



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JULY 9, 2019
7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on June 25, 2019

3. APPROVAL OF THE AGENDA

4. VISITORS AND PRESENTATIONS

A. Swearing in of Fire Department staff

B. Retirement recognition of Fire Department staff – Paul Munns, Rob Ehlert, Mike Barnard and Mike Turnbull

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Consent

1. Consideration of a Planning Commission recommendation regarding a request by Kim Koeppen for a setback variance (Case No. 19-4-V)

B. Non-Consent

1. Consideration of a Planning Commission recommendation regarding a request by Richard Farrell for two setback variances and a conditional use permit for three curb cuts (Case No. 19-2-PUD)

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

A. First Reading of a request by Paul Bruggeman to rezone the portion of the property north of County Road D at 2687 County Road D to R-6 – Medium Density Residential (Case No. 19-2-Z)

9. NEW BUSINESS

- A. Resolution authorizing release of Request for Proposals for Space Needs Study and Site Master Planning for Police Garage and Fire Apparatus Bay

10. CONSENT

- A. Acceptance of Minutes of May Park Commission Meeting; May Environmental Advisory Commission Meeting; May White Bear Lake Conservation District; June Planning Commission Meeting
- B. Resolution authorizing assessment agreements
- C. Resolution authorizing massage therapist establishment and therapist license
- D. Resolution accepting White Bear Lake Baseball Association to help pay for infield restoration project costs at Weyerhauser Park

11. DISCUSSION

12. COMMUNICATIONS FROM THE CITY MANAGER

13. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JUNE 25, 2019
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ROLL CALL

Chair Kevin Edberg called the meeting to order at 7:00 p.m. Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran and Bill Walsh were present. Mayor Jo Emerson and Councilmember Dan Jones were excused absences. Staff members present were City Manager Ellen Hiniker, Assistant Community Development Director Anne Kane, City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, 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 June 11, 2019

It was moved by Councilmember **Engstran** seconded by Councilmember **Biehn**, to approve the Minutes of the Regular City Council Meeting on June 11, 2019.

Motion carried. Councilmember Edberg abstained.

B. Minutes of the Closed City Council Meeting on June 11, 2019

It was moved by Councilmember **Engstran** seconded by Councilmember **Biehn**, to approve the Minutes of the Closed City Council Meeting on June 11, 2019.

Motion carried. Councilmember Edberg abstained.

3. APPROVAL OF THE AGENDA

City Manager Hiniker added under Discussion, 12B - Memorial Beach.

Councilmember Walsh added under Discussion 12C - Goose Lake.

It was moved by Councilmember **Walsh** seconded by Councilmember **Engstran**, to approve the Agenda as amended.

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

A. Resolution approving the general obligation bond sale

Finance Director Kindsvater recalled Council's approval during the May 21, 2019 Council meeting, to sell \$2.1 million in bonds to finance the 2019 Street Improvement Project. She stated that staff have been working through the bond sale process with Ehlers and Associates. During this process she explained, Standard and Poor's (S&P) reviewed the City's budget, financial reporting, long range planning and capital improvement planning and reaffirmed the City's bond rating at AA+ for the current and all outstanding bond issues.

Ms. Kindsvater stated five investment firms bid on the City's bond sale today, with the top three bids being competitive within .0346% variance between true interest costs. She reported the lowest bid came from BAIRD in Wisconsin with a true interest cost of 2.4141%. This rate is 42 basis points lower than original financial projections created by Ehlers and Associates.

Ms. Kindsvater explained that this bid included a premium component in which the City could choose to retain the original \$2.1 million sale, or reduce the bond issue by the premium amount to keep the true interest cost lower. She stated, staff chose to reduce the bond sale issue by the premium, amounting to \$1.925 million in bond sales. Ms. Kindsvater explained, this bond reduction decreased the total principal and interest amount due by \$93,757 over the life of the bond and reduced the average annual levy requirement.

Ms. Kindsvater noted the bond issue and sale report attached and forwarded a recommendation for Council to adopt the resolution approving the bond sale.

City Manager Hiniker added that the AA+ rating is one step below AAA, the highest rating available. She stated that in order to achieve an AAA rating from S&P, the City would need to add tax capacity. In response to Councilmember Edberg's query regarding policies to facilitate future successful bond sales, Ms. Hiniker mentioned S&P appreciated the City's extensive planning in its CIP and Long Range Financial Plan. They also noted the potential of mid-term facility debt and wanted to make sure the City was balancing that with other issuances.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Biehn**, to approve **Resolution No. 12414** approving the general obligation bond sale.

Motion carried unanimously.

B. Resolution approving civil attorney contract

City Manager Hiniker recalled that the former City Attorney did not seek renewal of his contract for services; subsequently, the City temporarily contracted with Troy Gilchrist of Kennedy and Graven in January. After a six month period, Ms. Hiniker reported a strong consensus from staff to continue working with Troy Gilchrist of Kennedy and Graven.

Ms. Hiniker reported the City has had a variety of opportunities to work with Mr. Gilchrist and other staff at Kennedy and Graven, and they have all been very responsive. Ms. Hiniker forwarded staff's recommendation for reappointment, but deferred to the original Council selection team for additional consideration. She noted the contract mirrors that which was proposed by Kennedy and Graven in 2017.

Councilmember Edberg inquired of Councilmember Walsh (the two Councilmembers from the original review team), whether he wished to add anything. Councilmember Walsh deferred to staff's recommendation due to close working relations, but inquired as to the term of the contract.

Ms. Hiniker clarified that the appointment of City Attorney is done annually at the first meeting in January. She also noted the term provided in the attorney contract should be revised to end January 31, 2020 as stated on the resolution, to avoid a gap in attorney coverage.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve **Resolution No. 12415** approving civil attorney contract with the term through January 31, 2010.

Motion carried unanimously.

C. Resolution authorizing the Mayor and City Manager to execute a grant agreement with Minnesota Department of Public Safety

Finance Director Kindsvater recalled the State of Minnesota implemented a web-based licensing system to handle vehicle transactions. She explained that a shift in responsibilities led to the need for more overtime and additional staff to process frontline transactions. Ms. Kindsvater reported the 2019 Legislative session passed a bill to reimburse Deputy Registrar's for the added expense caused by the new system.

Ms. Kindsvater reported that through the state's formula, the City will receive a onetime payment of \$204,171.25, which will be deposited into the License Bureau fund to replenish the balance. Ms. Kindsvater stated these funds will provide options for better customer service, perhaps through added personnel or office/facility reconfiguration. She noted the recent addition of another service station, making six total to provide better customer service.

Councilmember Walsh inquired whether the License Bureau fund balance is expected to level off. Ms. Kindsvater stated that the fund balance is expected to remain stable, however, the amount of funds transferred out to support street projects would be less.

Ms. Hiniker added that prior to MNLARS, the City was transferring approximately \$350,000 for street projects. Since the change, less than half is available for transfer. Ms. Kindsvater noted that the City will receive an additional \$1.00 for each motor vehicle and title transfer transactions. Ms. Hiniker elaborated that this will amount to about \$70,000 - \$80,000 in additional revenues, which will help offset staff costs - currently two more FTE's than before MNLARS.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Engstran**, to approve **Resolution No. 12416** authorizing the Mayor and City Manager to execute a grant agreement with Minnesota Department of Public Safety.

Motion carried unanimously.

Chair Edberg recessed the City Council meeting at 7:25 p.m.

10. HOUSING AND REDEVELOPMENT AUTHORITY

Refer to the HRA Minutes for an account of the following:

- A. Call to Order / Roll Call
- B. Approval of the Agenda
- C. Approval of the Minutes
- D. Resolution supporting Century Hills Partners' proposal in response to Minnesota Housing's Request for Proposals
- E. Resolution approving Housing Needs Assessment proposal
- F. Adjournment

Chair Edberg reconvened the City Council meeting at 7:37 p.m.

11. CONSENT

Nothing scheduled

12. DISCUSSION

- A. Limited Facility Needs Study

City Manager Hiniker referenced past discussions with Council for a limited facility needs study to explore a fire bay, police garage and accommodations for license bureau operations. Ms. Hiniker noted staff's intent to prepare the RFP for consideration at the July 9th City Council meeting, but wanted to affirm Council's direction related to this action before proceeding.

In response to Councilmember Walsh questioning staff's capacity to perform a needs assessment without a consultant, Ms. Hiniker reported this study would also include preliminary engineering and design.

Councilmember Edberg noted the City of White Bear Lake is grossly under-reserved

for the replacement cost of existing facilities/public infrastructure moving forward. He asked where the long-range plan was (longer than five years), and the City's capacity to replace, renovate, maintain significant infrastructure going forward and how does that fit into an overall finance plan.

Ms. Hiniker noted, staff's initial thought was to conduct a comprehensive facility study for an assessment of all City infrastructure, particularly underground. Ms. Hiniker agreed that longer-range planning, particularly with water and sewer, would be beneficial especially for newer staff. In light of recent discussions with Council, the focus of this study would be limited to more immediate facility needs.

Public Works Director/City Engineer Kauppi added staff would have liked a more comprehensive facility study approach to determine where various components of each building were in their life-cycle. For underground infrastructure, Mr. Kauppi noted the rate study will address funding of the water and sanitary sewer systems and their depreciation. He mentioned much of the infrastructure is reaching the end of its life-cycle.

Ms. Hiniker added that in terms of municipal facilities, Trane Company would conduct an initial facility assessment at no cost, as it pertains to energy efficiency. They would report on how long equipment has been in place and its replacement cost along with energy savings that could result.

Chair Edberg stated he hears a bias toward expanding and building, which may be valid, but payment for these comes from tax payers and rate increases. He does not have a good sense of the full financial picture. He noted the need and the want, but at what level of public expenditure and where do those two intersect. He was uneasy about taking on more engineering without knowing how it would be funded, while keeping livability of the City intact.

Chair Edberg stated he is okay with 15 minute waits in the license bureau and did not see an urgent need for renovation of this service area. He noted less in reserves to pay for projects, added expenses and no increased revenue stream to be gained through more convenient services. He stated cash flows are tightening, rates are increasing and said he did not have a good feeling about the magnitude and the direction of those changes.

Councilmember Biehn recalled conversations about the need for a fire bay sufficient to house larger sized fire engines. He stated one of the fire bays could be converted into a police garage for efficiency. He also agreed with Chair Edberg that the license bureau wait time is manageable, and suggested posting a sign regarding the wait time. Councilmember Biehn sees this operation as being relatively efficient.

Councilmember Walsh noted staff's memo in which the fire bay and police garage were slated for construction in the 2021 capital improvement plan. He was prepared to support these because they were part of the long-range plan and recalls related Council discussions. He was comfortable with executing the plan, but was fine with slowing down as well.

Councilmember Engstran was supportive of the study, stating it is needed.

Chair Edberg explained he had no issue with the fire bay or police storage garage, as

Councilmember Walsh pointed out, these are in the budget. His message was that the City's days of taking on large projects for community betterment are limited. He noted cash needs for infrastructure will have a significant increased cost and the focus should be on taking care of business.

Ms. Hiniker reiterated that the purpose of this study is to assess the cost of these projects. Once more exacting numbers are determined, the Council will have an opportunity to balance the cost against other priorities and plan for the timing of construction accordingly.

Chair Edberg affirmed Council's prior discussion in support of a limited facility study of these three items.

B. Memorial Beach

City Manager Hiniker relayed recent and more frequent requests from residents for lifeguards at Memorial Beach. Ms. Hiniker stated there are many lakes that choose not to staff a lifeguard and there have been no lifeguards staffed at Memorial Beach for at least 20 years.

In light of a recent scare at Memorial Beach, Ms. Hiniker felt it important to consider City Council's desires related to recent requests.

Councilmember Biehn had assumed there already was a lifeguard on duty at Memorial Beach, as the last time he was there was 20 years ago with his children. He stated he would hate to be in a position that something happened at the public beach in the absence of a lifeguard. He thought it important to have a lifeguard if it was not cost prohibitive.

Councilmember Walsh mentioned Ramsey County Beach is right next door to Memorial Beach and is staffed with a lifeguard. He stated that if a lifeguard is important, the user should choose Ramsey County Beach rather than Memorial Beach.

At Chair Edberg's request for staff's recommendation, City Manager Hiniker stated she agreed with both comments from Council. She noted Council that this would be an ongoing expense amounting to approximately \$25,000 per season. She also mentioned that the City was receiving calls regarding boats close to the beach area. At a minimum, staff will be placing additional warning markers 100 ft beyond the existing beach buoys.

Chair Edberg stated he did not sense a clear path, or value statement. His inclination is to note the Council's discussion.

C. Goose Lake

Councilmember Walsh stated the Vadnais Lake Area Watershed Management Organization (VLAWMO) will be addressing treatment of Goose Lake at its meeting tomorrow. Councilmember Walsh noted that Goose Lake is the number one impaired lake on VLAWMO's list and the entity would like to treat the bottom of the lake with alum. He mentioned Councilmember Jones is the City's representative on VLAWMOR, and he will be representing the City at this meeting as the alternate.

Councilmember Walsh said this lake is shallow and if treatment of the lake is approved, the White Bear Lake City Council will be hearing about the need to ensure wake free periods of time, perhaps a year, then a treatment, then another year of wake restrictions. He mentioned he would consult with Councilmember Jones prior to the meeting and also with members living on this lake, but this is not without controversy and he wanted to let the Council know they may be hearing more about this.

Councilmember Biehn asked whether they might seek an ordinance that restricts motorized vehicles on the lake permanently. Councilmember Walsh responded no, but they might require wake restrictions for a year, then wait a year, then another year after that. He said it would be up to VLAWMO. Perhaps part of the lake could be treated, or a speed limit implemented, he said it would be up to the science.

Councilmember Edberg asked if treatment would be done on both sides of Goose Lake. Councilmember Walsh stated treatment would be done on the east side where the Ski Otters practice, although the entire lake needs to the treatment.

13. COMMUNICATIONS FROM THE CITY MANAGER

- Fireworks are Thursday, July 4th – a volunteer committee raises the funds through letters submitted with utility billings and coordinates the show with help from the Fire Department, Police Department and Public Works.
- August Budget Work Session is being rescheduled – TBD
- Mayor Emerson, Councilmember Biehn and City Manager Hiniker are attending the League of Minnesota Cities Annual Conference this week.
- Updates from Public Works Director / City Engineer – Paul Kauppi
 - Ramsey County is rehabbing the pavement (repairing joints) on County Road 96 from Highway 61 to I-35E. They are proposing a pedestrian crossing between Karen and 4th Street across from Columbia Park, which would happen in August. It would include signage, a pedestrian refuge island and striped crosswalks but no signals at this time.
 - Staff continues to work with MnDOT on the Whitaker Crossing at Highway 61. A temporary solution would be to paint a stop bar across all lanes to reinforce all lanes must stop, including the northbound right turn lane into Taco Johns, in addition to sign modifications. Another more extensive option would be to eliminate the right turn lane, in which there is a right-in/right-out turn lane just south of this area for these businesses. A potential future, permanent solution would be an overhead pedestrian crossing, which would also require ADA improvements over the railroad tracks. It may be possible to signalize this area in the future as part of the Rush Line project.
 - 2019 Street Improvement Project is going well with half of the paving completed in the old White Bear area, and Garden Lane area happening next week.
- Updates from Community Development Director – Anne Kane
 - Staff is reviewing plans for the apartment complex submitted yesterday by Schaefer Richardson.
 - Planning Commission last night had a couple of variance requests in the old White Bear Lake area that drew a lot of interest as well as a rezoning request on County Road D.

- Chair Edberg thanked staff for work with Manitou Days and the Parade, which were a great success.

14. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Biehn** to adjourn the regular meeting at 8:25 p.m.

Motion carried unanimously.

Jo Emerson, Mayor

ATTEST:

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: July 3, 2019 for the July 9, 2019 City Council Meeting

Subject: **Koeppen Variance - 2291 9th Street, Case No. 19-4-V**

REQUEST

A setback variance in order to construction a 299 square foot addition on the northeast side of the home.

SUMMARY

One neighbor spoke in support of the project. The applicant presented additional photos of the property. On a 6-0 vote, the Planning Commission recommended approval as requested by the applicant.

RECOMMENDED COUNCIL ACTION

Approval of the attached resolution.

ATTACHMENTS

Resolution of Approval
Additional Photos

RESOLUTION NO.

**RESOLUTION GRANTING A SETBACK VARIANCE
FOR 2291 9TH STREET
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (19-4-V) has been submitted by Kim E. Koeppen, to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 2291 9th Street

LEGAL DESCRIPTION: Lot 7, the north 10 feet of vacated 9th Street adjoining, and the south 30 feet of Lot 8, Block 17, Auerbach's Rearrangement of Park of White Bear, Ramsey County, MN (PID: 133022220147)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A 25 foot variance from the 30-foot rear yard setback required, per Code Section 1303.060, Subd.5.c.3, in order to construct a building addition 5 feet from the east property line; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on June 24, 2019; and

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

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

1. The requested variance will not:
 - a. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - c. Increase the danger of fire or endanger the public safety.
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. The variance is a reasonable use of the land or building.
3. The variance will be in harmony with the general purpose and intent of the City Code.
4. The variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.

FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approves the requested variance, 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 variance 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. A building permit shall be obtained prior to construction.
4. The home may not be expanded in the future by an administrative variance to extend an existing line of nonconformity as the proximity of the addition to the east property line is considered conforming by the granting of this variance.

Prior to the issuance of a building permit:

5. The exterior materials used on the addition shall match those on the home.
6. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

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

Kim E. Koeppen

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: July 3, 2019 for the July 29, 2019 City Council Meeting

Subject: **Farrell CUP & Variances -4763 Lake Avenue, Case No. 19-3-CUP & 19-5-V**

REQUEST

Two setback variances for a new residence and a conditional use permit for second and third curb cuts.

SUMMARY

A few neighbors expressed some concern. On a 5-1 vote, the Planning Commission recommended approval of the variances and denial of the CUP as recommended by staff.

RECOMMENDED COUNCIL ACTION

Approval of the attached resolutions.

ATTACHMENTS

Resolution of Approval - Variances
Resolution of Denial - CUP

RESOLUTION NO.

**RESOLUTION GRANTING TWO SETBACK VARIANCES
FOR 4763 LAKE AVENUE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (19-5-V) has been submitted by Richard Farrell to the City Council requesting approval of a two setback variances from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 4763 Lake Avenue North

LEGAL DESCRIPTION: Lot 8, Fitzpatrick's Addition to White Bear; Lot 6, Block 47, White Bear, except the North 60 feet thereof; and All that part of adjoining Lake Avenue and Government Lot 2 and Fourth Street, and the accretions thereto, lying between the Southeasterly extension of the East line of said Lot 8 and the Southerly extension of the West line of said Lot 6. (PID #133022320007)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A 25 foot variance from the 40 foot rear yard setback, and a 7.2 foot variance from the 35 foot setback from a side abutting a public right-of-way, both per Code Section 1303.040, Subd.5.c, in order to locate the house 15 feet from the north property line and 27.83 feet from the west property line; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on June 24, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake 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 or in any way be contrary to the intent of this Code.
2. The variances are a reasonable use of the land or building and the variances are the minimum required to accomplish this purpose.
3. The variances will be in harmony with the general purpose and intent of the City Code.

- 4. The variances will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- 5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variances.

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

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized 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 applicant shall verify the property lines and have the property pins exposed at the time of inspection.
- 4. The living space above the garage shall be removed from the plans and the garage reduced to one-story, not more than 22 feet to the peak.
- 5. A building permit shall be obtained before any work begins.

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

- 6. Submit tree preservation calculations and a replacement plan, subject to staff approval.

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.

Richard Farrell

Date

RESOLUTION NO.

**RESOLUTION DENYING
A CONDITIONAL USE PERMIT
FOR 4763 LAKE AVENUE NORTH**

WHEREAS, a proposal (19-3-CUP) has been submitted by Richard Farrell, to the City Council requesting approval of a Conditional Use Permit from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 4763 Lake Avenue North

LEGAL DESCRIPTION: Lot 8, Fitzpatrick's Addition to White Bear; Lot 6, Block 47, White Bear, except the North 60 feet thereof; and All that part of adjoining Lake Avenue and Government Lot 2 and Fourth Street, and the accretions thereto, lying between the Southeasterly extension of the East line of said Lot 8 and the Southerly extension of the West line of said Lot 6. (PID #133022320007)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT: a Conditional Use Permit for three curb cuts, per Code Section 1302.050, Subd.4.h.9; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on June 24, 2019; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed CUP 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 hereby denies the request, based upon the following findings:

1. Because the additional curb cuts create additional potential points of conflict, the granting of the Conditional Use Permit would not be in harmony with the general intent of the zoning code which is to protect the safety and welfare of the public.
2. The configuration of the driveway is not conducive to maintaining the safe flow of traffic on two narrow one-way streets that intersect at a unique angle, one of which experiences heavy non-motorized traffic.
3. The granting of the request is not consistent with the character of the neighborhood.

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: The Planning Commission

Through: Ashton Miller, Planning Technician

Date: July 1, 2019 for the July 9, 2019 City Council Meeting

Subject: **FIRST READING – Paul Bruggeman Rezoning. Case No. 19-2- Z
2687 County Road D**

REQUEST

To change the zoning district classification of the portion of the property north of County Road D from R-3 “Single Family Residential” to R-6 “Medium Density Residential”. The first reading is not a public hearing.

SUMMARY

Ten residents spoke to the matter. Concerns pertaining to wetlands, tree preservation, traffic, and the overall buildability of the site were expressed. The executor of the estate spoke of his desire to sell his father’s property to allow for infill multi-family development consistent with the surrounding land uses. On a 6-0 vote, the Planning Commission recommended approval.

RECOMMENDED COUNCIL ACTION

No formal action is required for the first reading; the second reading is scheduled for August 13th.

ATTACHMENTS

Draft Ordinance

ORDINANCE NO.

**REZONING 2687 COUNTY ROAD D
FROM R-3 SINGLE FAMILY RESIDENTIAL
TO R-6 MEDIUM DENSITY RESIDENTIAL
(CASE NO. 19-2-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 R-3 – Single Family Residential to R-6 – Medium Density Residential, with respect to the parcel legally described as follows:

The West 100 feet of the East 663 feet of the South 613 feet of the Southeast ¼ of the southeast ¼ of Section 36, Township 30, Range 22, subject to the rights of the public in the South 33 feet thereof for County Road “D”, in the County of Ramsey and State of Minnesota. Except for that portion South of County Road “D” and including that portion taken by the County for County Road “D”.

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

First Reading: July 9, 2019

First Publication:

Second Reading:

Final Publication:

Codified:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council

From: Ellen Hiniker, City Manager

Date: July 3, 2019

Subject: RFP for space needs study and master site planning for police garage and fire bay

SUMMARY

At its 2019 strategic planning session, and again at a recent work session, the City Council discussed the need to plan for the provision of parking for city police vehicles and a larger fire apparatus bay at the North Fire Station. The Council affirmed its interest in defining the scope and cost of these projects at its regular meeting on June 25, 2019. Attached for Council's consideration is a Request for Proposals seeking architectural and professional services to define the scope of a project to provide for indoor parking for police squads and storage of the city's fire apparatus.

It is anticipated that preliminary site and design work, along with project cost estimates, would be completed by January, 2020. Staff will then work with Council to evaluate the timing of this project in consideration of other infrastructure needs outlined in the City's long-range capital improvement program.

BACKGROUND

The police department currently has two secured indoor storage locations for vehicles. One is a controlled entryway, or sally port, which is used for booking. The other is a standard garage used for storage. All squad cars are stored outside year-round which places a great deal of excess wear on the vehicles and wastes fuel by having them idling to warm up in the winter. The two properties on Miller Avenue west of the Public Safety Building were purchased in anticipation of a garage, which was originally scoped as the second phase of the 1996 Public Safety Building construction project.

The fire bay at North Fire Station was constructed in the 1960s. Fire apparatus manufactured today are larger and taller than in the past, which has crowded out the existing space; the replacement ladder truck planned for purchase next year will need to be stored at South Fire Station until a taller bay is available. There may be options to repurpose the existing fire bay as part of the overall project; this would be evaluated as part of the overall facility study.

SCOPE AND TIMELNE

The firm selected through this RFP will enter into an agreement with the City to provide professional services related to the project. The firm will provide architectural and other professional services as follows:

Space Needs Study

- Evaluation of existing and future needs including vehicle and equipment storage and staff work areas.
- Evaluation of existing structures as needed to complete proposed improvements including but not limited to: structural, mechanical, electrical, interior, communications and general condition.
- Evaluation of buildings and site for accommodating interior and exterior storage for vehicles, equipment and materials.
- Determination of gross areas to accommodate all operations and storage for ultimate needs.

Site Master Planning, Schematic design and Preliminary Cost Estimating

- Schematic design of building options to accommodate future needs including but not limited to: interior and exterior architectural character; interior space relationships, movements and function; HVAC, electrical, fire protection, lighting, and mechanical systems; structural systems; staff and customer accessibility including handicap accommodations; and energy efficiency.
- Site master planning including but not limited to site layout; parking; site grading; storm water design; and utility extensions and/or relocations.
- Preliminary cost estimates for schematic design options.

The following timeline represents the staff’s best estimates for the completion of major milestones regarding this RFP.

- Distribution of RFP.....July 12, 2019
- Submission of proposals to CityAugust 9, 2019
- Committee interviewsLate August
- Council considerationSeptember 10, 2019
- Begin Project.....Late September 2019
- Complete Project.....January 2020

RECOMMENDED COUNCIL ACTION

Staff recommends approval of the attached resolution authorizing the release of an RFP for a space needs study and site master plan for a police vehicle garage and fire apparatus bay.

ATTACHMENTS

- Resolution
- RFP

RESOLUTION NO.

RESOLUTION AUTHORIZING THE CITY OF WHITE BEAR LAKE TO SEEK PROPOSALS FOR A SPACE NEEDS STUDY AND MASTER SITE PLANNING FOR A POLICE GARAGE AND FIRE APPARATUS BAY

WHEREAS, in the absence of a garage facility, the City of White Bear Lake's police squads are currently stored outdoors year-round, which places a great deal of excess wear on the vehicles and related equipment, and wastes fuel used to idle the vehicles during the winter; and

WHEREAS, the existing fire apparatus bay at the north fire station was constructed in the 1960s and no longer adequately serves the needs of modern apparatus; and

WHEREAS, the City Council has discussed the need for a new police garage and fire apparatus bay, and would like to develop a master plan and incorporate a construction project in its 5-year capital improvement plan using calculated cost estimates.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota, hereby authorizes staff to seek proposals for a space needs study and master site plan from qualified firms for a police garage and fire apparatus bay.

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

**POLICE GARAGE &
FIRE APPARATUS BAYS
SPACE NEEDS STUDY
& SITE MASTER PLANNING**

**REQUEST FOR PROPOSALS FOR
PROFESSIONAL SERVICES**



July 10, 2019

SECTION I: GENERAL INFORMATION

A. OBJECTIVE

The City is requesting proposals from selected firms for architectural design and professional services for the City's Police Garage and Fire Apparatus Bay including the following: space needs study; master site planning; schematic design; and cost estimation.

The objective of this study is to review the needs of above facilities and create a master plan for implementation including planning level cost estimates which will be used for developing a schedule for implementation.

B. ISSUING OFFICE

This RFP has been issued by the City of White Bear Lake. All correspondence regarding this RFP must be addressed to:

City of White Bear Lake
Attention: Rick Juba, Assistant City Manager
4701 Highway 61
White Bear Lake, MN 55110

C. CONTRACT ADMINISTRATOR

All communications concerning this RFP should be directed to Rick Juba, Assistant City Manager, at (651) 429-8508 or rjuba@whitebearlake.org.

D. INCURRING COSTS

The City is not liable for any costs incurred by perspective firms prior to the signing of a contract. Expenses incurred in the preparation of submittals, presentations and other incidental activities related to this solicitation are solely the responsibility of the respondent.

E. PROPOSALS

The RFP will be distributed on Friday, July 12, 2019. To be considered for selection, each Consultant must submit four (4) printed copies and one (1) electronic copy (pdf format) of their response to this RFP. The copies are to be delivered in person or sent by certified/express mail to the address listed in Section I, Subsection B. **All copies of the proposal must be received by the City by no later than 4:30pm on Friday, August 9, 2019.** The City observes the right to overlook any technicalities and accept or reject any or all proposals if it is in the best interest of the City.

F. SELECTION CRITERIA

Responses to this RFP will be evaluated by a selection committee based upon the Consultant's proposal and information provided as outlined in Section III of this

document. The committee will review all proposals and make a recommendation to the City Council for contract approval.

Proposals will be evaluated on the following criteria (in general order of importance):

- Quality of the response to this RFP
- Experience of the proposed project team with similar projects
- Experience of the proposed project team with sustainable design
- Fees
- References
- Consultant's workload, staff availability and ability to complete the project within the schedule outlined herein

G. CHANGES IN THE RFP

Any changes to this RFP will be put in writing to each prospective Consultant no later than seven (7) calendar days before the date of the opening of the sealed proposals.

H. DISCLOSURE

All information in a Consultant's proposal, except for fee analysis, is subject to disclosure under the provisions of Minnesota Statute Chapter 13 - Minnesota Government Data Practices Act.

SECTION II: PROJECT OVERVIEW

A. BACKGROUND

In order to continue to provide a high level of service to the residents of White Bear Lake with its Police and Fire services, improvement are needed in the area of vehicle and equipment storage. Currently the Police Department has four garage stalls, which is inadequate for the number of vehicles and pieces of equipment in the current fleet. The Fire services currently have four apparatus bays, however the size of the equipment continues to get larger the bays are becoming inadequate.

The City is looking for a comprehensive review of the above service areas and space needs. The areas of review and consideration are shown on Exhibit A and include City Hall (4701 Hwy 61) , Police and Fire Building (4700 Miller Ave) along with recently purchased properties consisting of 4701 and 4709 Miller Avenue. The structures on these two parcels have been removed. Consideration of modifications to the existing structures along with the construction of a new structure will be considered.

B. SCOPE OF SERVICES

The firm selected through this RFP will enter into an agreement with the City to provide professional services related to the project. Based upon the requirements of the City, the Consultant shall provide architectural and all other professional services necessary to

meet current standards and codes used in design for services related to the project. The City will provide staffing and vehicle / equipment projections. The project proposal will be split as follows:

Space Needs Study

- Evaluation of existing and future needs including vehicle and equipment storage and staff work areas.
- Evaluation of existing structures as needed to complete proposed improvements including but not limited to: structural, mechanical, electrical, interior, communications and general condition.
- Evaluation of buildings and site for accommodating interior and exterior storage for vehicles, equipment and materials.
- Determination of gross areas to accommodate all staffing, operations and storage for ultimate needs.

Site Master Planning, Schematic design and Preliminary Cost Estimating

- Schematic design of building options to accommodate future needs including but not limited to: interior and exterior architectural character; interior space relationships, movements and function; HVAC, electrical, fire protection, lighting, and mechanical systems; structural systems; staff and customer accessibility including handicap accommodations; and energy efficiency.
- Site master planning including but not limited to site layout; site traffic flow and access; employee and customer parking; site grading; storm water design; and utility extensions and/or relocations.
- Preliminary cost estimates for schematic design options. Cost estimates should be confirmed with recent project costs, construction management companies and other local sources.

C. GENERAL EXPECTATIONS OF SERVICES

1. Review prior building as-builts, architectural work and site to identify issues and alternatives related to the project.
2. Attend project progress and review meetings as necessary.
3. Prepare 20 copies of the final report and master plans.

D. TENTATIVE PROJECT TIMELINE

The following timeline represents the City’s best estimates for the completion of major milestones regarding this RFP. Dates are subject to change as needed to best fit the City’s needs.

- Distribution of RFP.....July 12, 2019
- Submission of proposals to CityAugust 9, 2019
- Committee interviewsLate August
- Council considerationSeptember 10, 2019
- Begin Project.....Late September 2019
- Complete Project.....January 2020

The anticipated contract period will be from the date of City Council approval of the agreement with the selected Consultant until work is complete.

SECTION III: SUBMITTALS & REQUIREMENTS

The following structure is to be followed for the proposal submitted to the City:

A. COVER PAGE

1. Identify the name of the project
2. Company name, address, and main telephone number
3. Name and title of lead contact person with their direct telephone number and email address

B. BUSINESS ORGANIZATION & HISTORY

1. Brief history of the firm, including list of principal officers, corporate structure and ownership type. Identify the number of years the firm has provided similar architectural services for similar projects.
2. Identify other services the firm presently provides besides architectural services.

C. TEAM IDENTIFICATION

1. Identify key staff, consultants and positions for each of the phases proposed for this work. Include brief résumé information focusing on project experience that enhances qualifications for this work.
2. Identify project availability during the work and any project conflicts based upon other work or project commitments.

D. APPROACH & WORK PLAN

1. Written narrative based on the understanding of the project scope, goals and objectives.
2. Detailed work plan identifying major project tasks, scope of work, City responsibilities and deliverables for each task.
3. Draft project schedule.

E. FEE QUOTATION

1. Please provide a fee proposal based on the project phases outlined in Section II, Subsection B as follows:
 - a. Needs Study:
Provide a lump sum fee proposal
 - b. Site Master Planning, Schematic design and Preliminary Cost Estimating:
Provide a lump sum fee proposal

All fees quoted shall include estimated reimbursable fees.

2. Proposed services should include all sub-consultants as necessary to complete the work as described herein.
3. Name of authorized negotiator/expeditor with name and contact information.

F. PROJECT EXAMPLES & SUPPLEMENTAL INFORMATION

1. Utilize this portion of the proposal to briefly identify the “value-added” qualities, conditions, services or attributes that enhance or support the proposal document.
2. Identify examples of similar projects that highlight the firm’s ability to successfully complete work of this type.
3. Provide referenced for similar project that your firm and/or proposed team have completed.

G. RIGHTS RESERVED

The City reserves the right to waive any irregularities in any proposal and to select the proposal evaluated to be the most advantageous to the City. The City reserves the right to disqualify any proposal or to reject all proposals if it is deemed to be in the best interest of the City. Furthermore, the City and its representatives reserve the right to reject any and all proposals or to request additional information from any respondent or from all respondents.

SECTION IV: CONTRACT AWARD

A. CONTRACT AWARD

It is the City’s intent to review all respondent qualifications and proposals conscientiously and to select a candidate based upon selection criteria. Should the City believe it would be in the best interest of the City, it may enter into negotiations with any of the Consultants until a contract sum can be finalized with the successful candidate.

The City expects to use a modified Standard AIA contract for these services. For more information please contact the person identified in Section I, Subsection C.

Exhibit A



City of White Bear Lake Environmental Advisory Commission

MINUTES

Date: May 15, 2019	Time: 6:30pm	Location: WBL City Hall
COMMISSION MEMBERS PRESENT	Sheryl Bolstad, Chris Greene, Bonnie Greenleaf, Gary Schroeder (Chair), June Sinnott, Robert Winkler	
COMMISSION MEMBERS ABSENT	Rick Johnston	
STAFF PRESENT	Connie Taillon, Environmental Specialist	
VISITORS	None	
NOTETAKER	Connie Taillon	

1. CALL TO ORDER

The meeting was called to order at 6:35 pm.

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had no changes. Commissioner Greenleaf moved, seconded by Commissioner Bolstad, to approve the agenda as presented. Motion carried, vote 6/0.

3. APPROVAL OF MINUTES

a) April 17, 2019 regular meeting

The commission members reviewed the April 17, 2019 draft minutes and had no changes. Commissioner Bolstad moved, seconded by Commissioner Sinnott, to approve the minutes of the April 17, 2019 meeting as presented. Motion carried, vote 6/0.

4. VISITORS & PRESENTATIONS

None

5. UNFINISHED BUSINESS

a) Downtown area recycling

Staff plans to have an initial conversation with downtown area businesses during their June board meeting to gather feedback regarding the project. Staff will report on the discussion at the June EAC meeting.

b) Pollinator plantings in parks

Chair Schroeder summarized his meeting with the Parks Commission about adding pollinator plants to City parks. The Parks Commission expressed interest in pursuing this next year. The commission members discussed ideas for forming a partnership with the Parks Commission, such as having a yearly joint meeting in the winter to plan for summer projects, and possibly joining the Parks Commission on their monthly park walks. Staff stated that they might also be able to collaborate with VLAWMO on restoration projects in Rotary Park. A next step for the EAC is to identify possible demo sites for a pollinator garden.

c) Environmental Resources Expo

Commissioner Winkler asked the commission to consider inviting the seed library to exhibit at the Expo. The seed library is located in the White Bear Library. The seed library is run by volunteers, with the goal of getting people involved in gardening. Residents can take free seeds and bring other seeds back to share. Commission members agreed to invite them to exhibit at the Expo. They also discussed if there are enough tents for an additional exhibitor, and if the seed library would be willing to share a table with the Master Gardeners. Commissioner Winkler will contact the seed library to invite them to exhibit at the Expo.

Staff mentioned that a local resident EV owner offered to display her car at the Expo. Staff also mentioned that Citizens Climate Lobby is interested in exhibiting at the Expo. Commission members are in favor of both groups attending. Staff will send out an invite. Commission members discussed giving their extra cup and cone coins to the Boy Scout volunteers.

6. NEW BUSINESS

a) Land and Water Conservation Fund letter of support

Commission members discussed the Land and Water Conservation Fund letter of support. Conservation Minnesota invited environmental commissions to sign a bipartisan letter to the Interior and Environment Appropriations Subcommittee, chaired by Congresswoman Betty McCollum, urging the Subcommittee to provide significant increased funding for the Land and Water Conservation Fund in 2020. Commission members discussed the letter and agreed to sign the letter of support pending approval from Mayor Emerson. Commissioner Winkler moved, seconded by Commissioner Sinnott, to sign the letter of support to Congresswoman Betty McCollum asking to provide significant increased funding for the Land and Water Conservation Fund in fiscal year 2020, and to direct staff to forward the signed letter to Conservation Minnesota. Motion carried, vote 6/0.

7. DISCUSSION

a) Subcommittee updates

Chair Schroeder discussed the Ramsey County tweet regarding proper recycling of plastic bags. He expressed interest in having a poster that explains plastic bag recycling. The recycling subcommittee will look for a plastic bag poster to display at the Expo. Staff will contact Ramsey County to see if they have a poster available.

Commission member left at 8:05pm

b) Staff updates

- MPCA Site Review

Nothing new to report. Staff will report back once the MPCA conducts their non-heating season testing.

- Climate Smart Municipalities

Staff reported that the German delegation is visiting Minnesota the week of June 10. The City is hosting our partner City Ludenscheid on June 11-13. The second energy steering committee meeting is scheduled for Wednesday, June 12. Ludenscheid will give a presentation on their energy initiatives at the steering committee meeting. Chair Schroeder is not able to attend this meeting. Commissioner Bolstad is interested in being the alternate EAC representative.

- Rooftop Solar

Staff reported that the German delegation is giving a short presentation at the June 11 Council meeting and rooftop solar may be presented at the June 24 Council meeting.

- Adopt a drain program

Staff reported that VLAWMO ordered custom door hangers for the Goose Lake neighborhood. Volunteer groups will distribute the door hangers in targeted neighborhoods in the Goose Lake subwatershed to advertise the program. Residents in the Goose Lake subwatershed who adopt a drain will receive a customized Goose Lake information packet and yard sign. The City contributed \$500 towards the purchase of door hangers, information packets, and yard signs. VLAWMO covered the remaining cost.

c) Commission member updates

Commissioner Greene stated that he is rounding up scouts to help distribute adopt a drain door hangers in the Goose Lake subwatershed. He is working with VLAWMO to determine a date and location. Commissioner Winkler mentioned that Troup 89 might also be available to help.

Chair Schroeher summarized the presentation he attended at City Hall about renewable energy projects that Saerbeck, Germany implemented. As part of the City's partnership with Climate Smart Municipalities, Guido from Saerbeck visited for the day to discuss how Saerbeck, with a population of 7000 residents, transitioned to 100% renewable energy. The City started a steering committee made up of local businesses, farmers, residents, non-profits, faith organizations, and City staff to guide the City's renewable energy goals and implementation. In addition to individuals implementing energy conservation and solar on private properties, the City developed an energy park made up of solar, wind, and biomass plants. This energy park produces 250% of the City's energy needs.

d) Do-outs

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

- Recycling subcommittee will look for a plastic film poster to display at the Expo
- Staff will ask Ramsey County if they have a plastic film recycling poster
- Finalize all expo exhibitors by the June 19 meeting
- Commissioner Winkler will check with Boy Scout Troup 89 to see if they can help hang adopt a drain door hangers in the Goose Lake subwatershed

e) June agenda

Finalize Expo participant list

8. ADJOURNMENT

The next meeting will be held at City Hall on June 19, 2019 at 6:30pm. Commissioner Greenleaf moved, seconded by Commissioner Bolstad, to adjourn the meeting at 8:28 pm. Motion carried, vote 5/0.

REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 pm White Bear Lake City Hall
Minutes of May 21, 2019

APPROVAL DATE: June 18, 2019

1. **CALL TO ORDER** the May 21, 2019 meeting of the White Bear Lake Conservation District was called to order by Chair Bryan DeSmet at 7:00 pm in the White Bear Lake City Hall Council Chambers.
2. **ROLL CALL** Present were: Chair Bryan DeSmet, Vice Chair Mark Ganz, Sec/Tres Diane Longville, Directors: Scott Costello, Mike Parenteau, Marty Rathmanner, Geoff Ratte, and Susie Mahoney. Absent was Director Cameron Sigecan. A quorum was present.
3. **AGENDA** – Chair DeSmet asked for any changes to the agenda. Motion by Tres/Sec Longville to add to Treasurers report transfer of Savings Account Funds into Checking Account and closing the Savings Account. DeSmet/second Vote all Aye Passed
4. **APPROVAL OF MINUTES OF** – April 2019 board meeting Motion (DeSmet/Second) Moved to approve all aye passed.
5. **PUBLIC COMMENT TIME** – None
6. **NEW BUSINESS** – Matoska Marsh
Ann Sundal, 2506 Mainitou Island and others asked for a no wake zone to be posted near the Manitou Island Bridge Matoska Marsh area. With the lake level high boats are going to fast and causing issues for the marsh and wildlife. Also very dangerous for kayaking and canoeing. First time in several years there are loons with eggs they would like them protected as the high waves are breaking up the loon's nests.. After discussion board agreed to put out 4 buoys with no wake zone on them two on each side of bridge and if needed would work with the home owners association and put signs on each side of the bridge. Motion DeSmet/second all aye passed. Kim will order buoy wraps when arrive Ann has requested to go with for placement.
7. **UNFINISHED BUSINESS** – None
8. **REPORTS/ACTION ITEMS**
Executive Committee – None
Action items
 - Ramsey County Sheriff Department Contract approval, same as last year Motion DeSmet/second to approve contract all aye passed
 - Committee Appointments
 - Lake Education Committee, Chair Scott Costello, Susie Mahoney and Cameron Sigecan.
 - Lake Quality Committee, Chair Mike Parenteau, Geoff Ratte and Diane Longville
 - Lake Utilization Committee, Chair Mark Ganz, Marty Rathmanner, George St, Germain and Luke Michaud.
9. **Lake Quality Committee – Mike Parenteau**
 - Lake level – 925.14 3 ½ inches above last month
 - Lake temperature – 56 degrees same as last year at this date
 - Applicator Bid – 3 year product found to have to reapply so not worth the extra cost not going to use at this time. Continuing to review products for application.

Motion Mahoney/second to allow Mike Parenteau to use up to \$10,000 additional funds from the general fund for lake survey/treatment. All aye passed.

10. Lake Utilization Committee – Mark Ganz, George St. Germain, and Luke Michaud reviewed all applications on the agenda

- Docks of White Bear- Approved with contingencies must provide copy of recent years City of White Bear Lake parking letter of approval. Modification to amount of boats allowed prior year allowed 200 this year DNR approved 260. Board discussed and will approve 250 and layout of docks changed. Motion to amend DeSmet/second 5 docks each with 50 boats Brian McGoldrick will provide a revised drawing. Vote 7 aye 1 nay Ganz, majority passed.
- White Bear Fireworks – Approved fee waived. Motion DeSmet/second request that WBLCD be added as a sponsor to Fireworks. All aye passed.

11. Lake Education – Scott Costello

Anti plastic signs have been order. Had great participation a total of 30 signs were ordered and will be hung around the lake.

Treasurer's Report – Motion (DeSmet/Second) approval of May 2019 Treasurer's report and payment of check numbers 4567-4575 All Aye passed.

Review of budget for 2020 motion to have balanced budget for 2020 all aye passed

Motion by Tres/Sec Longville to close USBank savings account and transfer funds into US Bank checking account to simplify accounting, savings account only has 2,000 and bank can not fix the error of charging us bank fees each month we are exempt therefore having to get them to reimburse our account every month. Motion/Second all aye passed.

12. Board Counsel – Lawsuit still going on. Will instruct water patrol to ticket anyone breaking the no wake rule.

13. Consent Agenda – Motion (DeSmet/Second) Move to accept the consent agenda. All Aye Passed.

14. Announcements – None

15. Adjournment – Motion (DeSmet/Second) Move to adjourn. All aye Passed.

Meeting adjourned

ATTEST:

Kim Johnson: *Kim Johnson*
Executive Administrative Secretary
Date: June 18, 2019

Brian DeSmet: *Bryan DeSmet*
Board Chair
Date: June 18, 2019

Park Advisory Commission Meeting Minutes

MAY 16, 2019

6:30 P.M.

CITY HALL

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

AGENDA:

1. CALL TO ORDER

The meeting was called to order at 6:30 pm at West Park and Memorial Beach.

2. APPROVAL OF MINUTES

Approval of the minutes from April 18, 2019 was moved by Mike Shepard and seconded by Anastacia Davis. Motion carried.

3. APPROVAL OF AGENDA

Approval of the May 16, 2019 agenda was moved by Mark Cermak and seconded by Mike Shepard. Motion carried.

4. UNFINISHED BUSINESS

None.

5. NEW BUSINESS

a) Bike Repair Station

Dr. John Tomlinson along with a group of people would like to donate a bike repair station to Lions Park. The location was briefly talked about in our last Park Advisory Commission meeting. The June Park Commission meeting will be held at Lions Park and the location can be finalized at that meeting.

b) Summer Park Tours

The Park Commission walked through Memorial Beach first. Andy suggested that a two tier wall would help reduce mowing and maintenance on the grass hill and it would also enhance this premier beach front park. The Park Commission raised the question on whether a one tier or two tier wall would be the best option for that location. The Parks Department will request plans for each style of wall to determine the best fit for the park. It was also noted that the electrical needs to be upgraded to accommodate vendors and events that happen at Memorial Beach.

The Park Commission continued their tour by walking through West Park next. Andy mentioned that the pavilion will be replaced with an updated and larger pavilion.

The electrical also needs to be upgraded at the pavilion to meet the needs of the users. The playground upgrades made a few years ago were being enjoyed by all and appear to still attract many park users. The also Park Commission discussed removing the baseball back stop and potentially adding something else there. There will be more discussion on this idea at a later date.

6. OTHER STAFF REPORTS

None.

7. COMMISSION REPORTS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The next meeting will be held on June 20, 2019 at 6:30 p.m at Lions Park.

There being no further business to come before the Park Commission, the meeting was adjourned. Moved by Mark Cermak and seconded by Victoria Biehn.

**MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
JUNE 24, 2019**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, June 24, 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, Mark Lynch, Marvin Reed, Erich Reinhardt, and Peter Reis.

MEMBERS EXCUSED: Mary Alice Divine.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Bruce Anderson, Sheila Faulkner, Rich Farrell, Steve King, Kim Koeppen, Corinna Morse, Lynn Dierking, David McCullough, Grace McNamara, Jean Bartolla, Jason Navarro, James Milanovich, Stephanie Parsons, Lourdes & Eustolio Benavides, Peter & Mary Gove, Bill Swanson, Don Murzyn, Scott Golden, Mike Niven, Bill Maass, Bonnie Stewart, Brian Hanson, Dave Chapman, Sheila Faulkner, and Gary Schultz.

2. APPROVAL OF THE JUNE 24, 2019 AGENDA:

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

3. APPROVAL OF THE MAY 20, 2019 PLANNING COMMISSION MEETING MINUTES:

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

4. CASE ITEMS:

A. **Case No. 19-4-V:** A request by **Kim Koeppen** for a 25-foot variance from the 30-foot setback from the rear property line, per Code Section 1303.060, Subd.5.c.3 in order to build a home addition five feet from the east property line for the property located at 2291 9th Street.

Crosby discussed the case. Staff recommended approval of the request as a smaller addition to maintain a 30-foot side yard setback, along the north property line.

Member Berry asked if alternative locations were considered for the art room, especially since all the open space is on the west side of the property. Crosby replied that staff did not research it extensively, but the best alternative would be a detached shed-like structure.

Member Reed inquired as to whether a detached structure could be closer than 30 feet to the rear property line. Crosby confirmed it could.

Member Reis wondered if staff knew of any rationale for how the alleys in the old White Bear neighborhood came to be. Kane mentioned railroad right of ways affected some alleyways, but she had no specific knowledge of why some blocks have alleys and others do not.

Member Lynch noted he would like to hear the applicant's rationale behind attached and detached space.

Member Reed asked if staff discussed the recommended size reduction with the applicant. Crosby replied she had implied as much at the time of application.

Reed opened the public hearing.

Kim Koeppen, applicant. She explained that the house was built in 1959, with the 13-foot setback from the rear alley, so the variance request is not for 25 feet, but eight feet. She described how she has constantly been told by the City that Morehead Avenue is her front yard and the alley is the backyard. She is disheartened by the fact that staff is now calling the north side her rear yard.

She demonstrated the effect of the addition on the property with some photos. She argued that the proposed reduction in size will not fit the crafting furniture she already owns and will not be able to accommodate a number of people. She does not understand how a detached shed would be a better use of land if it can be up to 455 square feet in size. She wants 299 square feet. She believes she meets the conditions laid out for approving a variance.

Member Reinhardt asked where the art material is currently being utilized. Ms. Koeppen explained it is stored throughout the house.

Member Reed clarified the different setbacks for attached and detached structures, noting that staff is doing their best to adhere to the code. Crosby explained that in trying to think through the logic of the proposed request, staff tried to justify the variance by maintaining two open yards. Calling the side the rear yard does not technically make it the rear yard.

Kane stated the code is very specific in defining yards. The request to maintain a 30 foot setback from the north side was a desire to be consistent with other lots. Member Reinhardt iterated that staff is not trying to change the code, just work with the applicant to make the variance more approvable. Crosby confirmed, adding that staff is also trying to be consistent with past variances.

In response to Member Lynch, Crosby stated the side yard setback for a principal structure is ten feet.

Member Berry noted that the existing house is situated all in one corner. With the proposal of building the art room five feet from the alley, the applicant is cramming even more into the area. He asked if there was ever discussion of putting it parallel to the garage and how snow removal in the alley impacted her property. Ms. Koeppen replied that she chose the proposed location of the addition because she is trying to preserve her yard and wants an attached art room. She added that the snow ends up in the neighbors' yard and along her fence.

Member Reis thought it illogical that a detached structure could be larger than what the applicant is proposing.

Corinna Morse, 2291 4th Street, supports the applicant's request. If the City will not grant the variance, a precedent will be set for building additional detached structures that the neighborhood does not want.

Kane noted the zoning code is not a subjective matter and staff's recommendation is based on trying to work within the confines of the code.

Member Baltzer opined that the variance is not a bad idea since it abuts an alley and not a full street. It is only 8 feet and not all that much different from what is existing. He plans to support the full variance.

Member Reis concurred and asked staff to clarify what the recommendation of approval would be. Crosby stated that condition four would be reworded to remove the requirement that the addition must be 30 feet from the north property line.

Member Lynch detailed how one of the functions of the Planning Commission is to think long term. He expressed concern for what would happen if the applicant sold the home and a new owner did not take care of the property, if the reason for the variance was to maintain the beauty of the yard. He believes the applicant meets the criteria for variance approval, except that which requires the minimal variance. However, he was persuaded by her arguments to support the request.

Member Berry stated that the house setback is allowed due to its age, but the addition is changing that which is grandfathered in. A detached building has its own setbacks. As an attached structure, this addition should abide by the setbacks required for principal structures.

In reference to a condition of a previous lot recombination, Member Reed asked if the intent is to mitigate the excessive impervious surface on the property to the north with this project. Crosby responded that it will be mitigated for when a project is proposed on that northern lot.

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

Member Reis moved to recommend approval of Case No. 19-4-V with a rewording of condition four to allow for the requested addition size. Member Lynch seconded the motion. The motion passed by a vote of 6-0.

- B. **Case No. 19-3-CUP & 19-5-V:** A request by **Richard Farrell** for a 25 foot variance from the 40 foot rear yard setback, and a 7.2 foot variance from the 35 foot setback from a side abutting a public right-of-way, both per Code Section 1303.040, Subd.5.c, in order to locate the house 15 feet from the north property line and 27.83 feet from the west property line, and a conditional use permit for three curb cuts, per Code Section 1302.050, Subd.4.h.9, for the property located at 4763 Lake Avenue.

Crosby discussed the case. Staff recommended approval of the variances subject to a number of conditions and denial of the CUP. Among the conditions was a recommendation that the height of the garage be limited.

Member Reed clarified that lowering the roof would make the bonus room unavailable. Crosby confirmed that staff is recommending removal of the living space above the garage.

Member Reis did not think there were any dual curb cuts north of the subject site and that those to the south are over 100 years old. Crosby confirmed that no circular curb cuts have been approved in recent history with a caveat that second curb cuts have been approved along high-speed arterial roads, like County Road E, where backing out of the driveway is dangerous.

Member Lynch sought an explanation for reasoning behind the 27-foot setback along the west property line. Crosby explained that the front setback is an average of the neighbors and the applicant is applying that same principle to the side yard along Johnson. Member Lynch conveyed that since this proposal is along the lake, views should be preserved, and the lake protected, so the side yard setback should be 35 feet. As it is a special place, parking cars along Lake Avenue should be avoided.

Reed opened the public hearing.

Bill Maass, 4780 Johnson Avenue, has lived north of the lot for the past five years. He wants to preserve the extraordinary views of the lake, but the garage will eliminate approximately 10 to 15 percent of their view. He questioned if the curb cut of the original driveway, which is partially shared with his own driveway, will be removed. He indicated that the out building is in poor shape and he would be happy to see it disappear.

Rich Farrell, applicant, he would like to be neighborly and reasonable. He has worked with Ms. Crosby to make a reasonable footprint. He wants to figure out what he can do before fully designing the home. The family is looking to make this their forever home. He is okay with losing the curb cut along Lake Avenue.

Member Berry asked if the applicant would be ok with not having a bonus room. Mr. Farrell reported that in a perfect world he would want the space above the garage, but realizes he would upset neighbors if he blocked anyone's view. He wants something with architectural value and character.

Mr. Farrell clarified for Member Lynch that he wants the curb cut off Johnson Avenue as his one allowed driveway.

Member Reed asked a series of questions regarding alternative designs of the garage, including the use of dormers or a stairway in the garage. He wondered if the applicant is in agreement with staff's recommendation to lower the roof. Mr. Farrell replied that they wanted to be able to use the space above the garage and that he would prefer a 26 foot height allowance rather than 22 feet to allow changes to roof pitch and whatnot.

Bill Swanson, 2309 Fourth Street, explained how he has fourteen windows along Johnson Avenue. One used to be able to see Manitou Island from his house. He can see into Matoska Park and along the bike trail, but this proposal will almost completely block his view. He thinks keeping the garage to 22 feet may retain some of the view of Matoska. He suggested that the bonus room not be approved and that since there is a lot of pedestrian traffic along Fourth Street, the extra curb cuts be denied as well.

Peter Gove, 4799 Johnson Avenue, has lived in his home for three years. He has views of the lake both down Fifth Street and Johnson Avenue, but will lose some of the view from the family's four-season porch with this development. He appreciates that Mr. Farrell reached out to some of the neighbors regarding the project. He thinks most of the neighbors knew a new house would be coming at some point. He is supportive of staff's recommendation to lower the roof.

Reed then closed the public hearing.

Member Reinhardt stated that staff's recommendations appear reasonable.

Member Baltzer noted there is a history of blocking views along the lake. He also lost a view. He urged residents to consider how their own homes have blocked a neighbor's view. It is sometimes hard to accept, but change happens.

Member Reis stated he is a neighbor of the applicant, but will not lose his lake view, so will not abstain from the vote.

Member Lynch asked if the existing driveway would be removed. Crosby explained that removal of the existing curb cut would be a condition at the time the building permit is issued. Member Lynch continued that variances are granted to alleviate a hardship on the property and should be the minimal variance needed. He wants the minimal variance as he does not want that hardship passed on to other people, which is why he supports a 35 foot setback from Johnson Avenue and a 22 foot height for the garage. As such, he will vote against any proposal that does not recommend a 35 foot setback along Johnson.

Member Reis moved to recommend approval of Case No. 19-5-V with staff's recommendations and disapproval of 19-3-CUP. Member Berry seconded the motion. The motion passed by a vote of 5-1. Member Lynch dissented.

- C. **Case No. 19-2-Z:** A request by **Paul Bruggeman** for a rezoning from R-3 "Single Family Residential" to R-6 "Medium Density Residential", per Code Section 1301.040 for the portion of the property north of County Road D at 2687 County Road D.

Miller discussed the case. Staff recommended approval.

Member Berry asked if the townhomes to the east were zoned single family at the time of construction and what the density was. Miller confirmed the area is zoned R-3 “Single Family” and the townhomes were approved as a Planned Unit Development. Kane estimated the density to be approximately three to four units per acre. She explained that the zoning could remain R-3 and then go through the PUD process, but the developer is looking for a project that can be built by right rather than go through that process.

Reed opened the public hearing.

Gary Schultz, 3151 Hidden Lake Point, Chairman and President of White Bear Commons Townhome Association. He read a statement in opposition to the proposal that explained how medium density fails to take into account the natural features of the land such as the topography, the wetland and the trees. He measured 62 feet from the west boundary of his property to the edge of the water, 125 feet from 3149 Hidden Lake Point, and 200 from 3147 Hidden Lake Point. By his estimation, the natural features along with the setbacks leave little room for even two units. He felt that any development would reduce their property values and pleaded the Commission to recommend nothing denser than twin homes if any change at all is approved.

Kane pointed out that the existing comprehensive plan and the proposed comprehensive plan have both guided the parcel for medium density residential, meaning this has been the vision for the area since at least 2008. She further explained that the developer will engage in necessary analysis such as slope studies, wetland delineation and tree survey after the rezoning is approved. She surmised that any construction would be closer to the road, providing a large wetland buffer and shorter utility connections and driveways.

Member Berry asked if the townhome association ever considered purchasing the lot. Mr. Schultz replied they have not.

Jim Milanovich, 3162 Hidden Lake Point. He would like to see more law enforcement in relation to speeds in that area. When travelling eastbound, making a right-hand turn at Century is delayed if someone wants to go straight across Century Avenue. He described how the Fed Ex trucks use the gas station property as a way to avoid the backups. More vehicles in the area will exacerbate the problems. He wondered what the area was guided for in 2004 when his unit was built.

Mary, Real Estate Masters, she helped the current owners of 3147 Hidden Lake Point purchase the property two years ago. Their property value will decrease if the woods are removed or if the new development is not up to the standards of the existing development. She does not understand why the City would rezone the property with no proposal.

Kane explained that building setbacks would be larger with a multi-family designation than with a single-family designation, preserving more space between the properties. She noted that since the subject property has been guided for multi-family since at least 2008, inquiries to the City would have revealed the possibility of higher density development on the site.

Old owner of 3147 Hidden Lake Point, now lives at the end. She finds it hard to envision the site being suitable for building. Any development would cause a lot of destruction and be stressful for the residents of White Bear Commons.

Sheila Faulkner, 2680 Sumac Ridge, She has lived in Bruggeman homes since 1978. She provided a history of the development in this area, including the negative impact it has had on the environment. The stream was dammed and the wetlands filled in in order to build. She and other residents created the group "SOLVE", Save Our Lakewood Village Environment, when the apartments were proposed. The trees are mature and gorgeous and it would be a shame to have them removed.

Stephanie Parsons, 3162 Hidden Lake Point Drive. She has concerns about impact to the wetland and the increased traffic on County Road D.

Michael Niven, 2687 County Road D. He provided proof that he is the executor of his late father's estate. He described how the surrounding development has diminished the land. His father planted all the trees that the neighbors are now concerned about losing. He reminded the Commission that the area was very different when his family moved in before the freeway was built. Over the years, development has brought townhomes and apartments, drastically changing the landscape. No one protected his father's land then. Now that he wants to sell his land and develop it in the same way as others have been allowed to do, everyone is objecting.

Member Lynch asked if Mr. Bruggeman is purchasing the entire property, including the part south of County Road D. Mr. Niven confirmed he is, but was unsure of Mr. Bruggeman's plans, other than removal of the house.

Dave McCollough, representing Paul Bruggeman, asked the Commission to endorse staff's recommendation.

Kane reported that staff has had conversations with the applicant about constructing a small office building on the south side of County Road D.

Dave Chapman, 3149 Hidden Lake Point Drive, asked at what point the analysis of what can be built occurs and if the association would be further noticed at that time. Kane responded that it is not until someone has an interest in and right to develop a property that such a level of analysis happens. She explained notices would only go out if variances to the code are requested. She offered to draw-up the setback requirements so the neighbors can visualize the buildable area of the lot.

Jean Bartolla, 3161 Hidden Lake Point Drive, purchased in 2004. The beauty of the neighboring lot is why they purchased this townhome.

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

Member Reinhardt asked if the lot could be combined with the lot to the west, since it seems relatively unbuildable. Kane replied that has not been a part of the conversation and is unsure if the apartment has any excess land to give the subject parcel.

Member Berry agreed that it appears there is little room for development on the lot; however, the only way to preserve what is there is to purchase it. Barring that, the rezoning with the increased setback requirements is probably in the best interest of the neighbors.

Member Lynch commented that the zoning code provides the maximum density, but it does not guarantee that is what will be built. He believes that the property will be developed one way or another.

Member Baltzer moved to recommend approval of Case No. 19-2-Z. Member Reinhardt seconded the motion. The motion passed by a vote of 6-0.

5. DISCUSSION ITEMS:

A. City Council Meeting Minutes of June 11, 2019.

Member Lynch complimented Kara Coustry on the City Council minutes, noting it was a job well done.

B. Park Advisory Commission Meeting Minutes of April 18, 2019.

No discussion

6. ADJOURNMENT:

Member Baltzer moved to adjourn, seconded by Member Lynch. The motion passed unanimously (6-0), and the June 24, 2019 Planning Commission meeting was adjourned at 9:35 p.m.



City of White Bear Lake
Finance Department

M E M O R A N D U M

To: Ellen Hiniker, City Manager

From: Kerri Kindsvater, Finance Director

Date: July 1, 2019

Subject: **Special Assessments**

BACKGROUND

The City helps property owners pay for unexpected water, sewer and property maintenance costs by assessing the project costs to property taxes when there is a financial hardship. Listed below are three assessment requests the City has received from property owners in 2019. Staff is asking for Council's approval to allow Ramsey County to update the property tax system prior to November when annual street and utility assessments are added.

Special Assessment for 4441 Lake Avenue South:

Businesses need to request a Sewer Availability Charge (SAC) review by the Metropolitan Council when applying for a building permit to ensure collection of the required SAC units for the business operations. During 2019, CG Hooks at 4441 Lake Avenue South applied for a building permit to renovate the facility's kitchen and add restroom facilities.

Since CG Hook's and Tally's Dockside are both located at the same property address, the Metropolitan Council had to consider both operations in their SAC review. The Metropolitan Council determined two additional sewer availability charges needed payment due to the size of the patio seating area at Tally's Dockside.

Total fees for the two additional charges are as follows:

Met Council Sewer Access Charge	\$4,970
City Sewer Access Charge	1,340
City Water Access Charge	<u>1,340</u>
Total Costs	<u>\$7,650</u>

The City authorized the assessment of the charges to the property owner under the following conditions:

1. Resident agreed to a 5-year assessment.
2. Resident agreed to pay interest at 2% above the City's true interest rate set at the recent bond issue, which is 2.41%. Therefore, the interest rate will be 4.41%
3. Resident waves all rights to a public hearing regarding the final assessment.

Special Assessment for 3895 Van Dyke Street:

Mr. James Cantwell at 3895 Van Dyke Street experienced sanitary sewer system repairs needed to address a plugged system line. The resident asked to have the repair costs assess to his property taxes due to a financial hardship at this time. The total project costs were \$800.

The City has previously allowed similar assessments to property owners for improvements and agreed to this assessment based on the following information:

1. Resident agreed to a 2-year assessment.
2. Resident agreed to pay interest at 2% above the City's true interest rate set at the recent bond issue, which is 2.41%. Therefore, the interest rate will be 4.41%
3. Resident waves all rights to a public hearing regarding the final assessment.

Special Assessment for 4483 Lincoln Avenue:

Mr. Thomas Peloquin at 4483 Lincoln Avenue had a diseased boulevard tree in need of removal. The resident asked to have his half of the removal costs assessed to his property taxes due to a financial hardship at this time. The total project costs are \$487.50.

The City has previously allowed similar assessments to property owners for improvements and agreed to this assessment based on the following information:

1. Resident agreed to a 1-year assessment.
2. Resident agreed to pay interest at 2% above the City's true interest rate set at the recent bond issue, which is 2.41%. Therefore, the interest rate will be 4.41%
3. Resident waves all rights to a public hearing regarding the final assessment.

RECOMMENDED COUNCIL ACTION

Staff recommends Council approve the attached resolution authorizing the assessments for the three properties explained above.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION CERTIFYING MISCELLANEOUS PRIVATE PROPERTY
ASSESSMENTS FOR RECOVERY OF CITY EXPENSES**

WHEREAS, Minnesota Statutes §429.101 allows the City to certify special charges associated with servicing property as special assessments with the County Auditor; and

WHEREAS, the following White Bear Lake, MN private property owners have signed assessment agreements waiving all rights to a public hearing regarding the following assessments:

Keith Dehnert owner of CG Hook's and Tally's Dockside 4441 Lake Avenue South	Met Council Sewer Access Charge	\$4,970
	City Sewer Access Charge	1,340
	City Water Access Charge	<u>1,340</u>
	Total Assessments:	\$7,650
5-year assessment	Interest rate of 4.41%	

James Cantwell owner of 3895 Van Dyke Street	Sanitary sewer repairs	
	Total Assessment:	\$800.00
2-year assessment	Interest rate of 4.41%	

Thomas Peloquin owner of 4483 Lincoln Avenue	Diseased boulevard tree	
	Total Assessment:	\$487.50
1-year assessment	Interest rate of 4.41%	

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota, that charges associated with maintaining private property within the City are certified to the County Auditor for collection as special assessments.

BE IT FURTHER RESOLVED, by the City Council of the City of White Bear Lake that assessment totals listed above shall be payable over the terms provided for each above at an annual interest rate of 4.41%

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hinikerr, City Manager
From: Kara Coustry, City Clerk
Date: July 2, 2019
Subject: **Massage Therapy Establishment and Therapist License**

BACKGROUND

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

SUMMARY

The City received a complete massage therapist establishment and massage license application from Xiangjuan Wei for her new business called Panda Massage, located at 1350 Highway 96 E, White Bear Lake, MN.

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

RECOMMENDED COUNCIL ACTION

Staff recommends the City Council adopt the attached resolution approving issuance of massage therapist establishment and therapy license to Xiangjuan Wei at Panda Massage.

ATTACHMENTS

Resolution

RESOLUTION NO. 12336

**RESOLUTION APPROVING MASSAGE THERAPIST LICENSES
FOR THE BUSINESS CYCLE ENDING MARCH 31, 2020**

BE IT RESOLVED by the City Council of the City of White Bear Lake that the following massage related licenses be approved for the business cycle ending March 31, 2020.

Massage Therapy Establishment License

Xiangjuan Wei (owner)	Panda Massage 1350 Highway 96 E White Bear Lake, MN 55110
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Massage Therapist License

Xiangjuan Wei	Panda Massage 1350 Highway 96 E White Bear Lake, MN 55110
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The foregoing resolution, offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Absent:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager
From: Kara Coustry, City Clerk
Date: July 3, 2019
Subject: **Donation from the White Bear Lake Baseball Association**

BACKGROUND / SUMMARY

The White Bear Lake Baseball Association donated \$5,000.00 to the City of White Bear Lake's Park Improvement Fund. This donation is intended to help pay for infield restoration project costs at Weyerhauser Park.

RECOMMENDED COUNCIL ACTION

Staff recommends the Council adopt the attached resolution to formally recognize the White Bear Lake Baseball Association donation of funds to help restore project costs at Weyerhauser Park.

ATTACHMENTS

Resolution

RESOLUTION NO.

**A RESOLUTION ACCEPTING A DONATION FROM THE WHITE BEAR LAKE
BASEBALL ASSOCIATION TO THE CITY OF WHITE BEAR LAKE**

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

WHEREAS, the White Bear Lake Baseball Association contributed \$5,000 to the City of White Bear Lake Park Improvement Fund to help pay for infield restoration project costs at Weyerhauser Park; and

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

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the donation described above is accepted and shall be used to help pay for infield restoration project costs at Weyerhauser Park.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk