



**AGENDA**  
**REGULAR MEETING OF THE CITY COUNCIL OF**  
**THE CITY OF WHITE BEAR LAKE, MINNESOTA**  
**TUESDAY, MAY 14, 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 April 23, 2019

**3. APPROVAL OF THE AGENDA**

**4. VISITORS AND PRESENTATIONS**

A. Brad Falteysek – 2018 Audit Report

**5. PUBLIC HEARINGS**

**6. LAND USE**

A. Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Keith Hisdahl for a Planned Unit Development located at 1966 & 1978 Highway 96. (Case No. 19-3-PUD)
2. Consideration of a Planning Commission recommendation for approval of a request by Grant Raykowski variances to demolish the existing detached garage and reconstruct with a larger structure at 2503 Manitou Island. (Case No. 19-2-V)
3. Consideration of a Planning Commission recommendation for approval of a request by Joe Braman for setback variances to install an above ground pool at 1860 Clarence Street. (Case No. 19-3-V)

B. Non-Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Mark and Nancy Moe for a Conditional Use Permit for a home accessory apartment at 2524 Crestline Drive. (Case No. 19-2-CUP)

**7. UNFINISHED BUSINESS**

Nothing scheduled

**8. ORDINANCES**

A. First Reading of an Ordinance Amendment for Shafer Richardson Project Rezoning

**9. NEW BUSINESS**

- A. Resolution authorizing 4<sup>th</sup> and Otter Lake Road property acquisition
- B. Resolution authorizing 2018 budgeted expenditures to be carried over to 2019
- C. Resolution Authorizing Re-Conveyance of Property to the State of Minnesota
- D. Resolution appointing Jim Rathburn as Administrative Hearing Officer

**10. HOUSING AND REDEVELOPMENT AUTHORITY**

- A. Call to Order/Roll Call
- B. Approval of the Agenda
- C. Resolution authorizing a Request for Proposals to solicit proposals for a Comprehensive Housing Needs Assessment
- D. Adjournment

**11. CONSENT**

- A. Approval of Planning Commission meeting minutes from April 29, 2019
- B. Approval of Park Commission meeting minutes from March 21, 2019
- C. Resolution denying massage therapy establishment license

**12. DISCUSSION**

- A. Emerald Ash Borer Management program

**13. COMMUNICATIONS FROM THE CITY MANAGER**

**14. ADJOURNMENT**



**MINUTES  
REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
TUESDAY, APRIL 23, 2019  
7:00 P.M. IN THE COUNCIL CHAMBERS**

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

Mayor Emerson called the meeting to order at 7:01 p.m. Councilmembers Doug Biehn, Kevin Edberg, Dan Jones, Steven Engstran and Bill Walsh were present. Staff members present were City Manager Ellen Hiniker, Community Development Director Kane, 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 April 9, 2019

It was moved by Councilmember **Biehn** seconded by Councilmember **Walsh**, to approve the Minutes of the Regular City Council Meeting on April 9, 2019.

Motion carried. Councilmember Edberg abstained.

**3. APPROVAL OF THE AGENDA**

Mayor Emerson added the Police Week Proclamation as 4A under Visitors and Presentations.

City Manager Hiniker added 9D under New Business - a motion for a temporary Chair for the May 28<sup>th</sup> Council Meeting as both Mayor and Chair elect will be absent at this meeting.

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

Motion carried unanimously.

**4. VISITORS AND PRESENTATIONS**

A. Law Enforcement Week Proclamation

B. Special Olympics recognition of the White Bear Lake Police Department

Police Chief Julie Swanson introduced Maplewood's Police Commander Mike Shortreed, Keen Corkery from the Special Olympics and White Bear Lake Police Officer Kacie Allen. Chief Swanson announced that last week at the Minnesota Chiefs' of Police Conference the White Bear Lake Police Department was awarded the Law Enforcement Torch Run Award for supporting Special Olympics.

Chief Swanson thanked the members of the Police Department who participate and called out the special efforts of Officer Allen for extensive coordination of the largest Polar Plunge in the State, both for plungers and donations. The Polar Plunge takes place on the last Saturday in January and the Law Enforcement Torch Run happens during Manitou Days in June carrying the Flame of Hope through communities to culminate at the Summer Games – this year at St. Thomas University.

Commander Mike Shortreed with the Maplewood Police Department and Law Enforcement Torch Run Deputy Director of Events for the State of Minnesota stated that the Law Enforcement Torch Run is the largest grassroots fundraiser and public awareness vehicle for Special Olympics in the World. Commander Shortreed and Corkery from Special Olympics MN presented the 2019 Minnesota Law Enforcement Torch Run Guardian of the Flame Award to the White Bear Lake Police Department to recognize their outstanding contribution to the statewide event.

C. Jason Brown – White Bear Boat Works

City Manager Hiniker recognized intense efforts of Jason Brown of White Bear Boat Works who used the “SS Minnow” over several days in an effort to break up ice on White Bear Lake. He most certainly saved the municipal dock system from an ice collision and destruction. Ms. Hiniker also recognized members of the Fire Department who were prepared to shine lights overnight while overseeing Mr. Brown’s safety in strong winds on the water, however, the plan was called off due to dangerous conditions.

Jason Brown shared photos and videos of his experience on the lake. He expressed great relief for the ice stopping just short of the docks. Mr. Brown thanked the City for the brand new haul on the SS Minnow and for their support of his ice breaking efforts.

## 5. PUBLIC HEARINGS

A. Annual public meeting and 2018 Annual Report on the City’s Storm Water Pollution Prevention Program

Connie Taillon, P.E. and Environmental Specialist for the City provided a history of the Federal Clean Water Regulation and reported on City’s initiatives that supported the 2018 Storm Water Pollution Prevention Program. Ms. Taillon explained the purpose of the MS4 Permit is to reduce the amount of pollutants that enter surface and ground water from storm sewer systems. She highlighted the Minimum Control Measures as follows and provided 2018 accomplishments supporting each.

1. Public education and outreach
  2. Public participation and involvement
  3. Illicit discharge detection and elimination
  4. Construction site stormwater runoff control
  5. Post construction stormwater management (development projects)
  6. Pollution prevention/good housekeeping (municipal operations)
- Plus impaired waterbody requirements (if applicable)

Mayor Emerson 7:46 p.m. opened the public. As no one came forward, Mayor Emerson closed the public hearing.

## 6. LAND USE

- A. Consideration of a Planning Commission recommendation of approval of the DRAFT 2040 Comprehensive Plan and authorize distribution to affected jurisdictions for review. (Case No. 17-1-CP)

Community Development Director Kane explained that the Metropolitan Council requires every community within the 7-county metropolitan area to update its Comprehensive Plan every ten (10) years. She stated that White Bear Lake is expected to add 1,500 residents, 500 jobs, 1,200 additional households between 2020 and 2040. Ms. Kane reviewed the Housing portion of the DRAFT 2040 Comprehensive Plan and highlighted three principles intended to guide the City in support of anticipated regional growth as a nearly built out community:

- Existing Housing Stock: Enhance property values and livability by encouraging on-going maintenance and reinvestment
- Housing Options: Expand a range of lifecycle housing options to meet the needs of the current residents and attract new residents
- Compatible Design: Encourage design that reflects the character of the community while still increasing the quantity and variety of housing

Ms. Kane reviewed several statistics related to housing in White Bear Lake and relayed the following concerns related to meeting future housing needs in White Bear Lake:

- Limited opportunities for new development
- Diversity of housing stock to meet needs of changing demographics
- Community concerns about density & affordable housing
- Providing housing for households with 30% AMI and lower
- Difficult for new construction to be affordable unless subsidized
- Attracting developers with affordable housing experience

Within the Housing section, Ms. Kane covered the top housing need priorities as affordability, preservation of naturally occurring affordable housing (NOAH), redevelopment & infill, wider variety of housing options and investment & maintenance of existing stock.

As conveyed in past work sessions, Ms. Kane relayed a desire to solicit a comprehensive housing needs assessment to address challenges identified in the Housing section of the Comprehensive Plan. Such an assessment, she explained, would:

- Guide future housing developments and inform housing related policies and implementation tools
- Provide a demographic analysis including population data, employment projections and income trends
- Provide an analysis of the for-sale and rental market
- Contain a senior housing analysis including impacts of seniors 'aging in place' on quality and quantity of for-sale supply
- Provide a future housing demand analysis including rental and homeownership demand

Councilmember Jones inquired as to what happens if municipalities do not complete the Comprehensive Plan. Ms. Kane replied the city would not be eligible to apply for Livable Communities Demonstration Account grants (LCDA).

Councilmember Edberg noted there is not just a cost of housing problem, but there is an income and income distribution problem. He mentioned that the number of people per household could be addressed when aging and single folks vacate homes and new families fill up existing housing stock. He supports a housing study for a better understanding of the taxable value of the property in White Bear Lake, which is the economic driver for the City. Now with the housing priorities identified, he would like some strategies that address the opportunities, which may require Council's input. Lastly, Councilmember Edberg is preparing for a difficult conversation given the desire of homeowners and developers to sell for more money resulting in few housing opportunities for those without money.

It was moved by Councilmember **Jones**, seconded by Councilmember **Biehn**, to adopt **Resolution No. 12384** approving the DRAFT 2040 Comprehensive Plan and authorize distribution to affected jurisdictions for review (Case No. 17-1-CP).

Motion carried unanimously.

## 7. UNFINISHED BUSINESS

Nothing scheduled

## 8. ORDINANCES

Nothing scheduled

## 9. NEW BUSINESS

### A. Resolution extending the Cable Commission Franchise

Ramsey Washington Suburban Cable Commission's Executive Director Tim Finnerty explained Comcast and the Commission are asking for an extension to the franchise agreement through February 28, 2020. He stated the purpose is to provide more time for formal negotiations with Comcast. He explained the extension does no harm to the City or the Commission as it preserves all rights and obligations under the current franchise agreement.

As an update, Mr. Finnerty reported little negotiation has occurred as there was Federal Communications Commission (FCC) ruling last fall pertaining to local franchises and cable operators, which took some time. Mr. Finnerty also stated that Comcast's lead negotiator is based in Comcast Headquarters in Philadelphia and has limited availability.

Mr. Finnerty explained that the Cable Commission simultaneously has the option of triggering a formal franchise renewal process, which establishes deadlines for defined activities. His sense from the Cable Commission is they would like to begin planning for that possibility.

Mr. Finnerty offered to speak off-line regarding negotiation details. He mentioned meeting recently with Councilmember Jones and Councilmember Walsh. City Manager Hiniker added that once she has an opportunity to meet with both Councilmembers regarding that visit, she will provide a summary of those discussions to the rest of the Council.

Councilmember Edberg would be interested in learning the major sticking points. He would also like to know what can be gotten for improvement in service, access and affordability for the residents. He would also like an understanding of available strategies, if any, and an idea of what a win would look like for residents.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12385** extending the Cable Commission Franchise.

- B. Resolution accepting bids and awarding contract for the 2019 Bituminous Seal Coating Project, City Project No. 19-02

Public Works Director/City Engineer Kauppi reported receiving three bids for the annual Seal Coating Project. He forwarded staff's recommendation to receive the lowest base bid of \$98,883.73 and award the contract to Allied Blacktop Company of Maple Grove, MN. He stated Allied is a reputable company who has completed work in White Bear Lake in the past and their bid was well within the 2019 Seal Coating budget of \$190,000.00.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12386** bids and awarding contract for the 2019 Bituminous Seal Coating Project, City Project No. 19-02.

- C. Resolution accepting bids and awarding contract for the 2019 Crack Sealing Project, City Project No. 18-03

City Engineer and Public Works Director Kauppi reported receiving five bids for the annual Crack Sealing Program. He forwarded staff's recommendation to receive the lowest bid of \$35,400 and award the contract to MP Asphalt Maintenance LLC of Clear Lake, MN.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to adopt **Resolution No. 12387** bids and awarding contract for the 2019 crack sealing program, City Project No. 18-03.

- D. Motion to appoint an alternate Chair for the May 14, 2019 City Council Meeting.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Biehn**, to appoint Councilmember Jones as the Council Chair for the May 14, 2019 City Council Meeting.

Motion carried unanimously.

## 10. CONSENT

- A. Acceptance of Minutes of the White Bear Lake Conservation District; Environmental Advisory Committee
- B. Resolution authorizing wine, 3.2 and Sunday liquor licenses for The Waters Senior Living Management, LLC. **Resolution No. 12388**
- C. Resolution authorizing extension of a rental agreement with Comcast. **Resolution No. 12389**

D. Resolution denying massage business establishment license. **Resolution No. 12390**

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

Motion carried unanimously.

(Councilmember Walsh was excused from the meeting at 8:41 p.m.)

## 11. DISCUSSION

### A. Bruce Vento Trail update

City Manager Hiniker reported that based on community feedback, Ramsey County has been exploring various options for the Bruce Vento Trail extension route through downtown White Bear Lake along Highway 61.

Community Development Director Kane presented three options that Ramsey County provided for the trail extension along Highway 61 through downtown White Bear Lake and highlighted challenges with multiple street crossings and significant public and private infrastructure along the route. Mr. Kauppi added that snow removal along a trail abutted to Highway 61 would also present considerable challenges.

There was consensus amongst the Council was to advise Ramsey County to stop exploring the Bruce Bento Trail extension along the east side of Highway 61 due to significant impacts and numerous conflicts.

## 12. COMMUNICATIONS FROM THE CITY MANAGER

- Newsletter is out and the following events are of note:
  - April 27<sup>th</sup> Trash to Treasure Day – this Saturday
  - Take your water pledge by April 30<sup>th</sup> at [www.mywaterpledge.com](http://www.mywaterpledge.com)
  - May 4<sup>th</sup> Spring Clean Up, 7am – 1pm at the former Public Works Site
  - May 16<sup>th</sup> Second Annual Touch a Truck at Podvin Park
  - May 24 – June 4 is the Filing Period for Council positions Wards 1, 3 and 5
- Compensation for Mayor and Councilmembers will be on the May 28, 2019 agenda.
- Court of Appeals affirmed a decision to reverse the Lake Level Litigation ruling.
- The Police Department budgeted \$15,000 to support the hiring of another mental health social worker employed at Northwest Youth and Family Services. This is a shared position in partnership with Roseville, North St. Paul, Mounds View and Shoreview.
- Work Session to review Capital Improvement Program on Tuesday, April 30. The follow up Work Session on May 21 will merge the CIP discussion with the Long Range Financial Plan.
- Engineering updates from Paul Kauppi
  - The 2019 Street Rehabilitation Project is underway and as a result there may be reports of a number of water shut-offs.



- Starting today, the water treatment plant is shut down to complete annual cleaning and maintenance. As a result, water softening activities are also shut down. After completed, water hydrant flushing will commence.
- Parks staff have begun preparing outdoor facilities and park amenities for summer.

### 13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Jones** seconded by Councilmember **Engstran** to adjourn the regular meeting at 9:17 p.m.

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Jo Emerson, Mayor

**ATTEST:**

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Kara Coustry, City Clerk



**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:** May 8, 2019 for the May 14, 2019 City Council Meeting

**Subject:** **Hisdahl Planned Unit Development; 1966 & 1978 Highway 96 - Case No. 19-3-PUD**

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**REQUEST**

Both general concept phase and development stage approval of a Planned Unit Development (PUD) to allow the expansion and remodel of an existing mixed-use development with retail on the first floor and residential above.

**SUMMARY**

One neighbor spoke in support of the request at the Public Hearing. On a 5-0 vote, the Planning Commission recommended approval of the request with a minor modification to condition #10.f.

**RECOMMENDED COUNCIL ACTION**

Approval of the attached revised resolution.

**ATTACHMENTS**

Resolution of Approval.

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

**RESOLUTION GRANTING  
A PLANNED UNIT DEVELOPMENT  
FOR 1966 AND 1978 COUNTY HIGHWAY 96  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (19-3-PUD) has been submitted by Keith Hisdahl to the City Council requesting approval of a Planned Unit Development for the following location:

**LOCATION:** 1966 and 1978 Highway 96

**LEGAL DESCRIPTION:** Lot 24 and Lot 25, Block 21, Ramaley's Park, Ramsey County (PID #: 233022210028 & 233022210027)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMITS:** Both General Concept Phase and Development Stage approval of a Planned Unit Development to reconstruct and expand a mixed use building with 2,156 square feet of commercial (retail, office and manufacturing) on the ground floor and two dwelling units on the second floor, per Code Section 1301.070.

~~RESO # 11262, September 10, 2013: Development Stage approval of a Planned Unit Development amendment and expansion to construct a two-story mixed-use building with 3,146 square feet of office/retail on the ground floor and one residential unit above, per Code Section 1301.070; (Expired – never built)~~

~~RESO # 10975, February 14, 2012: General Concept Plan approval of a Planned Unit Development amendment and expansion to construct a two-story mixed-use building with 2,360 square feet of retail on the ground floor and two residential units above, per Code Section 1301.070 (Expired – never built)~~

~~SUP #77-4-S, February 15, 1977: A Special Use Permit for a Planned Unit Development to allow two (2) principal uses on one parcel of property – trophy shop on the first floor and apartment upstairs.~~

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on April 29, 2019;

**WHEREAS**, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed Planned Unit Development 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 after reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission:

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

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

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit – including items which are not attached to the Planning Commission and City Council packet.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Planned Unit Development, the use as allowed by the permit shall not have been completed or utilized, the PUD 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.
3. This Planned Unit Development shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. The applicant shall unify the two parcels into one PID (property identification) number.
5. The applicant shall obtain a building permit prior to beginning any work. Erosion control, and tree protection to be installed prior to construction.
6. All permanent landscaped areas will have automatic irrigation with an automatic rain gauge shut-off.
7. It shall be the responsibility of the property owner to clean out the sump in the parking lot catch basin seasonally or more frequently as needed to maintain functionality. Failure to do so may result in corrective action.
8. The future monument sign shall be either internally lit with light-colored text and a dark,

opaque background color for the face, or shall be externally lit by down-cast lighting where the light source is not visible by passing pedestrian or vehicular traffic. The base of the monument sign shall be block to match the material used on the foundation of the building.

9. The applicant shall apply for grant funds from VLAWMO. If the request is denied, nothing additional is required. If the funds are granted, the applicant shall utilize it.

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

10. Revise the plans to:

- a) Comply with the Fire Department comments dated February 1, 2019.
- b) Comply with Engineering Department comments dated March 29, 2019.
- c) A complete Tree Survey and Preservation Plan with replacement calculations.
- d) A full landscape plan, including perimeter shrubs to comply with code.
- e) The parking lot light pole shall not exceed 22 feet in height including the base not to exceed 2 feet. All light fixtures shall be down cast with the light source shielded from view from both the right-of-way and adjacent properties. A photometric plan is not required so long as the light pole is equipped with an external 360 full visor and the kelvins do not exceed 4000. Soffit lighting shall be recessed.
- f) The amount of metal panels shall not exceed 50% of the aggregate wall area (excluding windows and doors) of any wall, as limited by code.
- g) Revised details for the dumpster enclosure, including: the matching wooden gate shall be X-braced on the inside; the enclosure shall be all one neutral color (preferably the cool sahara tan); it shall be trimmed (on all sides) on both the top and bottom with horizontal cap and toe pieces; the trim shall be a complementary color; and the hardware (hinges and handles) shall be decorative.
- h) Label the door on the east side of the building as a residential door and paint the asphalt in that area with a yellow stripe (no parking) to discourage customers from their existing habits. This area should be reserved as a loading zone.
- i) Identify the location of mechanical equipment, which shall be screened with either landscaping or matching building materials.
- j) Trash enclosure shall be sized to accommodate both recycling and trash containers.
- k) Include a signed survey.

Revised plans to be approved by staff.

11. Extend a letter of credit consisting of 125% of the outside 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.
12. Provide a SAC determination letter from the Metropolitan Council.

13. Provide evidence of a permit from Ramsey County for the relocated curb cut on Highway 96.

Prior to the release of the letter of credit:

14. The applicant shall provide an as-built plan consistent with the City’s 2019 record drawing requirements.

15. All exterior improvements must be installed.

16. All landscaping must have survived at least one full year.

17. The applicant shall tender proof (ie: a receipt) of having filed a certified copy of this permit with the County Recorder’s Office per Condition #3.

18. The applicant shall provide proof that the two lots have been combined into one PID, per Condition #4.

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

Ayes:  
Nays:  
Passed:

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

**ATTEST:**

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

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

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

\_\_\_\_\_  
Keith Hisdahl

\_\_\_\_\_  
Date



**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:** May 8, 2019 for the May 14, 2019 City Council Meeting

**Subject:** **Raykowski Variance - 2262 11<sup>th</sup> Street, Case No. 19-2-V**

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## **REQUEST**

One size variance, two setback variances and one low floor elevation variance all in order to demolish the existing detached garage and reconstruct it 314 feet larger in the same location.

## **SUMMARY**

No one from the public spoke at the Public Hearing. The applicant presented six letters of support from other property owners on Manitou Island. On a 5-0 vote, the Planning Commission recommended approval as requested by the applicant.

## **RECOMMENDED COUNCIL ACTION**

Approval of the attached resolution.

## **ATTACHMENTS**

Resolution of Approval  
Letters of Support & Map

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

**RESOLUTION GRANTING FOUR VARIANCES FOR  
2503 MANITOU ISLAND  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (19-2-V) has been submitted by Kathryn Alexander, on behalf of Grant Raykowski, to the City Council requesting approval of three variances from the Zoning Code of the City of White Bear Lake for the following location:

**LOCATION:** 2503 Manitou Island

**LEGAL DESCRIPTION:** That part of Lot 72 lying Westerly of a line measured 39 feet on southwest line of said Lot to a point 238.72 feet northeasterly of the west COR, and all of Lots 73 and 74, Manitou Island, White Bear Lake, Ramsey County, MN; (PID # 13.30.22.42.0003)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A 61.5 foot variance from the 95 foot average setback from the lake, per Code Section 1302.040, Subd.4.c; a 20 foot variance from the 40 foot setback required from the street, per Code Section 1303.030, Subd.5.c; a 320 square foot variance from the 1,250 square foot size limit for all accessory structures combined, per Code Section 1302.030, Subd.4.i; and a 2.6 foot variance from the requirement the ground floor be 3 feet above the High Water Elevation, per Code Section 1303.230, Subd.5.a.9; all in order to demolish and rebuild a larger detached garage in the same location; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on April 29, 2019; and

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

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

1. The requested variances will not:
  - a. Impair an adequate supply of light and air to adjacent property.
  - b. Unreasonably increase the congestion in the public street.
  - c. Increase the danger of fire or endanger the public safety.
  - d. Unreasonably diminish or impair established property values within the neighborhood.



2. Because the structure will be wet flood proofed, the variances are a reasonable use of the land or building.
3. The variances will not be injurious to the neighborhood.
4. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variances.

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. The variances shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. The driveway serving the detached garage shall be paved with an approved hard surface.
4. A building permit shall be obtained prior to construction of the garage.

Prior to the issuance of a building permit:

5. The garage shall be (wet) flood proofed per state floodplain rules.
6. All necessary permit and/or variances required by the RCWD are issued/granted; proof of such shall be provided.
7. The exterior materials used on the garage shall match those on the home.
8. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.
9. The applicant shall have the surveyor stake the location of the OHWL for verification at the time of inspection.

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

Ayes:  
Nays:  
Passed:

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

**ATTEST:**

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

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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.

\_\_\_\_\_  
Grant Raykowski

\_\_\_\_\_  
Date



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

***MEMORANDUM***

**To:** Ellen Hiniker, City Manager

**From:** The Planning Commission

**Through:** Ashton Miller, Planning Technician

**Date:** May 7, 2019 for the May 14, 2019 City Council Meeting

**Subject:** **Mark and Nancy Moe – Conditional Use Permit  
2524 Crestline Drive – Case No. 19-2-CUP**

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**REQUEST**

A Conditional Use Permit (CUP) to allow for a home accessory apartment in the basement of a single-family home.

**SUMMARY**

At the Public Hearing, two neighbors expressed concern with the use of the rental as an Airbnb and the increased on-street parking the accessory apartment will create. One neighbor spoke in support of the request. On a 5-0 vote, the Planning Commission recommended approval of the request.

**RECOMMENDED COUNCIL ACTION**

Approval of the attached resolution.

**ATTACHMENTS**

Resolution of Approval.

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

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR  
2524 CRESTLINE DRIVE  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (19-2-CUP) has been submitted by Nancy & Mark Moe to the City Council requesting approval of a Conditional Use Permit of the City of White Bear Lake for the following location:

**LOCATION:** 2524 Crestline Drive

**LEGAL DESCRIPTION:** Lot 6, Block 1, Lakeview Hills, Ramsey County, MN  
(PID # 363022130025)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A Conditional Use Permit for an 830 square foot Home Accessory Apartment per Code Section 1302.125; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on April 29, 2019; and

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

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

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

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

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

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

Ayes:  
Nays:  
Passed:

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

**ATTEST:**

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

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

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

\_\_\_\_\_  
Nancy Moe

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mark Moe

\_\_\_\_\_  
Date



**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:** May 8, 2019 for the May 14, 2019 City Council Meeting

**Subject:** **FIRST READING -- Schafer Richardson Rezoning. Case No. 19-1- Z  
Northwest quadrant of County Road E & Linden Avenue**

---

## **REQUEST**

To change the zoning district classification of 5 parcels totaling 4.6 acres from B-4 “General Business” and R-6 “Medium Density Residential” to R-7 “High Density Residential”. The first reading is not a public hearing.

## **SUMMARY**

One resident expressed concerns at the Public Hearing. On a 5-0 vote, the Planning Commission recommended approval.

## **RECOMMENDED COUNCIL ACTION**

No formal action is required for the first reading; the second reading is scheduled for June 11<sup>th</sup>.

## **ATTACHMENTS**

Draft Ordinance

**ORDINANCE NO. \_\_\_\_\_**

**REZONING 17XX, 1709, 1713, 1715 COUNTY ROAD E, EAST  
AND THE LAND-LOCKED PARCEL ADJACENT THERETO  
(PID 273022440199)  
FROM B-4 GENERAL BUSINESS AND  
R-6 MEDIUM DENSITY RESIDENTIAL TO  
R-7 HIGH DENSITY RESIDENTIAL  
(CASE NO. 19-1-Z)**

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

**SECTION I.** The White Bear Lake Zoning Map is hereby amended as follows:

By changing the zoning district classification from B-4 – General Business and R-6 – Medium Density Residential to R-7 – High Density Residential, with respect to the five parcels legally described as follows:

That part of Lot 22, "Strawberry Acres", according to the plat thereof, lying Easterly of a line drawn from a point on the North line of said Lot 22, distant 490 feet Easterly of the Northwest corner thereof to a point of the North right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2, distant 490 feet Easterly of the Southwest corner of Lot 25 of said "Strawberry Acres", as measured along said North right of way line.

AND

All that part of the West 200 feet of the East 330 feet of Lot 26, "Strawberry Acres", according to the plat thereof, lying Easterly of a line drawn from a point on the North line of Lot 22, "Strawberry Acres", distant 490 feet Easterly of the Northwest corner thereof to a point of the North right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2, distant 490 feet Easterly of the Southwest corner of Lot 25 of said "Strawberry Acres", as measured along said North right of way line, EXCEPT, that portion of said Lot 26 lying Southerly of the Northerly right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2.

AND

The West 65 feet of the East 130 feet of Lot 26, "Strawberry Acres", according to the plat thereof.

AND

The East 65 feet of Lot 26, "Strawberry Acres", according to the plat thereof.

AND

Lot 23, "Strawberry Acres", according to the plat thereof.

**SECTION II.** This Ordinance shall become effective upon its passage, after second reading and publication.



First Reading: May 14, 2019  
First Publication: May 29, 2019  
Second Reading: June 11, 2019  
Final Publication:  
Codified:

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Jo Emerson, Mayor

**ATTEST:**

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Kara Coustry, City Clerk



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

## *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

**From:** Paul Kauppi, Public Works Director/City Engineer  
Rick Juba, Assistant City Manager

**Date:** May 7, 2019

**Subject:** Resolution authorizing 4<sup>th</sup> and Otter Lake Road property acquisition

---

**Overview:**

There is a 0.75 acre parcel of land (the “subject property”) at the northeast quadrant of the 4<sup>th</sup> Street and Otter Lake Road intersection. The property is currently privately held by Desoto Associates LLC., who developed the adjacent neighborhood. There are no improvements on the property but it does contain important storm water drainage and treatment facilities for storm water coming from the north and east as it works its way to Birch Lake.

The Vadnais Lake Area Watershed Management Organization (VLAWMO) originally approached Desoto Associates LLC. about purchasing the subject property in order to secure the property for storm water management improvements. The City also has interest in the property for future intersection alignment improvements (Note: there are no current improvement plans). After discussing at a staff level, it was agreed that the City owning the property with drainage and utility easement for VLAWMO’s purposes was the most sensible outcome. Once this was agreed upon, Desoto Associates LLC. offered to donate the property to the City. The 2019 taxable value of the property is \$11,000 and the total taxes due in 2019 is \$172.

**Recommendation:**

Consider adopting attached Resolution authorizing the Mayor and City Manager to execute the land donation agreement and grant a drainage and utility easement to VLAWMO.

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

**RESOLUTION ACCEPTING A DONATION OF REAL PROPERTY FROM DESOTO ASSOCIATES, LLC AND AUTHORIZING THE GRANT OF A DRAINAGE AND UTILITY EASEMENT OVER THE DONATED PROPERTY TO VLAWMO**

**WHEREAS**, DeSoto Associates, LLC, a Minnesota limited liability company (the “Donor”), is the fee owner of real property located at the Northeast corner of the intersection of Otter Lake Road and 4<sup>th</sup> Street in the City, which is legally described as Outlot A, Timberwood (the “Property”); and

**WHEREAS**, the Donor has offered to donate the Property to the City so that the Property can be used by the City for possible future right-of-way improvements; and

**WHEREAS**, the Property will may also be used for a stormwater facility project that is being undertaken by the Vadnais Lake Area Watershed Management Organization, a joint powers entity (“VLAWMO”) of which the City is a member; and

**NOW, THEREFORE**, the City Council of the City of White Bear Lake, hereby resolves as follows:

1. The City Council hereby approves the Donation Agreement whereby the Donor will donate the Property to the City. The City Council authorizes the Mayor and the City Manager to execute the Donation Agreement and such other documents that may be necessary to effectuate the City’s acquisition of the Property.
2. Upon acquisition of the Property, the City Council approves the grant of a drainage and utility easement over the Property to VLAWMO so that VLAWMO may construct and maintain its stormwater facilities on the Property. The City Council authorizes the Mayor and the City Manager to execute a drainage and utility easement in a form that is acceptable to the City Attorney.

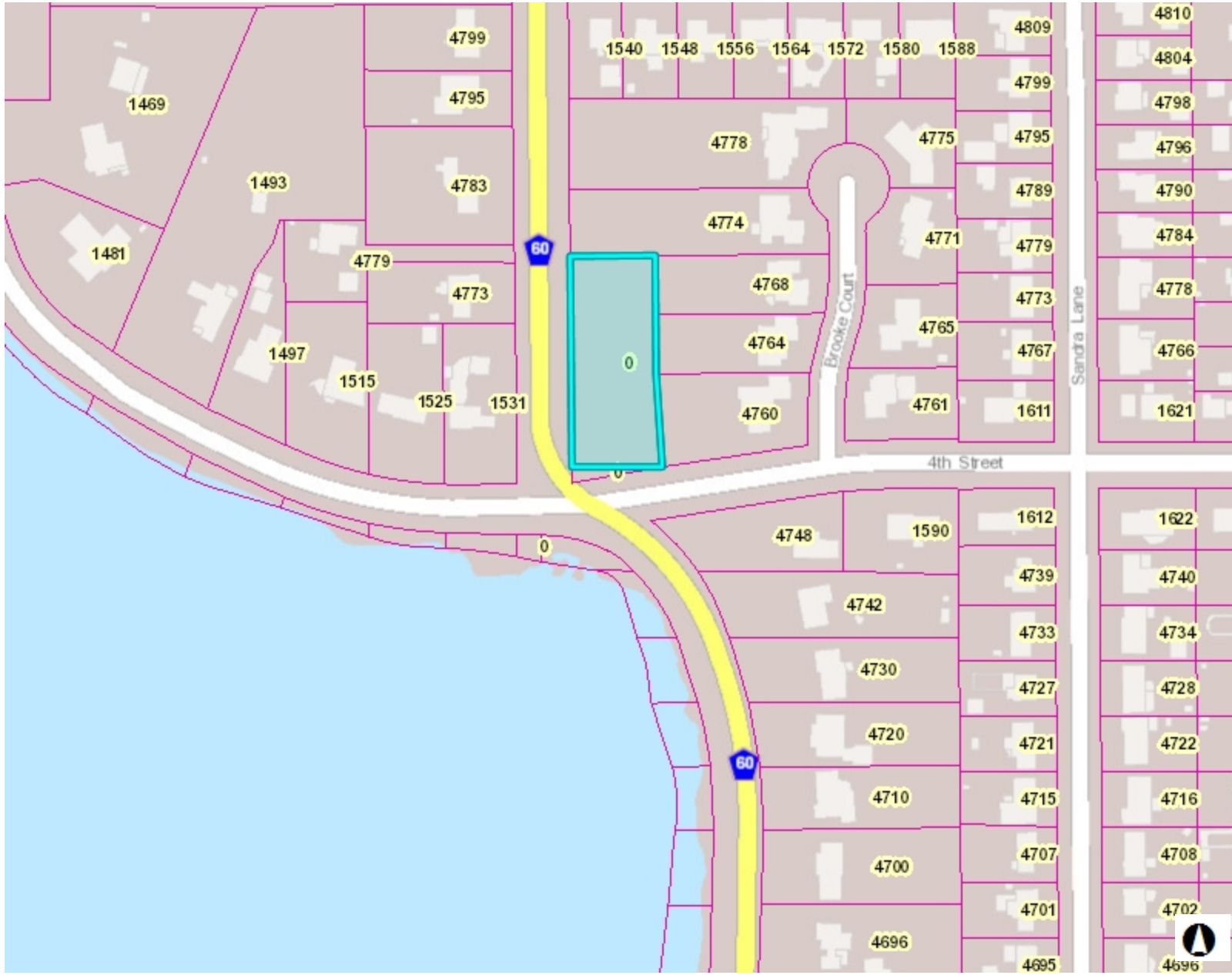
The foregoing resolution offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_ carried on \_\_\_\_\_, 2019 on the following vote:

Ayes:  
Nays:  
Passed:

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

ATTEST:

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



## Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

400.0 0 200.00 400.0 Feet

NAD\_1983\_HARN\_Adj\_MN\_Ramsey\_Feet  
© Ramsey County Enterprise GIS Division

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes

Enter Map Description



## City of White Bear Lake

# MEMORANDUM

**To:** Mayor and City Councilmembers

**From:** Kerri Kindsvater, Finance Director

**Date:** May 9, 2019

**Subject:** Carryover of Expenditures from the 2018 Budget to the 2019 Budget

---

### **BACKGROUND**

The 2018 Budget included funding for multiple items not purchased or completed before December 31, 2018. Staff is seeking approval to carryforward the budget allocations for these items to the 2019 Budget to complete the budgeted expenditures. The fund balance generally finances the carryover expenditures. However, since the budgeted appropriations were not spent in 2018, the amounts were automatically transferred to fund balance at the end of 2018. Funding for the 2018 carryovers will come as additional expenditures in the 2019 Revised Budget.

The 2018 Equipment Acquisition Fund Budget allocated \$250,000 for partial payment on the purchase of a new fire truck. The City did not make the \$250,000 anticipated payment in 2018 because the vendor delayed the project and did not begin to build the truck until 2019.

The 2018 Municipal Building Fund Budget allocated \$3,000 for a City Hall painting project; \$97,000 for LED lighting upgrades in City Hall, Public Safety and Public Works; and \$7,500 for an exterior sign at the Public Works Facility.

The 2018 Park Improvement Fund Budget allocated \$15,000 for repairs to the fountain in Railroad Park. The project was not completed due to time constraints and conflicts with other projects. Staff anticipates completing the work during 2019.

### **SUMMARY**

Based upon prior approval for the above expenditures in the 2018 Budget, it is proposed to complete the projects in 2019.

### **RECOMMENDATION**

It is recommended the City Council adopt the attached resolution allowing carryover of the budgeted expenditures to the 2019 Budget year.

### **ATTACHMENTS**

Resolution

**RESOLUTION NO.**

**RESOLUTION APPROVING THE CARRYOVER OF EXPENDITURES FROM THE  
2018 BUDGET TO THE 2019 BUDGET**

**WHEREAS**, the Equipment Acquisition Fund included funds to purchase equipment and the Municipal Building Fund included funds to do several projects that were not purchased or completed by the end of 2018; and

**NOW, THEREFORE, BE IT RESOLVED** that the White Bear Lake City Council hereby approves the following 2018 Equipment Acquisition Fund budget carryover.

<u>Department</u>	<u>Item</u>	<u>Code</u>	<u>Amount</u>
Fire	Fire Truck	4109.7150	\$250,000

**BE IT FURTHER RESOLVED** that the White Bear Lake City Council hereby approves the following 2018 Municipal Building Fund budget carryovers.

<u>Department</u>	<u>Item</u>	<u>Code</u>	<u>Amount</u>
City Hall	Hallway Painting	4304.7120	\$ 3,000
City Hall	LED Lighting Upgrade	4304.7120	35,000
Public Safety	LED Lighting Upgrade	4310.7120	25,000
Public Works	LED Lighting Upgrade	4316.7120	37,000
Public Works	Building Signage	4316.7120	7,500

**BE IT FURTHER RESOLVED** that the White Bear Lake City Council hereby approves the following 2018 Park Improvement Fund budget carryover.

<u>Department</u>	<u>Item</u>	<u>Code</u>	<u>Amount</u>
Parks	Railroad Park Fountain Repairs	4051.7160	\$15,000

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**  
Community Development Department

## *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

**From:** Anne Kane, Community Development Director

**Date:** May 8, 2019 for the May 14, 2019 City Council Meeting

**Subject:** **Lakewood Village Outlot C – Conveyance of Land**

---

### **REQUEST**

Convey Outlot C of Lakewood Village back to the State of Minnesota through Ramsey County for a potential office development proposal.

### **BACKGROUND**

The subject property is part of the larger Lakewood Village subdivision platted in 1978. In 1995, the parcel was tax forfeited and in 1999 the City requested the ability to use it for a public purpose – “public open space, drainage purposes and/or park purposes”. In 2005, the City applied for a revised Use Deed through Ramsey County indicating the property would be used for “Storm water treatment area”.

Earlier this year, staff was contacted by Paul Bruggeman to explore whether the City would be interested in selling the triangular site. Mr. Bruggeman is under contract to purchase the adjacent property to the ease to develop a small office building and the assemblage would enable a larger project to be built. After discussing the matter with Ramsey County, staff learned that unless the City is using Outlot C in compliance with the 2005 Amended Use Deed for storm water detention, the property must be conveyed back to Ramsey County. The Engineering Department evaluated the parcel’s potential to provide storm water treatment for a broader area and concluded, given its location, would only benefit itself and the adjacent property to the east.

Once the use of the parcel is conveyed back to the state, Ramsey County will determine if it’s buildable and if so, it will go through the County’s public auction process for tax-forfeited properties. If it is deemed un-buildable, the adjoining property owner would be eligible to purchase the property. In either scenario, the opportunity to place this parcel back on the tax rolls would be possible.

### **RECOMMENDED COUNCIL ACTION**

Approval of the attached resolution.



**ATTACHMENTS**

1. Draft Resolution Authorizing the Conveyance of Outlot C of Lakewood Village
2. Location Map
3. Buildable Parcel Analysis

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

**RESOLUTION AUTHORIZING THE RECONVEYANCE  
OF PROPERTY TO THE STATE OF MINNESOTA**

**WHEREAS**, in 1999 the City of White Bear Lake (“City”) obtained from the State of Minnesota a conditional use deed (Commissioner Deed No. 0190223) for the tax-forfeited property described below (“Parcel”), which was recorded in the office of the Ramsey County Recorder on April 5, 1999:

Outlot C, Lakewood Village, Ramsey County, Minnesota;

**WHEREAS**, the Parcel was originally to be used for open space, drainage purposes, and/or park purposes;

**WHEREAS**, in 2005 City applied for and obtained approval to change the designated use the Parcel to storm water treatment area, and said approval was recorded with the Ramsey County Recorder on October 25, 2005 as Document No. 3899306; and

**WHEREAS**, the City has not found a sufficient opportunity to use the Parcel for the designated purpose and so the City Council determines it is in the best interests of the public to convey the Parcel back to the State pursuant Minn. Stat. § 282.01, subd. 1d.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council as follows:

1. Authorize the conveyance of the Parcel back to the State of Minnesota.
2. Authorize the Mayor and City Manager to take such actions and to execute such documents as may be needed to accomplish the conveyance.

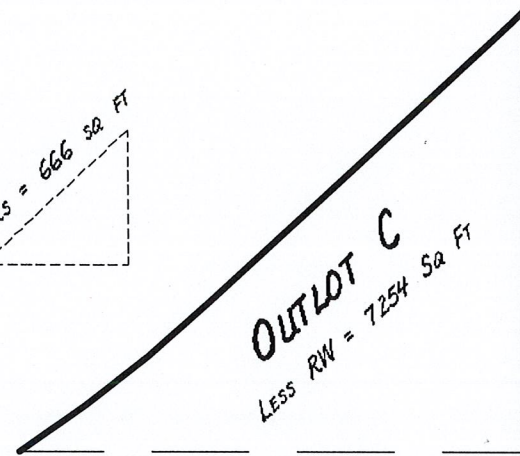
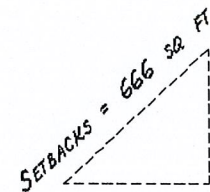
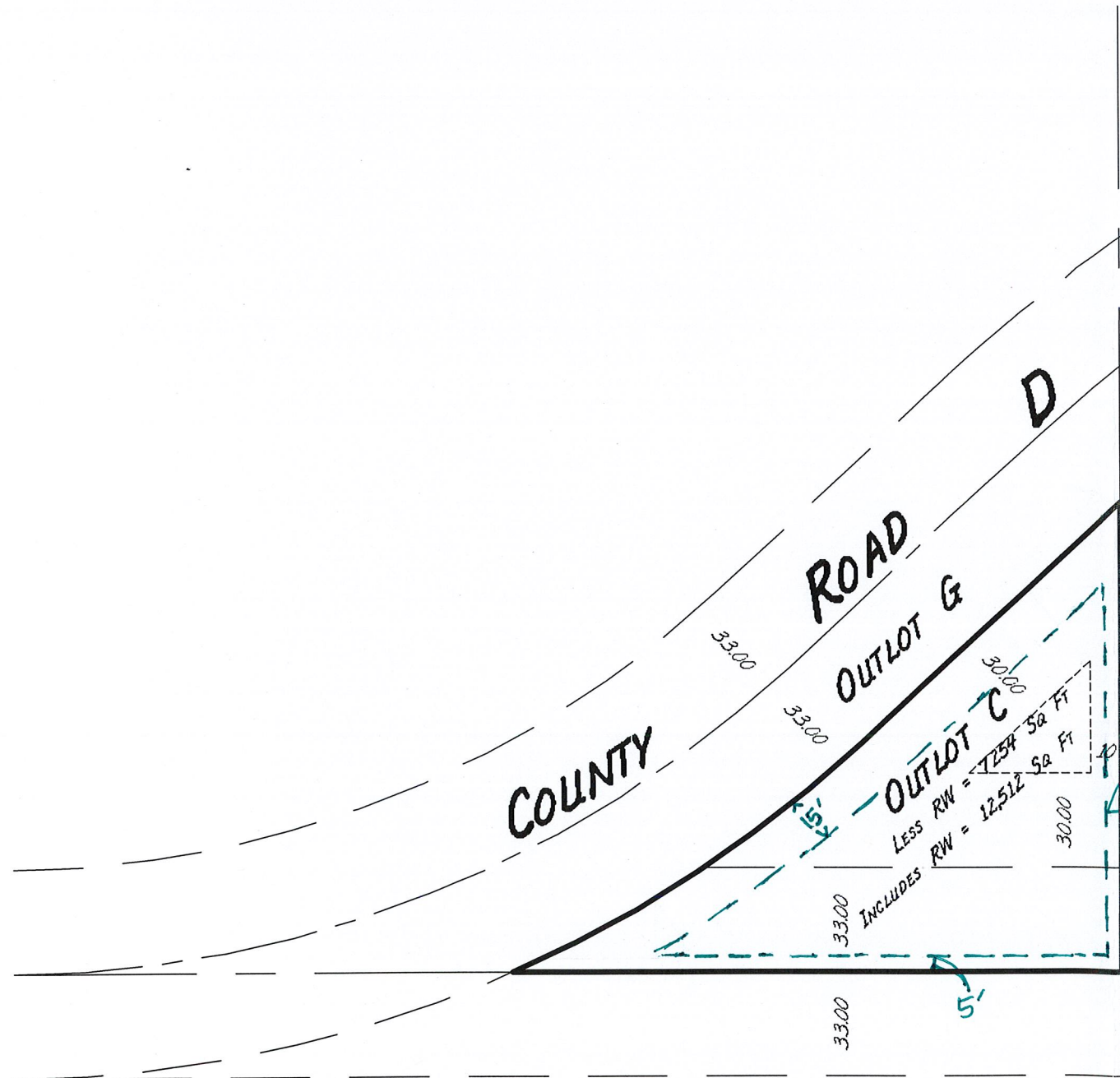
The foregoing resolution offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_ carried on May 14, 2019 on the following vote:

Ayes:  
Nays:  
Passed:

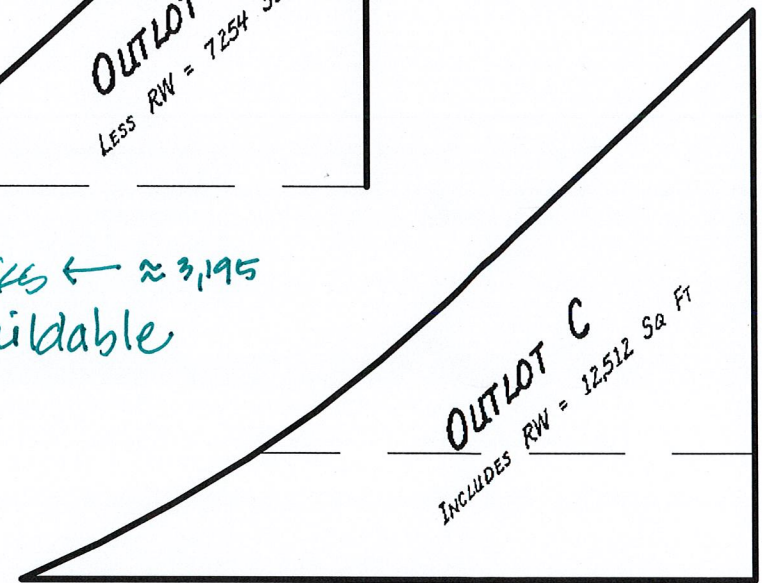
\_\_\_\_\_  
Jo Emerson, Mayor

ATTEST:

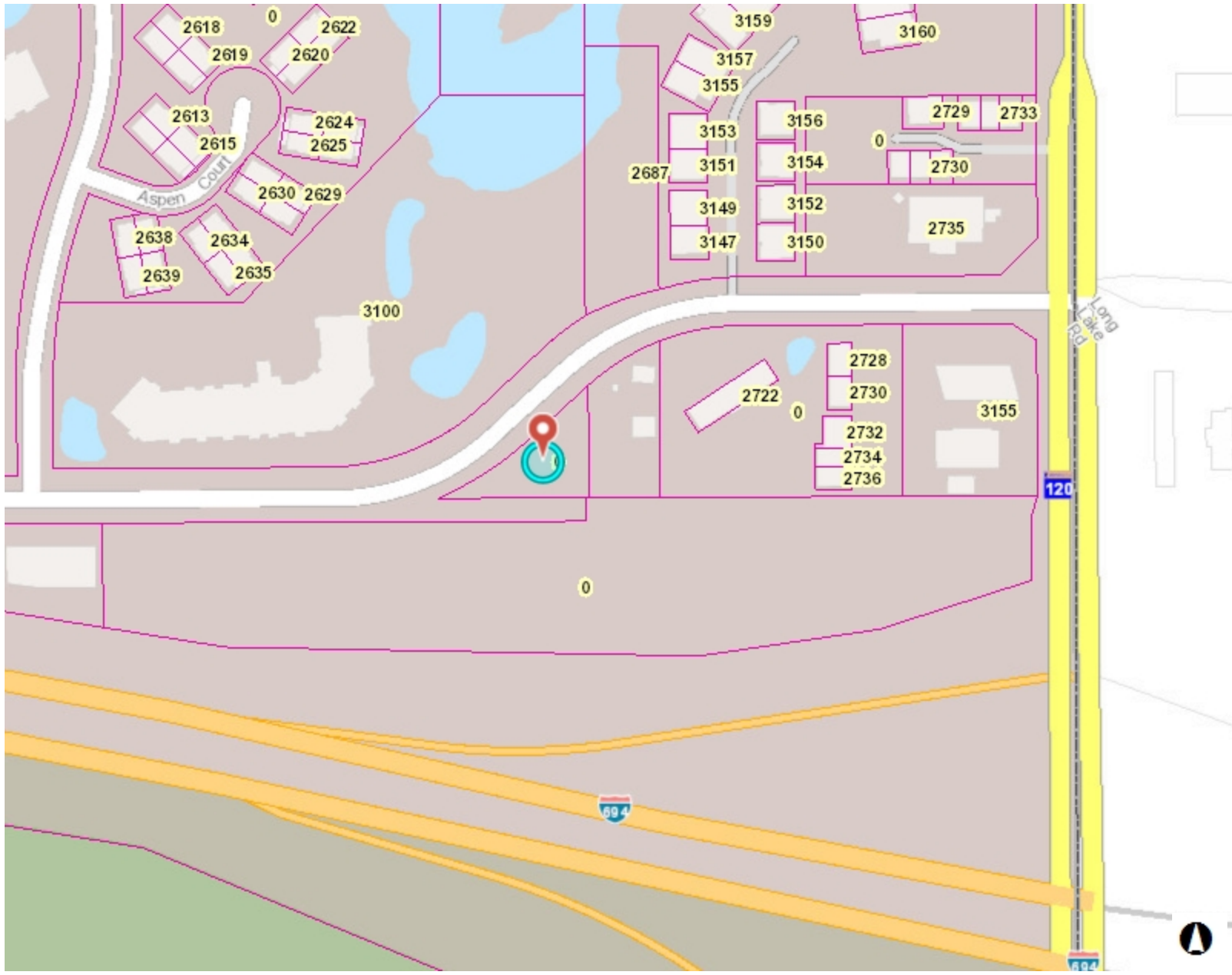
\_\_\_\_\_  
Kara Coustry, City Clerk



less parking setbacks ← ≈ 3,195  
 approx. 9,317 # buildable  
 ↑  
 very



1" = 50'



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

Notes

Enter Map Description

400.0 0 200.00 400.0 Feet



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

## *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

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

**Date:** May 8, 2019

**Subject:** **Appointment of Administrative Hearing Officer**

---

### **BACKGROUND**

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

An essential component of this procedure is “due process” which is accomplished through the right to appeal to a City Council appointed administrative hearing officer. An individual receiving an administrative citation may appeal her/his case to the hearing officer who is empowered to uphold, dismiss or adjust the citation and financial penalty. Administrative penalty charges were incorporated into the Annual Fee Schedule, which set fees and penalties for 2019. This fee schedule was adopted on December 11, 2018 by the City Council.

The former Administrative Hearing Officer has been in this role since 1996, but due to her health will no longer be acting in this capacity. Staff has been actively seeking an individual both interested and qualified to be the City Council’s appointed Administrative Hearing Officer. Jim Rathburn, a resident of White Bear Lake since 1986, enthusiastically responded to an inquiry from Staff. The City Manager, Police Chief and Assistant City Manager met with Mr. Rathburn and all support his appointment to the role. Mr. Rathburn has a law degree, work experience in both law and business and experience with mediation. He is also very active in the community as a volunteer.

### **SUMMARY**

The hearing officer is appointed by the City Council for a one-year term and serves on an on-call basis. Jim Rathburn is qualified to serve in this capacity and excited to do so. In 2018, the Administrative Hearing Officer was utilized a total of 20 hours, which amounted to a total of \$600 being paid to the Administrative Hearing Officer for her service in this capacity.

### **RECOMMENDED COUNCIL ACTION**

Staff recommends Council adopt the resolution appointing Jim Rathburn as the City’s 2019 Administrative Hearing Officer.

### **ATTACHMENTS**

Resolution

**RESOLUTION NO.**

**RESOLUTION APPOINTING ADMINISTRATIVE HEARING OFFICER**

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, that Jim Rathburn is hereby appointed Administrative Hearing Officer at a rate of \$30/hour for a term which will expire January 31, 2020; and

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  
Community Development Department

# MEMORANDUM

**To:** Ellen Hiniker, City Manager  
**From:** Tracy Shimek, Housing & Economic Development Coordinator  
**Date:** May 8, 2019 for the May 14, 2019 City Council Meeting  
**Subject:** **Comprehensive Housing Needs Assessment**

---

## REQUEST

As discussed at the April 23<sup>rd</sup> City Council meeting, Staff requests to engage an outside research firm to conduct a comprehensive housing needs assessment. The assessment will be used to guide future development and ensure the adoption of appropriate housing related tools, programs and policies. Prior to engaging firms in a request for proposal (“RFP”) process, staff is seeking input from the Housing and Redevelopment Authority to ensure the assessment provides adequate information to inform well guided policy decisions.

## SUMMARY

As the 2040 Comprehensive Plan nears final completion staff will be recommending and implementing housing related policies and programs to insure the City’s housing stock meets the needs of current residents and serves to attract new residents to the community. Staff believes it is in the best interest of the community to seek outside analysis and recommendations from experts with professional experience in conducting housing related assessments for other communities. Informed by similar analysis from other Minnesota municipalities, staff has drafted the attached RFP to solicit proposals for a comprehensive housing needs assessment. Once staff has reviewed the responses to the RFP they will make a recommendation regarding a contract for services to the Housing and Redevelopment Authority at a council meeting in June.

## RECOMMENDED COUNCIL ACTION

Please forward the attached resolution to the Housing and Redevelopment Authority for consideration at its May 14th meeting, which, if approved, authorizes staff to solicit proposals for a Comprehensive Housing Needs Assessment as outlined in the attached RFP. Staff recommends the Authority adopt the resolution as presented.

## ATTACHMENTS

1. Resolution of Approval
2. Draft Comprehensive Housing Needs Assessment Request for Proposals

**HOUSING AND REDEVELOPMENT AUTHORITY  
RESOLUTION NO.**

**RESOLUTION APPROVING DISTRIBUTION OF A REQUEST FOR PROPOSALS  
FOR THE PURPOSE OF COMPLETING A COMPREHENSIVE HOUSING NEEDS  
ASSESSMENT**

**WHEREAS**, the City of White Bear Lake is in process of completing its 2040 Comprehensive Plan; and

**WHEREAS**, upon approval of the final 2040 Comprehensive Plan the City will begin implementation of said plan; and

**WHEREAS**, the 2040 Comprehensive Plan includes an element focused on the City of White Bear Lake's housing needs; and

**WHEREAS**, it is in the best interest of the City of White Bear Lake to ensure a implementation of sound housing related policies and programs; and

**WHEREAS**, a comprehensive housing needs assessment will inform future housing policy for the City of White Bear Lake; and

**WHEREAS**, professional research and consulting services are desired to provide expert recommendations for the guidance of future housing policy decisions; and

**WHEREAS**, it is estimated that it will cost approximately \$15,000 - \$20,000 to engage the services of a research and consultant group to complete a comprehensive housing needs assessment; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners ("the Commissioners") of the Housing and Redevelopment Authority in and for the City of White Bear Lake, Minnesota (the "Authority") that:

- 1) The request for proposals purpose of completing a comprehensive housing needs assessment is hereby approved.
- 2) The Executive Director is hereby authorized to distribute the request for proposals to qualified bidders.

The foregoing resolution approving the request for proposals and its distribution was offered by Member \_\_\_\_\_, and was supported by Member \_\_\_\_\_, was declared carried on the following vote:

Ayes:  
Nays:  
Passed:



---

Doug Biehn, Chairman

ATTEST:

---

Ellen Richter, Executive Director

The White Bear Lake Housing and Redevelopment Authority (WBL HRA) is seeking proposals for a Comprehensive Housing Needs Assessment of the City's current housing stock and future housing needs. In doing so, the WBL HRA reserves the right to negotiate further as to the terms agreed to, as well as the potential rejection of all quotes and proposals as may be deemed appropriate.

### **Project Description**

The area to be surveyed and studied should include the City of White Bear Lake and the immediate surrounding area your firm identifies as the market area. Once completed, the results of the study should identify the following information:

1. Demographic Analysis
  - a. Population and Household data including growth trends and projections.
  - b. Employment including job growth projections, industrial/economic expansions, and wage data.
  - c. Age distribution
  - d. Employment and income trends
2. Housing analysis including building permit data, age of housing, housing conditions and units in structure.
3. For-sale housing data including information on existing unit values, sales data, pending developments, interview with realtors, and any other information deemed relevant to the housing market.
4. Rental market analysis including information on existing rental properties related to rents, vacancies, affordability and amenities. The analysis should include a breakdown of rental versus owner-occupied single family homes and historical trends of single family housing tenure in White Bear Lake. Also include information on pending developments. (The City of White Bear Lake conducts an annual survey of multi-family rental units including vacancies and rental rates which will be shared with the selected firm).
5. Housing affordability including rental and owner-occupied housing, as well as identification of barriers to entry for potential first time homebuyers in the City of White Bear Lake.
6. Senior housing analysis including information on existing properties related to rents, vacancies, services, amenities and residential profiles. Analysis should also identify the impact of seniors 'aging in place' to the quality and future for-sale supply of the current single family housing stock. Also identify information on pending developments.
7. Housing demand analysis including estimated future demand for rental, owner-occupied and hybrid ownership models of single family, multi-family and single family attached housing including senior and subsidized housing.
8. Recommendations should include a review of the findings and identification of market demand based on analysis in the for-sale single family, multi-family, rental, affordable and senior housing markets and any other housing needs that are identified. In addition the findings should help the WBL HRA understand how City of White Bear Lake properties contribute or are affected by the market area.

9. Market analysis of County Road E & Bellaire Avenue intersection for future development potential.

The study results should evaluate the need for market rate, workforce and affordable housing options, along with evaluating what is a healthy diversity of housing stock for current and future residents of White Bear Lake. The primary purpose of this study is to guide the community with future proposed housing developments as well as developing housing related policies and tools. It is a goal of the WBL HRA and City Council to maintain and improve upon the vitality, desirability and quality of life in the City and this study should provide guidance on housing related issues in regards to their impact on achieving these goals.

Note: We are not looking for a voluminous report but rather substantive quality data to inform future housing related planning and policy.

### **Requested Information**

All firms who submit a response to this request should provide 4 printed copies of the proposal addressing the following items.

1. Description and biography of your firm.
2. E-mail address of contact person for this project.
3. Past experience with housing studies including references and contact information.
4. A complete list of all relevant work performed for public entities and contract price (past two years).
5. A list of work performed that employed innovative strategies or techniques.
6. Service delivery experience and analysis strategy.
7. Description or outline of the planning approach to be used by your firm.
8. Proposed timeframe for completion of the study and reporting the results to the WBL HRA.
9. A detailed plan of costs and pricing data is required for the proposed scope of work to complete the market study.

The WBL HRA staff will review and rank submittals. All material submitted in response to this RFP will remain the responsibility of the consultant.

### **Deadline of RFP**

All Request for Proposal (RFP) must be received no later than June 13<sup>th</sup> at 4:00 P.M. The proposals may be delivered, mailed or sent by courier services. No faxes or emails will be accepted. The WBL HRA is not responsible for proposals lost or delayed by mail or courier service.

The contact for the RFP is Tracy Shimek, City of White Bear Lake, 4071 Highway 61, White Bear Lake, MN 55110, 651-762-4838, [tshimek@whitebearlake.org](mailto:tshimek@whitebearlake.org).

**MINUTES  
PLANNING COMMISSION MEETING  
CITY OF WHITE BEAR LAKE  
APRIL 29, 2019**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, April 29, 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 Marvin Reed.

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

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

MEMBERS EXCUSED: Mark Lynch and Erich Reinhardt.

MEMBERS UNEXCUSED: None.

STAFF PRESENT: Anne Kane, Community Development Director, Samantha Crosby, Planning & Zoning Coordinator, and Ashton Miller, Planning Technician.

OTHERS PRESENT: Anne Lindgren, Joe Braman, Kathy Dixon, Susan Herbert Welles, Robert Wilcox, Jon & Mary Swanson, Keith & Cheri Hisdahl, John Daly, Grant & Kathryn Raykowski, Trevor Martinez, Mark & Nancy Moe, Jan Ferris, Laurie Jones, Dave Mckenzie, and Mike Brass.

**2. APPROVAL OF THE APRIL 29, 2019 AGENDA:**

Member Reis moved for approval of the agenda. Member Berry seconded the motion, and the agenda was approved (5-0).

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

Member Divine moved for approval of the minutes. Member Baltzer seconded the motion, and the minutes were approved (5-0).

**4. CASE ITEMS:**

A. **Case No. 19-1-Z:** A request by **Schafer Richardson** for a Rezoning from B-4 “General Business” and R-6 “Medium Density Residential” to R-7 “High Density Residential”, per Code Section 1301.040, of the five parcels at the northwest corner of County Road E and Linden Avenue, in order to bring the parcels into conformance with the comprehensive plan’s land use designation of “High Density Residential”.

Crosby discussed the case. Staff recommended approval of the zoning change.

Member Divine asked if the City Council had approved the comprehensive plan. Kane explained that while not complete, the comprehensive plan has been approved for the six-month review period. Member Divine commented how there is now a transit-oriented land use category, but not

a zoning district to match. She questioned whether the parcels would remain R-7 or be zoned something else to reflect the new land use category. Kane replied that a transit-oriented zoning district will be developed next year after the comprehensive plan has been fully approved. Member Divine wondered if the density of the transit-oriented development has been determined. Kane responded it will be 25 to 50 dwelling units per acre.

Member Divine asked if a variance would be needed for the proposed apartment density under the R-7 zoning. Crosby stated that the project is currently going through the Planned Unit Development (PUD) process, so a variance is not needed. Rather, flexibility on certain aspects of the code is granted as a part of the PUD.

Member Divine commented that it seems the City usually gets something in return for the deviations from code that the developers receive in a PUD. She wants to ensure that what the City gets in return from deviating from the R-7 zoning density allowance is exceptional, higher amenity apartment buildings. She supports the proposal, but does not want the City to miss the opportunity to get something in return. Crosby noted Member Divine's remarks, adding that in this particular case, the City has worked closely with the developer to ensure the City realizes a benefit from the proposal.

Member Berry clarified that the only approval at this meeting is for the rezoning of the parcels to R-7, whether it is for Schafer Richardson or another developer. Crosby affirmed, stating that if this particular developer were to go away, this spot is still suitable for high density residential.

Member Reed observed the upcoming meeting dates of the various land use requests surrounding this project.

Reed opened the public hearing.

Anne Lindgren, 3616 Linden Avenue, is against project, but appreciates the Planning Commissioners comments. She questioned if the City had done its research before working with Schafer Richardson, referencing a news article about another project of the company's that was delayed due to funding. She asked how the rezoning correlated with the re-guiding that occurred in November of 2018 and whether the process has started all over. She believes that the apartment does not fit with the surrounding community.

Member Reed gave a brief synopsis of the difference between re-guiding and rezoning.

Member Berry added that questions regarding Schafer Richardson should be addressed next month, as the rezoning is not explicitly about the specific apartment proposal.

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

Member Reis moved to recommend approval of Case No. 19-1-Z. Member Baltzer seconded the motion. The motion passed by a vote of 5-0.

- B. **Case No. 19-2-CUP:** A request by **Mark and Nancy Moe** for a Conditional Use Permit, per Code Section 1302.125, for a home accessory apartment in the basement of the property at 2524 Crestline Drive.

Miller discussed the case. Staff recommended approval with standard conditions.

Member Berry questioned the use of the accessory dwelling unit (ADU) as an Airbnb. Kane responded that the City licenses rental housing and there are no minimum length of rental terms, therefore they are allowed. Member Berry mentioned a nearby ADU that is violating their Conditional Use Permit by parking on the street. He noted that enforcement is often complaint-based.

Member Reis inquired about the enforcement process when violations are found. Kane explained letters are sent, the City documents, and then eventually citations are issued. Other avenues are currently being explored to streamline the process.

Reed opened the public hearing.

Jon Swanson, 2519 Crestline Drive, explained how the applicants have been working on their house for five years and now they are proposing this additional living unit. Parking is an issue because it is difficult to back out of his driveway when the applicants' children have cars parked in the street. He questioned if both basement bedrooms are included in the proposal and if the homestead status changes if the ADU is approved. He commented that if the unit was for an elderly parent, it would not be a formal rental and he would be okay with it. He also felt the City needs a better enforcement process.

Member Reed responded that occupancy is limited to four individuals, parking is limited to that which can fit in the driveway, and the ADU does not change the homestead status. He also pointed out that if the applicants sell their home, a new owner would need to reapply to rent the ADU.

Robert Wilcox, 2525 Crestline Drive, has concerns about new people coming and going every week, as well as parking. The S-curve of the road limits visibility and on-street parking aggravates the problem. Many people walk in the street and the parked vehicles make it a dangerous activity. The problems are exacerbated in the winter in regards to plowing. He does not see the benefit to the neighborhood, only to the homeowners.

Jan Ferris, 2418 Crestline Drive, she has no problem with the request as the applicants will live there to monitor their guests. She supports ADUs in general, finding them to be a good reuse of space, and supports this request in particular.

Nancy Moe, applicant, 2524 Crestline Drive, questioned if overnight parking is allowed. Kane replied that it is allowed except when it snows three inches or more and vehicles need to be moved for plowing. Ms. Moe explained that her children will be living at home for the next four years. They do plan to use the ADU for their parents and then their own health care providers once they are older. Using it as an Airbnb in the meantime seems reasonable and is within the code.

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

Member Berry commented that with short stays associated with Airbnb, there are bound to be parking issues, as the applicants will continuously have to educate their new tenants on the regulations.

Member Reis commented that regulating Airbnbs is a national issue.

Member Reis moved to recommend approval of Case No. 19-2-CUP. Member Berry seconded the motion. The motion passed by a vote of 5-0.

- C. **Case No. 19-3-PUD:** A request by **Keith Hisdahl** for a Planned Unit Development, per Code Section 1301.070, in order to expand and remodel an existing mixed-use business with retail on the first floor and residential above, located at 1966 & 1978 Highway 96.

Crosby discussed the case. Staff recommended approval of the PUD with a number of conditions.

Member Divine asked for clarification on the staff suggestion that the orange trim be toned down, as she did not see where in the report staff recommended a change in color. Crosby responded that the applicant will have to submit for building permits, which is when staff can take a closer look at the color palette.

Member Reis asked if staff will help Mr. Hisdahl through the grant application process. Crosby confirmed that Connie Taillon, the City's Environmental Specialist, has agreed to help.

Reed opened the public hearing.

Keith Hisdahl, applicant, 1978 Highway 96, declared that this has been a long process. He approves of the report, but wishes to keep the colors. The mosaic shows the company's uniqueness.

Member Reed asked how long the company will be down, how Mr. Hisdahl felt about staff's recommendation to limit the use or color of the metal panels, and the trash enclosure requirement. Mr. Hisdahl stated they will try to stay open as long as possible, and would like to keep all the colors as proposed, believing a lighter color on the bottom will enhance the building. He was agreeable to what staff proposed for the trash enclosure.

Dave McKenzie, 4559 Bald Eagle Avenue, lives directly across from Hisdahl's, and likes the proposal a lot more than what he sees now. He commented on the aesthetic and durability of metal panels, noting they are a good addition.

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

Member Reed asked if staff is able to work out the finer details through the PUD process. Crosby pointed to condition 10.f of the staff report that lays out conditions for the colors and balance of materials. She noted that the east elevation is the only elevation that exceeds 50 percent coverage and would need to be reduced, per the condition.

Member Divine reported that she will support the project, but would rather keep staff's condition 10.f as it is.

Member Reis moved to recommend approval of Case No. 19-3-PUD with an amendment to condition 10.f, allowing the panels to be mixed colors, but not to exceed 50% on each side, per code. Member Baltzer seconded the motion. The motion passed by a vote of 5-0.

- D. **Case No. 19-2-V:** A request by **Grant Raykowski** for a 61.5 foot variance from the 95 foot average setback from the lake, per Code Section 1302.040, Subd.4.c; a 20 foot variance from the 40 foot setback required from the street, per Code Section 1303.030, Subd.5.c; and a 320 square foot variance from the 1,250 square foot maximum for both accessory structures combined, per Code Section 1302.030, Subd.4.i.2.b; all in order to demolish the existing detached garage and reconstruct it 314 square feet larger in the same location on the property located at 2503 Manitou Island.

Crosby discussed the case. Staff recommended approval of three variances and denial of one.

Member Berry does like the changes staff recommends. He does not like losing trees, but likes to move the garage out of the floodplain. He appreciates that the applicants are planning to keep the house rather than tear it down.

Member Reed does not like the staff proposed location for the new garage, because as the HOA has stated, this will be the first thing people see when they enter the island. He does not believe that trees should be lost in attempts to bring the garage into compliance with the required setback from the lake. Crosby pointed out that many of the trees on the lot would continue to shield the garage from view if it were shifted to the location as suggested by staff.

Reed opened the public hearing.

John Daly, Wayzata, is working with the clients on the architectural design of the garage. He described how the legally nonconforming structure is not sturdy enough to be remodeled. The intention with the rebuild is to expand the structure towards the road. They used the garage handout that states for lakefront properties, a 20-foot setback is required for accessory structures from a public road, so did not think they needed a variance. The proposed location is open space and does not remove trees. This project creates additional storage space, fits with the neighborhood, and retains the nature on the lot.

Member Berry asked about the handout that the applicants used to plan their rebuild. Crosby pointed out that the handout says “public right-of-way” and the road on Manitou Island is private, and that the handout is meant to be a general guide and may not cover all scenarios.

Member Reed asked if there would be issues with the flood proofing. Mr. Daly replied no.

Katherine Raykowski, applicant, 2503 Manitou Island, stated that her family likes the historic charm of the home, and they want to preserve what they bought, however, 80 year old structures do not meet the needs of today's lifestyle. The size of the garage is not adequate for the family's needs. She countered that the number of trees impacted would be worse than what the staff report indicates, because there are many trees that were not surveyed and the arborists that visited the site informed her that a 10-foot minimum buffer is required around each tree's drip zone for protection.



Ms. Raykowski concluded that her family wants to maintain the island's charm. The HOA and surrounding neighbors approve of their attempt to rebuild in the same spot. She submitted six letters of support from neighboring property owners on the island to the planning commissioners.

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

Member Berry asked if the garage orientation was shifted in staff's recommended location and whether changing the orientation would preserve more trees. Crosby stated it seemed more practical to straighten out as it provides easier road access. More trees could potentially be saved if the garage was oriented another way, but would lead to a u-shaped driveway because of the curvature in the road.

Member Reis moved to recommend approval of Case No. 19-2-V as requested by the applicant, for all four variances, retaining the conditions that do not pertain to staff's recommended garage location. Member Baltzer seconded the motion. The motion passed by a vote of 5-0.

- E. **Case No. 19-3-V:** A request by **Joe Braman** for a 6-foot variance from the 20-foot setback from the side property lines and a 4-foot variance from the rear property line, all per Code Section 1302.030, Subd.20.b.2.a.1, in order to install an above ground pool in the rear yard of the property at 1860 Clarence Street.

Kane discussed the case. Staff recommended approval.

Member Reis likes the re-utilization of the shipping container.

Reed opened the public hearing.

Joe Braman, applicant, offered to answer any questions the Commissioners may have. Member Reis asked if the applicant has looked into the logistics of getting a crane into the space to deliver the storage unit. Mr. Braman affirmed he has.

Member Reed wondered whether there would be a window in the unit and if a four-foot fence would be installed. Mr. Braman replied that there will be a small, above ground window and that a new fence will be going in. He commented that the neighbors are excited to come and use the pool.

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

Member Baltzer moved to recommend approval of Case No. 19-3-V. Member Berry seconded the motion. The motion passed by a vote of 5-0.

## **5. DISCUSSION ITEMS:**

- A.** City Council Meeting Minutes of April 9, 2019.

No discussion

**B.** Park Advisory Commission Meeting Minutes of February 21, 2019.

No discussion

6. **ADJOURNMENT:**

Member Baltzer moved to adjourn, seconded by Member Reis. The motion passed unanimously (5-0), and the April 29, 2019 Planning Commission meeting was adjourned at 8:54 p.m.

DRAFT

# Park Advisory Commission Meeting Minutes

MARCH 21, 2019

6:30 P.M.

CITY HALL

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

## AGENDA TOPICS

### 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 February 21, 2019 was moved by Mike Shepard and seconded by Mark Cermak. Motion carried.

### 3. APPROVAL OF AGENDA

Approval of the March 21, 2019 agenda was moved by Bryan Belisle and seconded by Ginny Mae Davis. Motion carried.

### 4. UNFINISHED BUSINESS

#### a) Tree Ordinance

The City's tree ordinance was reviewed and discussed by the Park Advisory Commission. Bill Ganzlin suggested that native trees should be identified in the ordinance as the preference.

Andy Wietecki provided an update to the Parks Advisory Commission about EAB. At this time, the City is putting together a formal plan for boulevard trees and the City's tree infrastructure.

### 5. NEW BUSINESS

#### a) Arbor Day – May 4, 2019

Bryan Belisle suggested incorporating pollinator plants into Arbor Day plans this year. There is additional prep work that needs to be done prior to planting pollinator plants so they will incorporate that idea into the 2020 Arbor Day celebration.

Bill Ganzlin provided the relatively new commission with the history of how the City started celebrating Arbor Day.

Andy Wietcki reported to the Commission that there are some ash trees in Yost and Podvin Park that need to be removed for future Arbor Day project sites. The Parks Department is considering switching to bare root trees as a more affordable and less maintenance option.

This year the parks identified for Arbor Day activities will be Rotary Nature Preserve and Lakewood Hills Park.

**b) Adopt A Park Program**

Mark Meyer provided an overview of the City's updated Adopt A Park Program. The Park Advisory Commission brainstormed ideas on how to promote the program to the public. They also discussed which parks were in greater need of adoption.

**c) Park Memorials**

The Park Advisory Commission reviewed the Memorial Application. The Parks Department staff will come up with a master list of possible bench sites that would be available. The Commission brainstormed additional types of memorials that would be appropriate for City parks – including picnic tables, drinking fountains, bike repair stations or brick pathways.

**6. OTHER STAFF REPORTS**

Andy Wietcki reported the Boardwalk tables were lowered by cutting about one inch off the legs for a better height for the chairs.

In response to Bill Ganzlin's question regarding launch tag enforcement at Matoska Park boat launch, the Police Department CSO's will patrol depending on resources.

**7. COMMISSION REPORTS**

None.

**8. OTHER BUSINESS**

Mike Shepard advised the Commission that the White Bear Lake Lions Club is looking to help fund and volunteer for another project. Some preliminary ideas include Lions Park which is in need of updating or Lakewood Hills Park.

Bill Ganzlin suggested that the Commission come up with a list of parks for their monthly summer meetings. The Park Advisory Commission historically walks through parks during their summer meetings to ensure each selected park is meeting resident's needs.

**9. ADJOURNMENT**

The next meeting will be held on April 18, 2019 at 6:30 p.m.

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



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

## *MEMORANDUM*

**To:** Ellen Hiniker, City Manager

**From:** Kara Coustry, City Clerk

**Date:** April 26, 2019

**Subject:** **Massage Therapist Establishment License – Recommendation for denial**

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### **BACKGROUND**

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

### **SUMMARY**

The City received a complete massage therapist establishment application from Lee Anderson and Pusya Sarah Wang-Anderson (Applicants) on April 12, 2019. The Applicants seek a license to operate a massage establishment at the location of 1979 Whitaker Avenue, called Vita Day Spa.

Upon learning the Applicants were renovating the 1979 Whitaker Avenue location for a massage therapist establishment, the licensing agent reached out to Mr. Anderson regarding licensure requirements. Mr. Anderson expressed concern with the licensure timeline as the Applicants desired to open their business on May 1<sup>st</sup>.

The licensing agent explained that any massage practitioners of the business would also need to be licensed. Mr. Anderson stated they were going to be independent contractors, but said he would let them know to get their applications submitted. As of April 26, the City has not received any massage therapist applications from independent contractors for this location. Taking into account their expressed desire to open the business on May 1<sup>st</sup>, there is a concern the Applicants may begin operating the business and allow unlicensed independent contractors to provide massage services to the public in White Bear Lake (similar to what occurred in Shoreview as explained below).

The following issues were discovered during the background investigation of the Applicants:

- Date of Birth Discrepancy: The establishment application stated Ms. Wang's date of birth was three (3) days off from the date of birth provided on her driver's license.
- Unlicensed Massage Therapist and documented deception by Mr. Anderson: The Applicants also own a Vita Day Spa in Shoreview. It was discovered that the City of Plymouth had done

a background on a Ms. Chunxiu Wang who put the Shoreview Vita Day Spa as a past employer in 2018. Through that process, it was learned the Ms. Wang was never licensed to practice massage in the City of Shoreview. Staff reviewed a Plymouth Police Department Memo, documents Mr. Anderson's adamant denial that Chunxiu Wang ever worked at Vita Day Spa in Shoreview. Then three (3) days later, he recanted his statement and admitted that she did work for him in 2018 without authorization from the City of Shoreview.

- Erotic Adult Website Advertisement: During the investigation, it was also discovered the Applicants advertise on Rubmap.com. All of the reviews are for Sara and the applicant, Ms. Wang-Anderson also goes by the name of Sarah.

### **RECOMMENDATION**

Based on these background check findings, especially the discovered deception related to Mr. Anderson's massage business establishment and practices at Vita Day Spa in Shoreview, staff does not recommend the issuance of a massage business license in the City of White Bear Lake.

The applicant indicated they would attend the Council meeting for this license determination. If the applicant appears and wishes to speak, staff would ask that this item be removed from consent and added to New Business for consideration. Legal counsel is prepared to speak to this matter if needed.

### **ATTACHMENTS**

Resolution of Denial  
Staff Letter Recommending Denial  
Police Chief Memo



City of White Bear Lake  
Police Department

## MEMORANDUM

**To:** Ellen Hiniker, City Manager  
**From:** Julie Swanson, Chief of Police  
**Date:** May 3, 2019  
**Subject:** Vita Day Spa, 1979 Whitaker Street

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On April 18, 2019 police department staff conducted a background investigation on applicant, Lee Alan Anderson and Pusya Sarah Wang-Anderson, related to their business application for a massage establishment license application. The business Mr. and Mrs. Anderson are seeking to license is Vita Day Spa located at 1979 Whitaker Street, White Bear Lake. The applicants provided a lease agreement for the space.

The applicants also own a Vita Day Spa in Shoreview, MN located at 5999 Rice Creek Parkway, Suite #107. Through the background investigation, it was learned that a former employee of Vita Day Massage had also applied for a therapist license in Plymouth MN. The Plymouth Police Department Licensing Specialist discovered that employee never had a license to practice massage therapy while working at the Shoreview Vita Massage location. Mr. Anderson confirmed to the Plymouth Police Department staff member that the therapist did work for him, and did not have a license for therapy with the City of Shoreview.

During the background investigation conducted by White Bear Lake Police Department staff, it was discovered that Vita Day Spa advertises on Rubmaps.com. Rubmaps.com advertises as a site "Where Fantasy Meets Reality", and that Rubmap's "goal is to provide an outlet for users to share ideas and stories with each other regardless of its veracity". The website further indicates that they "have a zero tolerance for underage prostitution and/or any type of sexual acts between unconsenting individuals, which includes sex trafficking". The rubmaps.com link to Vita Day Spa also references a link to Backpage.com for Vita Day Spa, however, Backpage.com was previously shut down due to the high number of exotic ads linked to prostitution activities. Although users post reviews on certain spas on Rubmaps.com, a user needs to pay a subscription to view the entire review. All of the reviews for Vita Day Spa on Rubmaps.com appear to involve a therapist named Sara.

A check of the applicant's credit history also shows several negative listings related to accounts in collection for one of the applicants. Due to the concerns with the applicant's operations at their Shoreview location and the negative credit concerns, staff recommends denial of the applicant's request for a massage business license in the City of White Bear Lake.

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

**RESOLUTION DENYING A  
MASSAGE THERAPIST BUSINESS LICENSE**

**WHEREAS**, Chapter 1127 of the Municipal Code of the City of White Bear Lake (“City Code”) requires anyone desiring to establish a massage therapist business to obtain a massage therapist business license (“Business License”);

**WHEREAS**, Lee Anderson and Pusya Wang-Anderson (“Applicants”) applied for a Business License to operate a massage establishment at 1979 Whitaker Avenue within the City of White Bear Lake (“City”) in the name of Vita Day Spa (“Proposed Business”);

**WHEREAS**, the Applicants leased the space and began constructing the Proposed Business without having applied for a Business License, or any massage therapist licenses, and indicated a desired opening date of May 1, 2019. It was only after the City’s licensing agent informed the Applicants of a need for a license did they apply for a Business License;

**WHEREAS**, the City Council considered the application at its May 14, 2019 meeting and hereby finds and determines as follows:

- a. The amendments to City Code, Chapter 1127 adopted by the City Council went into effect on April 5, 2019 and consideration of this application was made pursuant to that amended Chapter;
- b. The staff memos, letters, and related reports regarding the license request are incorporated in and made part of this Resolution by reference (collectively, the “Staff Reports”);
- c. One of the Applicants provided an incorrect birthdate on the application form for the Business License;
- d. The Applicants operate a Vita Day Spa in Shoreview. When one of the massage therapists that worked at that business applies for a therapist license in another city, it was discovered that she was not licensed to provide massages in Shoreview. When confronted with that information, one of the Applicants originally denied that she worked at his establishment, but later admitted that she had in fact been working on the Shoreview business providing massages without a therapist license;
- e. The Vita Day Spa in Shoreview is advertised on an adult erotic website;
- f. The City, in accordance with City Code, Chapter 1127 and the consent signed by the Applicants, conducted background checks on the Applicants;
- g. The application form for a Business License also contains a statement signed by the person making the application certifying that all of the information provided on the form is “accurate and complete”;



- h. The Applicants having supplied incorrect birthdate information on the application is a violation of the signed statement, is unlawful under City Code, Section 1127, subd. 6, and constitutes a sufficient basis on which to deny the application;
- i. City Code, Section 1127.110, subd. 1 indicates that an applicant with a history of violations of law or ordinance that apply to public health, safety, and morals constitutes sufficient grounds on which to deny an application;
- j. The Applicants having knowingly allowed an unlicensed therapist to provide massages at their Shoreview business constitutes a sufficient history of violations to deny the application;
- k. City Code, Section 1127.100, subd. 5 indicates it is unlawful to “depict, place, publish, distribute or cause to be depicted, placed, published or distributed any advertising matter that suggests to prospective clients that any services are available by a licensee that would constitute a violation of federal, state or local laws, or a violation of this Chapter;”
- l. Advertising on an adult erotic website that describes sexual encounters occurring at the advertised establishments suggests to prospective clients that illegal services are available at the establishment in violation of City Code, Section 1127.100, subd. 5. The fact the Proposed Business is to have the same name as the business advertised on the erotic website further suggests the same types of illegal services would be available at the Proposed Business;
- m. Massage therapy is a legitimate business and the City has licensed several such businesses within the City. However, the nature of the business, the potential for such businesses to be used as a front for illegal activities, and the difficulties related to identifying and enforcing violations occurring at massage therapy establishments compels the City Council to carefully scrutinize applications for massage therapist business licenses and massage therapist licenses;
- n. The City has previously been required to act to close massage therapist businesses not operating in accordance with law and is aware of the costs associated with having to take such enforcement actions;
- o. The City Council is charged with protecting public health, safety, and welfare, including from the activities of businesses licensed by the City;
- p. Cities necessarily have broad authority to consider the circumstances surrounding a license application as part of deciding whether to approve a license;
- q. Pursuant to City Code, Section 1127.050, subd. 8, the City Manager is to report to the City Council on the eligibility of the Applicant for a Business License. The City Manager, in the Staff Reports, recommended that the Applicants’ application be denied;

- r. The City sent the Applicants a letter dated April 19, 2019 informing them that staff is recommending the City Council deny the requested Business License;
- s. The providing of inaccurate information, having an unlicensed therapist provide massages at their Shoreview business, and suggesting that illegal services are available at their Shoreview business with the same name as the Proposed Business constitute a violation of the certification made as part of the application and is a violation of City Code, Section 1127.110, subs. 1, 5 & 6. These violations are sufficient grounds on which to deny the application and the City Council determines that denying the application is appropriate in order to the protect public health, safety, and welfare; and
- t. Under City Code, Section 1127.050, subd. 8, a City Council decision to deny an application constitutes a final decision that is not subject to appeal within the City.

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

1. The Business License application submitted by Lee Anderson and Pusya Wang-Anderson for a massage therapy business license for the Proposed Business is hereby denied.
2. Pursuant to City Code, Section 1127.115, subd. 5, the Applicants are not eligible to reapply for a Business License for one year from the date of this Resolution.
3. The City Clerk is hereby authorized and directed to provide the Applicants a copy of this Resolution to serve as notice of the denial.

The foregoing resolution offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_ carried on May 14, 2019 on the following vote:

Ayes:  
Nays:  
Passed:

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

ATTEST:

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

# City of White Bear Lake

4701 Highway 61, White Bear Lake, Minnesota 55110

Phone (651) 429-8526 / Fax (651) 429-8500

April 19, 2019

Lee Anderson and Pusya Wang-Anderson  
5526 Utah Avenue N.  
New Hope, MN 55428

RE: MESSAGE THERAPIST ESTABLISHMENT LICENCE APPLICATION

Dear Mr. Anderson and Mrs. Wang-Anderson

This letter serves as notification that staff, based on the results of your background investigation, will be recommending denial of your massage therapist establishment license in the City of White Bear Lake. During the background investigation, the Police Department learned that an unlicensed person was providing massages at your establishment in Shoreview, MN. Your Shoreview Vita Day Spa location was also cited to be advertising on Rubmaps, an adult erotic website platform.

City Ordinance Section 1127.110, states the following shall be grounds for license denial:

Subd. 1. The applicant or licensee is not complying with, or has a history of violations of, the laws and ordinance that apply to public health, safety and morals.

City Ordinance Section 1127.100, states it shall be unlawful for:

Subd. 5. Any person to depict, place, publish, distribute or cause to be depicted, placed, published or distributed any advertising matter that suggests to prospective clients that any services are available by a licensee that would constitute a violation of federal, state or local laws, or a violation of this Chapter.

To ensure public health, safety and morals, a responsible massage therapist business owner needs to confirm proper licensure of all massage therapists who are providing massages in the licensed business. Additionally, advertising a massage business on an adult erotic website platform suggests that unlawful services are available at the location.

The matter of your massage business license will be heard during the May 14, 2019 City Council meeting at 7:00 p.m. The City Council will consider staff's recommendation and make the final decision regarding the requested business license. If you have any questions regarding staff's recommendation, please contact the City Manager, Ellen Hiniker, at 651-429-8516.

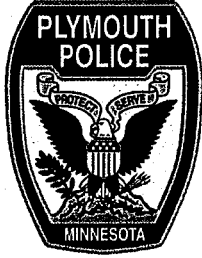
Sincerely,



Kara Coustry

City Clerk of White Bear Lake

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



**MEMO**

**PLYMOUTH POLICE DEPARTMENT**

3400 PLYMOUTH BOULEVARD, PLYMOUTH, MN 55447-1482

TO: Pete Johnson, Captain  
FROM: Heather Larrison, Licensing Technician  
DATE: March 27, 2019  
SUBJECT: Recommendation to deny a massage therapist license for Chunxiu Wang

On March 15, 2019, Chunxiu Wang submitted an application for a massage therapist license to work at JF Massage, 3555 Plymouth Blvd., Suite 217. The aforementioned individual submitted a signed waiver permitting the police department to conduct a background investigation for determination of such license.

It is recommended that the request for a massage therapist license be denied based upon the subsequent facts: throughout the application process, Chunxiu Wang made several inconsistent statements, omitted pertinent information, and provided false accounts of her whereabouts. In addition, Chunxiu Wang signed a disclosure acknowledging that the statements she made on the application were true and correct to the best of her knowledge.

The background investigation revealed the following:

1. Chunxiu Wang stated on the application that the only business she has worked for within the last five (5) years was Sauna Spa, actually known as Vita Day Spa in Shoreview, MN. She states that she worked there from an unreadable month in 2018 through November, 2018. The owner of Vita Day Spa, Lee Anderson, was adamant that he never employed Chunxiu Wang in 2018. Three (3) days later, on March 25, 2019, he recanted his statement and admitted that she did work for him in 2018, without authorization from the City of Shoreview. Mr. Anderson was unable to provide exact dates of employment. Additionally, the City of Shoreview confirmed that Chunxiu Wang was not approved to work as a massage therapist during 2018. Similar to Plymouth, the City of Shoreview requires massage therapists have prior approval before commencement of massage-related services.
2. Chunxiu Wang was engaged in the following non-disclosed businesses during the last five (5) years:
  - Lotus Therapeutic Spa, Plymouth, MN. Lotus Therapeutic Spa closed its business on July 14, 2018, after an extensive investigation by the Minnesota Bureau of Criminal Apprehension.
  - Moore Massage, Fridley, MN. Moore Massage was shut down by the City of Fridley on May 10, 2018.

3. Chunxiu Wang has been licensed in the following non-disclosed communities:

- Shoreview
- Fridley
- Florida
- Texas

4. Chunxiu Wang resided at the following non-disclosed location during the last five (5) years:

- 9423 Tyler St NE, Blaine, MN.

Based upon Chunxiu Wang's reluctance to be truthful, omitting pertinent information, and falsifying information on the license application, all of which constitute as violations of the Plymouth City Code, Section 1135, it is recommended that her request for a massage therapist license be denied.

Encl: Massage Therapist License Application and Supporting Background Documentation



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

# *MEMORANDUM*

**To:** Mayor and City Council

**From:** Ellen Hiniker, City Manager

**Date:** May 9, 2019

**Subject:** **Emerald Ash Borer Management Program**

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Last spring the City Council authorized a contractual partnership with Rainbow Tree Care to distribute educational materials regarding Emerald Ash Borer and provide discounted treatment prices to the City and its residents. Rainbow will be mailing informational postcards to White Bear Lake households again this spring.

The City also worked with Rainbow Tree Care to conduct an inventory of all ash trees in city parks and rights of way. As Council will recall, all park trees in healthy condition were treated last year. The City must now decide how to proceed with boulevard trees.

Attached are spreadsheets that lay out four financial scenarios which will be reviewed at the May 14, 2019 City Council meeting. Consideration to emerald ash tree management in relation to the City's boulevard tree policy will also be discussed.

## **ATTACHMENTS**

EAB Management – financial scenarios

**Ash Tree Program**

Streets 1754 trees  
 Parks 287 trees

Treatment Cost \$ 80 per treatment  
 Removal Cost \$ 800 each  
 Replacement Cost \$ 400 each

	2017	2018	1 2019	2 2020	3 2021	4 2022	5 2023
<b>Streets - Treat</b>		0	704	0	354	0	0
<b>Streets - Remove</b>		0	350	350	350	350	354
<b>Streets - Replace</b>		0	350	350	350	350	354
<b>Park - Treat</b>		287	0	0	111	0	0
<b>Parks - Remove</b>		5	57	57	57	57	54
<b>Park - Replace</b>		5	57	57	57	57	54
<b>Cost - Treatment</b>		\$ 22,960	\$ 56,320	\$ -	\$ 37,200	\$ -	\$ -
<b>Cost - Removal</b>		\$ 4,000	\$ 325,600	\$ 325,600	\$ 325,600	\$ 325,600	\$ 326,400
<b>Cost - Replacement</b>		\$ 2,000	\$ 162,800	\$ 162,800	\$ 162,800	\$ 162,800	\$ 163,200
<b>Cost Total</b>		<b>\$ 28,960</b>	<b>\$ 544,720</b>	<b>\$ 488,400</b>	<b>\$ 525,600</b>	<b>\$ 488,400</b>	<b>\$ 489,600</b>
<b>Streets - Remaining Ash</b>	1754	1754	1404	1054	704	354	0
<b>Parks - Remaining Ash</b>	287	282	225	168	111	54	0

**Replacement Ratio**

Streets 1.00  
 Parks 1.00

**Program Costs**

Treatment \$ 116,480  
 Removal \$ 1,632,800  
 Replacement \$ 816,400  
 Total \$ 2,565,680

**Key Assumptions**

- All costs are in 2019 dollars
- Emerald Ash Borer endures indefinitely (current scientific position)

**Ash Tree Program**

Streets 1754 trees  
 Parks 287 trees

Treatment Cost \$ 80 per treatment  
 Removal Cost \$ 800 each  
 Replacement Cost \$ 400 each

		1	2	3	4	5	6	7	8	9	10	
	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
Streets - Treat		0	1229	0	0	704	0	0	179	0	0	0
Streets - Remove		0	175	175	175	175	175	175	175	175	175	179
Streets - Replace		0	175	175	175	175	175	175	175	175	175	179
Park - Treat		287	0	0	198	0	0	114	0	0	30	0
Parks - Remove		5	28	28	28	28	28	28	28	28	28	30
Park - Replace		5	28	28	28	28	28	28	28	28	28	30
Cost - Treatment		\$ 22,960	\$ 98,320	\$ -	\$ 15,840	\$ 56,320	\$ -	\$ 9,120	\$ 14,320	\$ -	\$ 2,400	\$ -
Cost - Removal		\$ 4,000	\$ 162,400	\$ 162,400	\$ 162,400	\$ 162,400	\$ 162,400	\$ 162,400	\$ 162,400	\$ 162,400	\$ 162,400	\$ 167,200
Cost - Replacement		\$ 2,000	\$ 81,200	\$ 81,200	\$ 81,200	\$ 81,200	\$ 81,200	\$ 81,200	\$ 81,200	\$ 81,200	\$ 81,200	\$ 83,600
<b>Cost Total</b>		<b>\$ 28,960</b>	<b>\$ 341,920</b>	<b>\$ 243,600</b>	<b>\$ 259,440</b>	<b>\$ 299,920</b>	<b>\$ 243,600</b>	<b>\$ 252,720</b>	<b>\$ 257,920</b>	<b>\$ 243,600</b>	<b>\$ 246,000</b>	<b>\$ 250,800</b>
Streets - Remaining Ash	1754	1754	1579	1404	1229	1054	879	704	529	354	179	0
Parks - Remaining Ash	287	282	254	226	198	170	142	114	86	58	30	0

**Replacement Ratio**

Streets 1.00  
 Parks 1.00

**Program Costs**

Treatment \$ 219,280  
 Removal \$ 1,632,800  
 Replacement \$ 816,400  
 Total \$ 2,668,480

**Key Assumptions**

- All costs are in 2019 dollars
- Emerald Ash Borer endures indefinitely (current scientific position)



**Ash Tree Program**

Streets 1754 trees  
 Parks 287 trees

Treatment Cost \$ 80 per treatment  
 Removal Cost \$ 800 each  
 Replacement Cost \$ 400 each

		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Streets - Treat		0	1379	0	0	1004	0	0	629	0	0	254	0	0	125	0	0
Streets - Remove		0	125	125	125	125	125	125	125	125	125	125	125	125	125	125	4
Streets - Replace		0	125	125	125	125	125	125	125	125	125	125	125	125	125	125	4
Park - Treat		287	0	0	222	0	0	162	0	0	102	0	0	42	0	0	0
Parks - Remove		5	20	20	20	20	20	20	20	20	20	20	20	20	20	20	2
Park - Replace		5	20	20	20	20	20	20	20	20	20	20	20	20	20	20	2
Cost - Treatment		\$ 22,960	\$ 110,320	\$ -	\$ 17,760	\$ 80,320	\$ -	\$ 12,960	\$ 50,320	\$ -	\$ 8,160	\$ 20,320	\$ -	\$ 3,360	\$ 10,000	\$ -	\$ -
Cost - Removal		\$ 4,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 116,000	\$ 4,800
Cost - Replacement		\$ 2,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 58,000	\$ 2,400
Cost Total		\$ 28,960	\$ 284,320	\$ 174,000	\$ 191,760	\$ 254,320	\$ 174,000	\$ 186,960	\$ 224,320	\$ 174,000	\$ 182,160	\$ 194,320	\$ 174,000	\$ 177,360	\$ 184,000	\$ 174,000	\$ 7,200
Streets - Remaining Ash	1754	1754	1629	1504	1379	1254	1129	1004	879	754	629	504	379	254	129	4	0
Parks - Remaining Ash	287	282	262	242	222	202	182	162	142	122	102	82	62	42	22	2	0

**Replacement Ratio**

Streets 1.00  
 Parks 1.00

**Program Costs**

Treatment \$ 336,480  
 Removal \$ 1,632,800  
 Replacement \$ 816,400  
 Total \$ 2,785,680

**Key Assumptions**

- All costs are in 2019 dollars
- Emerald Ash Borer endures indefinitely (current scientific position)

**Ash Tree Program**

Streets 1754 trees  
 Parks 287 trees

Treatment Cost \$ 40 per year  
 Removal Cost \$ 1,000 each  
 Replacement Cost \$ 450 each

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
<b>Streets - Treat</b>		868	865.5	863	860.5	858	855.5	853	850.5	848	845.5	843	840.5	838	835.5	833	830.5	828
<b>Streets - Remove</b>		18	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
<b>Streets - Replace</b>		18	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
<b>Park - Treat</b>		141	136	131	126	121	116	111	106	101	96	91	86	81	76	71	66	61
<b>Parks - Remove</b>		5	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
<b>Park - Replace</b>		5	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
<b>Cost - Treatment</b>		\$ 40,360	\$ 40,060	\$ 39,760	\$ 39,460	\$ 39,160	\$ 38,860	\$ 38,560	\$ 38,260	\$ 37,960	\$ 37,660	\$ 37,360	\$ 37,060	\$ 36,760	\$ 36,460	\$ 36,160	\$ 35,860	\$ 35,560
<b>Cost - Removal</b>		\$ 23,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
<b>Cost - Replacement</b>		\$ 10,350	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750	\$ 6,750
<b>Cost Total</b>		<b>\$ 73,710</b>	<b>\$ 61,810</b>	<b>\$ 61,510</b>	<b>\$ 61,210</b>	<b>\$ 60,910</b>	<b>\$ 60,610</b>	<b>\$ 60,310</b>	<b>\$ 60,010</b>	<b>\$ 59,710</b>	<b>\$ 59,410</b>	<b>\$ 59,110</b>	<b>\$ 58,810</b>	<b>\$ 58,510</b>	<b>\$ 58,210</b>	<b>\$ 57,910</b>	<b>\$ 57,610</b>	<b>\$ 57,310</b>
<b>Streets - Remaining Ash</b>	1754	1736	1731	1726	1721	1716	1711	1706	1701	1696	1691	1686	1681	1676	1671	1666	1661	1656
<b>Parks - Remaining Ash</b>	287	282	272	262	252	242	232	222	212	202	192	182	172	162	152	142	132	122

**Replacement Ratio**

Streets 1.00  
 Parks 1.00

**Removal Rate**

Streets 5 per year  
 Parks 10 per year

**Program Duration**

Streets 351 years  
 Parks 29 years

**Program Costs**

Treatment \$ 4,770,820  
 Removal \$ 1,223,000  
 Replacement \$ 550,350  
 Total \$ 6,544,170

**Key Assumptions**

- All costs are in 2018 dollars
- Emerald Ash Borer endures indefinitely (current scientific position)