolution or of the aforementioned documents shall be exercised or performed by the City or by

such members of the Council, or such officers, board, body or agency thereof as may be required or authorized by law to exercise such powers and to perform such duties.

No covenant, stipulation, obligation or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation or agreement of any member of the Council, or any officer, agent or employee of the City in that person's individual capacity, and neither the Council nor any officer or employee executing the Note shall be personally liable on the Note or be subject to any personal liability or accountability by reason of the issuance thereof.

No provision, covenant or agreement contained in the aforementioned documents, the Note, or in any other document relating to the Note, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general or moral obligation of the City or any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants, and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Loan Agreement which are to be applied to the payment of the Note, as provided therein.

4.02. Except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied is intended or shall be construed to confer upon any person or firm or corporation, other than the City, any holder of the Note issued under the provisions of this resolution, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents, and all of their provisions being intended to be and being for the sole and exclusive benefit of the City, and any holder from time to time of the Note issued under the provisions of this resolution.

4.03. In case any one or more of the provisions of this resolution, other than the provisions contained in Sections 3.03 and 3.07 hereof, or of the aforementioned documents, or of the Note issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Note, but this resolution, the aforementioned documents, and the Note shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

4.04. The Note, when executed and delivered, shall contain a recital that it is issued pursuant to the Act, and such recital shall be conclusive evidence of the validity of the Note and the regularity of the issuance thereof, and that all acts, conditions, and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Note, and to the execution of the aforementioned documents to happen, exist, and be performed precedent to the execution of the aforementioned documents have happened, exist, and have been performed as so required by law.

4.05. The officers of the City, Bond Counsel, other attorneys, engineers, and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, and the Note, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Note, the

aforementioned documents, and this resolution. If for any reason the Mayor or the City Manager is unable to execute and deliver the documents referred to in this resolution, such documents may be executed by any member of the Council or any officer of the City delegated the duties of the Mayor or the City Manager with the same force and effect as if such documents were executed and delivered by the Mayor or the City Manager.

4.06. The Borrower shall pay the administrative fee of the City on the date of issuance of the Note in the amount of one-quarter of one percent (0.25%) of the outstanding principal amount of the Note. The Borrower will also pay, or, upon demand, reimburse the City for payment of, any and all costs incurred by the City in connection with the Project and the issuance of the Note, whether or not the Note is issued, including any costs for attorneys' fees. It is understood and agreed that the Borrower shall indemnify the City against all liabilities, losses, damages, costs and expenses (including attorney's fees and expenses incurred by the City) arising with respect to the Project or the Note, as further provided for and agreed to by and between the Borrower and the City in the Loan Agreement.

4.07. The Council hereby affirms its findings in the Preliminary Resolution.

Section 5. Effective Date. This resolution shall be in full force and effect from and after its approval.

Adopted by the City Council of the City of White Bear Lake, Minnesota this 9th day of April, 2019.

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

Ayes:
Nays:
Passed:

Mayor

ATTEST:

City Clerk

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

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of White Bear Lake, Minnesota, at a meeting held on April 9, 2019.

Kara Coustry, City Clerk



Offices in 470 U.S. Bank Plaza
Minneapolis 200 South Sixth Street
Minneapolis, MN 55402
Saint Paul (612) 337-9300 telephone
(612) 337-9310 fax
St. Cloud www.kennedy-graven.com
Affirmative Action, Equal Opportunity Employer

GINA A. FIORINI
Attorney at Law
Direct Dial (612) 337-9210
Email: gfiorini@kennedy-graven.com

April 9, 2019

Kerri Kindsvater, Finance Director
City of White Bear Lake
4701 Highway 61
White Bear Lake, MN 55110

Re: Resolution approving the issuance of multifamily housing revenue bonds by the City of White Bear Lake

Dear Kerri,

As you know, Century Hills Partners, a Minnesota limited partnership or an affiliate thereof (the "Borrower"), is working with the City of White Bear Lake (the "City") to finance the acquisition, rehabilitation, construction, and equipping of approximately 55-unit existing multifamily rental housing facility located at or about 3525 Century Avenue East in the City (the "Project"). To finance the Project, the Borrower is requesting that the City issue a multifamily housing revenue note, in one or more series, as taxable or tax-exempt obligations (the "Note"), in the estimated aggregate principal amount not to exceed \$6,000,000. The Note is expected to be issued as short-term financing for the Project until the Borrower is able to obtain permanent financing from a mortgage loan, tax credit investor contributions, or other security.

The Note, if issued, will be considered a "housing bond" issued pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Act"). Section 146 of the Internal Revenue Code of 1986, as amended (the "Code"), requires that this type of housing bond receive an allocation of bonding authority of the State of Minnesota. An application for this allocation was made pursuant to Minnesota Statutes, Chapter 474A, as amended, and the State of Minnesota has allocated bonding authority to the Note. In addition, the City is required to prepare a housing program providing the information required by Section 462C.03, subdivision 1a of the Act (the "Housing Program") and conduct a public hearing as required under the Section 147(f) of the Code and Section 462C.04, subdivision 2 of the Act. The public hearing will be held on April 9, 2019. Following the public hearing, the City Council will be asked to consider the enclosed resolution, which provides final approval to the issuance of the Note, the Housing Program, and the execution of loan documents and related documents.

If the City agrees to issue the Note, the Note will be a conduit revenue bond. The Borrower is required to pay all debt service on the proposed Note and any other fees or expenses of the City incurred in relation to the Note, including but not limited to legal expenditures, publication costs, the City's administrative fee, costs of future modifications, and costs related to any audits by the State of Minnesota or the Internal Revenue Service.

The Note will be secured solely by the revenues derived from a loan agreement to be executed by the Borrower and from other security provided by the Borrower and its affiliates. The Note will not constitute a general or moral obligation of the City and will not be secured by or payable from any property or assets of the City (other than the interests of the City in the loan agreement) and will not be secured by any taxing power of the City. The Note will not be subject to any debt limitation imposed on the City, and the issuance of the Note will not have any adverse impact on the credit rating of the City, even in the event that the Borrower encounters financial difficulties with respect to the Project to be financed with the proceeds of the Note.

The Note, if issued, will be a “private activity bond” within the meaning of Section 141(a) of the Code but will be an “exempt facility bond” the net proceeds of which are to be used to provide a “qualified residential rental project” within the meaning of Sections 142(a)(7) and 143(d) of the Code and will not affect the City’s ability to designate up to \$10,000,000 in tax-exempt bonds as “qualified tax-exempt obligations” (or “bank-qualified bonds”) for calendar year 2019.

At its City Council meeting on April 9, 2019, the City Council is asked to hold a public hearing and consider the enclosed resolution, which provides final approval for the issuance of the Note, the Housing Program and the documents related to the Note. Our firm has drafted the documents related to the Note.

The Borrower will agree to pay the out-of-pocket expenses of the City with respect to this transaction as well as the City’s administrative fee.

I will be attending the City Council meeting on April 9, 2019 and can answer any questions that may arise during the meeting. Please contact me with any questions you may have prior to the City Council meeting.

Sincerely,

Gina A. Fiorini

CITY OF WHITE BEAR LAKE, MINNESOTA

**HOUSING PROGRAM FOR A
MULTIFAMILY HOUSING DEVELOPMENT**

(CENTURY HILLS TOWNHOUSES PROJECT)

Adopted April 9, 2019

Pursuant to Minnesota Statutes, Chapter 462C, as amended (the “Housing Act”), the City of White Bear Lake, Minnesota (the “City”) is authorized to develop and administer programs to finance or refinance multifamily housing developments under the circumstances and within the limitations set forth in the Housing Act. Minnesota Statutes, Section 462C.07 of the Housing Act provides that such programs for multifamily housing developments may be financed by revenue obligations issued by the City.

The City has determined that it is in the best interests of the residents of the City to create this Housing Program for a Multifamily Housing Development (the “Program”) to encourage and facilitate the development of multifamily rental housing developments in the City to meet the needs of low and moderate income families in the City. The City has received a proposal that it approve a program providing for the acquisition, rehabilitation, and equipping of an approximately 55-unit existing multifamily rental housing facility located at 3525 Century Avenue in the City (the “Project”). The Project is to be funded in part through the issuance by the City of one or more series of revenue bonds, as taxable or tax-exempt obligations, in the approximate aggregate principal amount not to exceed \$6,000,000 (the “Obligations”), the proceeds of which will be loaned to Century Hills Partners, a Minnesota limited partnership, or an affiliate or partner thereof (the “Borrower”). All or a portion of the dwelling units of the Project will be subject to occupancy limits imposed by federal income tax law and regulations such that only persons and families within designated income limits will be permitted to occupy such units.

The City, in establishing this multifamily housing program (the “Program”), has considered the information contained in the City’s comprehensive plan. The Project will be constructed in accordance with the requirements of Section 462C.05, subdivisions 1 and 2 of the Housing Act.

Section A. Definitions. The following terms used in this Program shall have the following meanings, respectively:

“Borrower” shall mean Century Hills Partners, a Minnesota limited partnership, or another affiliated entity.

“City” shall mean the City of White Bear Lake, Minnesota.

“Code” shall mean the Internal Revenue Code of 1986, as amended, and the treasury regulations promulgated thereunder.

“Housing Act” shall mean Minnesota Statutes, Chapter 462C, as currently in effect and as the same may be from time to time amended.

“Housing Unit” shall mean any one of the dwelling units financed with the Obligations, each located in the Project, occupied by one person or family, and containing complete living facilities.

“Land” shall mean the real property upon which the Project is situated.

“Obligations” shall mean the revenue bonds or other obligations to be issued by the City to finance the Project.

“Program” shall mean this housing program for the financing of the Project pursuant to the Housing Act.

“Project” shall mean the approximately 55-unit existing multifamily rental housing facility located at 3525 Century Avenue in the City to be acquired, rehabilitated, and equipped by the Borrower.

Section B. Program for Financing the Project. It is proposed that the City establish this Program to provide financing for the acquisition, rehabilitation, and equipping of the Project at a cost and upon such other terms and conditions as are set forth herein and as may be agreed upon in writing between the City, the initial purchasers of the Obligations, and the Borrower. The City expects to issue the Obligations in one or more series as soon as the terms of the Obligations have been agreed upon by the City, the Borrower, and the initial purchasers of the Obligations. The proceeds of the Obligations will be loaned to the Borrower to finance the acquisition, rehabilitation, and equipping of the Project, to fund required reserves, if any, to pay interest on the Obligations during rehabilitation of the Project, if needed, and to pay the costs of issuing the Obligations.

It is anticipated that all series of Obligations will have a maturity of approximately forty (40) years or less. It is expected that the Obligations will bear interest at fixed rates, consistent with the market at the time of issuance, or at variable rates.

The City will hire no additional staff for the administration of the Program. Insofar as the City will be contracting with underwriters, legal counsel, bond counsel, trustees, purchasers, and others, all of whom will be reimbursed from bond proceeds and revenues generated by the Program, no administrative costs will be paid from the City’s budget with respect to this Program. The Obligations will not be general obligations of the City but will be issued as conduit revenue obligations of the City to be paid only from loan repayments by the Borrower and revenues generated by the property pledged to the payment thereof, which may include additional security such as additional collateral, insurance or a letter of credit.

Section C. Standards and Requirements Relating to the Financing of the Project Pursuant to the Program. The following standards and requirements shall apply with respect to the operation of the Project by the Borrower pursuant to this Program:

(1) Substantially all of the proceeds of the sale of the Obligations will be applied to the acquisition, rehabilitation, and equipping of the Project, the payment of the costs of issuing the Obligations, the financing of interest on the Obligations during the rehabilitation of the Project, if needed, and the funding of any required reserves. The proceeds of the Obligations will be made available to the Borrower pursuant to the terms of one or more loan agreements (or other revenue agreements) which will include certain covenants to be made by the Borrower to the City regarding the use of proceeds and the character and use of the Project.

(2) The Project qualifies as a “multifamily housing development” within the meaning of the Housing Act, since it is comprised of an apartment facility, including an apartment or unit described in Minnesota Statutes, Chapter 515, 515A, or 515B, or a cooperative, or a group of townhouses, which include four or more dwelling units, each to be rented or sold to or occupied by a person or family for use as a residence, or a building or buildings which include one or more

dwelling units, each to be rented by a person or family for use as a residence. The Project may include new construction or the acquisition and rehabilitation of an existing building and site or the rehabilitation of and discharge of any interest or lien in an existing building and site.

(3) The Borrower, and any subsequent owner of the Project, will not arbitrarily reject an application from a proposed tenant because of race, color, creed, religion, national origin, sex, marital status, or status with regard to public assistance or disability.

(4) At least forty percent (40%) of the Housing Units will be held for occupancy by families or individuals with adjusted gross income not in excess of sixty percent (60%) of median family income, adjusted for family size. This set aside will satisfy the low-income occupancy requirements of Section 462C.05, subdivision 2 of the Housing Act.

Section D. Evidence of Compliance. The City may require from the Borrower at or before the issuance of the Obligations evidence satisfactory to the City of compliance with the standards and requirements for the financing established by the City, as set forth herein. In connection therewith, the City or its representatives may inspect the relevant books and records of the Borrower in order to confirm such ability, intention and compliance. In addition, the City may periodically require certification from either the Borrower or such other person deemed necessary concerning compliance with various aspects of this Program.

Section E. Issuance of Obligations. To finance the Project the City will by resolution authorize, issue and sell the Obligations, in one or more series, as taxable or tax-exempt obligations, in the approximate aggregate principal amount not to exceed \$6,000,000. The Obligations will be issued pursuant to Section 462C.07, subdivision 1 of the Housing Act, and will be payable primarily from the revenues of the Project. If the costs of the Project, including capitalized interest, if needed, costs of issuance of the Obligations, and required reserve funds, if any, exceed the principal amount of the Obligations, the Borrower will contribute to or obtain additional financing for the Project the difference between the total costs of the Project and the principal amount of the Obligations available to finance the Project. The costs of the Project may change between the date of preparation of this Program and the date of issuance of the Obligations. The Obligations are expected to be issued in the second quarter of 2019.

Section F. Severability. The provisions of this Program are severable and if any of its provisions, sentences, clauses or paragraphs shall be held unconstitutional, contrary to statute, exceeding the authority of the City or otherwise illegal or inoperative by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Section G. Amendment. The City shall not amend this Program, while Obligations authorized hereby are outstanding, to the detriment of the holders of such Obligations.

Section H. State Ceiling.

(1) The City has received an allocation of the annual volume cap for private activity bonds to be issued to provide “qualified residential rental projects,” within the meaning of Sections 142(a)(7) and 142(d) of the Internal Revenue Code of 1986, as amended (the “Code”), in the amount of \$10,000,000 from the office of Minnesota Management & Budget, pursuant to Section 146 of the Code and Minnesota Statutes, Chapter 474A, as amended (the “Allocation Act”).

(2) Pursuant to the terms and requirements of the Allocation Act: (i) the Project will meet the requirements of Section 142(d) of the Code regarding the incomes of the occupants of the Project; and (ii) the maximum rent for at least twenty percent (20%) of the Housing Units will not

exceed the area fair market rent or exception fair market rents for existing housing, if applicable, as established by the United States Department of Housing and Urban Development.

(3) Prior to the issuance of the Obligations, the Borrower will enter into an agreement with the City (collectively, the “Regulatory Agreement”) that specifies the maximum rental rates of twenty percent (20%) of the Housing Units and the income levels of the residents of the Project occupying the income-restricted units. Such rental rates and income levels must be within the limitations established in accordance with the preceding paragraph (2). The Borrower will be required to annually certify to the City over the term of the agreement that the rental rates for the rent-restricted units are within the limitations under the preceding paragraph (2). The City may request individual certification of the income of residents of the income-restricted units of the Project. The office of Minnesota Management & Budget may request from the City a copy of the annual certification prepared by the Borrower. The office of Minnesota Management & Budget may require the City to request individual certification of all residents of the income-restricted units of the Project.

(4) The City will monitor Project compliance with the rental rate and income level requirements established under the preceding paragraph (2). The City may issue an order of noncompliance if the Project is found by the City to be out of compliance with the rental-rate or income-level requirements established under the preceding paragraph (2). The Borrower shall pay a penalty to the City equal to one-half of one percent (0.5%) of the total amount of the tax-exempt Obligations issued under the Housing Act for the Project if the City issues an order of noncompliance. For each additional year the Project is out of compliance, the annual penalty must be increased by one-half of one percent (0.5%) of the principal amount of the tax-exempt Obligations issued under the Housing Act for the Project. The City may waive insubstantial violations.

(5) The City will enter into the Regulatory Agreement with the Borrower with a term of at least fifteen (15) years in order to ensure that the Project satisfies the requirements of this Program, Section 142(d) of the Code, the Housing Act, and the Allocation Act.



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Samantha Crosby, Planning & Zoning Coordinator

Date: March 29, 2019 for the April 9, 2019 City Council Meeting

Subject: **Honsa Family Funeral Home; 2460 County Road E- Case No. 93-15-Sa**

REQUEST

An amendment to an existing Conditional Use Permit to allow for a 1,020 square foot expansion of a funeral home adjacent to residential, and to reduce the landscaping requirement along the south property line.

SUMMARY

One neighbor expressed concern regarding the removal of any evergreens. On a 7-0 vote, the Planning Commission recommended approval of the request with the removal of condition #7 (regarding the reduced landscaping) and modification to condition #8.

RECOMMENDED COUNCIL ACTION

Approval of the attached resolution.

ATTACHMENTS

Revised Resolution of Approval.

RESOLUTION NO.

**RESOLUTION APPROVING
A CONDITIONAL USE PERMIT AMENDMENT
FOR 2460 COUNTY ROAD E, EAST
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (93-15-Sa) has been submitted by Honsa Family Partnership, LLP, requesting approval of a Conditional Use Permit Amendment from the City of White Bear Lake at the following site:

ADDRESS: 2460 County Road E, East

LEGAL DESCRIPTION: Lots 1, 2, 3 and 4, Block 1, Lake View Terrace according to the Plat on file and of record in the office of the County Recorder, Ramsey County, MN together with the West 70.00 feet of the East 233.00 feet of the North 143.00 feet of the Northwest Quarter of Section 36, Township 30, Range 22, Ramsey County, MN according to the government survey thereof (PID # 363022210117 & 363022210118)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT: A Conditional Use Permit Amendment for a 1,020 square foot building expansion of a funeral home adjacent to residential, per Code Section 1301.050; and

Reso #7110, Adopted October 12, 1993: A Conditional Use Permit to allow construction of a mortuary adjacent to residential uses per Code Section 1303.130.

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on March 25, 2019; and

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

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

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

6. Because of the low number of trips generated by the use, the traffic generation will be within the capabilities of the streets serving the site.

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

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the building permit. All conditions imposed by the original approval (Reso #7110) shall still apply, except as otherwise outlined below.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. This Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. Any new mechanical equipment (whether roof-top or ground mount) shall be screened from view.
5. The chapel space may not be subdivided – or any other area of the facility utilized – to accommodate more than two services at a time.
6. The lost oak tree shall be replaced by another oak at least 2.5 caliper inches in size at the time of planting.
7. In the area behind the building, if any trees die, they should be replaced by similar type evergreen, not less than 6 feet in height at the time of planting.
8. If new exterior lighting is proposed, fixture specifications and details shall be approved by staff prior to installation.
9. The applicant shall obtain a building permit prior to beginning any work.

Prior to the issuance of a building permit, the applicant shall:

10. Provide a landscape plan that includes foundation plantings along the north and east sides of the addition. Plan to be approved by staff.
11. Provide a grading and drainage plan subject to approval by the City Engineer.
12. Provide updated plans and details subject to approval by the Fire Inspector.
13. Provide a SAC (Sewer Availability Charge) determination letter from the Metropolitan Council.
14. Extend a letter of credit consisting of 125% of the exterior improvements, which renews

automatically every six months. The amount of the letter shall be based on a cost estimate of the outside improvements, to be approved by the City prior to the issuance of the letter of credit.

Prior to final inspection/Certificate of Occupancy:

15. The approved landscaping shall be installed.

Prior to the release of the letter of credit, the applicant shall:

17. Provide an as-built plan that complies with the City’s Record Drawing Requirements.

18. All landscaping must have survived at least one full growing season.

19. The applicant shall provide proof of having recorded the Resolution of Approval.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

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

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

Teresa C. Honsa Date



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council
From: Ellen Hiniker, City Manager
Date: April 4, 2019
Subject: **Ramsey County's Multi-Hazard Mitigation Plan**

BACKGROUND

Local governments are required to approve a hazard mitigation plan in order to receive federal dollars for reconstruction efforts caused by natural or man-made disasters. Due to ongoing changes to federal regulations, it is more efficient for the City to participate in a county-wide mitigation plan. The County has a full-time Emergency Management Coordinator with particular expertise in federal emergency management preparedness and homeland security requirements. A county-wide plan also provides for a more unified approach to an emergency response.

Ramsey County Emergency Management updated the County-wide hazard mitigation plan, which identifies potential areas or processes that could be implemented or improved in order to minimize the potential effects of severe weather, flooding, terrorism, fires and other issues that could adversely affect Ramsey County communities. Ramsey County's Plan was accepted by FEMA on the condition that all municipalities within Ramsey County also adopt the plan.

The plan identifies risks and vulnerability to residents and provides a plan of action to reduce damage and loss of life from natural and technological disasters. Bryan Mayer, Ramsey County's Emergency Management Coordinator, will be available at the City Council meeting to answer any questions the Council may have.

A link to the full Multi-Hazard Mitigation Plan <https://scse.d.umn.edu/Ramsey-county-mhmp>
 The White Bear Lake section is attached for Council's review. Adoption of this plan fulfills the City's federal compliance responsibilities and provides access to related grant funds.

RECOMMENDATION

Staff recommends Council approve the resolution adopting the Ramsey County Multi-Hazard Mitigation Plan.

ATTACHMENTS

Resolution
 FEMA Letter
 White Bear Lake's portion of the Plan

RESOLUTION NO.

**RESOLUTION OF THE CITY OF WHITE BEAR LAKE
FOR ADOPTION OF THE
RAMSEY COUNTY MULTI-HAZARD MITIGATION PLAN**

WHEREAS, the City of White Bear Lake has participated in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000, and

WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional County Hazard Mitigation Plan; and

WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

WHEREAS, the Ramsey County Multi-Hazard Mitigation Plan includes a risk assessment including past hazards, hazards that threaten Ramsey County, an estimate of structures at risk, a general description of land uses and development trends; and

WHEREAS, the Ramsey County Multi-Hazard Mitigation Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

WHEREAS, the Ramsey County Multi-Hazard Mitigation Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how Ramsey County will maintain public participation and coordination; and

WHEREAS, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

WHEREAS, the Ramsey County Multi-Hazard Mitigation Plan will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and

WHEREAS, this is a multi-jurisdictional plan and cities that participated in the planning process may choose to also adopt the County Plan.

NOW THEREFORE BE IT RESOLVED that the City of White Bear Lake supports the hazard mitigation planning effort and wishes to adopt the Ramsey County Multi-Hazard Mitigation Plan.

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

Ayes:
Nays:
Passed:

RESOLUTION NO.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Clerk this 9th day of April, 2019.

Mayor Jo Emerson

Attest:

City Clerk



FEMA

January 28, 2019

Ms. Jennifer Nelson
Homeland Security and Emergency Management
Minnesota Department of Public Safety
444 Cedar Street, Suite 223
Saint Paul, MN 55101

Dear Ms. Nelson:

Thank you for submitting the Ramsey County All Hazards Mitigation Plan update for our review. The plan was reviewed based on the local plan criteria contained in 44 CFR Part 201, as authorized by the Disaster Mitigation Act of 2000. Ramsey County met the required criteria for a multi-jurisdictional local hazard mitigation plan. Formal approval of this plan is contingent upon the adoptions by the participating jurisdictions. Once FEMA Region V receives documentation of adoption from the county and other jurisdictions, we will send a letter of official approval to your office.

We look forward to receiving the adoption documentation and completing the approval process for Ramsey County.

If you or the community representatives have any questions, please contact Christine Meissner at (312) 408-4460 or at christine.meissner@fema.dhs.gov.

Sincerely,

A handwritten signature in cursive script that reads "Melissa A. Janssen".

Melissa A. Janssen
Chief, Risk Analysis Branch
Mitigation Division

Attachments: Local Plan Review Sheets

Table G - 14. Mitigation Actions Identified for Implementation by the City of White Bear Lake (2018-2022) (From Ramsey County Master Mitigation Action Chart)

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
1	All-Hazards	Mitigation Preparedness & Response Support	Continue to ensure that all Ramsey County residents are aware of and sign-up for the County's Everbridge Emergency Notification System.	Ongoing	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake , White Bear Township	Ramsey County Emergency Management & Homeland Security (RCEMHS) & Municipal Emergency Management Agencies (EMAs)	This is a new effort of Ramsey County EMHS being rolled out in 2018. A link for the Everbridge for community sign up is provided on the Ramsey County EMHS website, and reminders are also posted using the Ramsey County EMHS Facebook Page. In addition to Everbridge, the County has IPAWS capabilities for targeted and county-wide emergency notifications. <i>City Comment: In addition to promoting the County's Everbridge system, we have invested in an upgrade to our mass notification audible alarm system (warning sirens) to match the County's systems.</i>	County, municipal funding
4	All-Hazards	Local Planning & Regulations	Update County/City Comprehensive Plans and Zoning Ordinances to include mitigation considerations that help to reduce risk from natural hazards. Utilize data of past hazard events and future climate projections to help inform updates.	Ongoing	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake , White Bear Township	RCEMHS in coordination with Ramsey County Community and Economic Development and local municipal administrators, Planning & Zoning Committees	Ramsey County has a "2030 Comprehensive Plan" prepared to meet the requirements of the Metropolitan Land Planning Act and the Metropolitan Council's 2030 Regional Development Framework. Ramsey County will encourage municipalities to update their local Comprehensive Plans to include considerations for mitigation in land use planning to reduce future risk to due to natural hazards (i.e., flooding).	County funding

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
6	All-Hazards	Local Planning & Regulations	Continue to update Emergency Operation Plans and COOP/COG plans to ensure that they adequately detail the needed steps to respond to all-hazards and ensure continuity of key government functions in the event of a disaster.	Ongoing	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	RCEMHS & Municipal EMAs	Ramsey County EMHS maintains an Emergency Operations Plan (EOP) and the Ramsey County Continuity of Operations (COOP)/Continuity of Government (COG) plans as guides for emergency and/or recovery operations. These plans are intended to assist key county/city officials and emergency organizations to carry out their responsibilities for the protection of life and property under a wide range of emergency conditions.	County, municipal funding
9	All-Hazards	Education & Awareness Programs	Continue to promote education & awareness on all-hazards and emergency preparedness for schools, individuals, families, and businesses.	Ongoing	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	RCEMHS & Municipal EMAs	Information is distributed to the public via RCEMHS Facebook/Twitter and subscription based programs (GovDelivery) on a regular basis. Additional information is provided during the NWS severe weather awareness weeks in spring and winter. RCEMHS also has a YouTube Channel where "Get Ready Gopher" educational videos on preparedness and severe weather training are posted. These are promoted to the schools as well as the larger public for viewing. Cities are encouraged to share information through their own existing channels (i.e., websites, social media, and local media).	County, municipal funding

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
15	Severe Winter & Summer Storms	Education & Awareness Programs	Continue to promote the use of NOAA weather radios by residents, schools, businesses, and facilities that house persons with functional and access needs.	Ongoing	Moderate	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	RCEMHS & Municipal EMAs	Ramsey County EMHS regularly promotes the use of NOAA weather radios by critical facilities and the public to receive information broadcast from the National Weather Service. NOAA weather radios are recommended as an important way to receive emergency weather alerts from the NWS. Local city Emergency Managers are encouraged to ensure the placement of NOAA radios in key facilities within their communities.	County, municipal funding
16	Severe Winter & Summer Storms	Structure and Infrastructure Projects	Work with municipal electrical cooperative and power companies to reduce overhead exposure of power lines that are vulnerable to damage from severe winter/summer storms (i.e., high winds, ice, and heavy snow). Replace overhead power lines with underground lines in areas with high-risk exposure (i.e. high tree concentration areas).	New	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake , White Bear Township	RC Public Works, Municipal Public Works in cooperation the appropriate utility company.	RC EMHS County and all cities will work as needed with their appropriate utility providers as needed to evaluate areas of concern. Service providers for Ramsey County include: Xcel Energy, Connexus Energy & North Saint Paul Utility Department. Areas of concern will be evaluated to see where putting lines underground may be feasible and make sense.	Coop / Electric Company funding, Possible FEMA HMA grant for Infrastructure Retrofit

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
17	Severe Winter & Summer Storms	Mitigation Preparedness & Response Support	Identify critical facilities or infrastructure that do not have generator backup power in the event of a major power outage resulting from severe winter or summer storms. (Examples of critical facilities include Police/Fire departments, EOC's, health care facilities, water & sewer treatment facilities, and other facilities deemed as critical, i.e. public schools and sheltering facilities).	New	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake , White Bear Township	RCEMHS, RC Property Management & Municipal EMAs	<p>The Ramsey County Law Enforcement Center (jail, admin.), Emergency Communications Center, Medical Examiner's Office, Public Works Facility (maintenance areas, admin and primary EOC backup power), and Nursing Home have generator backup power.</p> <p>Ramsey County's current priorities for generator backup power include: Plato Building Public Health and Emergency Management's Department Operations Center (DOC's) Rec Centers and libraries that serve as cooling centers Facilities designated for Mass Care Sheltering Traffic Signal Systems</p> <p>Ramsey County and municipalities continue to assess what critical facilities need backup power. Working to mitigate against power outages also helps to mitigate other hazards.</p>	County, municipal funding

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
18	Severe Winter & Summer Storms	Mitigation Preparedness & Response Support	Purchase and install generator hook-ups and encourage local generator purchases for identified critical facilities that should have backup power.	New	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake , White Bear Township	RCEMHS, RC Property Management & Municipal EMAs	Ramsey County, local municipal governments, and schools will evaluate feasibility to purchase and install generators for key facilities, and will do so as funding allows.	County, municipal funding, Possible FEMA HMA grant for Generators
19	Severe Winter Weather	Mitigation Preparedness & Response Support	Continue to provide for public safety on roads through anti-icing (application of brine solution before an event), snow removal, salting and sanding to minimize the impacts of snow/ice accumulations on roadways.	Ongoing	Moderate	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	RC Public Works & Municipal Public Works	Ramsey County and its municipalities complete the snow removal from all county and municipal roads. MNDOT will remove the snow from Interstate and State Highways as well as disperse salt/sand as needed. Municipalities have snow emergency plans and ordinances in place.	County, municipal funding

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
22	Severe Summer Storms	Structure and Infrastructure Projects	Identify community areas, parks, and facilities (i.e., schools, government buildings, manufactured home parks) that are vulnerable to tornadoes and evaluate for potential construction or retrofit of safe rooms or storm shelters.	New	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake , White Bear Township	RCEMHS, RC Parks & Rec, Municipal parks & rec, and EMAs	RCEMHS and RC Parks & Rec will work to identify priority areas for evaluation for safe room construction or retrofit. Municipal EMAs will also work to evaluate areas of need for storm shelters or safe rooms, such as for local parks or manufactured home parks.	County, municipal funding
23	Severe Summer Storms	Structure and Infrastructure Projects	Implement construction or retrofit projects for safe rooms or storm shelters in identified vulnerable locations.	New	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake , White Bear Township	RCEMHS, RC Parks & Rec, Municipal parks & rec, and EMAs	Ramsey County EMHS will seek to work with municipalities and schools to build community safe rooms where needed. Outreach should be conducted to the schools to make sure they are aware of a possible inclusion of a community safe room to their facility when they are planning. Any community safe room projects that the County is involved in will be part of the Ramsey County Emergency Management program. FEMA grant funding may be sought to support an eligible safe room project.	County, municipal funding, Possible FEMA HMA grant for Safe Rooms

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
30	Flooding	Local Planning & Regulations / Structure & Infrastructure Projects	Enhance stormwater management plans and ordinances that require improvement of stormwater management systems, including for areas of new development and installation of infrastructure capable of handling a ten to twenty-year rain event. Identify and address where stormwater run-off capacity improvement projects are needed.	New	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake , White Bear Township	RC Public Works and municipal Planning/Public Works depts. in coordination with local watershed organizations	Ramsey County and local cities maintain stormwater management plans and work to identify, prioritize, and address highest risk areas. Mitigation examples may include to construct, retrofit, or maintain drainage systems to include sewage and water retention and detention systems. Outside funding to support stormwater improvement projects may be available through avenues such as the MN DNR Flood Hazard Mitigation Grants, MPCA, and FEMA HMA funding for flood reduction projects.	County/City funding, SWCD, and Possible MPCA/PFA grant funding. Possible FEMA HMA grant for Localized Flood Reduction Projects or Infrastructure Retrofit
32	Flooding	Education & Awareness Programs / Structure & Infrastructure Projects	Provide information & technical assistance to property owners to help mitigate against localized flooding during high-rain events (i.e., landscaping / green infrastructure applications).	New	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	RC Public Works, RC Conservation District, and municipal planning/public works	This is an ongoing effort of Ramsey County in conjunction with local jurisdictions that have experienced flooding due to high rain events.	County/City Funding, Possible FEMA HMA grant for Property Acquisition & Structure Demolition or Relocation

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
33	Flooding	Local Planning & Regulations	Identify residential, commercial, government facilities, and/or critical infrastructure properties that may experience damage from future flooding and work to implement appropriate mitigation measures (including buy-out for property acquisition & structure demolition or relocation). Areas of focus may include previously unidentified flooding locations.	New	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	RCEMHS, RC Public Works, RC Property Management, RC Conservation District, municipal EMA	<p>In 2015, Ramsey County removed seven buildings, including critical infrastructure, from the Mississippi River floodplain. A permanent retaining wall along the bluff was completed in November 2017. Ramsey County remains owners of these properties and will work with the new developers and Saint Paul Emergency Management to provide technical assistance and support on flood protection systems and measures in the future.</p> <p>Ramsey County and its municipalities will continue to evaluate properties that may be at risk of flooding and work with property owners to identify mitigation measure to reduce or eliminate future damages.</p>	County, municipal funding, DNR Flood Mitigation Grant, US Army Corps of Engineers (USACE), Possible FEMA HMA grant for Property Acquisition & Structure Demolition or Relocation
37	Flooding	Local Planning & Regulations	Participate in the National Flood Insurance Program (NFIP) and enforce local floodplain ordinances to ensure that new construction is built above regulatory flood protection elevation.	Ongoing	Moderate	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	RCEMHS, Municipal EMAs local city planning depts.	Ramsey County promotes and all municipalities participate in the NFIP (except the City of North Oaks). Each city develops and enforces local floodplain ordinances.	County, municipal funding

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
38	Flooding	Structure & Infrastructure Projects	Identify, prioritize, and implement localized flood reduction measures to improve drainage systems and reduce over-the-road flooding to County or municipal roads.	New	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	RC Public Works, City Public Works, MnDOT, Watershed Districts,	Ramsey County Public Works and local city Public Works work to identify and address localized flood risk reduction projects. <i>City Comment: The City has a City Engineer and Public Works Supervisor that address road maintenance issues for flooding (culverts, repetitive flooding).</i>	County/City Budgets, MnDOT, Possible MN DNR Flood Hazard Grants or FEMA HMA grant for Localized Flood Reduction Projects / Infrastructure Retrofit
39	Flooding	Local Planning & Regulations	Ensure that wellhead protection plans are in place to address flooding that may lead to contaminated drinking water.	New	High	2018	Mounds View, New Brighton, North Saint Paul, Shoreview, White Bear Lake (partially) , White Bear Township, Saint Paul Regional Water Services (Have a surface water and wellhead protection plan), St. Anthony Village (partially), Vadnais Heights	RC Public Works, MN Dept. of Health and local city public works depts.	Municipalities that use well water have and maintain a Wellhead Protection Plan. This plan presents the actions that will be taken to manage potential contamination sources that may present a risk to the quality of the community's drinking water. MDH assists public water suppliers with preparing and implementing wellhead protection plans.	MDH Source Water Protection grant funding for wellhead improvement projects

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
42	Wildfire	Local Planning & Regulations	Continue to ensure the strong coordination between local fire departments to provide fire protection.	Ongoing	High	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	Municipal fire districts	There are 12 fire departments located in Ramsey County. All the municipal fire departments have mutual aid agreements with each contiguous department that borders their respective fire district, including those in adjoining counties. Written mutual aid agreements are on file with each city.	Local fire department funding
43	Wildfire	Local Planning & Regulations	Continue to enforce burning permits/restrictions.	Ongoing	Moderate	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	Municipal fire districts	Burn permits are regulated by the fire departments in Ramsey County. An actual permit may or may not be required, however, each jurisdiction has rules/regulations available to all residents online.	Municipal or fire district funding

#	Hazard	Mitigation Strategy	City of White Bear Lake Mitigation Action	Status	Priority Ranking	Time-frame	Jurisdictions	Responsibility	County/City Comments on Planning Mechanisms for Implementation	Possible Funding
47	Drought	Education & Awareness Programs	Promote water conservation measures to residents during periods of drought, and enforce water conservation ordinances when needed.	Ongoing	Moderate	2018-2022	Ramsey County, Arden Hills, Falcon Heights, Gem Lake, Lauderdale, Little Canada, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, White Bear Lake	RCEMHS, RC Conservation District & Local City planning depts.	Promoting water conservation during periods of drought is a standing effort of the County and local governments. The State of MN has a stateside drought response plan prepared by the MN DNR that the County may reference for guidance.	County, municipal funding

DRAFT



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: April 4, 2019

Subject: **Award of Contract for the 2019 Street Reconstruction Project, City Project Nos.: 19-01 & 19-06**

SUMMARY

The Engineering Department received four (4) bids for the 2019 Street Reconstruction Project on April 3, 2019 with Forest Lake Contracting, Inc. of Forest Lake, Minnesota submitting the lowest base bid of \$2,150,327.05. A copy of the bid tabulation sheet is attached for reference. The low bid was 17% under the Engineer's Estimate. Based on our past experience with Forest Lake Contracting, Inc., they are qualified to complete this work.

The bid also included unit prices for private driveway work which will be at the discretion of individual property owners who will pay separately for that work. Bid alternates A1, A2, A3, A4 and A5 provide unit prices for the extra driveway work and bid totals based on estimated quantities. We recommend that the Council award the contract with these driveway bid alternates included for a total amount of \$121,930.

The bid also included an alternate bid (Bid Alt 2) as an incentive to the contractor to complete the project by September 27, 2019, which is 3 weeks earlier than specified in the contract. Forest Lake Contracting submitted a bid of \$9,000 for the incentive and we believe there is value to encouraging the contractor to complete the project early. We, therefore, recommend that this incentive be included in the contract award.

It is recommended that the City Council accept the bid from Forest Lake Contracting, Inc. for the 2019 Street Reconstruction Project.

RECOMMENDED COUNCIL ACTION

Staff recommends that the Council receive the bids and award a contract to Forest Lake Contracting, Inc. for the total base bid amount of \$2,150,327.05 plus Bid Alternates A1, A2, A3, A4 and A5 in the amount of \$121,930 and Bid Alternate 2 in the amount of \$9,000 for a total contract of \$2,281,257.05.

ATTACHMENTS

Resolution

RESOLUTION NO.:

**RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT
FOR THE 2019 STREET RECONSTRUCTION PROJECT
CITY PROJECT NO. 19-01 & 19-06**

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

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

Contractor	Total Base Bid	Alt Bid A1 Driveway 2" Bituminous	Alt Bid A2 Driveway 2" Bit Alley	Alt Bid A3 Driveway 6" Concrete	Alt Bid A4 Driveway 6" Conc Alley	Alt Bid A5 Sod	Alt Bid 2 Final Completion
Arnt Construction Co	2,432,910.92	24,700.00	11,100.00	47,400.00	8,400.00	2,300.00	15,000.00
Forest Lake Contracting	2,150,327.05	32,500.00	16,500.00	58,500.00	10,750.00	3,680.00	9,000.00
Park Construction Co	2,690,624.16	36,400.00	17,400.00	57,000.00	11,200.00	5,750.00	2,821,538.16
TA Schfisky & Sons	2,417,056.96	29,250.00	16,500.00	60,000.00	10,000.00	6,900.00	25,000.00

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

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

1. The Mayor and City Clerk are hereby authorized and directed to enter into contract with Forest Lake Contracting, Inc., in the amount of \$2,281,257.05 which includes the \$2,150,327.05 total base bid plus Bid Alternates A1, A2, A3, A4 and A5 in the amount of \$121,930 and Bid Alternate 2 in the amount of \$9,000 as approved by the City Council and on file in the office of the City Engineer.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: April 4, 2019

Subject: Award of Contract for the 2019 Mill & Overlay Project
City Project Nos.: 19-04 & 19-03

SUMMARY

At the bid opening on April 3, 2019, seven (7) bids were received for the 2019 Mill and Overlay Project with T.A. Schifsky & Sons, Inc. of North St. Paul, Minnesota submitting the lowest base bid of \$713,619.85. A copy of the bid tabulation sheet is attached for reference. The low bid is 13% under our Engineer's Estimate. We believe T.A. Schifsky & Sons, Inc. is qualified to complete this work; and we recommend that the City Council accept their bid and award the 2019 Mill and Overlay Project to them.

A review of the tabulation sheet demonstrates that we continue to experience very competitive bids on projects here in White Bear Lake.

RECOMMENDED COUNCIL ACTION

Staff recommends that the Council approve the resolution ordering the 2019 Sanitary Sewer Lining Program and authorizing the project be advertised for bids.

ATTACHMENTS

Resolution

RESOLUTION NO.:

**RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT
FOR THE 2019 MILL AND OVERLAY PROJECT
CITY PROJECT NOS. 19-04 & 19-13**

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

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

Contractor	Total Base Bid
Astech Corp.	\$820,544.60
Bituminous Roadways, Inc.	\$889,160.15
GMH Asphalt Corporation	\$894,749.79
Minnesota Paving and Materials	\$877,903.08
North Valley, Inc.	\$847,532.79
Park Construction Company	\$779,031.57
T.A. Schifsky & Sons	\$713,619.85

WHEREAS, it appears that T.A. Schifsky & Sons, Inc. is the lowest responsible bidder.

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

1. The Mayor and City Clerk are hereby authorized and directed to enter into contract with T.A. Schifsky & Sons, Inc., in the amount of \$713,619.85 as approved by the City Council and on file in the office of the City Engineer.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: April 4, 2019

Subject: **2019 Sanitary Sewer Lining Program, City Project No. 19-07**

BACKGROUND

Since 1994, the City has been installing liners in sanitary sewer mains, which are difficult to maintain due to access constraints, root intrusion problems, frequent backup problems and/or pipe failures. Liners also seal pipe joints, preventing groundwater from entering the sewer main (known as “infiltration”). Installing liners rather than new pipe minimizes the cost because the liners do not require excavation of the roadway or easement area, disturbance of existing water, storm sewer or other private utilities or the disruption of service to customers.

SUMMARY

The Engineering Department has prepared specifications for the 2019 Sanitary Sewer Lining Program (City Project No. 19-07). Various sewer mains have been identified as candidates for the 2019 Sanitary Sewer Lining Program. However, the Engineering and Public Works Departments will reevaluate sewer mains in the next several weeks in order to prioritize the best candidates for lining. All of the sanitary sewer mains recommended for lining in the 2019 Program are prone to root intrusion problems, have cracks in the pipe, misaligned joints or pipe failures which create flow restrictions or prevent routine maintenance operations.

Funding for the project would come from the Sewer Improvement Fund, which provides \$125,000 in the 2019 Budget. Since 1994, the City has invested nearly \$2.0 million in sanitary sewer lining projects. These improvements have been a major factor (along with regular cleaning and inspection by the Public Works Department) in the reduction of sanitary sewer main backups. The liners prevent roots from entering the main through joints, cracks or broken pipes and improve flow by providing a smooth interior surface for the pipe. The liners also seal the sewer main in areas with high groundwater conditions, which reduces the City’s sanitary sewer flow and thus billing from the Metropolitan Council Environmental Services.

RECOMMENDED COUNCIL ACTION

Staff recommends that the Council approve the resolution ordering the 2019 Sanitary Sewer Lining Program and authorizing the project be advertised for bids.

ATTACHMENTS

Resolution

RESOLUTION NO.:

**RESOLUTION ORDERING PROJECT, APPROVING PLANS AND AUTHORIZING
ADVERTISEMENT FOR BIDS FOR THE 2019 SANITARY SEWER LINING PROGRAM
CITY PROJECT NO. 19-07**

WHEREAS, the City Engineer has prepared plans and specifications for the 2019 Sanitary Sewer Lining Program – City Project 19-07, and has presented such plans and specifications to the City Council for approval.

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

1. The City Engineer is hereby designated as the Engineer for this improvement and has prepared plans and specifications for the making of such improvements.
2. The plans and specifications are hereby approved.
3. The 2019 Sanitary Sewer Lining Program is hereby ordered.
4. The Public Works Director/City Engineer shall prepare and cause to be inserted in the official paper an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 10 days, shall specify the work to be done, shall state that bids will be received by the Public Works Director/City Engineer until 11:00 a.m. on Wednesday, May 22, 2019, at which time they will be publicly opened in the City Hall by the City Clerk and City Engineer, will then be tabulated and will be considered by the Council at 7:00 p.m. on Tuesday, May 28, 2019, in the Council Chambers.

The foregoing resolution, offered by Councilmember _____, and supported by

Councilmember _____, was declared and carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

City of White Bear Lake Environmental Advisory Commission

MINUTES

Date: February 20, 2019	Time: 6:30pm	Location: WBL City Hall
COMMISSION MEMBERS PRESENT	Sheryl Bolstad, Chris Greene, Bonnie Greenleaf, Rick Johnston, Gary Schroehner (Chair), June Sinnett	
COMMISSION MEMBERS ABSENT	Robert Winkler	
STAFF PRESENT	Connie Taillon, Environmental Specialist	
VISITORS	None	
NOTETAKER	Connie Taillon	

1. CALL TO ORDER

The meeting was called to order at 6:51 pm.

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and added item 6c. Rush Line. Commissioner Greenleaf moved, seconded by Commissioner Bolstad, to approve the agenda as amended. Motion carried, vote 5/0.

3. APPROVAL OF MINUTES

a) January 16, 2019 regular meeting

The commission members reviewed the January 16, 2019 draft minutes and had the following change: remove 'potentially associated with the former drycleaner' in item 7b, staff updates. Commissioner Greenleaf moved, seconded by Commissioner Sinnett, to approve the minutes of the December 19, 2018 meeting as amended. Motion carried, vote 5/0.

4. VISITORS & PRESENTATIONS

None

5. UNFINISHED BUSINESS

a) Adopt a Drain program

Staff reported that the Watershed Partners/Adopt a Drain membership request is scheduled for discussion and approval at the March 12, 2019 City Council meeting. The commission member's previous motion supporting the program will be included in the memo to Council. Chair Schroehner reported that he went on the Adopt a Drain website and the map of stormdrains has not been posted yet. Staff stated that the website is expected to be live by the beginning of April.

Commission member arrived at 7:25pm

6. NEW BUSINESS

a) 2019 Environmental Resources Expo

Commissioner Sinnett reported that the Ramsey County Master Gardeners plan to attend the Environmental Resources Expo again this year. She would like to invite a turf grass specialist from the U of M to an upcoming commission meeting and possibly have them table at the Expo. Staff stated that one of Nate from the Engineering Department is invited to the March meeting to discuss 2019 street reconstruction projects. Commissioner Sinnett will invite the turf specialist to the April commission meeting.

b) Spring newsletter – environmental topics

Staff asked the commission members what topics they would like to include in the spring newsletter. Commission members would like to add information about the RAM rain barrel event, VLAWMO spring workshops, Waterfest event, and Watershed Partners Adopt a Drain program.

Commission member left at 8:01pm

c) Rush Line

The commission members discussed their support of the proposed Rush Line Bus Rapid Transit in the City of White Bear Lake. Commissioner Greenleaf moved, seconded by Commissioner Green, to support the concept of bus rapid transit in the City of White Bear Lake. Bus rapid transit advances our sustainability goals by reducing congestion, consumption of fossil fuels, and air emissions. Motion carried, vote 5/0.

7. DISCUSSION

a) Subcommittee updates

Commissioner Johnston handed out a list of questions regarding the City's recycling program. He asked to meet with staff at a later date to learn more about our program and the possibility of making Marketfest a zero waste event.

b) Staff updates

- MPCA Site Review

Staff reported that follow up testing at the intersection of County Road E and Bellaire Avenue will occur in the next couple of months.

- Water Gremlin TCE public meetings – February 21 and Mar 7

Staff reported that two Water Gremlin meetings will be held at White Bear Lake North High School at 6:30pm on February 21st and March 7th.

- Best Practices for Pollinators Summit – March 17

Staff reported that the annual Pollinators Summit will be held at Silverwood Park in St Anthony from 8am to 12:30pm on March 17th. Commissioners are invited to attend.

c) Commission member updates

None

d) Do-outs

Commission members and staff discussed items on the current do-out list and added the following:

- Commissioner Sinnett to invite the U of M turf specialist to the April commission meeting.
- Staff to continue researching the Adopt a Drain Program and report back at the March meeting.
- Staff to meet with the recycling subcommittee prior to the March meeting

e) March agenda

Include 2019 street reconstruction projects, downtown area recycling, Adopt a Drain program, and Environmental Resources Expo, on the March agenda.

8. ADJOURNMENT

The next meeting will be held at City Hall on March 20, 2019 at 6:30pm. Commissioner Bolstad moved, seconded by Commissioner Johnston, to adjourn the meeting at 8:34 pm. Motion carried, vote 5/0.

Park Advisory Commission Meeting Minutes

FEBRUARY 21, 2019

6:30 P.M.

CITY HALL

MEMBERS PRESENT	Bryan Belisle, Victoria Biehn, Mark Cermak Ginny Mae Davis, Mike Shepard
MEMBERS ABSENT	Bill Ganzlin, Anastacia Davis,
STAFF PRESENT	Mark Meyer, Paul Kauppi and Andy Wietecki
VISITORS	
NOTE TAKER	Mark Meyer

1. CALL TO ORDER

The meeting was called to order at 6:30 pm at City Hall.

2. APPROVAL OF MINUTES

Approval of the minutes from January 17, 2019 was moved by Ginny Mae Davis and seconded by Bryan Belisle. Motion carried.

3. APPROVAL OF AGENDA

Approval of the February 21, 2019 agenda was moved by Ginny Mae Davis and seconded by Victoria Biehn. Motion carried.

4. INTRODUCTION OF COMMISSION MEMBERS

Introductions of committee members and welcomed newest member Mark Cermak.

5. UNFINISHED BUSINESS

Last month Bryan talked about the tables at the Boardwalk Commons being too tall and should be cut down so they will fit better with the chairs. Andy Wietecki reported that he would lower the tables by cutting about one inch off the legs.

6. NEW BUSINESS

a) Gary Schroeher, Environmental Advisory Commission Chair

Guest speaker, Gary Schroeher, talked about bringing pollinator friendly plantings into our parks to help with the declining population of butterflies. Gary will be at the Environmental Fair at the last Marketfest. He also talked about trying to bring more recycling to the downtown district with different garbage and recycling containers. Gary works with VLAMO to help with programs for cleaner water.

Andy reported that the City's flower program is chemical free so that would not impact pollinator insects.

b) Arbor Day - May 4, 2019

Andy reported on past Arbor Day projects that includes spreading wood chips at Lakewood Hills Frisbee Golf Course and picking up trash. Bryan Belisle suggested that the City concentrate more on buckthorn control in some of our City's parks instead of planting trees. There will be more talks to come.

7. OTHER STAFF REPORTS

Andy recently updated the city's Turf Management Program. This program sets the foundation on how we care for the turf in City parks to minimize chemical applications. The program outlines how we keep up the same level of quality turf by aeration, irrigation, frequent mowing and slit seeding.

8. COMMISSION REPORTS

None.

9. OTHER BUSINESS

Ginny asked if the City has a garden club to help maintain some of the gardens around town. City staff reported that at this time the City does not have any such program in place.

Gary directed another question to City staff about the City's adopt a park program. The language was just updated and an application form was added to the City's website; however, at this point we do not have any volunteers.

10. ADJOURNMENT

The next meeting will be held on March 21, 2019 at 6:30 p.m.

There being no further business to come before the Park Commission, the meeting was adjourned. Moved by Bryan Belisle and seconded by Mark Cermak and Mike Shepard.

**DRAFT MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
MARCH 25, 2018**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, March 25, 2019, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61, White Bear Lake, Minnesota by Chair Jim Berry.

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Jim Berry, Mary Alice Divine, Marvin Reed, Peter Reis, Ken Baltzer, Mark Lynch, and Erich Reinhardt (arrived at 7:13 p.m.).

MEMBERS EXCUSED: None.

MEMBERS UNEXCUSED: None.

STAFF PRESENT: Anne Kane, Community Development Director; Samantha Crosby, Planning & Zoning Coordinator; and, Tracy Shimek, Housing and Economic Development Coordinator.

OTHERS PRESENT: Terry Honsa, Kevin Rooney, Karen Sisterman, John Sisterman, Mary Wiley, William Rust, Jackie Ek-Pangel, Dale Ek-Pangel, Jim Engen, Laura Engen, Patrick Collins, Kaysa Xiong

2. APPROVAL OF THE MARCH 25, 2019 AGENDA:

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

3. APPROVAL OF THE FEBRUARY 25, 2019 PLANNING COMMISSION MEETING MINUTES:

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

4. CASE ITEMS:

A. Case No. 93-15-Sa: A request by **Honsa Family Funeral Home** for an amendment to an existing Conditional Use Permit to allow for a 1,020 square foot expansion of a funeral home adjacent to residential, and to reduce the landscaping requirement along the south property line at 2460 County Road E East.

Crosby discussed the case. Staff recommended approval of the amendment to an existing Conditional Use Permit subject to conditions.

Baltzer asked how many trees would be removed and replaced. Crosby explained the lot had 24 trees, 17 of which were located along the parking lot. Every other tree would mean that approximately 8 of these trees would be removed. She reported the applicant was asking to remove the trees because they provided too much shade in the winter months.

Reis requested further information on the berm and landscaping plan. Crosby stated the berm was approximately three feet high. She reviewed the landscaping plan in further detail with the Commission.

Reis stated he was a master gardener for 15 years. He reported the proposed evergreen trees would grow one foot per year and with three-foot replacement trees on top of a three-foot berm, these trees would reach nine feet above grade within three years. For this reason, he did not believe that removing eight of the trees would really accomplish anything for the applicant.

Lynch explained the sun in December and January would cast a different angle on the parking lot. He discussed the berm and landscaping that was agreed upon in 1993 between the City and the applicant. He commented on how the proposed tree replacement would create the same problem in three to five years. He indicated he did not have a better solution and for this reason, he supports the trees remaining in their current state.

Divine stated the older trees have lost some of their bottom branches, which led her to believe replacing some of the older trees may be beneficial. However, she also believed that removing every other tree seemed excessive. She commented that there were many parking lots in the City that were shaded in the winter and the owners just had to deal with it.

Berry opened the public hearing at 7:15 p.m.

William Rust, with Rust Architects at 4579 Lake Avenue, is representing the applicant. He stated he understood many of the Commission's concerns centered around the trees. He commented on how the sun moves from east to west throughout the year, noting the parking lot was quite shadowed during the winter months. He indicated the bottom branches were dying off on the evergreen trees. He commented the new trees would fill in the lower level of the screen.

Terry Honsa, owner of the Honsa Family Funeral Home, reported three-fourths of her parking lot was completely shaded in the winter months. She indicated ice was a concern for her. She requested from a safety standpoint that she be allowed to remove some of the trees. She explained she reached out to all of the neighbors living adjacent to the parking lot and no concerns were raised regarding her proposal to remove and replace the evergreen trees. She stated the trees were currently 12 feet apart and noted she was planning to replace the existing trees with three-foot trees. She explained she would be planting the trees herself and anything larger would be difficult to lift and plant.

Jackie Ek-Pangel, 2465 Jansen Avenue, indicated she sent a letter to the City. She noted she had worked with Mr. Robinson in 1993 to find an agreeable screening solution. She stated

she objected to the applicant being able to replace the trees with three-foot trees when six foot was minimum per code. She feared a precedent would be set if the Commission were to allow this to pass. She recommended that the trees be replaced with six-foot trees and not seedlings in order to provide adequate screening for the neighbors.

Dale Ek-Pangel, 2465 Jansen Avenue, stated he had no issues with the building addition. He explained he was concerned with the landscaping and recommended no changes be made to the trees. He reported the neighbors would be impacted by additional road noise if the trees were removed. For this reason, he recommended the lot not be de-forested.

As no one else came forward, Berry closed the public hearing at 7:25 p.m.

Reis asked if City Code required six-foot replacement trees. Crosby confirmed this was the case for evergreen trees.

Divine questioned if staff could hold further discussions with the applicant regarding the trees. She would like to see a middle ground reached without having every other tree replaced.

Berry commented there was no hardship which would cause the need to remove the trees along the south lot line. He recommended the applicant be required to meet City Code and that any trees that are removed be replaced with six-foot trees.

Lynch indicated there were two separate issues being addressed. The first was the building addition and the second was the tree removal/replacement. He stated he supported the building addition. He encouraged staff to work with the applicant to find a creative solution for the parking lot situation without needing to remove and replace the trees.

Reis stated he supported the request but recommended Condition 7 be deleted and that Condition 8 be amended to require the applicant to plant six-foot trees per City Code. Member Reis moved to recommend approval of Case No. 93-15-Sa with these modifications. Member Reed seconded the motion. The motion passed by a vote of 7-0.

Berry explained that this matter would be addressed by the City Council on April 9, 2019.

B. Case No. 17-1-CP: Review of final draft of comprehensive plan and recommendation of final approval.

Kane discussed the case. Staff recommended final approval of the comprehensive plan noting the plan would be reviewed by the City Council on April 23, 2019.

Lynch requested further information regarding the uses that would be allowed within the Arts District. Kane reviewed the process that would be followed for future uses within the Arts District noting some would be allowed by right and others would require a Conditional Use Permit.

Reis commented on a non-profit called Art Space and encouraged staff to contact this company noting they would be a good resource for staff in creating an artist in resident program.

Reis questioned if wetlands have a designated water level. Kane explained there was a designated setback required from the edge of a wetland and noted the water levels within a wetland related to flooding concerns. She noted wetlands were challenging to develop.

Lynch asked if other suburbs in the metro area have Arts Districts. Kane commented she was not familiar with other Arts Districts but anticipated Minneapolis may have one. She reported this may be a good model for the City to review when drafting code for its own Arts District. She commented Bloomington has a great art space, but noted this was located on City Hall property.

Lynch requested information from staff regarding the former Public Works site. Kane commented the Council both past and present have provided direction for the redevelopment of this site. She anticipated in the future this site would have transit-oriented housing. She provided further comment on the marina and auto dealer redevelopment potential. She reported the Council has purchased the land between the new Public Works building and Saputo, noting the land was designated half Public/half Industrial.

Kane commented on the plans for the Wildwood Shopping Center, noting the City was proposing to reguide the property from Commercial to Neighborhood Mixed Use. It was noted the Rolling View Drive lots have been reguided from Commercial to Public/Low Density Residential.

Divine asked what the zoning was for the blocks at 4th Street and Bald Eagle. Kane reviewed the zoning map and noted the zoning for these lots had changed. She noted the zoning would be DCB to accommodate intensification along 4th Street similar to Grand Avenue.

Reis questioned how the City was planning to address future parking concerns as the downtown area continues to develop. Kane commented that any loss of parking would be concerning. She reviewed the location of the City's current parking lots and explained surrounding uses could be intensified downtown so long as there was no net loss of parking. She indicated another option would be to construct underground parking.

Lynch discussed the transportation section of the Comprehensive Plan and noted parking was not addressed. He encouraged staff to mention parking in this section of the document describing how parking would be addressed providing both midterm and long-term solutions. Poor employee parking practices is a significant contributor to the problem. Kane agreed and noted midterm solutions were a concern for the City. She reported parking was addressed more thoroughly in the Economic Development portion of the Comprehensive Plan.

Reis asked if there were any discussions about monitoring parking times and inquired how the Rush Line would impact the community. Kane anticipated that the majority of commuters with access to a vehicle would use an express bus on 35E, rather than the Rush Line BRT. She understood the Police Department may need to enforce parking time limits by

ticketing violators. She indicated the local business owners could also communicate better with their customers to ensure the parking spaces were turning over in a timely manner.

Reis echoed how important it was to keep those front and center parking stalls open for customers, rather than being used all day by employees.

Lynch stated in Chapter 1 where population was discussed he noted the numbers do not add up. Kane indicated this could be due to the various data resources included in the Comprehensive Plan.

Lynch requested the Comprehensive Plan include a reference to Generation X given the fact Millennials and Baby Boomers were discussed. In reference to the Solar Resources Map, he commented that it seemed weird to add solar panels all over the school grounds and suggested staff name other potential solar locations in the City. He explained he supported housing preservation efforts. He commented there were some areas in the City that did not need sidewalks.

Lynch asked for clarification about 4D Tax Incentives. Shimek explained it is a reduced rate tax classification granted to low income multi-family rental properties that have an affordability restriction recorded against the property under terms of financing from a unit of government. Typically the restriction is in exchange for receiving federal or state subsidy, but can be secured through local units of government as well.

Lynch pointed out that the Healthy Food Access map was misleading. It implies we have a problem, but we're food rich.

Lynch requested the RBTN (Regional Bicycle Transportation Network) map be better explained. He asked if Highway 61 was a State or Federal roadway. Kane stated she would investigate this and report back to the Commission.

Berry opened the public hearing.

Mary Wiley, 2525 Sumac Circle, asked about the former Entira "Bellaire" Clinic, stating she understood this property was to be reguided to Medium Density. She questioned if a four-story building could locate on this property noting this would be extremely intrusive. She also expressed concern about sufficient parking.

Kane reported a four-story building could locate on this property but noted surrounding uses would have to be taken into consideration and surrounding homeowners would be notified if a request were brought to the City.

Pat Collins, 5172 Wild Marsh Drive, thanked the City Council, Planning Commission and its staff for drafting a great document. He stated he appreciated the consideration that was taken regarding pedestrian safety. He expressed a desire for a sidewalk on Division Avenue.

Laura Engen, 324 Shamrock Way, explained she has lived in her home for the past 27 years. She stated she appreciated the fact she could walk from her home to nearby amenities. She

noted the senior residents from the Lodge were also walking to and from their units to the nearby amenities. She believed that having commercial on all four corners was a real advantage for the community and therefore has reservations about regarding the Wildwood Shopping Center to Neighborhood Mixed Use.

Karen Sisterman, 2557 Manitou Lane, stated she believed BRT was not worth doing. She encouraged the City to work to fill up its vacant store fronts. She expressed concern with the future E & Bellaire apartment complex parking on City streets instead of within their development.

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

Reis thanked staff for all of their hard work on the Comprehensive Plan.

Member Baltzer moved to recommend approval of Case No. 17-1-CP. Member Reis seconded the motion. The motion passed by a vote of 7-0.

Berry explained that this matter would be addressed by the City Council on April 23, 2019.

5. DISCUSSION ITEMS:

A. Chair and Vice-Chair Election.

Member Divine moved to appoint Marvin Reed Chair of the Planning Commission for 2019. Member Reis seconded the motion. The motion passed by a vote of 7-0.

Member Divine moved to appoint Ken Baltzer Vice-Chair of the Planning Commission for 2019. Member Reed seconded the motion. The motion passed by a vote of 6-1.

B. City Council Meeting Minutes of March 12, 2019. No Comments.

C. Park Advisory Commission Meeting Minutes of January 17, 2019. No Comments.

6. ADJOURNMENT:

Member Baltzer moved to adjourn, seconded by Member Reed. The motion passed unanimously (7-0), and the March 25, 2019 Planning Commission meeting was adjourned at 8:52 p.m.



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council

From: Ellen Hiniker, City Manager

Date: March 21, 2019

Subject: **Resolution Accepting a Donation of \$2,453.38 from the White Bear Lake Fire Relief Association for the purchase of a set of struts**

BACKGROUND / SUMMARY

At its meeting in March, the Fire Relief Association approved a donation of \$2,453.38 from its Rescue Fund to support the purchase of rescue struts. Struts are used to stabilize vehicles when they are on their side or overturned, making these challenging rescue efforts safer for the firefighters and for those being rescued.

The 2019 municipal budget includes funds for the purchase of one set; the Relief Association's donation would pay for a second set. In accordance with findings from the Office of the State Auditor, donations from the Relief Association should be officially accepted through a resolution of the City Council.

RECOMMENDED COUNCIL ACTION

Attached is a resolution accepting a donation of \$2,453.38 from the White Bear Lake Fire Relief Association for the purchase of one set of struts.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION ACCEPTING A DONTATION FROM THE WHITE BEAR LAKE FIRE RELIEF ASSOCIATION FOR THE PURCHASE OF A SET OF STRUTS

WHEREAS, the Fire Relief Association Board approved a donation of \$2,453.38 from its Rescue Fund to support the purchase of rescue struts; and

WHEREAS, the City of White Bear Lake budgeted for the purchase of one set of struts in 2019 and this donation would pay for the second set; and

WHEREAS, the Office of the State Auditor requires that donations from Relief Associations be officially accepted through a resolution of the City Council; and

WHEREAS, the City of White Bear Lake desires to improve the safety and working conditions of its employees and struts will be used to further stabilize a rescue vehicle in the fleet.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of White Bear Lake that the City accept the Relief Association donation of \$2,453.38 for the purchase of one set of struts.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager
From: Connie Taillon, Environmental Specialist
Date: April 2, 2019
Subject: Washington County Recycling Grant Application

SUMMARY

Under state law, proceeds from tax on solid waste are in part made available to local units of government to conduct recycling and waste reduction programs. A block grant is made available to Washington County from the State, which in turn appropriates a portion to municipalities on a per-capita basis. The expected 2019 funding allocation to White Bear Lake is \$1,904. These monies are used to help offset the City's recycling program and collection costs.

RECOMMENDED COUNCIL ACTION

Staff recommends the City Council adopt the attached resolution that requests the 2019 grant funding allocation and authorizes the City Manager to submit the grant application to Washington County.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING A MUNICIPAL RECYCLING GRANT AGREEMENT
BETWEEN THE CITY OF WHITE BEAR LAKE AND WASHINGTON COUNTY AND
REQUESTING THE MUNICIPAL RECYCLING GRANT FUNDING ALLOCATION**

WHEREAS, the State of Minnesota collects a tax on the waste hauling charges from each resident in the State; and

WHEREAS, the State of Minnesota has distributed said tax monies to each associated county; and

WHEREAS, Washington County Board of Commissioners approved the distribution of recycling funds to municipalities for use in residential recycling programs; and

WHEREAS, the City of White Bear Lake's 2019 per-capita share of the distribution is \$1.904.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of White Bear Lake that the City authorizes the Recycling Grant Agreement with Washington County Board of Commissioners and requests the grant funding allocation.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager
From: Kara Coustry, City Clerk
Date: April 4, 2019
Subject: **Temporary liquor license for Church of St. Pius X**

BACKGROUND

Minnesota Statute section 340A.404, Subd. 10 states that municipalities may issue temporary on-sale liquor licenses to nonprofit organizations in existence for at least three (3) years. The license may not exceed more than four consecutive days. City Code requires proof of liquor liability insurance.

SUMMARY

The City received an application from Rev. Joe Bambenek on behalf of the Church of St. Pius X for a temporary liquor license for St. Pius Xtravaganza – a new name for their annual auction and dinner fundraiser. This is the 9th year of this event. In prior years, it was held in February as part of Winterfest. The Church of St. Pius X is a nonprofit organization that plans to sell beer and wine on the following at the following location and date:

Church of St. Pius X
 Parish Activity Center
 3878 Highland Avenue
 White Bear Lake, MN 55110
 Saturday, June 1, 2019
 5:00 p.m. – 11:00 p.m.

The applicant meets State regulations for temporary liquor licenses, and has provided a copy of the liquor liability insurance certificate required by City Code.

RECOMMENDED COUNCIL ACTION

Staff recommends unconditional approval of the temporary liquor license.

ATTACHMENTS

Resolution

RESOLUTION NO.

**A RESOLUTION APPROVING A TEMPORARY LIQUOR LICENSE
FOR CHURCH OF ST. PIUS X**

WHEREAS an application for a temporary on-sale liquor license has been made by Rev. Joe Bambenek on behalf of the Church of St. Pius X for St. Pius Xtravaganza – a fundraiser event; and

WHEREAS the Church of St. Pius X is a nonprofit organization that intends to provide beer and wine on Saturday, June 1, 2019; and

WHEREAS the organization has provided the liquor liability insurance certificate as required by City Code.

NOW THEREFORE, BE IT RESOLVED that the White Bear Lake City Council under authority of Minnesota Statute section 340A.404 Subd. 10, approves the temporary liquor license for the following organization for the dates and location indicated:

Church of St. Pius X
Saturday, June 1, 2019
on the premises of
the Church of St. Pius at
3878 Highland Avenue
White Bear Lake, MN 55110

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

Ayes:
Absent:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

m DEPARTMENT OF
ADMINISTRATION
STATE HISTORIC PRESERVATION OFFICE

FYI

April 1, 2019

The Honorable Jo Emerson
Mayor of White Bear Lake
White Bear Lake City Hall
4701 Highway 61
White Bear Lake, MN 55110-3227

RE: White Bear Lake Armory, 2228 Fourth Street, White Bear Lake, Ramsey County

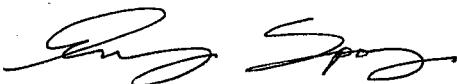
Dear Mayor Emerson:

I am pleased and honored to congratulate you upon the entry of the White Bear Lake Armory in the National Register of Historic Places. The National Register, as you know, is a listing of districts, sites, buildings, structures, and objects considered to be worthy of preservation. An information sheet describing the program is enclosed. The property was listed on March 25, 2019.

By recognizing the significance of your property and planning for its preservation you are participating in a national movement which aims to preserve, for the benefit of future generations, our cultural heritage.

If you have any questions, feel free to contact Ginny Way, National Register Architectural Historian, at 651-201-3293, ginny.way@state.mn.us or 50 Sherburne Ave., St. Paul, MN 55155. Again, congratulations on receiving this important designation.

Sincerely,



Amy Spang
Deputy State Historic Preservation Officer

Enclosures: National Register Nomination Form
National Register Program

cc: Ms. Sara Hanson, Executive Director, White Bear Lake Area Historical Society, 4701 Highway 61,
White Bear Lake, MN 55110
Ramsey County Board of Commissioners, 220 Courthouse, 15 W. Kellogg Blvd., St. Paul, MN 55102
President, Ramsey County Historical Society, 75 W. 5th St., Room 323, St. Paul, MN 55102
Ms. Andrea C. Pizza, Deco Cultural Services LLC, 207 4th Ave. No., South St. Paul, MN 55075



Northeast Youth & Family Services
Transforming Lives

FYI

March 25, 2019

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

Dear Jo:

Ten years ago I made a decision that changed my life.

While participating in the Shannon Leadership Institute, which helps people clarify personal and professional goals, I was moved by the projection that 75% of non-profit executives would either retire or leave the field over the next 5-10 years. In June of 2008 I accepted the Board's offer to be the next President and CEO of NYFS.

It has been a full and rewarding ten years. We completed the Capital Campaign for the Discovery Center; merged with White Bear Area Community Counseling Center resulting in 15 partnerships with local municipalities; expanded our school-based mental health program, formalized a mental health day treatment program; repositioned our youth community service programs; and upgraded our processes and systems to better manage our organization. Throughout all of this one thing I am most proud of is our ongoing and growing relationships in the community. NYFS is successful because we partner with others rather than go it alone.

In May 2018 I turned 65. As I reflected on my past and pondered my future, it dawned on me that when and if I were to leave NYFS, it would take a 12-18 month process to hire and help my successor get connected with our many community partners. It was then that I realized that I probably wouldn't have the energy and drive required to fulfill the responsibilities of leading NYFS at age 67. This past fall, I made it official: I will be stepping down from the rigors of being the President and CEO of NYFS in June 2020.

Since my announcement, the Board and I have been developing a succession plan. Our goal is to have someone hired by early in 2020 so we have time to "hand over the reins". We will go public with our plan at the Leadership Lunch on May 1, but we wanted to let you, our municipal partners know of our plan first. Many of you have been there since the beginning of NYFS. Today you provide a foundation of support that helps us stay true to our values of partnering with others to help make our community a great place to live, learn, and work.

I look forward to the opportunity to work with you as we bring on the next leader of NYFS. This will help insure that NYFS remains a valued and trusted partner in our community.

Please feel free to contact me if you have any questions.

Jerry Hromatka
President & CEO

Shoreview Headquarters
3490 Lexington Ave. N.
Shoreview, MN 55126
phone 651-486-3808 fax 651-486-3858

www.nyfs.org

White Bear Lake Area Office
1280 N. Birch Lake Blvd.
White Bear Lake, MN 55110
phone 651-429-8544 fax 651-407-5301

METRO CITIES

Association of Metropolitan Municipalities

FYI

March 25, 2019

Ellen Hiniker, City Manager
City of White Bear Lake
4701 Hwy 61 N
White Bear Lake, MN 55110-3277

Dear Ellen:

Each year Metro Cities hosts an Annual Meeting at which city staff and officials have an opportunity to connect with peers from other metropolitan area cities, hear from notable speakers, and elect members and officers to the Board of Directors.

This year's Annual Meeting will be held on **Wednesday, April 24th** at the **Como Park Zoo and Conservatory**, beginning at 5:30 pm. Our guest speakers this year are Briana Bierschbach of Minnesota Public Radio and Peter Callaghan of MinnPost, who will share their insights and perspectives on state politics and the legislative session.

Please see the attached flier for details, including the nominations for the Board of Directors. We have included a copy to post for city staff, as well as copies for your elected officials. Please note there is no cost to attend; we simply ask that you RSVP by April 12th.

We look forward to seeing you on April 24th!

Sincerely,



Patricia Nauman
Executive Director
Metro Cities

2019 Metro Cities

Annual Meeting

Wednesday, April 24, 2019

5:30 pm - Social Hour with Light Hors d'oeuvres & Cash Bar

6:30 pm - Guest Speakers

7:00 pm - Metro Cities Business Meeting (Board Elections)

Guest Speakers

Briana Bierschbach, Political Reporter, MPR News

Briana Bierschbach is a veteran political reporter who covers state politics and campaigns with Minnesota Public Radio and has previously worked for the Associated Press, Politics in Minnesota, and MinnPost. Ms. Bierschbach was named a top Minnesota political journalist by the Washington Post and was the Society of Professional Journalists' 2015 Young Journalist of the Year. She also teaches a course in state governing at the University of Minnesota's Humphrey School of Public Affairs.

Peter Callaghan, Political Reporter, MinnPost

Peter Callaghan is an experienced political journalist who covers state government for MinnPost. Mr. Callaghan previously covered public policy and politics at newspapers in Washington state as well as the Associated Press in Idaho. Mr. Callaghan has also worked at the News Tribune in Tacoma, where he was at various times a political reporter, state house reporter, editorial page columnist, and local columnist.

**Como Park Zoo
and Conservatory
Bullard Rainforest Room**

1225 Estabrook Drive

St. Paul, MN 55103

This is a great opportunity to connect with your peers from other metro cities and elect members and officers to the Board. Both elected officials and staff are welcome to attend! There is no charge, but please RSVP by April 12th to Kimberly at **651-215-4000 or **Kimberly@MetroCitiesMN.org**.**

**The Nominating Committee recommends
the following individuals for election to the
Metro Cities Board of Directors:**

For President:

Mark McNeill, Administrator, Mendota Heights

For Vice President:

Myron Bailey, Mayor, Cottage Grove

For Re-Election:

Marc Carrier, Councilmember, Waconia

Melanie Mesko Lee, Manager, Burnsville

William Reynolds, Administrator, Shakopee

For Vacancies:

Daniel Buchholtz, Administrator, Spring Lake Park

Jan Jenson, Councilmember, St. Anthony Village

Jay Stroebel, Manager, Brooklyn Park

