



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, DECEMBER 10, 2019
7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

Minutes of the Regular City Council Meeting on November 26, 2019

3. APPROVAL OF THE AGENDA

4. VISITORS AND PRESENTATIONS

A. Mary Alice Divine – retiring Planning Commission member

B. Climate Smart Exchange – WBL Delegation members

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Consent

Nothing scheduled

B. Non-Consent

1. Consideration of a Planning Commission recommendation regarding a request by Richard Farrell for a variance (19-11-V)

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

A. Second reading of a City-initiated request to amend the Sign Code to allow Drive-Thru signs to utilize dynamic display style sign faces (19-7-Z)

B. Second reading of an amendment to the Winter Parking Ordinance

C. Second reading of an Ordinance adoption of the 2020 annual fee and utility rate schedule

- D. Second reading of an Ordinance amending Ordinance 96-3-931 which established a community reinvestment fund
- E. First reading of a Charter Commission recommendation to amend the City Charter pertaining to assessment of code enforcement penalties and fines
- F. First reading of a City-initiated request to amend the Zoning Code to clarify that only one stairway to a waterbody is permitted per property (19-9-Z)

9. NEW BUSINESS

- A. Resolutions adopting 2019 Tax Levy Collectible in 2020 and adopting Revised 2019 and Proposed 2020 Budget
- B. Resolution approving Classification and Compensation Plan
- C. Resolution ordering preparation of a feasibility report for the 2020 Street Reconstruction Project and the 2020 Mill & Overlay Project (City Project Nos. 20-01, 20-06 & 20-13)

10. HOUSING AND REDEVELOPMENT AUTHORITY

- A. Roll Call
- B. Approval of the June 25, 2019 HRA Meeting Minutes
- C. Resolution not waiving the monetary limits on Municipal Tort Liability established by Minnesota Statutes 466.04 for Housing and Redevelopment Authority
- D. Resolution authorizing the purchase of the property located at 2174 8th Street
- E. Adjournment

11. CONSENT

- A. Acceptance of minutes: October Park Advisory Commission, October Environmental Advisory Commission, October White Bear Lake Conservation District, November Planning Commission.
- B. Resolution authorizing food trucks to service the Hockey Association Hockey Jamboree in Podvin Park
- C. Resolution authorizing use of a portion of the City's parking lot by Big Wood to host a chili cook off
- D. Resolution approving a massage therapist establishment license
- E. Resolution not waiving the monetary limits on Municipal Tort Liability established by Minnesota Statutes 466.04
- F. Resolution rescinding internal loan repayment to the Non-Bonded Fund

- G. Resolution authorizing the City Manager to execute a Water Efficiency Grant agreement with Metropolitan Council

12. DISCUSSION

- A. City Manager Review

13. COMMUNICATIONS FROM THE CITY MANAGER

14. ADJOURNMENT



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

1. CALL TO ORDER AND ROLL CALL

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

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the Closed City Council Meeting on November 12, 2019

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

Councilmember Biehn and Engstran abstained.

Motion carried.

B. Minutes of the Regular City Council Meeting on November 12, 2019

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

Councilmember Biehn abstained. Motion carried.

3. APPROVAL OF THE AGENDA

City Manager Hiniker added 9C, health insurance contributions for the Local 49 Public Works Union

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

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

A. Truth in Taxation Hearing

City Manager Hiniker explained the Truth in Taxation Hearing provides an opportunity for public to comment on the budget and tax levy. She reviewed the budget timeline as it progressed through the year and stated, the City Council will vote on this proposed tax levy at its December 10, 2019 meeting.

Ms. Hiniker reviewed the allocation of tax dollars and sources of revenue for the General Fund, and explained how property tax rates are calculated. Ms. Hiniker reported on the proposed 2019 tax levy, which was preliminarily adopted on September 10, 2019 as follows. The levy can be reduced, but not increased when the final tax levy adoption is considered on December 10, 2019.

	<u>2018 Levy</u>	<u>2019 Preliminary Levy</u>	<u>Increase</u>
General Fund	\$5,993,000	\$6,475,000	\$482,000
Debt Service Funds	<u>352,000</u>	<u>433,000</u>	<u>81,000</u>
Total 2019 Tax Levy	<u>\$6,345,000</u>	<u>\$6,908,000</u>	<u>\$563,000</u>

Mayor Emerson opened the public hearing at 7:29 p.m.

Barbara Boyer of 4641 Clark Avenue explained that her home assessment increased 20% and she questioned her \$4,800.00 property tax liability as it compared to an example provided during the presentation of a home with taxes at only \$350.

Mayor Emerson noted the County Assessor controls the assessed value. City Manager Hiniker added that the \$350 example only showed the City’s portion of tax and did not show the full scope of taxes assessed by the other agencies such as the County and the School District.

Councilmember Edberg elaborated that increases in assessed home values are a mixed blessing. He noted that the median housing value in White Bear Lake is below many surrounding communities, which becomes an attractive place for families to relocate. He said that while people do not like paying more taxes when home values increase, the good news is that home values are improving and homes for sale are not staying on the market long.

Councilmember Jones agreed. He also explained that home values have only recently returned to levels from ten years ago. He supports the tax levy increase and noted there are new expenses desired by the community, such as when police cameras were added two years ago. Councilmember Jones stated that we have capable people preparing and overseeing the budget, and there remains the question of what could possibly be cut.

Mayor Emerson noted that residents get a lot of bang for their buck, citing the example that tonight when streets will be plowed, the monthly cost for this service is \$2.97, or \$16/month for a police presence. She also noted that White Bear Lake is second from the bottom of the tax levy list compared to peer cities.

Councilmember Biehn said he gets more requests to assume more services, as opposed

to cutting taxes.

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

- A. First reading of an Ordinance amending Ordinance 96-3-931 which established a community reinvestment fund

City Manager Hiniker stated that as discussed at past Council work sessions, staff is bringing forward an amendment to a 1996 ordinance that established a community reinvestment fund. Upon establishment of this fund, the City placed \$1,000,000 in a Park Improvement Trust and \$3,300,000 in a Street Improvement Trust, dedicating a portion of the annual interest from each to be proportionately applied to park and street improvements. The ordinance currently requires that this fund retain a minimum 5% of its annual investment earnings to grow its principal balance.

Between 1996 and 2008, there were several years of significant investment earnings. These earnings funded Park and Street Improvements over the years and grew the fund balance to what is now approximately \$7,655,000.

Since 2008, interest earnings have been at historic low levels, significantly impacting capital funding revenues needed for infrastructure improvements. The City Council has had several discussions the past few years regarding the Community Reinvestment Fund's significant fund balance relative to the reduction in its earnings.

In consultation with Ehlers Inc., the City's public finance advisor, staff and Council concluded that maintaining a minimum balance of \$6,000,000 in the Community Reinvestment Fund preserves the financial integrity of this fund and its intended purpose. However, it was also concluded that funds in excess of that minimum balance should be used to help support the City's capital projects in lieu of interest earnings historically provided through this fund.

The proposed amendment to the ordinance allows the fund to be spent down to a minimum balance of \$6,000,000 for capital expenditures to include support of the Interim Construction Fund, Park Improvement Fund and Municipal Building Fund.

Ms. Hiniker mentioned the public hearing for this ordinance revision was noticed for December 10, 2019 at which time second reading will occur to coincide with adoption of the 2020 budget.

Councilmember Walsh expressed concern with the use of the investment fund for municipal building costs and inquired as to the broadness of definition.

Ms. Hiniker noted that as currently proposed, the fund could be used for any municipal building improvement.

Councilmember Walsh noted a spelling correction in Section 5 paragraph B, line 3.

9. NEW BUSINESS

- A. Resolution authorizing the Mayor and City Manager to execute a Purchase Agreement for sale of land to Saputo, Inc.

City Manager Hiniker stated this property was purchased in the spring and is in the process of being platted. This is the final step in the planned sale of half of this property at half of the purchase price to Saputo, Inc. She stated this also included half of the cost of site demolition and platting.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Jones** to adopt **Resolution No. 12479**

Motion carried unanimously.

- B. Resolution approving 2019-2020 IAFF Firefighter/Paramedic Union Contract

City Manager Hiniker reported the IAFF Union Contract has negotiated in good faith. She noted that the proposed contract reflects wages 4% over what had originally been budgeted. She noted that Firefighters work 24-hour shifts in which the average number of hours worked by employees in this field adds up to 2900 annually, as compared to 2080 for the average worker. This impacts the hourly wage. She stated the health insurance provisions are the same as provided for to all non-bargaining employees and agreed upon by the other unions.

Councilmember Walsh asked for assurance from the City Manager that a downward pressure on Fire Department and Ambulance overtime would continue to drive down this high cost overtime line item, now that the department has completed its transition.

Ms. Hiniker said that some overtime will reduce somewhat, but there is overtime inherently built into the budget as needed for the 24/7 scheduling model. She stated that although FLSA has a higher threshold for overtime for firefighters/paramedics at 212 hours per month, there will still be approximately 350 hours of overtime built into a 24-7 schedule.

Councilmember Biehn noted that more people could be hired to reduce overtime, but then there is the need to pay benefits and having more people does not always make for the best scheduling.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Biehn** to adopt **Resolution No. 12480**

Motion carried unanimously.

- C. Resolution approving 2020 health insurance contributions for the Local 49 Public Works Union

City Manager Hiniker reported the Local 49 union employees accepted the City's health insurance proposal, which is the same as was approved by Council for the non-

bargaining employees. The union vote was taken after the agenda packets were prepared, which is why it is being added to the agenda at this time.

It was moved by Councilmember **Biehn**, seconded by Councilmember **Engstran** to adopt **Resolution No. 12481**

Motion carried unanimously.

10. CONSENT

- A. Resolution authorizing a letter of consent to the City of Vadnais Heights regarding the Comprehensive Plan Amendment. **Resolution No. 12482**
- B. Resolution approving tobacco license and related products for Nothing but Hemp. **Resolution No. 12483**
- C. Resolution approving a temporary liquor license for the Lions Club Foundation. **Resolution No. 12484**
- D. Resolution approving health insurance contributions for the 2020 MNPEA Patrol Officers Union Contract. **Resolution No. 12485**
- E. Resolution approving health insurance contributions for the 2020 LELS Sergeants Union Contract. **Resolution No. 12486**
- F. Resolution approving special assessment, **Resolution No. 12487**

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

Motion carried unanimously.

11. DISCUSSION

Nothing scheduled

12. COMMUNICATIONS FROM THE CITY MANAGER

- A. The Ramsey Washington Watershed District gave the City of White Bear Lake an award for the Edgewater Right of Way native prairie planting project installed in 2016. Ms. Hiniker mentioned the importance of pollinator plants and for stormwater control and the City Engineer added that deep roots from native plants help with erosion control.
- B. In collaboration with the Rice Creek Watershed District, the City provided a curb cut and Ramsey County Water Conservation Division designed five (5) homeowner raingardens as part of the City's 2019 Street Reconstruction Program. The Rice Creek Watershed District provided 75% and the homeowner covered 25% of the cost.
- C. Ms. Hiniker relayed dates for the German Exchange as June 13 – 20, 2020, with German delegates returning to White Bear Lake October 3 – 10, 2020.

- D. City Engineer and Public Works Director Kauppi reminded people to remove cars from the street until streets are plowed from curb to curb. He said crews will start plowing downtown at about 2:00 a.m. and move onto mainline plowing around 4:00 a.m. Mayor Emerson added this is important to avoid being ticketed.

13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh**, seconded by Councilmember **Biehn** to adjourn the regular meeting at 7:58 p.m.

Motion carried unanimously.

Jo Emerson, Mayo

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
Community Development Director

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Planning Commission

Through: Samantha Crosby, Planning & Zoning Coordinator

Date: December 4, 2019 for the December 10, 2019 City Council Meeting

Subject: **Richard Farrell, 4763 Lake Avenue – Case No. 19-11-V**

REQUEST

A 1 foot 4 inch variance from the 2 foot maximum width for an eave overhand encroaching into a setback.

SUMMARY

No one from the public spoke. On a 6-1 vote, the Planning Commission recommended approval as requested.

RECOMMENDED COUNCIL ACTION

Approval of the attached resolution.

ATTACHMENTS

Draft Resolution of Approval

RESOLUTION NO. _____

**RESOLUTION GRANTING AN EAVE WIDTH VARIANCE
FOR 4763 LAKE AVENUE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (19-11-V) has been submitted by Richard Farrell 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: 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 1-foot 4-inch variance from the 2-foot maximum width for an eave overhang into a setback, per Code Section 1302.040, Subd.4.a.1, in order to have 3-foot 4-inch eaves all the way around the home; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on November 25, 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 and the variance is the minimum required to accomplish this purpose.
3. Because the eaves are still a significant distance from the property lines or any other structure, 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. 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 approved building permit shall be amended accordingly prior to the construction of the roof.

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



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Anne Kane, Community Development Director

Date: December 5, 2019 for the December 10, 2019 City Council Meeting

Subject: **SECOND READING – Sign Code Amendment to allow Drive-Thru Menu Boards and Digital Signs**

REQUEST

A text amendment to the City's Sign Code to allow dynamic display drive-thru signs and digital signs in commercial and industrial districts. The second reading is a public hearing and notice was published in the November 20th edition of the White Bear Press.

At the first reading, it was noted that a local fast food operator was interested in installing a pre-browse menu board. The Sign Code limits menu boards to one sign per drive through lane. It was not the intent of this proposed text amendment to increase the number of signs allowed, simply to allow new technology to be used in the menu boards.

Since the first reading, staff has had additional conversations with the local business and determined that a pre-browse sign, provided it is less than 10 square feet in area and not taller than six feet in height, would fall under "Other Signs" and may be installed along with a menu board. This met with their satisfaction and will allow them to conform with national franchise standards.

SUMMARY

On a 5-0 vote, the Planning Commission recommended approval.

RECOMMENDED COUNCIL ACTION

Approval of the attached ordinance.

Approval of the summary resolution to facilitate publication

ATTACHMENT

Ordinance
Summary Resolution

ORDINANCE NO. 19-12-2038

AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE MUNICIPAL CODE
AT SECTION 1202, THE SIGN CODE, AS IT RELATES TO
DYNAMIC DISPLAY DRIVE-THRU MENU BOARDS AND DIGITAL SIGNS
(CASE NO. 19-7-Z)

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA DOES ORDAIN
THE FOLLOWING:

Section 1. The Municipal Code of the City of White Bear Lake is hereby amended at Section
1202 as follows:

§1202.020 DEFINITIONS

DIGITAL SIGN: An electronic sign limited to alpha-numeric display of one or two colors only.

DYNAMIC DISPLAY SIGN: A sign face which can be electronically or mechanically changed by
remote or automatic means, **excluding digital signs.**

FREESTANDING SIGN: Any sign, which has supporting framework that is anchored in the ground
and which is independent from any building or other structure, such as a monument, pylon, **or drive-
thru sign.**

§1202.040 REGULATIONS BY ZONING DISTRICT

Subd, 2. Commercial and Industrial Districts:

B. Freestanding Monument Signs

3.g) The digital display portion **or a digital sign** may be incorporated into a
freestanding monument sign, but are limited to no more than 70% of the total
square footage of the sign or 25 square feet (per side), whichever is less. **Digital
signs may not be used as wall signage and must comply with all criteria
required of a dynamic display sign, except spacing and resolution.
Properties with digital signs may still display approved temporary
banners and sandwich board signs.**

E. Drive Thru Signs. One sign is allowed per drive-through lane not to exceed thirty-two (32)
square feet in area. Said sign may be freestanding or a wall sign. If **freestanding**, the sign
shall be a maximum of six (6) feet in height and shall be set back from all property lines at
least ten (10) feet. **Up to 100% of a drive-thru sign may be a dynamic display style face
and must otherwise comply with all criteria required of a dynamic display sign, except
spacing and resolution.** Drive-thru signs are not permitted in the B-5, Central Business
District.

SECTION 2: This ordinance becomes effective after approval shall take effect and be in force
following its passage and publication (or, on "date").

Passed by the City Council of the City of White Bear Lake, Minnesota.

First Reading: November 12, 2019

Initial Publication: November 20, 2019

Second Reading: December 10, 2019

Final Publication: _____

Codified: _____

Posted on web: _____

City Clerk Initials

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

RESOLUTION NO.

**A RESOLUTION ESTABLISHING THE TITLE AND SUMMARY APPROVAL
OF ORDINANCE NO. 19-12-2038 REGARDING DYNAMIC DISPLAY DRIVE-THRU
MENU BOARDS AND DIGITAL SIGNS IN THE CITY OF WHITE BEAR LAKE**

FOR PUBLISHED NOTICE

WHEREAS, the City of White Bear Lake City Council may, pursuant to Ordinance No. 83-6-666, adopt a title and summary of a proposed ordinance to be published in lieu of lengthy entire ordinances, and

WHEREAS, in addition to adopting a title and ordinance summary, the Council shall direct the City Clerk to:

1. Have available for inspection during regular office hours a copy of the entire ordinance.
2. Post a copy of the entire ordinance at the White Bear Lake Branch of the Ramsey County Public Library.
3. Receive an affidavit of publication of the title and summary from the official newspaper.

NOW, THEREFORE, BE IT RESOLVED, that the City of White Bear Lake City Council hereby adopts the aforementioned title and summary for approved Ordinance No. 19-12-2038 as listed below:

**AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE MUNICIPAL CODE
AT SECTION 1202, THE SIGN CODE, AS IT RELATES TO
DYNAMIC DISPLAY DRIVE-THRU MENU BOARDS AND DIGITAL SIGNS**

The ordinance modifies provisions to allow dynamic display drive-thru menu board.

FURTHER, BE IT RESOLVED, that the City of White Bear Lake City Council hereby directs the City Clerk to provide the inspection and publication requirements as listed above.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Rick Juba, Assistant City Manager

Date: November 5, 2019

Subject: Ordinance Amendment to Allow Towing/Impounding Outside of the City

BACKGROUND / SUMMARY

The City's parking ordinance currently requires all impounded vehicles to be stored within the City limits. For decades, the City has used either Vadnais Towing or the former Amoco Station off Highway 96 for towing and storage of towed vehicles. In 2018, Vadnais Towing merged with Twin Cities Towing. While the office and storage lot on Bald Eagle Avenue continues to be used by Twin Cities Towing, the lot space is limited.

In order to expand the City's ability to tow vehicles during a snow event, which has become increasingly problematic, expanded storage capacity is needed. Staff recommends the Municipal Code be amended to allow storage of towed vehicles outside of the City, but within 15 miles of the Public Safety Facility. Staff worked with Twin Cities Towing to allow vehicles towed during a snow event to be released directly by Twin Cities Towing rather than first coming to the Police Station, which is more efficient and convenient for all involved.

First reading was held on November 12, 2019 and publication of the public hearing was made on November 20, 2019.

RECOMMENDED COUNCIL ACTION

Staff recommends holding a public hearing in consideration of public comment toward the adoption of this ordinance revision.

ATTACHMENT

Ordinance
Summary Resolution

ORDINANCE NO.

AN ORDINANCE AMENDING WHITE BEAR LAKE MUNICIPAL CODE
SECTION 603.080 TO ALLOW TOWING AND IMPOUNDMENT OF
VEHICLES OUTSIDE OF THE CITY

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA DOES ORDAIN THE FOLLOWING:

SECTION 1. The Municipal Code of the City of White Bear Lake is hereby amended at Section 603.080 as follows:

§603.080 PARKING; TOWING AND STORAGE, LIEN. The City Manager is hereby authorized and empowered to have removed any vehicle on any street, alley or in a Municipal Parking Lot in violation of Sections 603.060 and 603.070 of the Code or stalled thereon and to have Such vehicle ~~placed in a garage or outdoor area by any person engaged in the general garage or filling station business in the City~~ removed and stored in a secure indoor or outdoor facility within 15 miles of the Police Station. Such vehicle shall not be removed therefrom until reasonable costs of storing and towing same have been fully paid. The City Manager shall have the further authority to direct employees of the City to remove any such vehicle and in that event the City Manager may impose a charge to be paid to the City Clerk before said vehicle may be taken or recovered by the owner thereof.

In the event that any vehicle held or stored by the direction of the City Manager, upon which there are charges for storage or towing or both, shall not be reclaimed, recovered or taken by the owner thereof, there shall be deemed to be imposed upon such vehicle a possessory lien in the amount so charged and unpaid and should the owner thereof fail to pay the same then the possessory lien may be foreclosed in the manner provided for by law. (Ref. §502.070, Code 1966; Ord. Nos. 439, 12/13/66; 574, 6/24/75)

Passed by the City Council of the City of White Bear Lake, Minnesota this ____ day of December, 2019.

First Reading: November 12, 2019

Initial Publication: November 20, 2019

Second Reading: December 10, 2019

Final Publication: XXXXXX XX, XXXX

Codified: XXXXXX XX, XXXX

Posted on web: XXXXXX XX, XXXX

City Clerk Initials

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

RESOLUTION NO.

**A RESOLUTION ESTABLISHING THE TITLE AND SUMMARY APPROVAL
OF AN ORDINANCE AMENDING WHITE BEAR LAKE MUNICIPAL CODE
SECTION 603.080 TO ALLOW TOWING AND IMPOUNDMENT OF
VEHICLES OUTSIDE OF THE CITY**

FOR PUBLISHED NOTICE

WHEREAS, the City of White Bear Lake City Council may, pursuant to Ordinance No. 83-6-666, adopt a title and summary of a proposed ordinance to be published in lieu of lengthy entire ordinances, and

WHEREAS, in addition to adopting a title and ordinance summary, the Council shall direct the City Clerk to:

1. Have available for inspection during regular office hours a copy of the entire ordinance.
2. Post a copy of the entire ordinance at the White Bear Lake Branch of the Ramsey County Public Library.
3. Receive an affidavit of publication of the title and summary from the official newspaper.

NOW, THEREFORE, BE IT RESOLVED, that the City of White Bear Lake City Council hereby adopts the aforementioned title and summary for approved Ordinance No. 19-12-2039 as listed below:

**AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE MUNICIPAL CODE
AT SECTION 603.080 TO ALLOW TOWING AND INPOUNDMENT OF VEHICLES
OUTSIDE OF THE CITY**

The ordinance modifies provisions to allow cars to be towed to facilities within 15 miles of the White Bear Lake Police Station.

FURTHER, BE IT RESOLVED, that the City of White Bear Lake City Council hereby directs the City Clerk to provide the inspection and publication requirements as listed above.

The foregoing resolution offered by Councilmember _____ and supported by Councilmember _____ 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: Mayor and City Council

From: Ellen Hiniker, City Manager

Date: December 3, 2019

Subject: **Second reading of an ordinance establishing 2020 fee schedule**

BACKGROUND

As part of the annual budgeting process, staff reviews the City's fee schedule to determine whether any changes are recommended. First reading of an amendment to the fee schedule was held at the November 12th Council meeting to coordinate its adoption with final consideration of the City's 2020 annual budget on December 10, 2019. Below is a description of each proposed fee schedule change. Additional information regarding rates adjustments for the enterprise funds is available in the draft budget document.

General Fees/Fines (proposed changes)

Massage Background Investigation: Due to extensive staff time devoted to background investigations required for this license, it is recommended that the investigation fee of \$75.00 is more reflective of the time spent by staff conducting the background investigation. The current fee is \$25. Staff does not recommend a change to the permit fee of \$25 at this time, which is also be the cost of annual renewal.

Fire Department Fees: In an effort to facilitate compliance with the fire code, the department has asked to implement a \$100 fee for each re-inspection after a second inspection. Currently the Fire Department re-inspects if a correction is required. If after the re-inspection, the issue is not yet addressed, this fee would be charge for a 2nd and each subsequent re-inspection.

Following are recommended fees for services that are not currently reflected on the Fee Schedule:

- \$100.00 - Fire/EMS Standby Crew (for non-City sponsored special events)
- \$90.00 – Commercial vent hood inspection (required annually by the Fire Code)
- \$75.00 - Open burning permit for non-recreational fires
- \$300 third/\$400 fourth /\$500 five + for false alarms attributed to malfunctions/annum

Ambulance Fees: A 2018 comprehensive review of ambulance service delivery and operations resulted in significant reorganization of the Fire Department. A combination Paramedic/Firefighter staffing model was implemented to a more deliberate and consistent call response. The department added four (4) fulltime Paramedic/Firefighters in 2019 to bring the total staff count for this position to twelve (12) employees.

The Ambulance Fund budget includes 80% of the staffing costs, with the remaining costs assigned to the Fire Department budget. As an Enterprise Fund, the Ambulance Fund operates similar to a private business with revenues from user charges funding operational costs. The ability to generate additional revenues is dependent upon fees set for 30% of all calls, which represents those calls for people not on Medicare, Medicaid or other government assistance insurances that limit the reimbursement amounts on patient ambulance services. Ambulance service providers are also now experiencing more difficulties collecting fees from users with private insurance due to increasing deductibles for medical plans.

The end of 2019 will mark a full calendar year of operation under the new delivery model. Staff will review the year-end data and related detailed analysis with Council at a work session early next year. At this time, staff is recommending a 3.00% rate increase for most services in 2020, as reflected below.

Call Type	Effective 1/1/19	Proposed 1/1/20
Basic Life Support	1,415.00	\$1460.00
Advanced Life Support – 1	1,865.00	\$1920.00
Advanced Life Support – 2	2035.00	\$2095.00
Treatment No Transport	475.00	\$490.00
Mileage per mile	30.00	\$31.00

Administration: The Police Department is frequently requested to provide verbatim transcripts for police interviews. The fee does not adequately cover the cost of staff time to create verbatim transcripts. This task requires significant attention and time for accurate completion. A per hour charge of \$40.00, rather than a \$3.00 per page charge, more adequately covers staff time and is comparable to what most area departments charge for this service.

Pioneer Manor: Rent increases for Pioneer Manor have been adopted by resolution annually since 1997, but are being incorporated into the fee schedule for improved transparency and process efficiencies. Staff is recommending a modest increase of approximately 1.5% effective April 1, 2020. As with all Enterprise Funds, staff will review the Pioneer Manor Fund in more detail at the November 19 Work Session.

	Current Rents	Proposed Rents
1 Bedroom	\$705.00	\$715.00
1 Bedroom/Den	\$755.00	\$765.00
2 Bedroom	\$825.00	\$840.00
2 Bedroom Deluxe	\$875.00	\$890.00
Garage	\$57.00	\$58.00

Sports Center: A market review of ice rental fees charged by other rinks in the area revealed proposed ice rental fee increases are still below what the market dictates for this activity. Revenues raised from ice rentals support Sports Center operations and improvements.

Armory Facility: When food and beverages are added to an event with more than 100 attendees, a \$175.00 cleaning fee is proposed to relieve the burden on part time staff who are often at the facility until 1 or 2 AM cleaning up after an event. This cleaning fee will be a pass through to a third party contractor.

Sewer Rates

After multiple years without a sewer rate increase, the City began adjusting rates in 2016 to avoid a fund deficit. The increase did not alleviate the issue; therefore, the rates adjusted again in 2017 and the fund balance stabilized through a one-time contribution from the Non-Bonded Debt Service Fund. Minimal rate adjustments each year since that time allowed the Fund to reimburse the Non-bonded Debt Service Fund for its assistance, and offset operating expenditures to create a financial base for future years. The proposed rate increase incorporates funding for operating and capital expenditures and begins building a foundation to support future infrastructure maintenance. Again, as with all Enterprise Funds, more detail on this fund will be provide at the November 19 Work Session.

	2019 Rates	2020 Proposed
0 – 8 units	\$33.45	34.45
Unit (750 gallons)	\$4.15	\$4.30

Water Rates

The Water Fund recorded operating losses over the four-year period from 2013-2016 causing a deficit in the fund balance. The City reversed this trend in 2017 by transferring the lake level litigations fees and legal costs to the Insurance Fund and a one-time contribution from the Non-Bonded Debt Fund. A water rate increase in 2018 should have stabilized the fund balance; however, significant costs to repair water main breaks during the year offset the additional revenue. The 2018 Revised Budget included a transfer in from the Non-Bonded Debt Fund to provide supplementary revenue to address the unanticipated expenditures. The 2019 Budget included a rate increase to build the fund balance and repay the Non-Bonded Debt Fund for the 2018 transfer. In reviewing 2019 year-to-date data, Council’s efforts to maintain the fund balance at the 2018 level were successful. The 2020 Budget incorporates a recommended rate adjustment of approximately 3% to build on the success in creating financial sustainability in the Fund.

The following charts present current rates and the proposed rates used to prepare the 2020 Budget.

Residential Water Customers			Commercial / Institutional Water Customers			
0 - 8 units	\$13.40 per quarter	\$13.80 per quarter	0- 8 Units	\$ 13.40 per quarter	\$13.80 per quarter	January 2019
Winter quarter rate*	\$1.60 per unit	\$1.65 per unit	8 – 27 units*	\$ 1.55 per unit	\$1.60 per unit	January 2019
Non-winter quarter rate**	\$1.95 per unit	\$2.00 per unit	27 – 75 units*	\$ 1.60 per unit	\$1.65 per unit	January 2019
			Over 75 units*	\$ 1.80 per unit	\$1.85 per unit	January 2019
			Non-winter quarter rate**	\$ 1.95 per unit	\$2.00 per unit	January 2019

Refuse Rates

The City monitors the residential rates to ensure they provide sufficient revenue to offset contract costs and provide financial integrity to the fund. Outside of the administrative costs charged to this fund for contract management and billing, hauler contract fees, Ramsey Washington County Recycling and Energy Center environmental fees, and recycling processing costs constitute the expenses. Per the City’s collection contract, hauler fees will increase 10% in 2020. While this was anticipated, an 18% increase in disposal (tipping) fees at the Ramsey/Washington County Recycling and Energy Center require significant adjustments to the rates. Staff will provide additional background on the Refuse Fund and proposed 2020 rate adjustments at the November 12 City Council meeting for further discussion.

Below represents tipping charges at the Ramsey/Washington facility over the last three years:

<u>Year</u>	<u>Cost per ton</u>	<u>County Rebate</u>	<u>Net Disposal</u>	<u>% increase</u>
January 2018	77.00	12.00	65.00	12.07%
January 2019	79.00	10.00	69.00	6.15%
January 2020	82.00	0.00	82.00	18.84%

To compensate for hauling and disposal cost increases, as well as recycling market challenges, the following 2020 refuse/recycling rates are recommended:

<u>Service</u>	<u>Current Rates</u>	<u>Proposed Rates</u>
30 gallon (Senior)	\$10.55	\$12.09
30 gallon	\$10.80	\$12.36
60 gallon	\$15.90	\$17.84
90 gallon	\$21.65	\$24.02
Recycling processing fee		\$ 0.75

RECOMMENDED COUNCIL ACTION

Staff recommends the City Council hold a public hearing to consider public comment related to adoption of the 2020 fee schedule.

Staff recommends Council adopt the Summary Resolution to facilitate publication of the 2020 fee schedule.

ATTACHMENTS

- Fee Schedule 2020
- Summary Resolution

WHITE BEAR LAKE ANNUAL FEE SCHEDULE - 2020

I. <u>ALCOHOLIC BEVERAGES</u> (RESOLUTION NO. 9538)	<u>FEE</u>	<u>PROPOSED FEE</u>	<u>LAST ADJUSTED</u>
On and Off Sale Malt Liquor License Application & Investigation	100.00	No change	January 13, 2004
On Sale Malt Liquor License	Class A: 175.00 Class B: 275.00	No change	January 13, 2004
Off Sale Malt Liquor License	Class A: 75.00 Class B: 150.00	No change	January 13, 2004
On Sale Wine License Application and Investigation Fee	250.00	No change	January 13, 2004
On and Off Sale Liquor License Application and Investigation	500.00	No change	January 13, 2004
On Sale Wine License	Class A: 250.00 Class B: 350.00	No change	January 13, 2004
On Sale Liquor License	3200.00	No change	January 13, 2004
Off Sale Liquor License	200.00	No change	January 13, 2004
On Sale Sunday Liquor License	200.00	No change	January 13, 2004
On Sale Temporary Liquor/Malt/Wine License	27.50	No change	January 13, 2004
Club License	100.00	No change	January 13, 2004
II. <u>AMUSEMENT & COMMERCIAL RECREATION</u>	<u>FEE</u>	<u>PROPOSED FEE</u>	<u>LAST ADJUSTED</u>
Bowling Alley License (Res. No. 9538)	\$25.00/alley	No change	January 13, 2004
Shooting Gallery License (Res. No. 9538)	\$35.00	No change	January 13, 2004
Pool Hall License (Res. No. 9538)	\$40.00/table	No change	January 13, 2004
Roller Skating Rink License (Res. No. 9538)	\$100.00	No change	January 13, 2004
Coin Operated Amusement Devices License (Ord. 1105)	\$25/location & \$15/machine	No change	February 8, 2000
Motion Picture Theater License (Ord. 1107)	\$210.00	No change	January 13, 1981
Public Dances and Dance Hall Permit (Ord. 1107)	\$30.00	No change	January 13, 1981
Charitable Gambling Premises License (Res. No 9538)	\$225.00	No change	January 2017
Charitable Gambling Regulatory Tax (Res. No. 12435)	0.2% of net profits	No change	August 31, 2019
III. <u>BUSINESS AND ADMINISTRATION</u>	<u>CURRENT FEES</u>	<u>PROPOSED FEES</u>	<u>LAST UPDATED</u>
Animals: Dog Kennel License (Ord. 701)	Annually \$ 50.00	No change	January 2017
Animals: Dog License Male/Female (Ord. No. 701)	Every 2 years \$ 20.00	No change	January 2017
Animals: Dog License Neutered/Spayed (Ord. No. 701)	Every 2 years \$ 15.00	No change	January 2017
Animals: Dog License Late Fee (Ord. No. 701) / replacement license	\$ 5.00	No change	January 2017
Animals: Potentially dangerous dogs	\$120.00		January 2018
Animals: Dangerous dogs	\$500.00		January 2018
Animals: Impounding dogs (Ord. No. 752)	Actual cost of contractor	No change	January 2017
Animals: Impounding/disposal of misc. animals	Actual cost of contractor	No change	January 2017
Cigarette / Tobacco Products License (Res. No. 9538)	Class A: \$ 150.00 Class B: \$ 200.00	No change	January 2017
Gas Station License	\$ 25.00 / nozzle	No change	January 2017
Public Bench License (Res. No. 9538)	\$ 25.00/application & \$20.00/bench	No change	January 2017
Copies: 1 to 100 pages (MN Statute, section 13.03)	\$ 0.25 / page	No change	Aug. 1, 2005
Copies: over 100 pages (MN Statute, section 13.03)	Actual cost of data collection and copies		
Copies: Public Records Audio / Visual	\$ 25.00	No change	January 2017
Fax (Res. No. 9538)	\$ 0.50 / sheet	No change	Jan. 13, 2004
Farmer's Market Annual reservation/application fee	\$120	No change	
Farmer's Market Same day temporary permit	\$10	No change	Feb. 23, 2010
Refuse / Recycling Hauler License (Res. No. 9538)	\$ 150.00	No change	January 2017
Return Check Charge (Res. No. 9538)	\$ 30.00	No change	Jan. 13, 2004
Rubbish Hauler and Junk Dealer License (Res. No. 9538)	\$50.00	No change	Jan. 13, 2004
Slaughter and Packing House License (Ord. No. 116)	\$60.00	No change	Jan. 13, 1981
Solicitor/Peddler/Transient Merchant License (Res. No. 7033)	\$50.00/up to 2 ppl, then \$10 ea	No change	January 2019
Taxi Cab Driver License (Ord. No. 1119)	\$35.00	No change	Jan. 13, 1981
Traveling Shows and Circuses License (Ord. No. 1120)	\$310.00	No change	Jan. 13, 1981
Arcades Licenses (Ord. No. 1122)	\$100.00	No change	Dec. 14, 1982
Massage Therapist License	\$25.00	No change	Sept. 8, 2015
Massage Therapist background	\$25.00	\$75.00	Sept. 8, 2015
Adult Establishment License (Ord. 1124)	\$2,000.00	No change	January 2017
Application and background check for adult establishment	\$500 unless out of state check, then actual costs not to exceed \$1500		
Pawnbroker and Precious Metal Dealer License (Ord. No. 1125)	\$12,000.00	No change	January 2017

Sale of Fireworks License (Res. No. 9366)	\$100.00/location	No change	January 2017
	\$50.00/re-inspection	\$100.00/+ re-inspections	2020
Christmas Tree Sales Lot License (Ord. 1103)	\$35.00	No change	Jan.13, 1981
Launch Tags	\$25.00/resident	No change	January 2017
	\$45.00/non-resident	No change	January 2017
Moorings	\$375.00/resident	No change	January 2017
	\$500.00/non-resident	No change	January 2017
Skids	\$55.00/resident	No change	January 2017
	\$80.00/non-resident	No change	January 2017
Kayak / Canoe Rack	\$45.00/resident	No change	January 2017
	\$60.00/non-resident	No change	January 2017
Duplicate copies of licenses and permits	\$1.00	No change	January 2017
Passport photo	\$15.00	No change	January 2017
Elections Filing	\$5.00	No change	1966

IV. PUBLIC SAFETY

A. FIRE RELATED

	<u>CURRENT FEES</u>	<u>PROPOSED FEES</u>	<u>LAST UPDATED</u>
Pumper Truck (Ord. No. 805)	Actual cost	No change	January 2017
Ladder Truck (Ord. No. 805)	Actual cost	No change	January 2017
Rescue Unit (Ord. No. 805)	Actual cost	No change	January 2017
Chief/Command Unit (Ord. No. 805)	Actual cost	No change	January 2017
Rescue Boat (Ord. No. 805)	Actual cost	No change	January 2017
Hazardous Material Unit (Ord. No. 805)	Actual cost	No change	January 2017
Certificate of Compliance Application	\$6.00/unit (min \$36, max \$250 per building)	No change	January 2017
Biennial Inspection	50% of the original fee	No change	January 2017
Re-inspection if required	\$15.00	No change	January 2017
Tent Permit (over 400 sq feet require fire safety inspection)	\$50.00 per site visit		January 2019
Fire/EMS Standby Crew		\$100.00/hr	January 2020
Vent Hood Inspection		\$90.00	January 2020
Open Burning Permit (non-recreational fires)		\$75.00	January 2020
False Alarms (malfunctions/annum): third / fourth / fifth+		\$300 / \$400 / \$500	January 2020
Re-inspection fee (assessed each inspection after 1st re-inspection)		\$100.00	January 2020

B. AMBULANCE FEES

	<u>CURRENT FEES</u>	<u>PROPOSED FEE</u>	<u>LAST UPDATED</u>
Basic Life Support (BLS)	\$1415.00	\$1460.00	January 2019
Advanced Life Support (ALS1)	\$1865.00	\$1920.00	January 2019
Major Advanced Life Support (ALS2)	\$2035.00	\$2095.00	January 2019
Treatment – No transport	\$475.00	\$490.00	January 2019
Mileage	\$30.00/mile	\$31.00	January 2019

C. ADMINISTRATION

	<u>CURRENT FEES</u>	<u>PROPOSED FEE</u>	<u>LAST UPDATED</u>
Accident Photo	\$25.00/cd	No change	January 2017
Accident Report: 1 to 100 pages (MN Statutes 13.03)	\$0.25/page	No change	
Accident Report: more than 100 pages	Actual cost of data collection and copies	No change	
Accident Data Review	\$10.00/month	No change	
Transcripts	\$3.00/page	\$40.00/hr	
Finger Printing	Free/resident \$20/non-resident	No change	
No parking signs	\$50.00	No change	

V. ADMINISTRATIVE OFFENSES

A. Penalties for Alcohol and Tobacco Sales:

	<u>CURRENT FEE</u>	<u>LAST UPDATED</u>
Purchase, possession	\$50.00	January 2013
Underage consumption	\$50.00	
Lending ID to underage person	\$100.00	
License holder, first offense	\$150.00	
License holder, second offense within 12 months	\$275.00	
License holder, third offense within 18 months	\$500.00	
Other alcohol and tobacco related offenses	\$100.00	

B. Animals:

Vicious animal	\$50.00	January 2013
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Other animal violation	\$25.00	
C. Parking:	<u>CURRENT FEE</u>	<u>LAST UPDATED</u>
Handicap zone	\$50.00	January 2013
Fire lane	\$25.00	
Snowbird	\$25.00	
Blocking fire hydrant	\$25.00	
Other illegal parking	\$25.00	
D. Fires:		January 2013
Open fires	\$25.00	
Fire Code violations	\$100.00	
E. Noise complaints:		January 2013
Loud party	\$25.00	
Loud party second offense in 2 months	\$50.00	
Other complaints	\$30.00	
F. Administrative penalties not otherwise called out in the fee schedule	\$50.00	January 2019
Seat belts	\$25.00	January 2013
Expired license plates/tabs	\$20.00	January 2013
Subsequent administrative offenses within 12 months increased 25%		January 2013

VI. RENTALS

A. PIONEER MANOR (Apr 1, '20 – Mar 31, '21)	<u>CURRENT FEE</u>	<u>PROPOSED FEE</u>	<u>LAST UPDATED</u>
1 Bedroom	\$705.00	\$715.00	April 2019
1 Bedroom/Den	\$755.00	\$765.00	April 2019
2 Bedroom	\$825.00	\$840.00	April 2019
2 Bedroom Deluxe	\$875.00	\$890.00	April 2019
Garage	\$57.00	\$58.00	April 2019

B. BOATWORKS COMMONS

City hosted and School District events – Gratis. Hosting agency responsible for set-up, clean-up and tear down			<u>LAST ADJUSTED</u> Dec. 12, 2017
	<u>Civil/Non-Profit</u>	<u>Proposed</u>	
Less than 20 attendees (group sets & cleans)	Gratis	No change	
Greater than 20 attendees	\$50.00 flat fee + actual cleaning cost	No change	January 2019
Private sector up to 4 hrs (incl set & clean)	\$500.00 minimum fee	No change	
Private sector additional hours (max 2)	\$50/hour	No change	

C. PARK FACILITIES

	<u>Resident</u>	<u>Non-Resident</u>	<u>For Profit & Corporate</u>	<u>PROPOSED FEE</u> <u>Resident / Non-Res / Profit</u>	<u>LAST ADJUSTED</u>
Bossard, Ramaley, Rotary, Spruce and Jack Yost Parks	\$ 50.00	\$100.00	\$ 125.00	No changes	January 2019
Podvin Park (pavilion only)	\$ 50.00	\$ 110.00	\$ 175.00		
Podvin Park (kitchen & mtg rm)	\$ 100.00	\$ 150.00	\$ 250.00		
Podvin Park (full facility)	\$ 125.00	\$ 225.00	\$ 325.00		
Lakewood Hills (pavilion only)	\$ 50.00	\$ 110.00	\$ 175.00		
Lakewood Hills (kitchen & pavilion)	\$ 100.00	\$ 150.00	\$ 250.00		
Lakewood Hills (ballfields)	\$100.00	\$150.00	\$ 250.00		
Matoska Park	\$50.00 for two hours maximum				
Stellmacher Park	\$ 50.00	\$ 110.00	\$ 175.00		
West Park	\$ 50.00	\$ 110.00	\$ 175.00		
Trash pick-up and disposal	Community and Non-Profit		Profit/Co.		October 2010
Events over 100 people			\$ 50.00		
Events over 250 – 500 ppl		\$ 50.00 flat fee	\$ 75.00		
Every additional 250 ppl			+ \$ 25.00		
Spray paint of any kind	\$ 250.00				

D. WHITE BEAR LAKE SPORTS CENTER

ICE RENTAL MARCH – AUGUST

Prime Time	<u>TAX INCLUDED</u> \$160.00/hr	<u>NON-TAXABLE</u> \$150.00/hr	<u>PROPOSED FEE</u> \$172.00/\$160.00	<u>LAST UPDATED</u> January 1, 2017
Non-Prime	\$135.00/hr	\$125.00/hr	\$145.00/\$135.00	

ICE RENTAL SEPTEMBER – FEBRUARY

Prime Time	\$203.50/hr	\$190.00/hr	\$215.00/\$200.00
Weekday, 8am – 3pm	\$160.00/hr	\$150.00/hr	\$161.00/\$150.00
Non-Prime and after 9pm	\$145.00/hr	\$135.00/hr	No change

SKATING SCHOOL	<u>CURRENT FEES</u>	<u>PROPOSED FEES</u>	<u>LAST UPDATED</u>
Group Lessons			January 2019
Weekly (Tot-PreAlpha & Power)	\$11.00/wk + \$7 fee session		
Weekly (Alpha – Delta & Adults)	\$16.50/wk + \$7 fee session		
Freestyle Levels	\$21.00/wk + \$7 fee session		
Contract (Open & Intermediate)	\$12.00 per weeks in session		
Contract (High Level)	\$13.00 per weeks in session		
Drop In		\$15.00	
Morning	\$7.00 before school		
Open Skate		\$5.00	
Skate Rental		\$4.00	\$5.00
Open Hockey	\$6.00 per session		
Dead Ice	\$7.00/hour		
SKATE SHOW			
Annual Skating Show	\$125.00		
Additional Show Packages	\$100.00		
Parent/Child Skate	\$75.00		
COURT FEES			
Monthly	\$50.00		
3 Month	\$115.00		
6 Month	\$205.00		
Wally Ball	\$30.00 per 1.5 hours, \$33 per 2hrs/court		
Racquetball	\$8.00 per person per hour		
Dodgeball	\$12.00 per court		
MISC. FEES AND CHARGES			January 2019
Meeting Room Rental	\$15.00/hr		
Aerobic Room Rental	\$20.00/hour		
Locker Room Rental	\$5.00/month		

E. ARMORY FACILITY (Resolution No. 11844)	<u>Current</u>	<u>Proposed</u>	<u>Current</u>	<u>Proposed</u>	<u>LAST ADJUSTED</u>
Private Party	<u>Resident</u>	<u>Resident</u>	<u>Non-resident</u>	<u>Non-resident</u>	
Full Day with kitchen (including set up)	\$650.00	No change	\$900.00	No change	July 12, 2016
Kitchen	\$100.00	No change	\$150.00	No change	
Hourly rate (1-7 hours) Mon. – Thurs.	\$80.00	No change	\$90.00	No change	January 2019
Fri. – Sun.	\$100.00	No change	\$120.00	No change	
City staff is available for set-up per hour rate	Contract Rate	No change	Contract Rate	No change	
Security Contract Rate (refunded if re-rented)	\$27.00/hr	Contract Rate	\$27.00/hr	Contract Rate	
Cleaning for 100+ and food/beverages		\$175.00		\$175.00	
Down payment	\$275.00	\$300.00	\$375.00	\$400.00	
Damage deposit	\$350.00	No change	\$500.00	No change	
Hourly Activities					
Athletics/Special Events/Meeting Room	\$25.00/hr	No change	\$25.00/hr	No change	

	<u>White Bear</u>		<u>White Bear</u>		<u>Non-Resident</u>		<u>LAST ADJUSTED</u>
Daily Activities	<u>Non-Profit</u>	<u>Proposed</u>	<u>Groups/Clubs</u>	<u>Proposed</u>	<u>Non-Profit</u>	<u>Proposed</u>	
1 day	\$0.00	No change	\$90.00	No change	\$135.00	No change	July 12, 2016
2 days	\$50.00	No change	\$160.00	No change	\$245.00	No change	
3 days	\$75.00	No change	\$260.00	No change	\$390.00	No change	
4 days	\$100.00	No change	\$355.00	No change	\$510.00	No change	

VII. <u>PLANNING AND ZONING</u>	<u>FEE</u>	<u>PROPOSED FEE</u>	<u>LAST ADJUSTED</u>
Address List	\$30.00	No change	January 13, 2004
Comprehensive Plan Amendment (Ord. No. 1301.010)	\$500.00	No change	January 13, 2004
Conditional Use Permit: Fee (Ord. No. 1301.050)	\$400.00	No change	January 13, 2004
Conditional Use Permit Amendment	\$200.00	No change	January 13, 2004
Grading Plan Review (over .5 acre in size)	\$250.00	No change	2010
Grading Plan Review (less than .5 acre in size)	\$75.00	No change	2010
Home Occupation: Permit Fee (Ord. No. 1303)	\$50.00/permitted, \$100.00 special	No change	April 12, 1994
Excavation/Obstruction Fee/ROW Permit Fee (Ord. 18-2-3031)	\$200.00	No Change	January 2019
Small Cell Wireless Facility Permit Fee	\$500.00 up to 5 sites, \$100 for each additional – No change		January 2019

Rental Dwelling License (Ord. No. 508.020)	\$50.00 plus \$7.00/unit over 3 units	No change	Nov. 26, 1991
Late Fees	25% plus original fee/1-7 days past due 50% plus original fee/8 or more days past due Legal procedures begin/30 days past due		
Re-inspection Fee	25% of license fee or \$50.00 whichever is greater		
License Transfer (Ord. No. 508-090)	\$50.00	No change	January 2017
Planned Unit Development (Ord. No. 1301.070)	\$750.00	No change	January 2017
Rezoning: Application Fee (Ord. No. 1301.040)	\$750.00	No change	January 2017
Subdivision: Preliminary Plat (Ord. No. 1407)	\$500.00	No change	January 2017
Final Plat	\$100.00	No change	January 2017
Subdivision: Minor Subdivision/Lot Split (Ord. No. 1407)	\$250.00	No change	January 2017
Vacation (City Charter, Section 8.02)	\$250.00	No change	January 2017
Variance Permit (Ord. No. 1407)	\$250.00/residential \$500.00/commercial & industrial	No change	January 2017
Administrative Variance (Ord. No. 1408)	\$25.00	No change	January 13, 2004
Zoning Letter (Res. No. 9538)	\$75.00	\$75.00	January 2017
Sign Permit: Permanent (Ord. No. 1115)	\$50.00/wall \$30.00/temporary banner, sign, or reface \$150.00/free standing and dynamic display \$300.00/billboard \$200.00/administrative fee for erecting a sign before the permit is issued	No change	September 8, 1987 September 8, 1987 January 2017 September 8, 1987 September 8, 1987
Park Dedication: Single Family Dwelling (Res. No. 9538A)	\$1,200.00/unit	No change	January 2017
Park Dedication: Townhome, Condominium, Duplex, Dwelling (Res. 9538A)	\$1,000/unit	No change	January 2017
Park Dedication: Apartment Dwelling (Res. No. 9538A)	\$500/1 bdrm, 100/each add bdrm	\$750/\$150 no change	January 2017
Park Dedication: Commercial & Industrial (Res. No. 9538A)	\$3,500.00/acre	No change	January 13, 2004
Zoning Permit: Shed, Driveway, Fence, Detached Deck under 30", Hot Tub, Pigeons, Hens, Bees	\$50.00/each	No change	January 2017
Time Extension for CUP	\$50.00	No change	January 2017

VIII. UTILITIES

1. CONSUMPTION RATES:

A. WATER RATES:		PROPOSED RES. FEES	CURRENT FEES:	PROPOSED FEES	LAST ADJUSTED	
Residential Water Customers			Commercial / Institutional Water Customers			
0 - 8 units	\$13.40 per quarter	\$13.80 per quarter	0- 8 Units	\$ 13.40 per quarter	\$13.80 per quarter	January 2019
Winter quarter rate*	\$1.60 per unit	\$1.65 per unit	8 – 27 units*	\$ 1.55 per unit	\$1.60 per unit	January 2019
Non-winter quarter rate**	\$1.95 per unit	\$2.00 per unit	27 – 75 units*	\$ 1.60 per unit	\$1.65 per unit	January 2019
			Over 75 units*	\$ 1.80 per unit	\$1.85 per unit	January 2019
			Non-winter quarter rate**	\$ 1.95 per unit	\$2.00 per unit	January 2019

* Rate for consumption over 8 units in the winter quarter & "base" for the other three (3) quarterly billing cycles

**Rate for consumption above the winter quarter rate for the other three (3) quarterly billing cycles

LAKE LEVEL LITIGATION FEE*:	CURRENT RATES	PROPOSED RATES	LAST ADJUSTED
Residential	\$4.00 quarterly	No change	February 2017
Commercial	\$17.50 quarterly	No change	February 2017

*imposed until legal fees are recovered and includes communities that purchase municipal water from the City

B. SEWER RATES:	CURRENT FEES	PROPOSED RATES	LAST ADJUSTED
0 – 8 units	\$33.45	\$34.45 flat fee	January 2019
Unit (750 gallons)	\$4.15	\$4.30 per unit	January 2019

C. REFUSE / RECYCLING RATES	CURRENT FEES	PROPOSED RATES	LAST ADJUSTED
30 Gallon Senior – monthly	\$10.55/month (\$31.65/quarter)	\$12.81/month (\$38.43/quarter)	January 2019
30 Gallon Service – monthly	\$10.80/ month (\$32.40/quarter)	\$13.02/month (\$39.06/quarter)	January 2019

60 Gallon Service – monthly	\$15.90/month (\$47.70/quarter)	\$18.36/month (\$55.08/quarter)	January 2019
90 Gallon Service – monthly	\$21.65/month (\$64.95/quarter)	\$24.51/month (\$73.53/quarter)	January 2019
Recycling processing fee		\$0.75 per quarterly bill	January 2020

2. MISCELLANEOUS

A.	CURRENT FEES	PROPOSED RATES	LAST ADJUSTED
Sewer Line Televising	\$155.00		January 2019
Sewer Line Televising for Street Reconstruction	\$77.00		January 2019
Temporary Shut Off / Turn On of Water for Non-Maintenance (snow birds, realtors, foreclosures):			
November 1 st – March 31 st	\$130.00/event		January 2019
April 1 st – October 31 st	\$80.00/event		January 2019

B. HYDRANT METER RENTAL:	CURRENT FEES	PROPOSED FEES	
Cost of inspection, use and administration (not prorated)	\$52.00/month		January 2019
Charge for water used based on either metered amount or 6 billing units per month, whichever is greater. Charges assessed at maximum summer consumption rate in effect on the date the hydrant meter is returned.			January 2017
Dec 1 – Apr 1, additional rental charge for extraordinary inspection (not prorated)	\$32.00/month		January 2019
Applicants will be responsible for breakage or damage to hydrant, meter or other works at actual repair or replacement costs.			January 2017

IX. BUILDING DEPARTMENT LICENSES AND PERMITS

1. **BUILDING PERMIT FEES:** Building permit fees are either flat fee or based on current state valuation costs, plus Minnesota state surcharge. Permit fees not listed in the flat fee chart are based on valuation. See fee charts below.

A. RESIDENTIAL FLAT FEE BUILDING PERMITS

	Current Fees – Plus \$1.00 State Surcharge	Proposed Fees	Last Adjusted
Building Moving (House)	\$150.00		January 2017
Building Moving (Garage)	\$60.00		January 2017
Demolition	Interior Only \$60.00 / Accessory Structure \$85.00 / Residential Structure \$200.00		January 2017
Doors	1 Door \$80.00 / 2 or More Doors \$110.00	Commercial to valuation	January 2020
Egress Windows	1 Egress Window \$80.00 / 2 or More Egress Windows \$135.00	Commercial to valuation	January 2020
Garage Siding Only	\$80.00		January 2017
Garage Roofing Only	\$80.00		January 2017
Grading / Excavation	\$90.00		January 2017
Roof Solar Panels	\$175.00		January 2017
Roofing	Full Replacement \$160.00 / Repair Only \$80.00 / Commercial \$300.00	Commercial to valuation	January 2020
Siding	Full Replacement \$160.00 / Repair Only \$80.00 / Commercial \$300.00	Commercial to valuation	January 2020
Swimming Pools	Above Ground \$75.00 / In Ground \$125.00		January 2017
Windows	1 Window \$80.00 / 2 or More Windows \$135.00	Commercial to valuation	January 2020

B. COMMERCIAL FLAT FEE BUILDING PERMITS

	Current Fees – Plus \$1.00 State Surcharge	Proposed Fees	Last Adjusted
Demolition	Interior Only \$60.00 / Commercial Structure \$350.00		January 2017
Grading	Site Under 2 Acres \$350.00 / Site Over 2 Acres \$450.00		January 2017
Parking Lot Replacement	\$150.00		January 2017
Roof Solar Panels	\$275.00		January 2017
Swimming Pools	Above Ground \$75.00 / In Ground \$125.00		January 2017

C. BUILDING PERMIT FEES BASED ON VALUATION (RESIDENTIAL OR COMMERCIAL WHERE FLAT FEE DOES NOT APPLY)

Total Valuation			Fees – Plus State Surcharge Based on Valuation (see chart below)	Proposed Fees	Last Adjusted
\$1.00	to	\$500	\$30.00		January 2017
\$501	to	\$2,000	\$30.00 for the first \$500.00 plus \$3.50 for each additional \$100.00 or fraction thereof, to and including \$2,000.00		January 2017
\$2,001	to	\$25,000	\$82.50 for the first \$2,000.00 plus \$16.10 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00		January 2017
\$25,001	to	\$50,000	\$452.80 for the first \$25,000.00 plus \$11.65 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00		January 2017
\$50,001	to	\$100,000	\$744.05 for the first \$50,000.00 plus \$8.15 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00		January 2017
\$100,001	to	\$500,000	\$1,151.55 for the first \$100,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00		January 2017
\$500,001	to	\$1,000,000	\$3,751.55 for the first \$500,000.00 plus \$5.60 for each addition \$1,000.00 or fraction thereof, to and including \$1,000,000.00		January 2017
\$1,000,001	to	and up	\$5,991.55 for the first \$1,000,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof		January 2017

D. STATE SURCHARGE FEES FOR BUILDING PERMITS BASED ON VALUATION

Valuation of Structure, Addition or Alteration			State Surcharge Computation	Proposed Fees	Last Adjusted
\$ 0	to	\$ 1,000,000	.0005 x valuation (minimum \$0.50)		State Fee
\$ 1,000,001	to	\$ 2,000,000	\$ 500 + .0004 x (value - \$1,000,000)		State Fee
\$ 2,000,001	to	\$ 3,000,000	\$ 900 + .0003 x (value - \$2,000,000)		State Fee
\$ 3,000,001	to	\$ 4,000,000	\$ 1,200 + .0002 x (value - \$3,000,000)		State Fee
\$ 4,000,001	to	\$ 5,000,000	\$ 1,400 + .0001 x (value - \$4,000,000)		State Fee
\$ 5,000,001		or greater	\$ 1,500 + .0005 x (value - \$5,000,000)		State Fee

E. OTHER BUILDING FEES

	Current Fees	Proposed Fees	Last Adjusted
Appeal Fee	\$150.00 (refunded if appeal granted)		January 2017
Certificate of Occupancy	\$20.00		January 2017
License Fee – Commercial General Contractor	\$120.00 / Prorated to \$75.00 after 7/1		January 2017
License Fee – Mechanical/Tree Trimmer	\$45.00 / Prorated to \$35.00 after 7/1		January 2017
Other Inspections & Fees: <ul style="list-style-type: none"> Inspections outside business hours Re-inspection fees Inspection which no fee is specifically indicated (30 minute min) Additional plan review: changes, additions or revisions to plans (30 minute min) 	\$62.00 per hour or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages & fringe benefits of employees involved.		January 2017
Outside Consultants for Plan Checking & Inspections or Both	Actual costs including administrative & overhead costs		January 2017
Plan Review Fee (Residential)	50% of Permit Fee		Pre 2017
Plan Review Fee (Commercial)	65% of Permit Fee		Pre 2017

2. SEWER AND WATER PERMIT FEES: Sewer & Water permits are based on fees below, plus \$1.00 state surcharge.

A. SEWER & WATER PERMIT FEES

	Current Fees – Plus \$1.00 State Surcharge	Proposed Fees	Last Adjusted
Water Line Install or Repair	\$ 57.00	NEW	January 2020
Sewer Line Install or Repair	\$ 57.00	NEW	January 2020
Water Disconnect	\$42.00		January 2019
Sewer Disconnect	\$42.00		January 2019
Water Tap (Each)	\$27.00		January 2019
Sewer Tap (Each)	\$27.00		January 2019
Storm Sewer	\$42.00		January 2019
Hydrostatic and Conductivity Test (Each)	\$57.00		January 2019
Street Excavation & Street Deposit	\$32.00 / \$1550.00		January 2019
Individual Sewage Treatment System – New Installation or Replacement of existing system	\$ 206.00		January 2019

Individual Sewage Treatment System - Repair or Alteration of existing system	\$103.00		January 2019
Individual Sewage Treatment System Abandonment	\$ 52.00		January 2019
Sewer and Water Disconnect	\$ 73.00	REMOVE	January 2019
Water Line Install or Repair (Residential)	\$ 42.00	REMOVE	January 2019
Sewer Line Install or Repair (Residential)	\$ 42.00	REMOVE	January 2019
Water Line Install or Repair (Commercial)	\$ 57.00	REMOVE	January 2019
Sewer Line Install or Repair (Commercial)	\$ 57.00	REMOVE	January 2019

3. **SEWER AND WATER CONNECTION FEES:** Buildings or dwellings existing or constructed in the City of White Bear Lake must connect to the municipal water and sanitary sewer system so long as it is reasonably available. Metropolitan Council Sewer Access Charge (SAC) units and fees are established by the Metropolitan Council per state statute MN 473.517. Prior to connecting to public utilities, the owner or representative must pay the following fees:

A. SEWER CONNECTION FEES

	Current Fees	Proposed Fees	Last Adjusted
Single Family Dwellings	\$670.00 per Dwelling		January 2019
Two Family Dwellings	\$1,340.00 per Dwelling		January 2019
Multiple Dwellings	\$415.00 per Unit	\$670.00/unit	January 2020
Commercial and Industrial (minimum of 1 unit charged)	\$1,030.00 per acre or \$670 per unit for each 100,000 gallons of estimated annual flow	\$670.00/unit	January 2020

B. WATER CONNECTION FEES

	Current Fees	Proposed Fees	Last Adjusted
Single Family Dwellings	\$670.00 per Dwelling		January 2019
Two Family Dwellings	\$1,340.00 per Dwelling		January 2019
Multiple Dwellings	\$415.00 per Unit	\$670.00/unit	January 2020
Commercial and Industrial (minimum of 1 unit charged)	\$1,030.00 per acre or \$670 per unit for each 100,000 gallons of estimated annual flow	\$670.00/unit	January 2020

4. **PLUMBING PERMIT FEES:** Plumbing Permits are based on fees listed below, plus \$1.00 state surcharge.

A. PLUMBING PERMIT FEES

	Current Fees – Plus \$1.00 State Surcharge	Proposed Fees	Last Adjusted
Plumbing Minimum Fee	\$50.00	NEW	January 2020
Residential fee (minimum permit fee)	\$ 40.00	REMOVE	January 2017
Commercial fee (minimum permit fee)	\$ 50.00	REMOVE	January 2017
For Each Fixture or Fixture Opening	\$ 15.00/per fixture		January 2017
Water Heater - New Install or Replace	\$ 50.00		January 2017
Water Softener – New Install or Replace	\$ 25.00		January 2017
Gas Piping	\$ 30.00		January 2017
Water Piping / Drain / Waste / Vent Alteration or Repair	\$ 50.00		January 2017
Plumbing General Repair	\$ 50.00		January 2017
New backflow Prevention Device (Permit Required)	\$ 25.00		January 2017
Backflow Prevention Annual Testing Per Device	\$ 20.00		January 2017

5. **MECHANICAL PERMIT FEES:** Mechanical permit fees are based on 1% of job valuation or the minimum fee, whichever is greater, plus the state surcharge of .0005% of job valuation. For review of mechanical plans and other data, the fee is equal to 25% of the permit fee or the minimum, whichever is greater.

A. MECHANICAL PERMIT FEES

	Minimum Fees (or 1% of job valuation, whichever is greater, plus state surcharge of .0005% of job valuation)	Proposed Fees	Last Adjusted
Heating System	\$70.00		January 2017
Air Conditioning	\$40.00		January 2017
Heating & Air Conditioning	\$100.00		January 2017
HVAC for new residential construction	\$175.00		January 2017
Ductwork	\$30.00		January 2017
Fireplace	\$50.00		January 2017

Process piping	\$40.00		January 2017
Miscellaneous appliance or equipment regulated by code	\$40.00		January 2017
Repair - Heating and/or AC	\$30.00		January 2017

6. **FIRE SUPPRESSION / STORAGE TANK PERMIT FEES:** Fire Suppression/Storage Tank Permits are based on fees listed below, plus \$1.00 state surcharge. For review of Fire Suppression plans and other data, the fee is equal to 25% of the permit fee.

A. FIRE SUPPRESSION / STORAGE TANK PERMIT FEES

	Current Fees – Plus \$1.00 State Surcharge	Proposed Fees	Last Adjusted
Automatic Fire Suppression System 1-10 Heads/Risers	\$75.00		January 2019
Each Additional 10 Heads or Fraction Thereof	\$5.00		January 2017
Each Fire Alarm (New, Addition, Upgrade)	\$75.00		January 2019
Each Miscellaneous Fire Related Permit	\$75.00		January 2019
Each Chemical/Ansul Hood Extinguisher System	\$75.00		January 2019
Each Fuel Storage Tank Installed or Removed - Under 1000 gallons	\$75.00 per tank		January 2019
Each Fuel Storage Tank Installed or Removed – Over 1000 gallons	\$225.00 per tank		January 2019
Miscellaneous Fire Suppression Permit	\$ 75.00		January 2019
Fire Permit Plan Review	50% of the Permit Fee		January 2019

7. **ELECTRICAL PERMIT FEES:** Electrical fees are based on fees listed below, plus \$1.00 state surcharge. Fees are set by Togle Inspections. The City of White Bear Lake contracts with Togle Inspections, electrical contractor for the State of Minnesota Department of Labor and Industry. Website: www.togleinspections.com

A. ELECTRICAL PERMIT FEES

	Current Fees – Plus \$1.00 State Surcharge		Last Adjusted
Residential Panel Replacement	\$110.00		January 2020
Residential Sub Panel Replacement	\$45.00		January 2020
New Service or Power Supply:			
0-300 Amp	\$55.00		January 2020
400 Amp	\$71.00		January 2020
500 Amp	\$87.00		January 2020
600 Amp	\$103.00		January 2020
800 Amp	\$135.00		January 2020
1000 Amp	\$167.00		January 2020
Each Additional 100 Amps	\$16.00/each		January 2020
Circuits and Feeders:			
0-100 Amp	\$9.00		January 2020
101-200 Amp	\$15.00		January 2020
201-300 Amp	\$21.00		January 2020
301-400 Amp	\$27.00		January 2020
401-500 Amp	\$33.00		January 2020
501-600 Amp	\$39.00		January 2020
Each additional 100 Amps	\$6.00/each		January 2020
Minimum fee for 1 inspection only	\$45.00		January 2020
Minimum fee for 2 inspections (rough in & final)	\$90.00		January 2020
Maximum fee for single-family dwelling or townhouse not over 200 Amps (No max if service is over 200 Amps). Max of 2 rough-ins and 1 final inspection	\$190.00		January 2020
Failed inspections per visit	\$45.00		January 2020
Apartment Buildings – Fee per unit of an apartment or condominium complex. This does not cover service, unit feeders or house panels	\$80.00/unit		January 2020
Swimming pools & hot tubs (includes 2 inspections).	\$90.00 plus ckts @ \$9/each		January 2020
Additions, remodels or basement finishes (includes 2 inspections)	\$90.00 (includes up to 10 ckts)		January 2020
Residential accessory structures	The greater of \$55.00 for panel + \$9.00 per ckt OR \$90.00 for 2 inspections		January 2020
Traffic signals	\$8.00 per each standard		January 2020
Street & parking lot lights	\$5.00 per each standard		January 2020

Transformers & generators	\$5.00 – 0 to 10kva \$40.00 – 11kva to 74kva \$60.00 – 75kva to 299kva \$165.00 - over 299kva		January 2020
Retrofit lightening	\$0.85 cents per fixture		January 2020
Sign transformer or driver	\$9.00 per transformer		January 2020
Low voltage fire alarm, low voltage heating & air conditioning control wiring	\$0.85 cents per device		January 2020
Re-inspection fee in addition to all other fees	\$45.00		January 2020
Hourly rate for carnivals	\$90.00		January 2020
Solar fees:			
0kw – 5kw	\$90.00		January 2020
5.1kw – 10kw	\$150.00		January 2020
10.1kw – 20kw	\$225.00		January 2020
20.1 to 30kw	\$300.00		January 2020
30.1kw – 40kw	\$375.00		January 2020
40.1 kw and larger	\$375.00 + \$25 each additional 10kw		January 2020
Electronic inspection fee for these items only: furnace, air conditioning, bath fan, fireplace or receptacle for water heater vent ** Must be pre-approved by Electrical Inspector **	\$40.00		January 2020
*Permit fee is doubled if work starts before permit issued			
*Refunds must be requested in writing. No refunds on minimum fee permits, expired permits or state surcharge fee. Refunds are minus a city handling fee of 20%.			

RESOLUTION NO.

**A RESOLUTION ESTABLISHING THE TITLE AND
SUMMARY APPROVAL OF ORDINANCE NO. 19-12-2040**

**AN ORDINANCE ESTABLISHING A FEE SCHEDULE
FOR SERVICES, PERMITS AND LICENSES**

FOR PUBLISHED NOTICE.

WHEREAS, the City of White Bear Lake City Council may, pursuant to Ordinance No. 83-6-666, adopt a title and summary of a proposed ordinance to be published in lieu of lengthy entire ordinances, and

WHEREAS, in addition to adopting a title and ordinance summary, the Council shall direct the City Clerk to:

1. Have available for inspection during regular office hours a copy of the entire ordinance.
2. Post a copy of the entire ordinance at the White Bear Lake Branch of the Ramsey County Public Library.
3. Receive an affidavit of publication of the title and summary from the official newspaper.

NOW, THEREFORE, BE IT RESOLVED, that the City of White Bear Lake City Council hereby adopts the aforementioned title and summary for approved Ordinance No. 19-12-2040 as listed below:

**AN ORDINANCE ESTABLISHING A FEE SCHEDULE
FOR SERVICES, PERMITS AND LICENSES**

The ordinance consolidates the City's fee schedule for services, permits and licenses for efficient administration and to facilitate annual review as an integral part of the budget process.

FURTHER, BE IT RESOLVED, that the City of White Bear Lake City Council hereby directs the City Clerk to provide the inspection and publication requirements as listed above.

The foregoing resolution offered by Councilmember _____ and supported by Councilmember _____ 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: Mayor and City Council

From: Ellen Hiniker, City Manager

Date: December 3, 2019

Subject: **Second Reading of an Ordinance amending Ordinance #96-3-931 authorizing the City to establish a Community Reinvestment Fund**

SUMMARY

The City of White Bear Lake established a Community Reinvestment Fund in 1996 placing \$1,000,000 in a Park Improvement Trust and \$3,300,000 in a Street Improvement Trust, dedicating a portion of the annual interest from each to be proportionately applied to park and street improvements. The ordinance also requires that this fund retain a minimum 5% of its annual investment earnings to grow its principal balance. Between 1996 and 2008, there were several years of significant investment earnings. These earnings funded Park and Street Improvements over the years and grew the fund balance to what is now approximately \$7,655,000.

Since 2008, interest earnings have been at historic low levels, significantly impacting capital funding revenues needed for infrastructure improvements. The City Council has had several discussions the past few years regarding the Community Reinvestment Fund's significant fund balance relative to the reduction in its earnings.

In consultation with Ehlers Inc., the City's public finance advisor, staff and Council concluded that maintaining a minimum balance of \$6,000,000 in the Community Reinvestment Fund preserves the financial integrity of this fund and its intended purpose. However, it was also concluded that funds in excess of that minimum balance should be used to help support the City's capital projects in lieu of interest earnings historically provided through this fund.

The attached ordinance modifies provisions of the original ordinance by allowing the fund to be spent down to a minimum balance of \$6,000,000 for capital expenditures to include support of the Interim Construction Fund, Park Improvement Fund and Municipal Building Fund.

First reading of the ordinance was held on November 26, 2019 and published accordingly. Second reading will be held at the December 10 City Council meeting.

RECOMMENDED COUNCIL ACTION

Staff recommends approval of the ordinance amendment, and of the summary resolution to facilitate publication.

ATTACHMENTS

Ordinance
Summary Resolution

CITY OF WHITE BEAR LAKE
Ordinance No. 19-12-2041

ORDINANCE AMENDING ORDINANCE 96-3-931 WHICH ESTABLISHED A COMMUNITY REINVESTMENT FUND IN THE CITY OF WHITE BEAR LAKE

The Council of the City of White Bear Lake does ordain as follows:

SECTION I. Community Reinvestment Fund (CRF) is hereby created as a Capital Improvement Fund according to Section 504 of the City Charter. This fund shall be maintained in the official City records and administered in accordance with the provision of this section Funds shall be restricted to the CRF as follows:

Street Improvement Trust	\$3,300,000
Park Improvement Trust	<u>1,000,000</u>
TOTAL	\$4,300,000

SECTION II. The Fund shall initially establish a \$1,000,000 park improvement trust and a \$3,300,000 street reconstruction improvement trust.

SECTION III. Additional principal funding shall be provided by retention of a minimum of 5% of the fund's annual investment earnings. A higher interest earnings retention rate could be assigned by the Council during the budget process if inflation or construction cost indicates cost increases exceeding 5%. The remaining investment earnings shall not accrue to the principal but be available for expenditures in accordance with this section.

SECTION IV. The principal of the fund may be increased by any other funds appropriated by the Council through the budget process or donations.

SECTION V. This fund shall be used ~~solely~~ to pay for park capital costs, ~~or for~~ street reconstruction costs, and municipal building costs throughout the City.

- A. Expenditures shall be made only from accumulated investment earnings or principal exceeding the \$6 million minimum fund balance whenever possible.
- B. Expenditures from principal that would reduce the fund balance below the \$6 million minimum requires a four-fifths vote of the council and repayment from an identified source within three (3) years along with interest. If expenditures from either the street or park trust principal are approved, the trust expending the principal will be restricted from future expenditures until the trust has re-established the principal at an amount equal to the amount existing before the expenditure plus interest of 5%. The trust (street or park) not expending principal balance will not be restricted from providing annual interest revenue for street or park improvements.

SECTION VI. Expenditures from the fund may be made only after compliance with the following procedure:

Park Improvements

- A. Park Advisory Commission recommendation for improvement

CITY OF WHITE BEAR LAKE
Ordinance No. 19-12-2041

- B. Park Advisory Commission verification that the improvement would not occur without use of CRF funding
- C. City Council approval of the project and use of CRF funding.
- D. Incorporation of the funding transfer in the City's budget and approval of transfer by resolution

~~Street Improvements~~ and Municipal Building Improvements

- A. City Council designation of the street reconstruction ~~project~~ and/or municipal building project.
- B. City Council designation of the street reconstruction and/or municipal building project funding sources including the amount from the Community Reinvestment Fund.
- C. Incorporation of the funding transfer in the City's budget and approval of the transfer by resolution.

SECTION VII. *Administrative Expenditures.* The fund shall not be charged expenses for the administration of the fund.

SECTION VIII. *Amendments.* No amendments may be made to this ordinance except upon an affirmative vote of a majority of all members of the City Council.

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

Passed by the City Council of the City of White Bear Lake, Minnesota this ___ day of December, 2019.

First Reading: November 26, 2019

Initial Publication: November 20, 2019

Second Reading: December 10, 2019

Final Publication: XXXXXX XX, 2019

Codified: XXXXXX XX, 2019

Posted on web: XXXXXX XX, 2019

City Clerk Initials

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)

RESOLUTION NO.

**A RESOLUTION ESTABLISHING THE TITLE AND SUMMARY APPROVAL
OF ORDINANCE NO. 19-12-2041 REGARDING THE COMMUNITY REINVESTMENT
FUND IN THE CITY OF WHITE BEAR LAKE**

FOR PUBLISHED NOTICE

WHEREAS, the City of White Bear Lake City Council may, pursuant to Ordinance No. 83-6-666, adopt a title and summary of a proposed ordinance to be published in lieu of lengthy entire ordinances, and

WHEREAS, in addition to adopting a title and ordinance summary, the Council shall direct the City Clerk to:

1. Have available for inspection during regular office hours a copy of the entire ordinance.
2. Post a copy of the entire ordinance at the White Bear Lake Branch of the Ramsey County Public Library.
3. Receive an affidavit of publication of the title and summary from the official newspaper.

NOW, THEREFORE, BE IT RESOLVED, that the City of White Bear Lake City Council hereby adopts the aforementioned title and summary for approved Ordinance No. 19-12-2041 as listed below:

**ORDINANCE AMENDING ORDINANCE 96-3-931 WHICH ESTABLISHED A COMMUNITY
REINVESTMENT FUND IN THE CITY OF WHITE BEAR LAKE**

The ordinance modifies provisions of the original ordinance by allowing the fund to be spent down to a minimum balance of \$6,000,000 for capital expenditures to include support of the Interim Construction Fund, Park Improvement Fund and Municipal Building Fund.

FURTHER, BE IT RESOLVED, that the City of White Bear Lake City Council hereby directs the City Clerk to provide the inspection and publication requirements as listed above.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Rick Juba, Assistant City Manager

Date: November 14, 2019

Subject: **First reading of an ordinance amending the City Charter pertaining to assessment of administrative fines and penalties**

BACKGROUND

In accordance with State Statute 410.12, Subd. 7, the City Council may enact a charter amendment upon the recommendation of the Charter Commission. Within one month of receiving a recommendation to amend the charter by ordinance, the city must publish notice of a public hearing on the proposal; the public hearing must be held at least two weeks, but not more than one month, after publication. Within one month of the public hearing, the City Council must vote on the proposed amendment ordinance; an affirmative vote of all members of the City Council and approval by the Mayor is required. If approved, an ordinance amending the Charter does not become active until 90 days after passage and publication to provide opportunity for residents to submit a petition requesting a referendum.

SUMMARY

On November 13, 2019, the Charter Commission voted unanimously to adopt resolution 19-1, amending Section 8.05 and adding Section 8.11 of the City Charter pertaining to administrative penalties and the collection of fees and penalties. Attached is the memorandum and supporting documents providing background to this proposed amendment for Council's review.

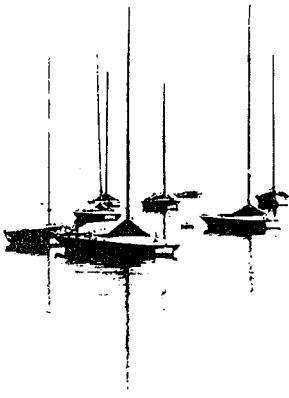
Staff requests Council to hold first reading of this ordinance at its December 10 City Council meeting. A notice will be published in the White Bear Press on December 11, 2019 announcing a public hearing to be held at the January 8, 2020 City Council meeting to fulfill Statutory requirements. A full vote of the City Council and approval by the Mayor is required for adoption of an amendment to the City Charter. Staff will bring the ordinance to Council for second reading at its January 8, 2020 meeting.

RECOMMENDED COUNCIL ACTION

First reading of the proposed ordinance and Council discussion.

ATTACHMENTS

Letter from the Charter Commission
Ordinance Amending the City Charter
Supporting Charter Commission Memo, Minutes and Resolution



City of White Bear Lake

4701 Highway 61 • White Bear Lake, Minnesota 55110
Phone (651) 429-8526 • Fax (651) 429-8500
www.whitebearlake.org

November 27, 2019

Honorable Mayor and City Council
City of White Bear Lake
4701 Highway 61
White Bear Lake, MN 55110

Dear Mayor Emerson and City Council Members:

At its regular annual meeting of September 11, 2019, the White Bear Lake Charter Commission considered a City staff recommendation proposing a City Charter Amendment to allow special assessment of unpaid administrative fines against the related subject property.

For context, lower level municipal code violations may be enforced by issuing an administrative citation rather than citation heard in District Court. This less formal process allows alleged violators to correct conditions in response to the violation or offer an explanation or objection to an independent third party Hearing Officer appointed by the City Council.

While most individuals take action to resolve the alleged violation when notified, approximately 1-2% ignore the correction order, which is then forwarded to the District Court. This is an expensive action, which is not often enforced by District Court Judges. This proposed Charter Amendment would allow the City Council, following findings by the Hearing Officer, to levy unpaid fines against the subject's property.

At its meeting on November 13, 2019, following review and discussion, the Charter Commission voted unanimously to adopt Resolution 19-01 proposing an amendment of Section 8.05 and addition of Section 8.11 of the City Charter pertaining to administrative penalties and the collection of fees and penalties.

In closing, the Charter Commission requests City Council consideration of the proposed Charter amendment to Section 8.05 and addition of Section 8.11 and request that it direct preparation of an ordinance perfecting the amendment pursuant to State Statutes, following public hearing and opportunity for reverse referendum action by citizens.

Respectfully,

Timothy Geck, Chair
White Bear Lake Charter Commission

CITY OF WHITE BEAR LAKE
Ordinance No.

**ORDINANCE AMENDING THE WHITE BEAR LAKE CITY CHARTER REGARDING
ADMINISTRATIVE PENALTIES AND THE COLLECTION OF FEES AND PENALTIES**

The Council of the City of White Bear Lake does ordain as follows:

ARTICLE I. Section 8.05 of the White Bear Lake City Charter is hereby amended as follows:

Sect. 8.05. Punishment for Offense. Every act or omission to act under this Charter or the ordinances and regulations of the City which is made subject to punishment shall be, if the punishment is not otherwise prescribed, punishable as a misdemeanor. The Council may establish by ordinance a procedure for imposing an administrative penalty for any violation of the City code or a City ordinance. The procedure must provide that any person charged with an administrative penalty will receive notice of the violation and an opportunity to be heard by a neutral party. The procedure may authorize the City to use the services of a non-City employee to decide whether an administrative penalty should be imposed.

ARTICLE II. The White Bear Lake City Charter is hereby amended by adding a new Section 8.11 as follows:

Sect. 8.11. Fees and Penalties. The Council may provide by ordinance that unpaid fees, charges, administrative penalties, and late payment penalties imposed by the City may be imposed and collected as a special assessment against property that was the subject matter, or related to the subject matter, of the fee, charge, or penalty, or against the property that was the location of an activity, proposed use, delivery of City service, or other circumstances that resulted in the fee, charge, or penalty. The ordinance must provide that the City will first attempt to obtain voluntary payment of the fee, charge, or penalty. The ordinance must also provide that notice and an opportunity to be heard will be given to the property owner listed on the official tax records before the penalty is assessed.

Article III. Effective Date. This Ordinance shall become effective after adoption and upon ninety (90) days following its legal publication, except that if within sixty (60) days after publication a petition requesting a referendum on this ordinance, signed by the number of registered voters of the City required by Minnesota Statutes, section 410.12, subdivision 7 is filed with the City Clerk, this ordinance will not be effective until approved by a majority of the voters voting on the question at an election.

Passed by the City Council of the City of White Bear Lake, Minnesota this ____ day of January, 2020.

First Reading: December 10, 2019

Initial Publication:

Second Reading:

Final Publication:

Codified:

Posted on web:

City Clerk Initials

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

(~~Strikeout~~ indicates matter to be deleted, double underline indicates new matter.)



City of White Bear Lake City Manager's Office

To: Members of the Charter Commission

From: Rick Juba, Asst. City Manager, on behalf of Code Enforcement Review Committee

Date: August 21, 2019
Revised October 14, 2019

Subject: **Assessment of Administrative Fines**

This memorandum has been revised in response to the discussion at the September 11, 2019 Charter Commission meeting. Please note that the City already performs code enforcement and has the ability to issue administrative fines. The requested amendment to the charter is not to change the present authority by the city to impose and to enforce the correction of current code violations but it provides an additional compliance remedy allowing the city to assess the related property for the collection of related fines and penalties. This process would keep those in violation out of a criminal process, speed up proceedings and ultimately result in compliance rather than jail time or fines.

The City of White Bear Lake performs both proactive and complaint based enforcement of City Codes on residential and commercial properties throughout the City. Common code compliance issues include long grass, junk vehicles, exterior storage, and unmaintained conditions (paint peeling, missing shingles, etc.) The City Code containing these rules was developed to protect property values, protect the environment, and provide a baseline of standards that residents can expect their neighbors to live by and the City to uphold. **When averaged over a three-year period, the City responded to 210 citizen complaints and proactively pursued 500 nuisance code violations each year.** It should be noted that the number of nuisance complaints received each year continues to grow, similar to upward trending calls for service in the Police and Fire Departments.

Violation totals from January 2016 - August 15, 2019

- Ward 1: 678
- Ward 2: 641
- Ward 3: 488
- Ward 4: 396
- Ward 5: 572

2,775 (since Jan. 2016)

More than twice as many violations are identified through proactive enforcement, with the others being complaint-based. Once a city code violation is confirmed, City staff sends the property owner a letter explaining the violation and required corrective action. On most occasions, the property owner takes timely, corrective action, or works with staff to correct the violation within a mutually agreed upon

period. Deadlines are regularly extended for property owners who do not have the means to comply or have a special circumstance.

However, for some, gaining compliance can take several weeks, which frustrates neighbors and consumes excessive staff time. In the past, when a stalemate had been reached with a property owner, the property owner was issued a Ramsey County citation, a misdemeanor, which required an appearance in court. If the person did not appear in court, a bench warrant would be issued. In recent years, however, district court judges have not had the necessary resources to deal with these lower profile cases. Consequently, judges typically extend, dismiss or issue a small fine, all of which do not typically result in compliance. Warrants are no longer issued for these types of offenses.

The City's municipal code currently provides staff the authority to issue administrative citations in place of County citations. Approval of the Building Official and the Patrol Captain is required before a nuisance violation citation can be issued. The City has an established administrative hearing process to provide property owners an opportunity to appeal their citation to a neutral, third-party administrative judge appointed by the City Council. An appeal must be filed within seven (7) days of receiving the citation, a hearing would then be scheduled within seven (7) days of the appeal. The administrative hearing judge has the authority to sustain the appeal or dismiss, reduce or waive the penalty. If sustained, the penalty must be paid within seven (7) days of the ruling.

Currently, if the ticket is upheld by the administrative judge and still is not paid, it becomes a County citation. However, as described, the County citations are no longer effective. Subsequently, code enforcement staff does not have an effective enforcement tool to gain compliance in difficult situations. In order to provide an effective code enforcement tool, the Code Enforcement Review Committee is requesting the Charter Commission to consider a charter amendment that would provide the City Council the authority to develop an assessment procedure for administrative code enforcement fines through the adoption of an ordinance.

There is an appeal process in place for property owners with unpaid utility bills before assessing them to their property taxes, which provides property owners an opportunity to appeal their case to the City Council. The same process would be in place for consideration of assessing administrative penalties. Notice of a public hearing in front of the City Council would be sent out each September to property owners with unpaid administrative fines. Affected property owners would then have an opportunity to appeal to the City Council at the hearing. If the City Council upheld the assessment, that property owner could file a dispute to the City Council in writing, then follow that with an appeal in district court.

The authority to assess fines for code violations, however, is unique to Charter cities. If the charter were amended to provide the City Council authority to adopt an ordinance, there could be a process whereby unpaid code enforcement citations are assessed in the same fashion as unpaid utility fees. This would be a compliance tool, not a revenue generator. On average, administrative citations, including parking and speeding, only generate about \$1,000 in revenue.

The Cities of Minnetonka, Crystal and Coon Rapids are the only other cities found to have adopted an authorizing charter amendment. Staff is aware of at least one other community in the greater metro area that assesses unpaid fines for code violations to property taxes, but has not adopted corresponding authorizing language. Instead, it references the Chapter 429 process, which is state authorizing language related to municipal infrastructure assessments. The language used by Coon Rapids is broad and does

not specifically address administrative or civil penalties. Staff would advise that the City clarify its authority to assess code enforcement fines through a Charter amendment, as was done in Minnetonka and Crystal. Below is the language adopted by all three cities:

Minnetonka Charter Language:

Section 8.03. Fees and Civil Penalties.

The council may provide by ordinance that fees, civil penalties, and late payment penalties imposed by the city may be assessed against (a) property that was the subject matter, or related to the subject matter, of the fees and penalties, or (b) property that was the location of an activity, proposed use, city service, or other circumstance that resulted in the fees and penalties. The ordinance must require the city to attempt to obtain voluntary payment of the fees and penalties before imposing the assessments. The ordinance must require the city to give notice and an opportunity to be heard to the property owner listed on the official tax records before imposing the assessments. The assessments will be collected like special assessments.

Crystal Charter Language:

Section 12.09. Fines and Penalties. Subd. 2.

The city council may provide by ordinance that unpaid administrative penalties be collected as a special assessment against property which was the subject matter, or related to the subject matter, of the penalty or against the property which was the location of an activity, proposed use, delivery of city service, or other circumstances that resulted in the penalty. The ordinance must provide that the city will first attempt to obtain voluntary payment of the penalty. The ordinance must also provide that notice and an opportunity to be heard will be given to the property owner listed on the official tax records before the penalty is assessed. (Added, Ord. No. 2002-07, August 5, 2002)

Coon Rapids Charter Language:

1-802 - Assessments for Services.

The Council may provide, by ordinance, that the costs of any special services to public or private property may be assessed against the property benefited and collected in like manner as are special assessments.

A draft ordinance is attached for review and consideration by the Charter Commission. In addition to the draft language enabling the assessment of fines, language has been proposed to clarify the City's authority to issue administrative penalties. While opinions do differ on the need for this clarifying language, the City Attorney advised that this would be an ideal opportunity to consider adding it.

ATTACHMENTS: Examples of three properties with long-standing issues
Proposed Charter Amendment

**MINUTES OF THE
WHITE BEAR LAKE CHARTER COMMISSION
NOVEMBER 13, 2019**

1. CALL TO ORDER AND ROLL CALL

A meeting of the White Bear Lake Charter Commission was called to order by Chairman Tim Geck at 7:00 p.m. in the second floor conference room at City Hall. The following members were present: Marc Aune, James Patrick Barone, James Berry, Scott Bill, Scott Costello, Tim Geck, Karen Hogen, Dan Louismet, Mark Sather, and Ray Smith. Members Dale Grambush and Robert Hafdahl were excused pursuant to bylaws. A quorum was declared.

Also present was Assistant City Manager, Rick Juba

2. APPROVAL OF THE MINUTES

It was moved by **Member Barone**, seconded by **Member Louismet**, to approve the minutes of the meeting held September 11, 2019 as presented.

The motion carried unanimously.

3. APPROVAL OF THE AGENDA

It was moved by **Member Berry**, seconded by **Member Smith** to approve the agenda as presented.

The motion carried unanimously.

4. OLD BUSINESS

- A. Proposed Amendment of Section 8.05 and addition of section 8.11 of the City Charter pertaining to administrative penalties and the collection of fines and penalties

Chair Geck initiated discussion by explaining this proposal was presented at the request of the City at the Charter Commission meeting of September 11, 2019. Following discussion at that time the matter was continued to this date with the request that the City provide additional information regarding whether other home rule cities in Minnesota had similar provisions in their charter and for additional examples of code enforcement cases where the proposed amendment would apply. He called upon Assistant City Manager, Rick Juba, to respond to the Commission's requests.

Mr. Juba replied that for approximately the past 15 years the City has conducted code enforcement through both criminal and administrative procedures. In the case of minor code violations, individuals deemed responsible for the violation were provided correction notices and a period of time to correct the condition or behavior.

If correction is not achieved, a second notice is typically given if the condition allows. Subsequent failure to comply resulted in issuance of an administrative citation which carries a fine established by ordinance. Violations considered more serious resulted in a District Court violation. He explained that most violations are corrected following the first or second notice and they typically involve long grass or weeds, junk automobiles, outdoor storage and accumulation of materials in violation of the Municipal Code, unmaintained structures and animal waste. Compliance prior to issuance of a citation avoids a fine. Failure to comply results in issuance of either an administrative or District Court violation.

Administrative violations may be resolved by correction and compliance as well as payment of the assigned fine. The alleged violator may also appeal the finding and citation to an independent hearing officer appointed by the City Council. The hearing officer may sustain, adjust or dismiss the fine. If the alleged violator fails to pay or appeal the fine, a District Court citation may be issued by the City and the alleged violator may pay the District Court fine or appeal to the court.

Administrative citations ignored by the alleged violator but issued for violations not usually considered serious by District Court Judges (i.e. barking dogs, junk accumulation, unmaintained property, junk cars, illegal home occupations, etc.) are the intended subject of the proposed amendment. If approved, fines for unpaid administrative citations may be assessed to the subject property.

Mr. Juba further explained that the number of nuisance code violations for January 2016 through August 2019 was almost 2,800. Over 96 percent of violations are corrected within the allowed time. He also explained that those not corrected often are the cause of considerable concern from area residents and property owners. The proposed amendment is expected to allow the City to achieve compliance without resorting to the lengthy and costly District Court option. It will allow the City Council to assess the administrative fine to the property similar to unpaid utility charges or safety and sanitation abatement costs.

Member Costello pointed out that the proposed amendment is similar to a Charter provision in the City of Crystal, MN which has been in place for more than 15 years and is apparently working. Member Louismet questioned whether the City of Crystal provision was considered successful. Mr. Juba stated the City reported it was satisfied with application of the assessment authority but he was unaware if the measurement was fine receipt or compliance.

Following considerable discussion of examples of cases where administrative citations had allowed the City to achieve compliance with the Municipal Code and example of appeals to the hearing officer that resulted in positive solutions it was moved by **Member Barone**, seconded by **Member Berry** to adopt **Resolution No. 19-01** proposing an amendment to Section 8.05 and additional of Section 8.11 of the City Charter pertaining to administrative penalties and the collection of fees and penalties.

Member Costello stated this proposed action is the first step toward a charter amendment. The proposed must be forwarded to the City Council, be heard in a public hearing, receive a unanimous vote of the City Council, and is subject to a 60-day remonstrance period during which a petition could be submitted requiring the question to be brought before the voters in a referendum.

In response to a question from Member Louismet, Chair Geck and Mr. Juba described the appeal procedure afforded to an individual receiving an administrative citation including a hearing before the Council appointed Hearing Officer and a District Court Judge on the subject of the alleged violations and subject fine as well as an appeal of an assessment to District Court.

Members Aune, Hogen and Smith spoke in favor of the motion stating that based on examples presented, it appears that failure to comply and pay the fine appears to be based more on willingness than means.

There being no further discussion, the Chair called for the vote and the motion passed unanimously.

5. NEW BUSINESS

Nothing scheduled.

6. OPEN DISCUSSION

No further discussion.

7. ADJOURNMENT

There being no further business to come before the Commission, it was moved by **Member Aune**, seconded by **Member Hogen**, to adjourn the meeting at 7:40 p.m.

The motion carried unanimously.

Tim Geck, Chair

ATTEST:

Mark Sather, Secretary

RESOLUTION NO. 19-01

**A RESOLUTION OF THE WHITE BEAR LAKE CHARTER COMMISSION
PROPOSING AN AMENDMENT OF SECTION 8.05 AND ADDITION OF
SECTION 8.11 OF THE CITY CHARTER PERTAINING TO ADMINISTRATIVE
PENALTIES AND THE COLLECTION OF FEES AND PENALTIES**

WHEREAS, City of White Bear Lake staff requested that the City Charter be reviewed by the Charter Commission with regard to administrative penalties and the collection of fees and penalties; and

WHEREAS, the Commission has reviewed modifications to Section 8.05 regarding punishment for offenses and the addition of Section 8.11 regarding fees and penalties; and

WHEREAS, the Commission has concluded that in order to provide for effective code enforcement the City of White Bear Lake requires the authority to assess unpaid fines for code violations to the property.

NOW, THEREFORE, BE IT RESOLVED by the Charter Commission of the City of White Bear Lake that the following amendment to Section 8.05 and addition of Section 8.11 of the City Charter is hereby proposed to the City Council for enactment pursuant to Minnesota Statutes Section 410.12, Subd. 7.

Sect. 8.05. Punishment for Offense. Every act or omission to act under this Charter or the ordinances and regulations of the City which is made subject to punishment shall be, if the punishment is not otherwise prescribed, punishable as a misdemeanor. The Council may establish by ordinance a procedure for imposing an administrative penalty for any violation of the City code or a City ordinance. The procedure must provide that any person charged with an administrative penalty will receive notice of the violation and an opportunity to be heard by a neutral party. The procedure may authorize the City to use the services of a non-City employee to decide whether an administrative penalty should be imposed.

Sect. 8.11. Fees and Penalties. The Council may provide by ordinance that unpaid fees, charges, administrative penalties, and late payment penalties imposed by the City may be imposed and collected as a special assessment against property that was the subject matter, or related to the subject matter, of the fee, charge, or penalty, or against the property that was

the location of an activity, proposed use, delivery of City service, or other circumstances that resulted in the fee, charge, or penalty. The ordinance must provide that the City will first attempt to obtain voluntary payment of the fee, charge, or penalty. The ordinance must also provide that notice and an opportunity to be heard will be given to the property owner listed on the official tax records before the penalty is assessed.

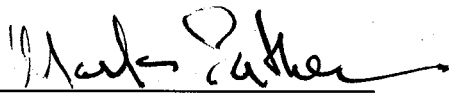
The foregoing resolution, offered by Commission member Barone and supported by Commission member Berry, was declared carried on the following vote:

Ayes: 10
Absent: 0
Nays: 0
Passed: unanimously



Tim Geck, Chair

ATTEST:



Mark Sather, Secretary



City of White Bear Lake
Community Development Director

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Planning Commission

Through: Samantha Crosby, Planning & Zoning Coordinator

Date: December 4, 2019 for the December 10th City Council Meeting

Subject: **FIRST READING – Shoreland Text Amendment, Stairways Case No. 19-9-Z**

REQUEST

A text amendment to clarify that only one stairway down to a waterbody is permitted per property. The first reading is not a public hearing.

SUMMARY

No one from the public spoke to the matter. The Commission wanted to make sure the amendment did not preclude the construction of both a stairway and a lift. Allowance of both is addressed in item (7) of the existing language. On 7-0 vote, the Commission recommended approval as presented by staff.

RECOMMENDED COUNCIL ACTION

No formal action is required for the first reading; the second reading is scheduled for Tuesday, January 14, 2020.

ATTACHMENTS

Draft Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE ZONING CODE AT SECTION 1303.230, "SHORELAND OVERLAY DISTRICT" AS IT RELATES TO STAIRWAYS (CASE NO. 19-9-Z)

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA DOES
ORDAIN THE FOLLOWING:

SECTION 1. The Municipal Code of the City of White Bear Lake is hereby amended at
Section 1303.230 as follows:

c) Stairways, Lifts, and Landings. Stairways, lifts and landings must meet the following design
requirements:

1) Only one stairway is permitted per property.

4) **2)** Stairways and lifts must not exceed four (4) feet in width on residential lots. Wider
stairways may be used for commercial properties, public open space recreational
properties, and planned unit developments, but shall require a conditional use permit
as set forth in Subdivision 6 of this Section;

2) **3)** Landings for stairways and lifts on residential lots must not exceed thirty-two (32)
square feet in area. Landings larger than 32 square feet may be used for commercial
properties, public open space recreational properties, and planned unit
developments but shall require a conditional use permit as set forth in Subdivision 6
of this Section;

3) **4)** Canopies or roofs are not allowed on stairways, lifts, or landings;

4) **5)** Stairways, lifts, and landings may be either constructed above the ground on posts
or pilings, or placed into the ground, provided they are designed and built in a manner
that ensures control of soil erosion;

5) **6)** Stairways, lifts, and landings must be located in the most visually inconspicuous
portions of lots, as viewed from the surface of the public water assuming summer,
leaf-on conditions, whenever practical;

6) **7)** Facilities such as ramps, lifts, or mobility paths for physically handicapped persons
are also allowed for achieving access to shore areas, provided that the dimensional
and performance standards of sub-items 1-5 **6** above are complied with in addition to
the requirements of Minnesota Regulations, Chapter 1340;

SECTION 2: This ordinance becomes effective after approval shall take effect and be in
force following its passage and publication (or, on "date").

Passed by the City Council of the City of White Bear Lake, Minnesota this XX of January, 2020.

First Reading: December 10, 2019_____

Initial Publication: _____

Second Reading: _____

Final Publication: _____

Codified: _____

Posted on web: _____

City Clerk Initials

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

DRAFT



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council

From: Ellen Hiniker, City Manager
Kerri Kindsvater, Finance Director

Date: December 2, 2019

Subject: **Adoption of 2019 Tax Levy Collectible in 2020 and Adoption of the Revised 2019 and Proposed 2020 budget**

BACKGROUND

At its regular meeting on September 10, 2019, the City Council adopted a preliminary tax levy for the County to use in developing the truth in taxation statements mailed to all property owners this month. In accordance with state statute, the Council may choose to lower the preliminary tax levy as adopted in September, but cannot increase the amount.

Prior to forwarding a recommendation to the City Council for the preliminary tax levy in September, City departments prepared budget requests and recommendations for the 2020 Budget submitted them to the Finance Director and City Manager for review. The City Manager distributed a draft of the 2020 Budget to the Council on November 15, 2019.

The City council held a truth-in-taxation public hearing at its regular meeting on November 26, 2019. One resident came forward to convey her concern over the significant increase in her property value and the compounding impact of a levy increase on her property taxes. She was advised to work with Ramsey County to discuss her property value increase.

Attached is the memorandum distributed to Council last month detailing elements of the Proposed 2020 Budget, its impact on the tax levy and the levy's consequent impact on property owners. There have been no changes or recommendations for changes to the Proposed Budget as presented at the August and November work sessions.

RECOMMENDATION

Staff recommends approval of the following resolutions as presented in the 2020 Budget document:

- Resolution adopting the 2019 tax levy collectible in 2020 at \$6,908,000
- Resolution adopting the 2020 Budget and Revising the 2019 Budget as adopted by Resolution No. 12308.
- Resolution committing fund balances for specific purposes.
- Resolution authorizing city Contributions toward volunteer and employee recognition.
- Resolution authorizing and acknowledging the City's contributions and involvement in promoting business and cultural activities in White Bear Lake.

ATTACHMENTS

Supporting Memorandum

Resolutions



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council

From: Kerri Kindsvater, Finance Director
Ellen Hiniker, City Manager

Date: November 21, 2019

Subject: **Truth in Taxation Hearing – Proposed 2019 Tax Levy Collectible in 2020**

BACKGROUND

At its regular meeting on September 10, 2019, the City Council adopted a preliminary tax levy of \$6,908,000 for the County to use in developing the truth in taxation statements mailed to all property owners this month. In accordance with state statute, the Council may choose to lower the preliminary tax levy as adopted in September, but cannot increase the amount when adopting the budget in December.

Prior to forwarding a recommendation to the City Council for the preliminary tax levy in September, City departments prepared budget requests for the 2020 Budget and submitted them to the Finance Director and City Manager for review. The City Manager distributed a draft of the 2020 Budget to the Council on November 15, 2019.

The City Council will adopt a 2019 Tax Levy collectible in 2020 and corresponding 2020 Annual Budget at their regular meeting on December 10, 2019. A public hearing will be held at the November 26, 2019 City Council meeting to take comments on the tax levy in advance of final consideration of the tax levy on December 10.

What does the tax levy support?

The General Fund accounts for revenues and expenditures necessary to provide basic services, such as police, fire, public works, zoning and general administration. The City's tax levy provides for 53% of the General Fund's operating revenue, in addition to supporting the debt service obligations.

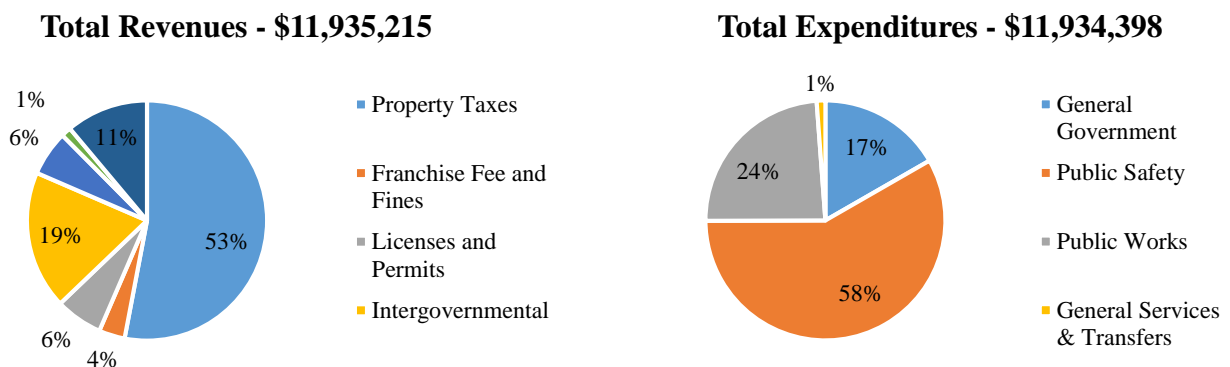
With total expenditures of \$11,934,398, the General Fund represents 30% of the City's total annual budget, which is approximately \$40.2 million. The remaining 70% of the City's budgeted expenditures supports street improvements, sewer and water operations/improvements, refuse service, capital projects, major equipment purchases, ambulance operations and other enterprise funds. Revenues for these funds outside of the General Fund come from utility and service fees, grants, state aid and proceeds from the issuance of bonds, (resulting in debt service payments supported by the tax levy).

The proposed tax levy for 2019 collectible in 2020 increases \$563,000 over last year's levy. These additional funds support projected 2020 General fund operations with 83% of the expenditure

increase attributable to personnel related costs, including salary adjustments, payroll related benefits and health insurance contributions. Included in these costs are the addition of a police officer position and continuation of the combination-staffing model for the Fire Department.

The remaining 17% increase in General Fund expenditures supports the ‘Materials & Supplies’ and ‘Other Services’ accounts. Line items within the Public Works ‘Materials and Supplies’ accounts were increased to reflect actual and on-going expenditures related to equipment maintenance and replacement of aging park irrigation and snow plow equipment. Road salt costs have also markedly increased due to supply constraints. Increases in line items within “Other Services” accounts throughout the General Fund departments were due primarily to technology enhancements and software maintenance related costs, as well as a \$13,000 increase in Ramsey County Dispatch costs associated with actual calls for service.

The 2020 Budget for General Fund revenues and expenditures are as follows:



How does the tax levy impact property taxes?

The key components in calculating the effect of the tax levy for property owners are the property’s taxable value and the City’s tax rate. The City calculates its tax rate by dividing the net tax levy (\$6,908,000 tax levy less the fiscal disparities distribution of \$833,341) by the net taxable value within the City (\$29,625,194). The following chart compares the changes in tax levies and tax rates in recent years. As shown, the tax rate changes do not equal the percentage increase in the tax levy because of the increase in total net taxable valuation within the City.

<u>Year</u>	<u>Tax Levy</u>	<u>% Change</u>	<u>Tax Rate</u>	<u>% Change</u>
2017	\$ 5,173,000	----	18.969%	----
2018	5,625,000	8.74%	19.058%	.47%
2019	6,345,000	12.80%	20.143%	5.69%
2020	6,908,000	8.87%	20.505%	1.80%

Taxable Value

According to estimates from Ramsey and Washington Counties, the City’s overall market values have increased \$189,096,800 with an increase in its net tax capacity of \$1,879,234, or 6.8%.

The City’s residential housing market continues to expand with overall growth. The median market value home for 2019 is \$243,100, which is \$20,600 higher than the median market value home in 2018. The average increase in home market values is 9.3%; however, some increases are as high 17%. The residential property value growth increases a homeowner’s tax liability as

the market value exclusion decreases \$9 for every ten thousand dollars of valuation growth over \$76,000.

Apartment and Commercial/Industrial properties also recognize market value growth; however, the percentages are lower than the residential increase. Apartments market valuation estimates rose 1.8%, which is below the Ramsey County average of 6.9%, while the Commercial/Industrial market valuation estimates increased 8.66%, which is greater than the Ramsey County average of 4.66%. Included in the market value growth is all 2018 new development/redevelopment:

How are property taxes calculated?

To arrive at a city property tax amount, the property's taxable value is multiplied by the City's tax rate. The 2019 median value home of \$243,100 has a taxable value of \$227,800 after market value exclusions. Applying a tax rate of 20.505% to this taxable value results in a \$467.10 municipal property tax payable in 2020. This represents a \$7.18 increase than what a home of this same market value would have paid in 2019. However, the majority of homes do not have this nominal tax increase because their values increased substantially from 2018 to 2019. The following chart compares the tax impact of a 9.3% value change between the two years.

		2019	2020	Increase of Annual Tax Levy to City
House #1	Value remained the same	\$243,100	\$243,100	\$7.18
House #2	Value increased 9.3%	\$222,500	\$243,100	\$52.60

Below is a comparison of the median value home since 2011, its taxable value and its portion of property taxes payable to the City. Note that in 2016, the median value home was still \$1,750 less than in 2011, as it continued to recover from the recession. Since 2016, the median value has notably increased by \$58,400, or 32% over a 4-year period. As described above, these market value increases directly affect property tax calculations:

<u>Year</u>	<u>Median Market Value</u>	<u>Taxable Value</u>	<u>Taxable Value Increase</u>	<u>Annual City Tax</u>
2020	\$243,100	\$227,800	\$22,500	\$467.10
2019	222,500	205,300	15,384	413.54
2018	208,400	189,916	12,233	359.42
2017	194,700	177,683	13,600	337.05
2016	184,700	164,083	3,706	323.08
2015	181,300	160,377	15,478	326.64
2014	167,100	144,899	3,815	305.77
2013	163,600	141,084	(17,004)	303.27
2012	179,200	158,088	(28,362)	315.23
2011	186,450	186,450	----	330.11

The proposed 2020 tax levy increase represents approximately a \$2.00 - \$6.00 increase per month for residential properties, with each individual property impact dependent upon its market value increase. With a proposed levy of \$6,908,000, residents in median-valued homes would pay approximately \$39 per month in 2020 toward the City's portion of their property taxes.

State Wide Tax Levy Comparison

The City's 2019 per capita tax levy liability of \$248.71 ranked lowest among all communities statewide with populations between 16,000 – 37,000. The impact of the preliminary tax levy would increase the City's per capita tax levy to \$270.77. Depending upon the tax levy adopted by the city with the second lowest per capita levy, White Bear Lake would remain either the lowest or second lowest among comparable cities in 2020.

Truth in Taxation Hearing

The City is required to conduct a public hearing to receive public comment before adoption of the final tax levy. State law allows cities to conduct the meeting as part of a regular Council meeting and without concerns of overlapping with other agencies. In prior years, very few or no residents have attended the meetings. Staff anticipates some attendance at the truth in taxation hearing this year based upon property value changes and the proposed tax levy increase. As a reminder, questions related to residential property valuations are function of the Ramsey County Assessor's Office and only their offices may address the concerns.

The date and time of the Truth and Taxation Hearing on November 26 was included in notices mailed by Ramsey County and has been posted in the White Bear Press. **No action is required of the Council at this meeting. Action on the tax levy and annual budget will be at the December 10, 2019 meeting.**

RESOLUTION NO. 12493

**RESOLUTION APPROVING THE 2019 TAX LEVY
COLLECTIBLE IN 2020**

WHEREAS, the City of White Bear Lake is annually required by Charter and State law to approve a resolution setting forth an annual tax levy to the Ramsey and Washington County Auditors; and

WHEREAS, Minnesota Statutes currently in force require certification of a proposed tax levy to the Ramsey and Washington County Auditors on or before December 28, 2019; and

WHEREAS, detail for the revised 2019 and 2020 budgets have been submitted to the City Council by the City Manager.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Ramsey and Washington Counties, Minnesota that the following sums are levied in 2019, collectible in 2020, upon the taxable property in said City of White Bear Lake for the following purposes:

General Fund	\$6,450,000
Municipal Building – YMCA/Sport Center	
Debt Service	132,000
Street Construction 2018 Debt Service	220,000
Street Construction 2019 Debt Service	81,000
Interim Construction Fund – Emerald Ash Borer	<u>25,000</u>
Gross Levy	6,908,000
Less: Fiscal Disparity	<u>(833,341)</u>
Net Levy	<u>\$6,074,659</u>

BE IT FURTHER RESOLVED, that provision has also been made for payment of the City's share of Public Employees Retirement Association's contributions for the ensuing years; and

BE IT FURTHER RESOLVED, that there is a sufficient sum of monies in all Debt Service Funds of the City which are irrevocably pledged, to pay principal and interest in 2020 on all outstanding bond issues, and the deferred annual tax levies previously certified to the County Auditor are hereby canceled, and replaced by the above debt service tax levy; and

RESOLUTION NO. 12307

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to transmit a certified copy of this resolution to the County Auditor's of Ramsey and Washington Counties, Minnesota, as required by law.

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

RESOLUTION NO. 12308

**RESOLUTION ADOPTING THE 2020 BUDGET AND REVISING THE 2019 BUDGET
AS ADOPTED BY RESOLUTION NO. 12130**

WHEREAS, the City Charter provides for the adoption of an annual operating budget and that such adoption shall precede the tax levy resolution; and

WHEREAS, State law provides that such tax levy resolution shall be submitted to the County Auditor prior to December 28th of the year preceding collection; and

WHEREAS, the Mayor and City Council had been presented with budget recommendations for expenditures and revenues, such that revenues fully fund expenditures and provide a safe margin of undesignated fund balances; and

WHEREAS, Resolution No.12130 adopted the 2020 operating budget; and

WHEREAS, the City Charter authorizes the transfer of sums to other purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, that the 2020 operating budget shall be adopted and the 2019 operating budget shall be revised as follows:

Revenue:	<u>2019 Revised</u>	<u>2020 Budget</u>
<u>General Fund</u>		
General Property Tax	\$ 5,855,000	\$ 6,325,068
Franchise Fees and Fines	421,154	418,000
Licenses and Permits	747,150	758,300
Intergovernmental	2,230,987	2,225,297
Charges for Services	626,300	723,400
Miscellaneous	159,730	160,150
Transfers In	1,640,000	1,325,000
Total General Fund	<u>11,680,321</u>	<u>11,935,215</u>
<u>Special Revenue Funds</u>		
Armory	73,468	73,700
Surface Water Pollution Prevention	119,900	90,400
Marina Operations	388,000	405,000
Sports Center	523,450	538,290
Forfeiture	40,000	40,000
Economic Development	594,709	961,300
Total Special Revenue Funds	<u>1,739,527</u>	<u>2,108,690</u>
<u>Debt Service Funds</u>		
Municipal Building	284,000	-
Non-Bonded Special Assessment	873,500	715,000
2012 Special Assessment	225,000	205,000
2012 Refunding Tax Increment (PM)	160,000	160,000
2016 Tax Increment (BWC)	135,000	140,000
2018 Construction / Refrigeration	828,563	407,810
2018 Sport Center	195,000	240,000
2019 Street Reconstruction	233,042	101,000
Total Debt Service Funds	<u>2,934,105</u>	<u>1,968,810</u>

RESOLUTION NO. 12308

Capital Project Funds

Equipment Acquisition	944,226	2,295,400
Municipal Building	160,613	176,000
Park Improvement	86,220	115,900
Water Improvement	25,000	1,325,000
Sewer Improvement	17,000	17,000
Construction	3,249,953	3,009,000
HRA Tax Increment	629,000	429,000
Total Capital Project Funds	<u>5,112,012</u>	<u>7,367,300</u>

Enterprise Funds

Water Utility	1,614,500	1,693,500
Sewer Utility	3,267,000	3,410,000
Environmental Recycling & Disposal Waste	1,462,869	1,679,254
Ambulance	2,368,534	2,171,000
Pioneer Manor	398,200	402,800
License Bureau	1,150,471	946,400
Total Enterprise Funds	<u>10,261,574</u>	<u>10,302,954</u>

Internal Service Funds

Insurance	733,377	723,000
Employee Expense	3,247,793	3,207,368
Total Internal Service Funds	<u>3,981,170</u>	<u>3,930,368</u>

Revenue Subtotal	<u>35,708,709</u>	<u>37,613,337</u>
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Community Reinvestment	<u>135,000</u>	<u>114,825</u>
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Total Revenue	<u><u>\$ 35,843,709</u></u>	<u><u>\$ 37,728,162</u></u>
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Appropriations/Reserves:

General Fund

	<u>2019 Revised</u>	<u>2020 Budget</u>
Legislative	\$ 150,288	\$ 154,567
Administration	379,862	392,701
Finance	619,154	625,238
Legal	58,034	65,869
City Hall	316,802	324,368
Elections	59,911	59,911
Planning	338,164	370,673
Public Safety		
Police	4,563,096	4,915,734
Fire	930,321	997,125
Dispatch	203,000	213,000
Legal Prosecution	149,070	153,763
Animal Control	21,027	22,418
Emergency Preparedness	15,714	16,864
Building and Code Enforcement	585,674	632,278

RESOLUTION NO. 12308

Appropriations/Reserves continued:	<u>2019 Revised</u>	<u>2020 Budget</u>
Public Works		
Engineering	644,744	752,775
Facility	194,272	197,471
Garage	141,496	146,807
Streets	560,234	555,241
Snow and Ice Removal	245,609	252,470
Street Lighting	191,101	191,403
Parks	726,917	753,505
Non-Departmental		
General Services	14,220	14,220
Senior Bus	7,500	7,500
Lake Conservation District	36,600	34,000
Northeast Youth and Family Services	42,000	44,000
Contingency	-	15,500
Transfers	25,000	25,000
Reserves	<u>425,000</u>	<u>150,000</u>
Total General Fund	<u>11,644,812</u>	<u>12,084,398</u>
<u>Special Revenue Funds</u>		
Armory	79,282	82,053
Surface Water Pollution Prevention	144,071	250,356
Marina Operations	359,935	429,760
Sports Center	615,701	603,691
Forfeiture	61,650	40,650
Economic Development	<u>660,899</u>	<u>787,496</u>
Total Special Revenue Funds	<u>1,921,538</u>	<u>2,194,005</u>
<u>Debt Service Funds</u>		
Municipal Building	285,000	-
Non-Bonded Special Assessment	1,025,276	727,000
2012 Special Assessment	207,153	205,302
2012 Refunding Tax Increment (PM)	175,500	172,300
2016 Tax Increment (BWC)	131,188	133,913
2018 Construction / Refrigeration	216,952	413,581
2018 Sports Center	119,208	228,625
2019 Street Reconstruction	<u>56,358</u>	<u>70,684</u>
Total Debt Service Funds	<u>2,216,635</u>	<u>1,951,405</u>
<u>Capital Project Funds</u>		
Equipment Acquisition	1,140,075	2,152,950
Municipal Building	388,738	520,500
Park Improvement	274,700	391,000
Water Improvement	179,500	1,350,000
Sewer Improvement	115,000	159,200
Construction	4,827,475	4,918,000
HRA Tax Increment	<u>639,535</u>	<u>247,410</u>
Total Capital Project Funds	<u>7,565,023</u>	<u>9,739,060</u>

RESOLUTION NO. 12308

Enterprise Funds

Water Utility	1,612,730	1,594,039
Sewer Utility	2,926,651	3,550,139
Environmental Recycling & Disposal Waste	1,503,102	1,702,255
Ambulance	2,238,603	2,235,162
Pioneer Manor	409,320	399,620
License Bureau	1,025,474	1,024,672
Total Enterprise Funds	<u>9,715,880</u>	<u>10,505,887</u>

Internal Service Funds

Insurance	726,200	488,700
Employee Expense	3,214,900	3,423,725
Total Internal Service Funds	<u>3,941,100</u>	<u>3,912,425</u>

Appropriations/Reserves Subtotal	<u>37,004,987</u>	<u>40,387,180</u>
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Community Reinvestment	<u>135,000</u>	<u>238,900</u>
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Total Appropriations/Reserves	<u>\$ 37,139,987</u>	<u>\$ 40,626,080</u>
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The foregoing resolution, offered by Councilmember _____, and seconded by Councilmember _____, was declared carried on the following vote:

Ayes:

Nays:

Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

RESOLUTION NO. 12309

RESOLUTION COMMITTING FUND BALANCES FOR SPECIFIC PURPOSE

WHEREAS, the Governmental Accounting Standards Board's Statement #54 defines committed fund balance as amounts that can only be used for specific purposes; and

WHEREAS, the City Council formalizes these fund balances for specific purpose in the budget document; and

WHEREAS, the budget document commits or reserves fund balances for defined purposes.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake that the specific portions of fund balances or the actual amounts determined as of fiscal year end is committed as follows:

Fund	Purpose	Amount	
		2019	2020
General	Cash Flow	\$3,860,000	\$4,010,000
Special Revenue			
Armory	Community Utilization	47,053	68,701
Surface Water Pollution Prevention	Storm Water Run Off Control	781,839	621,883
Marina Operations	Community Utilization	195,059	170,299
Sports Center	Community Utilization	136,011	70,610
Forfeiture	Public Safety	39,964	39,314
Economic Development	Economic Improvement	1,695,737	1,869,541
Debt Service			
Municipal Building Department	Municipal Facility	199,034	199,034
Non-Bonded Debt	Special Assessment Fin.	234,315	222,315
Special Assessment - 2012	Construction	29,831	29,529
Tax Increment – 2012	Pioneer Manor	84,086	71,786
Tax Increment – 2016	Boatworks Common	28,637	34,724
G.O. Construction - 2018	Street & S.C. Refrig.	732,335	726,564
G.O. Sport Center – 2018	Facility Renovation	142,000	153,375
G.O. Street Reconstruction - 2019	Street Reconstruction	176,684	207,000
Capital Project			
Municipal Building	Facility Construction	839,881	501,381
Equipment Acquisition	City Equipment Purchases	860,383	1,002,833
Park Improvement	Park Construction	1,266,749	991,649
Water Improvement	Water Construction	211,057	186,057
Sewer Improvement	Sewer Construction	404,623	262,423
Construction	Street Construction	3,557,720	1,648,720
Community Reinvestment	Construction Financing	7,655,000	7,530,925
HRA	Tax Increment Financing	565,908	747,498

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

RESOLUTION NO. 12310

**RESOLUTION AUTHORIZING CITY CONTRIBUTIONS TOWARDS VOLUNTEER
AND EMPLOYEE RECOGNITION PRESENTED IN THE
2019 AND 2020 BUDGET**

WHEREAS, the City of White Bear Lake annually appropriates funds through the budget process which recognize contributions received by the City from volunteers and employees; and

WHEREAS, the detailed listing for this recognition is presented to declare these expenses are in the public's interest and to inform the public; and

WHEREAS, rent payments from Pioneer Manor funds the Pioneer Manor appropriations; and

WHEREAS, reimbursements fund the Insurance Fund appropriation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the expenditure budgets for 2019 and 2020 specifically authorizes the following appropriations, which recognize volunteer and employee achievements.

<u>General Fund</u>	<u>2019</u>	<u>2020</u>
Legislative		
Employee Appreciation Lunch	\$ 1,000	\$ 1,000
Service Awards (attached)	1,500	2,500
Civic Promotion (plaques/mugs)	900	1,200
Volunteer Recognition Dinner	1,700	1,700
Police		
Service Awards	100	100
TRIAD Events and Recognition	550	550
DARE	5,900	4,000
Crime Prevention	225	225
Volunteer Shirts/Award	200	200
CPA Shirts and Supplies	1,350	1,650
Emergency Preparedness		
Reserve Recognition	2,665	2,865
Fire		
Service Awards	500	500
Annual Banquet (current and retired)	3,000	7,000
Explorer Recognition	250	250
Pioneer Manor		
Social Activities	1,800	2,400
Insurance		
Safety Awards	25	500

RESOLUTION NO. 12310

**RESOLUTION AUTHORIZING CITY CONTRIBUTIONS TOWARDS VOLUNTEER
AND EMPLOYEE RECOGNITION PRESENTED IN THE
2019 AND 2020 BUDGET**

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

RESOLUTION NO. 12311

**RESOLUTION AUTHORIZING AND ACKNOWLEDGING
CITY CONTRIBUTIONS AND INVOLVEMENT IN PROMOTING BUSINESS AND
CULTURAL ACTIVITIES IN WHITE BEAR LAKE IN THE
2019 AND 2020 BUDGET**

WHEREAS, the City of White Bear Lake annually appropriates funds through the budget process for activities which promote business and the Downtown area; and

WHEREAS, it is the funding of the City that such expenditures are in the public interest and promote the general welfare of the community; and

WHEREAS, the City is a third party conduit for restricted revenue remitted for use by the White Bear Main Street Association; and

WHEREAS, the City Council recognizes that through payment of annual membership dues to the White Bear Lake Area Chamber of Commerce, the City receives services including advertising, event planning and promotion, advocacy and visitor services of a value greatly exceeding the cost of dues.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the expenditure budgets for 2019 and 2020 specifically authorize the following appropriations for which the City receives services of value exceeding the cost.

General Fund	<u>2019</u>	<u>2020</u>
Legislative		
Chamber of Commerce	\$ 560	\$ 560
Community Groups	200	400
Economic Development		
Marketfest	7,000	7,000
Historical Society	14,733	14,733

The foregoing resolution, offered by Councilmember _____ and seconded 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: Mayor and City Council

From: Ellen Hiniker, City Manager

Date: December 5, 2019

Subject: **Approval of the 2020 Position Classification and Compensation Plan**

BACKGROUND

In January, 1988, the City Council first adopted a Position Classification and Compensation Plan for the City. The objectives of that plan were stated in Section I of the document. Foremost among the objectives was the desire to "develop and maintain salary structures which will enable the City of White Bear Lake to attract and retain qualified and desirable personnel essential for effective operation now and in the future while demonstrating fiscal responsibility." Of equal importance, the plan was to provide for on-going compliance with the Minnesota Local Government Pay Equity Act of 1984 (Comparable Worth), encourage efficient and dedicated employee performance and maintain an equitable compensation relationship both internally and externally.

The plan ranks classified positions according to a "point-factor analysis" conducted for comparable worth compliance. This procedure recognizes the relative degree of difficulty, skill requirement, impact of decisions and other job-related factors for each position when compared to all other positions in the City. Section II of the Plan establishes a salary structure in the form of ranges and explains the composition of the salary structures and its method of administration. Pursuant to state law and generally accepted compensation practices, the salary structure within the Plan allows for an equitable compensation relationship between positions of diverse duties, skills and responsibilities. The Plan also incorporates a reasonable opportunity to encourage and recognize individual initiative and high quality performance. Subsection 8 of that section provides that the overall wage and salary structure will be reviewed annually and adjustments made as justified ensuring competitive salary levels are maintained. This plan provides the framework for salary administration of the City. It is used directly in determining the salary of employees not governed by labor contracts and serves as a guide in negotiating compensation with employee unions and monitoring the City's compliance with comparable worth requirements.

Recent Compliance Test:

Every three years the City is tested by the State of Minnesota to determine whether it complies with the Pay Equity Act. The City was tested in early 2018 and determined to be in compliance with the law.

Economic and Market Impact:

While the Plan calls for annual review, financial changes are intended only when supported by the market. The compensation table in the Plan was last changed effective January 1, 2019 and it was used as a guide for labor contracts and non-bargaining pay adjustments over the past year.

Staff proposes that the Plan and its compensation table be reviewed with changes considered effective January 1, 2020. In performing such a review, the City takes several factors into consideration including an overall increase in consumer prices, employee recruitment and retention, the adjustment of other private and public employers competing within the City's labor market, and the City's financial resources.

Adjustments to the City's pay schedule effective January 1, 2019 allowed the City to remain competitive for most positions within its labor market. The City increased its compensation table by an average of 3%. It was anticipated that such an increase would be comparable to competing employers and fiscal constraints of the City. Reports of salary adjustments in the City's labor market (both public and private) indicate that this pay structure adjustment generally kept the City competitive through that year.

As in past years, a group of metropolitan cities has been surveyed to gather wage information that could be used as a factor to help determine what adjustments, if any, the City would make in its 2020 pay schedule. Comparable cities in the north and east metro area are reporting the following overall increases for 2020 wages: Roseville 3%, Maplewood 3%, Hastings 3%, Arden Hills 3%, New Hope 3%. When private sector data is available, it is also factored in. Human Resource representatives from two major corporations in the St. Paul area representing the banking and manufacturing industries are anticipating 2.5% to 3% wage increases.

Attempts are made to correlate benchmark positions that have both public and private sector counterparts to determine if the City's salary/wage structure is in line with this broader market. A salary and wage survey from the Minnesota Department of Energy and Economic Development is used for this purpose and the results for the benchmark positions the City has historically tracked are shown below. These data provide a basis to determine that the City's wage structure is reasonably comparable to the labor markets. This comparison illustrates that the City is reasonably within the metropolitan area labor market for these sample positions.

Department of Employment and Economic Development data updated First Quarter, 2019			
Occupation	SOC code*	Metro 10th – 90th percentile	City Pay Range in 2019
License Clerk	43-4031	15.94 – 30.38	21.00 – 28.42
Building Inspectors	47-4011	24.89 – 47.12	28.14 – 38.07
Highway Maintenance	47-4051	19.39 – 30.81	20.82 – 29.00
Secretaries, general	43-6014	13.17 – 27.80	21.00 – 28.42
Civil Engineering Tech	17-3022	20.80 – 39.98	25.28 – 34.21
Police Officer	33-3051	25.58 – 48.62	32.42 – 43.87

* *Standard Occupational Codes (SOC) is a system for classifying occupations used by the U.S. Department of Labor and Minnesota Department of Employment and Economic Development, (DEED).*

Proposed Changes:

Data discussed above indicate the City has reasonably kept pace with its labor market through 2019. Based on a recent update of the survey information discussed above and the City's prevailing wage objective, it is recommended that the City Council authorize an adjustment of 3% to the City's compensation table which reflects benchmarks as well as market changes. Copies of the existing and proposed tables are included in the attached document.

Annual review of the plan also requires consideration of the salary adjustment guide chart found on page 7 of the plan. This chart provides the guideline for determining the exact amount of a salary adjustment based upon the performance of the employee and the current level of compensation. External labor market pressure is not factored into this chart. The current chart provides for adjustments ranging from 1.25% for an employee who is compensated high when compared to the salary to the table but performing at a poor level, to an amount of 3.75% for an employee who is performing very well but compensated at a low level in comparison to the salary table. That chart also recommends that an employee who is considered to be fully qualified and meeting the performance requirements of the position and currently compensated in the medium range of the table be increased by 3%. The recommended 2019 Salary Adjustment Guide Chart is attached.

In recent years, the City Council has discussed the need to make market adjustments specific to certain technical or professional positions in order to avoid loss of key employees due to tight market conditions. The Council has authorized the City Manager to make these adjustments as necessary so long as the salary fell within the assigned range. The City Council, based on market conditions and assignment of duties has authorized the positions of Finance Director and Public Works Director to exceed the range. In all other cases, compensation beyond that range would require City Council approval.

SUMMARY

The City continues to be guided by its stated principles for fair and competitive compensation. The City acknowledges that the overall cost of living increase is slightly higher than the Federal Reserve's projections, the economy remains strong and the labor market remains tight. A 3% adjustment to the City's compensation table reflects these market changes and is consistent with the City's stated compensation policy; such changes are provided for in the City's annual budget.

RECOMMENDED COUNCIL ACTION

It is recommended that the City Council adopt the attached resolution establishing the City's compensation table for 2020.

ATTACHMENTS

Resolution

Position Classification and Compensation Plan

RESOLUTION NO.

RESOLUTION ESTABLISHING 2020 COMPENSATION TABLE

WHEREAS, in January 1988, the City Council adopted a position classification plan which comprehensibly analyzed the assigned tasks of each position giving value to the complexity, importance and unfavorability of each position and establishing an equitable compensation relationship between all positions of the City based on the assigned responsibility level; and

WHEREAS, Section II of said plan establishes a salary table providing for periodic reviews; and

WHEREAS, after giving consideration of economic factors relating to compensation and desiring to provide fair and reasonable compensation for the employees of the City, the City Council desires to increase the current table for application during the calendar year 2020.

THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, that the salary table for the City's Position Classification and Compensation Plan as provided in the attached exhibit is hereby adopted and the City Manager is directed to make the appropriate adjustments to the Plan.

BE IT FURTHER RESOLVED, that in cases where exceptional labor market conditions exist and are documented for technical and professional employees, the City Manager is authorized to set salaries based on market conditions and performance so long as the employee's salary falls within the approved range. Specific City Council action is required to set salary beyond the established range.

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

POSITION CLASSIFICATION

AND

COMPENSATION PLAN

City Manager's Office
January, 1988

Approved by the City Council of the City of White Bear Lake
March 15, 1988

Last revision: December 10, 2019

CITY OF WHITE BEAR LAKE

SALARY POLICY GUIDELINES

SECTION I. OBJECTIVES

- A. To develop and maintain salary structures which will enable the City of White Bear Lake to attract and retain qualified and desirable personnel essential for effective operations now and in the future while demonstrating fiscal responsibility.
- B. To provide incentive through a sound program of salary administration which will encourage development of the potential ability of each employee.
 - To properly compensate employees who meet job performance expectations and reward employees who perform beyond expectations.
- C. To have a program of salary administration with flexibilities sufficient to meet current and changing economic and competitive conditions.
- D. To maintain salary relationships among positions which are internally consistent in recognizing the important relative differences in position requirements.
 - To recognize and re-evaluate positions where responsibilities have changed noticeably.
- E. To establish and maintain salary levels which will compare favorably with salaries paid in government and businesses for positions of comparable levels of responsibility, educational background, and experience.
- F. To comply with the Minnesota Local Government Pay Equity Act of 1984.

SALARY POLICY GUIDELINES

SECTION II. SALARY STRUCTURE AND PRINCIPLES OF APPLICATION

A. Salary Structures

The structure shall consist of salary ranges which progress in an orderly alignment from the lowest to the highest responsibility level positions.

B. Salary Ranges

Minimum		Maximum
Zone 1	Zone 2	Zone 3

1. Minimum Salary: The salary normally paid an individual whose performance meets the minimum requirements of the position.
 - Salary payments below the minimum salary rate may be made where the new hire or promoted person lacks the experience and/or background required for the position. Such a person will be considered as being in a status of "qualifying" for a particular position. (See Section IV for treatment of employees who meet all job requirements but are compensated below minimum.)
2. Zone 1: This salary zone provides fair and equitable compensation for those employees who are new in the position, are in a development stage, or have a definite area of weakness in performance.
3. Zone 2: This salary zone provides opportunity to recognize those employees who consistently perform in a manner which "meets or exceeds performance requirements" of the position. This zone establishes the maximum salary for positions in which performance is not a major factor in determining compensation.
4. Zone 3: This salary zone is reserved for those employees who perform in a consistently "outstanding" manner, all the areas of accountability and responsibilities of their position.
5. Maximum Salary: The highest salary justified for a position within a responsibility level.
6. The level of demonstrated performance in relation to overall delegated responsibilities of the position is the principal determinant of where a position is placed within a range.
7. Midpoint of Zone 2 is the middle of the range for each responsibility level. Zone 2 extends 7.5 percent above and below the midpoint; the entire range extends 15 percent above and below the midpoint for each responsibility level.
8. The overall structure will be reviewed annually and adjustments made, as justified, to ensure competitive salary levels are maintained.

SALARY POLICY GUIDELINES

SECTION III. ADMINISTRATION PROCEDURES AND POLICIES

A. Responsibilities for Administration

1. The City Manager shall be accountable to the City Council for overall administration of the salary program, and will report on such administration annually or more often, as requested.
2. The overall salary structure and supporting administration policies will be reviewed annually by the City Manager with appropriate reporting to the City Council relative to the status of the program.

Continuing responsibilities will include:

- a. Maintenance of position job descriptions. Update as necessary.
- b. Maintenance of current records providing salaries, salary revisions, and other pertinent data.
- c. Making periodic analysis of the salary program to determine internal equity and external competitiveness.

B. Performance Reviews and Salary Reviews for Employees not Covered by Collective Bargaining Agreement.

1. The performance review program provides a planned and orderly means of evaluating individual performance in a position in relation to the areas of accountability as defined in each job description. Performance reviews will be scheduled independent of salary reviews. If possible, they should be scheduled six months prior to the employee's annual salary review date and should be no later than three months prior to the salary review date.
2. Salary reviews will be made by supervisory personnel for the purpose of determining what, if any, salary adjustment is to be recommended. The results of the performance review and the related conference conducted with each position incumbent will be an important consideration in this decision. If the employee has improved markedly since the performance review, the improvement shall be taken into consideration as a positive factor when considering the salary increase.
3. In discussions of salary with personnel, supervisors are encouraged to generally speak in terms of the salary range for Zone 2 for each position without emphasis of Zone 3 established for the position. If a supervisor is meeting with an employee who has been given evidence of becoming an outstanding performer, it may be explained that continued outstanding work performance will be recognized as justification for payment of a salary above Zone 2.
4. The term "performance review" as used in this policy statement means a "person to person" discussion of on-job performance.

C. Performance Reviews and Wage/Salary Determination for Positions Included in Collective Bargaining Agreements.

1. Job related performance of employees in positions included in collective bargaining agreements shall be evaluated not less than once annually according to the procedure set forth in appendix A of this policy.
2. To the extent provided in the appropriate collective bargaining agreement or in a manner not inconsistent with a contract the results of the performance evaluation shall be applied to determine compensation.

SECTION IV. SALARY ADJUSTMENTS FOR IMPROVED PERFORMANCE

A. Frequency of Salary Reviews

1. All personnel will have their salaries reviewed at least once each year and their current salary shall be maintained until changes are approved.
2. Salary adjustments, however, shall be made only when earned, based on identifiable improvement in performance, supported by the recommendation of the immediate supervisor of the department in which the position is located.
3. It is important to emphasize that the recommended increase not be communicated to the employee until it has received final approval.
4. The following guidelines will be used in determining when an employee is eligible for salary review:
 - a. An employee receiving a salary below the minimum rate for the responsibility level in which the position is classified will typically have a salary review at six month intervals until performance justifies a salary within Zone 1.
 - b. An employee receiving a salary within Zone 1 established for the position may normally expect to have a salary review at 12-month intervals. In those cases where outstanding performance is demonstrated, a review may be requested by the appropriate department head and approved by the City Manager before the end of the 12-month interval. A salary review will not be made before six months have elapsed from the date of the last salary review.
 - c. An employee receiving a salary within Zone 2 or higher will have a salary review annually.
 - d. If, at the time of a scheduled salary review, the department head determines that a salary adjustment has not been earned based on performance, the salary review may be rescheduled for a later date when performance will be re-evaluated. Subsequent salary reviews will then be scheduled six or 12 months after the revised date, depending upon the incumbent's salary relative to the salary range assigned to the particular responsibility level.

B. Effective Date of Salary Adjustment

1. The determination as to the effective date of a salary increase should be related as closely as possible to the time when a meaningful improvement in performance occurred or when mutually agreed upon achievement goals have been attained.
2. To achieve the maximum incentive values from salary adjustments, the intent of this policy is to place less emphasis on the passing of time (months or years). Of greater importance, therefore, is whether an employee has earned a salary increase as a result of performance not how much time has elapsed since the last adjustment. However, as stated in this policy, each salary will be reviewed annually.
3. Salary adjustments will not be approved and placed into effect unless a performance review interview has been conducted in accordance with the established performance review procedures.

C. Amount of Salary Adjustments

1. After the level of demonstrated performance has been reviewed, the supervisor should determine what, if any, salary adjustment is to be made.
2. The chart on the last page of this section provides guidelines for the amount of individual salaries. This chart will be reviewed annually and will take into consideration salary increases provided as a result of changing economic conditions.

D. Procedure for Recommending Salary Adjustments

1. The responsibility for initiating a salary adjustment recommendation is delegated to the immediate supervisor. All recommendations must be approved by the department head before referral to the City Manager for review and approval.
2. Recommendations made within the guidelines of this policy and the salary structure adopted by the City Council shall be placed in effect upon approval of the City Manager.
3. The City Council, on recommendation of the City Manager, will review and approve or reject any salary adjustment which exceeds the established guidelines. Compensation beyond the maximum may be considered only when required by extraordinary market conditions.

E. Salary Adjustments Resulting from Economic and Competitive Compensation Patterns.

1. It is the established policy of the City of White Bear Lake to review the salary structure annually in relation to the changes which may be occurring in the economy and/or competitive compensation practices. The salary structure referred to herein was developed based on data available to the City concerning salaries for positions of comparable responsibilities.
2. A change, if any, in the salary structures will be made following the annual review of the City's compensation and on the recommendation of the City Manager to the City Council.

3. Adjustments to salary ranges will be taken into consideration when increases for improved performance are recommended.
4. Employees whose performance has stabilized and who are receiving fair compensation for services rendered may receive consideration for salary adjustments in line with economic changes when their annual salary review is scheduled.

F. Salary Adjustments Resulting from Promotions and "step" adjustments.

The objective of this policy is to provide a promoted employee with a salary adjustment sufficient to bring compensation up to a minimum of the new salary range. Such an adjustment would normally be made at the time of promotion, or within a reasonable period if a question as to qualifications for the position is involved.

A reasonable and fair promotion adjustment should be made in connection with each promotion. The adjustment, however, should normally not result in a salary which would exceed Zone 1 established for the position.

Employees in a position which are rated as fully satisfying the requirements of the position but compensated at a rate below mid-range or well below that of comparable positions may have their salary reviewed on a six month basis as a "step" adjustment in addition to annual adjustments.

Salary Policy Guidelines

Salary Adjustment Guide Chart 2020

Summary Evaluation of Overall Performance	Salary Reviews at 6-month Interval	Salary Reviews at 12-month Intervals			
		Zone 1	Zone 2	Zone 3	Beyond Zone 3
V New in position and/or has serious weaknesses or Performance stabilized below level desired	1.75%	2.00%	1.75%	1.50%	1.25%
IV Making satisfactory progress	2.25%	2.50%	2.25%	2.00%	1.75%
III Meets all performance requirements Considered to be a fully qualified performer for salary zone to which assigned	3.00%	3.25%	3.00%	2.75%	2.50%
II Exceeds overall position performance requirements	3.25%	3.50%	3.25%	3.00%	2.75%
I Consistently performs at a level well beyond that expected	3.50%	3.75%	3.50%	3.25%	3.00%

SALARY POLICY GUIDELINES

SECTION V. PAY EQUITY

A. Statement of Intent.

It is the intent of the City of White Bear Lake to assure that:

1. Compensation for job positions bear a reasonable relationship to others of comparable work value within the City's employment;
2. Compensation for job positions bear a reasonable relationship to similar positions of other public and private employees; and
3. Compensation for job positions bear a reasonable relationship with position of greater or lesser work value within the City's employment.
4. Compensation shall be considered to bear a reasonable relationship between positions if:
 - a) Compensation for positions which require comparable skill, effort, responsibility, working conditions and other relevant work related criteria is comparable; and
 - b) The compensation for positions which require differing skill, effort, responsibility, working conditions and other relevant work related criteria is proportional to the skill, effort, responsibility, working conditions and other relevant work related criteria required.

B. Assignment of Responsibility Level.

The City has analyzed and evaluated the required skill, effort, responsibility, working conditions and other relevant work related criteria of each position of the City using the HR FOCUS methodology developed by the Control Data Corporation. The primary product of this evaluation is a Time Spent Profile (TSP) for each position which will serve as the basis of the job description for each position. The secondary product of this evaluation is a point value which is determined by multiplying the time spent data of the TSP by weighted task values considering complexity, importance/responsibility and unfavorability. Each position of the City is placed in one of the thirty-three responsibility levels based on its point value as illustrated in Tables A and B following this section.

TSP's will be reviewed periodically to determine whether they remain accurate.

C. Determination of Equitable Compensation Relationship.

1. Positions for which top compensation falls within Zone 2 of its responsibility level and for which entry level compensation is at or above the minimum for its responsibility level shall be deemed to be within an equitable relationship with other positions in the City's employment if the employee meets performance requirements.
2. Positions for which compensation falls below the minimum for its responsibility level, or top compensation falls below Zone 2, shall be deemed to not have an equitable relationship with other positions of the City's employment if the employee meets performance requirements.

SALARY POLICY GUIDELINES

3. Positions for which compensation exceeds the maximum for its responsibility level, or top compensation exceeds Zone 2, and job performance or merit are not a significant factor in determining compensation nor does an extraordinary market condition exist, shall be deemed to not have an equitable relationship with other positions of the City's employment.

D. Establishment of Equitable Compensation Relationship.

1. Positions for which an equitable compensation relationship does not exist due to the fact that it is compensated below the minimum for its responsibility level or its top compensation is below Zone 2, shall:
 - a) Be eligible for six month salary adjustments guided by the chart in Section IV which will result in annual adjustments of two times the average adjustments for other employees of the city at similar performance levels if the position is not included in a collective bargaining agreement; or
 - b) Be the topic of negotiation for compensation under a collective bargaining agreement whereby said position shall be considered for a compensative adjustment approximately two times that of the average adjustment provided by the City for that year.
2. Positions for which an equitable compensation relationship does not exist due to the fact that it is compensated beyond the maximum for its responsibility level or its top compensation exceeds Zone 2 and performance or merit are not significant factors in determining compensation shall:
 - a) Be granted an annual salary or wage adjustment of not more than one-half the average amount granted for other position of the City if the position is not included in a collective bargaining agreement; or
 - b) Be the topic of negotiation for compensation under a collective bargaining agreement whereby said position shall be considered for a compensation adjustment approximately one-half the amount of average adjustments provided by the City for that year.

E. Schedule for Implementation of Pay Equity Plan.

Beginning January 1, 1988, this plan and policy shall serve as the basis of establishing compensation for non-bargaining positions of the City and shall serve as the basis for determining the City's position in collective bargaining.

It is the City's contention that this plan will provide an equitable compensation relationship among positions of the City within four years.

SALARY POLICY GUIDELINES

RESPONSIBILITY LEVEL ASSIGNMENT

Table A

<u>Responsibility Level</u>	<u>Points</u>
1	36 - 38
2	39 - 41
3	42 - 44
4	45 - 47
5	48 - 50
6	51 - 53
7	54 - 56
8	57 - 59
9	60 - 62
10	63 - 65
11	66 - 68
12	69 - 71
13	72 - 74
14	75 - 77
15	78 - 80
16	81 - 83
17	84 - 86
18	87 - 89
19	90 - 92
20	93 - 95
21	96 - 98
22	99 - 101
23	102 - 104
24	105 - 107
25	108 - 110
26	111 - 113
27	114 - 116
28	117 - 119
29	120 - 122
30	123 - 125
31	126 - 128
32	129 - 131
33	132 - 134

SALARY POLICY GUIDELINES

WHITE BEAR LAKE
JOINT COMPENSATION STUDY
JOB HIERARCHY

Table B

Adopted 12/10/19

	<u>Pts.</u>	<u>Level</u>		<u>Pts.</u>	<u>Level</u>
City Manager	132	33	Utility Clerk	62	9
Director of Public Works	124	30	Building Permit Clerk	62	9
Police Chief	121	29	Planning Technician	62	9
Finance Director	121	29	Accounts Payable Clerk	62	9
Fire Chief	114	27	Administrative Asst - Engineering	61	9
Community Development Director	113	27	Administrative Asst - Public Works	61	9
Assistant City Manager	113	27	Administrative Asst.- Fire	61	9
			Police Records Tech	61	9
Public Works Supt.	104	23			
Police Lieutenant/Captain	103	23	License Bureau Clerk	60	9
Assistant Fire Chief	98	21	Police Assistant	60	9
Police Sergeant	98	21	License Bureau Dealer Clerk	59	8
Assistant City Engineer	92	19	Receptionist/Clerk (SC)	59	8
			Receptionist/Clerk (City Hall)	57	8
Assistant Finance Director	89	18			
Building Official	89	18			
Civil Engineer	88	18			
Arena Manager	86	17			
Patrol Officer	85	17			
Information Technology Coordinator	83	16			
Planning and Zoning Coordinator	82	16			
Environmental Engineer	82	16			
Housing and Econ Development Coord	81	16			
Firefighter/Paramedic	80	15			
Senior Engineer Technician	79	15			
GIS Coordinator	78	15			
Building Inspector	77	14			
License Bureau Supervisor	76	14			
Rental Housing Inspector	75	14			
Public Works Maintenance	73	13			
Engineering Tech III	71	12			
Administrative Assistant/City Clerk	69	12			
Human Resource Specialist	69	12			
Engineering Tech II	65	10			
Code Enforcement I	64	10			
Sports Center Maintenance	64	10			

Updated:	12/04/19								
Adjustment Factor:	3,600.04								
Base:	24,134								
Zone 2 Range:	0.075								
Low Range Factor:	0.85								
High Range Factor:	1.15								

Resp. Level	ZONE 1		ZONE 2			ZONE 3	
	Minimum	High	Low	Mid-Point	High	Low	Maximum*
1	20,514	22,323	22,324	24,134	25,944	25,945	27,754
2	23,574	25,653	25,654	27,734	29,814	29,815	31,894
3	26,634	28,983	28,984	31,334	33,684	33,685	36,034
4	29,694	32,313	32,314	34,934	37,554	37,555	40,174
5	32,754	35,643	35,644	38,534	41,424	41,425	44,314
6	35,814	38,973	38,974	42,134	45,294	45,295	48,454
7	38,874	42,303	42,304	45,734	49,164	49,165	52,594
8	41,934	45,633	45,634	49,334	53,034	53,035	56,734
9	44,994	48,963	48,964	52,934	56,904	56,905	60,874
10	48,054	52,293	52,294	56,534	60,774	60,775	65,015
11	51,114	55,623	55,624	60,134	64,644	64,645	69,155
12	54,174	58,953	58,954	63,734	68,515	68,516	73,295
13	57,234	62,283	62,284	67,334	72,385	72,386	77,435
14	60,294	65,613	65,614	70,935	76,255	76,256	81,575
15	63,354	68,943	68,944	74,535	80,125	80,126	85,715
16	66,414	72,274	72,275	78,135	83,995	83,996	89,855
17	69,474	75,604	75,605	81,735	87,865	87,866	93,995
18	72,534	78,934	78,935	85,335	91,735	91,736	98,135
19	75,595	82,264	82,265	88,935	95,605	95,606	102,275
20	78,655	85,594	85,595	92,535	99,475	99,476	106,415
21	81,715	88,924	88,925	96,135	103,345	103,346	110,555
22	84,775	92,254	92,255	99,735	107,215	107,216	114,695
23	87,835	95,584	95,585	103,335	111,085	111,086	118,835
24	90,895	98,914	98,915	106,935	114,955	114,956	122,975
25	93,955	102,244	102,245	110,535	118,825	118,826	127,115
26	97,015	105,574	105,575	114,135	122,695	122,696	131,255
27	100,075	108,904	108,905	117,735	126,565	126,566	135,395
28	103,135	112,234	112,235	121,335	130,435	130,436	139,535
29	106,195	115,564	115,565	124,935	134,305	134,306	143,675
30	109,255	118,894	118,895	128,535	138,175	138,176	147,815
31	112,315	122,224	122,225	132,135	142,045	142,046	151,955
32	115,375	125,554	125,555	135,735	145,915	145,916	156,096
33	118,435	128,884	128,885	139,335	149,785	149,786	160,236

* Max.w/o CC auth.

APPENDIX A

PERFORMANCE REVIEW PROGRAM

A performance review determines how well an employee is performing in the assigned areas of responsibility for his/her position and should encourage improved performance and personal development.

I. OBJECTIVE

Regular performance reviews are essential if the following basic objective is to be achieved:

- To stimulate improved performance on the part of each employee in municipal government to achieve the highest possible level of excellence in service for the citizens.

The success of the total program will depend upon each supervisor recognizing a continuing responsibility to motivate and guide assigned employees. In practice, discussions of performance should occur:

- During the formal performance review, which, in turn, will lay the foundation for day-to-day relationships which a good supervisor develops with each associate.

The performance review is used to evaluate total performance in a position for a specified period of time. The discussion should be scheduled in advance so the incumbents overall performance is fully considered and the review session is prepared for.

II. PURPOSE OF PERFORMANCE DISCUSSIONS

A discussion of job performance provides a positive demonstration that employees work assignment is of significant importance to warrant individual attention. The employee also learns:

- The importance of the position within the framework of the City.
- What the immediate supervisor expects in the way of performance.
- How the supervisor evaluates the employees performance.
- It answers the persistent question, "How am I doing?"
- Where and how improved performance can be achieved.

The supervisor learns:

- How the employee views the responsibilities assigned to the position.

- Where the employee feels performance improvement may be achieved.
- What ideas and suggestions each employee may have that will benefit the City and/or the functioning of the department.

The success of the discussion will depend upon:

- The climate in which the discussion is held--sincerity and frankness are more important than technique.
- The planned and objective review of the areas of accountability assigned to each employee as identified in the job description--this provides the logical foundation for the discussion to follow.
- The manner in which the supervisor guides the performance review discussion.
- The supervisor's ability to motivate employees to improve their performance.

III. CONTENT OF THE PERFORMANCE REVIEW

It is not the employee's personality which is being reviewed, rather it is the performance as related to the stated objectives of the position and the important areas of accountability as defined in the job description for that employee's position.

The concept of the review procedure will result in a performance review which will be constructive and will lay the groundwork for a mutually beneficial discussion between the subordinate and the supervisor.

The best source of information is personal observation. Some supervisors may, however, find it necessary to supplement their observations with information gained from other City administrative personnel. This would be true when the employee being evaluated performs services for, or comes in frequent contact with, personnel from more than one area of City operations. Because examples of good and poor performance are easily forgotten if not systematically recorded, brief notes should be kept. These will prove very useful when preparing the review report and when in conference with the person being reviewed. Reviews based on limited information or hearsay are likely to be inaccurate and lead to unfair judgement.

Specific notes are most helpful, and make the review easier and more objective. While an impression may be helpful, the specific incidents which form the opinion are more meaningful. While notes are helpful, it is not intended that all facts can or should be recorded. Only those which are significant and add meaning for planning action to improve the performance or compliment past performance should be used. Isolated incidents or unusual circumstances must not unduly influence judgement.

The review period must be clearly designated, and review based on performance only during that period. Performance previous to that period, and predictions of future performance, should not be allowed to influence the review.

INSTRUCTIONS FOR COMPLETING PERFORMANCE EVALUATION REPORT FORMS

The purpose of this section is to provide specific instructions regarding the procedure to be followed to complete a performance review report form (a copy of such a form is included at the end of this section).

A. MAJOR AREAS OF ACCOUNTABILITY

The job descriptions have numbers assigned to each major area of accountability. In evaluating performance, relate the number on the job description to the same number on the performance review form. The Judgment as to the level of performance rendered for each "area of accountability" should be noted by a check mark at the appropriate place on the graphic scale.

Where the check mark on the graphic scale indicates "deficient" or "outstanding" performance, explanatory comments should be given. Where the performance is identified as "meets requirements," it is not necessary to make any comments, but it will be helpful to do so.

Whenever there is a lack of specific information concerning performance in a particular area, there may be a tendency to indicate "average" performance. It is recommended that such implied judgment be omitted rather than indicate a conclusion not based on actual performance.

The completed review form will indicate individual strengths as well as areas where improvement can be made. Every effort should be made to emphasize these differences on the graphic scales through proper use of both high and low check marks. This critical evaluation is an important reason for having the review.

B. PERSONAL CHARACTERISTICS TO BE CONSIDERED

In the space provided, the supervisor may note any important personal attributes and characteristics possessed by the person being reviewed which to a "marked degree," either add to or detract from the person's overall performance. The following are illustrations of attributes or characteristics which may exist and could be considerable:

Positive examples -- "add to"

- This person's natural enthusiasm, pleasant and cooperative manner is stimulating to his associates.

Negative examples -- "detract from"

- Creates impression of being reluctant to cooperate with other members of the department.
- Tends to discourage new ideas because of a negative attitude.

C. OTHER FACTORS TO BE CONSIDERED

Recognize and comment upon any condition or other influence which, to a noticeable degree, affects performance.

Specific examples indicating how performance was affected will help to make the valuation more meaningful. An employee's newness on a job or perhaps some particularly adverse working conditions are examples of other factors to be considered.

D. SIGNIFICANT CHANGES IN PERFORMANCE TO BE NOTED

To achieve the purpose of this review program, it is essential that recognition be given to any significant change in performance which has occurred since the previous review--favorable or unfavorable.

Specific references and/or illustrations should be given here rather than vague generalizations. Therefore, identify progress made toward "achievement goals" that have been agreed on.

E. IDENTIFY KEY AREAS WHERE PERFORMANCE CAN BE IMPROVED

The supervisor should clearly identify and note the specific phases of performance where improvement can be achieved. The next logical step is to reach agreement and develop a plan of action for achieving the desired level of performance. The exact plan agreed upon need not be recorded on the performance review form, but a written record of the plan should be prepared and retained. A series of goals and objectives may be suitable in many cases.

F. SUGGESTIONS FOR EMPLOYEE ACTION TO IMPROVE

Comment should be made on matters discussed with the employee which would contribute to improved performance. Such matters might include specific night school or correspondence courses, outside reading and study, etc.

G. DIFFERENCES OF OPINION

It is not unusual for differences of opinion to appear during a performance review discussion. In fact, they may be anticipated in the beginning of the program. One of the objectives of the review program is to discover disagreements or areas of misunderstanding so they can be "brought out in the open" and discussed.

The opportunity to discuss (not argue) existing differences in thinking usually encourages a stronger relationship. Lack of discussion may be an indication of indifference or fear of the consequence of disagreeing with the supervisor.

SUMMARY EVALUATION OF OVERALL PERFORMANCE

The statement in the job description which identifies the "primary objective of the position" should be used as a guide in reaching a conclusion as to the overall level of performance being rendered. Care should be taken to give proper consideration to the actual "on job" performance of the person reviewed in relation to expected level of performance.

The check mark should be checked in the appropriate space on the graphic scale at the point which best represents the level of actual performance being rendered.



City of White Bear Lake
City Engineer's Office

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Paul Kauppi, Public Works Director/City Engineer

Date: December 5, 2019

Subject: **Feasibility Reports for Proposed 2020 Street Reconstruction and 2020 Mill & Overlay Projects**
City Project Nos. 20-01, 20-04, 20-06, & 20-13

BACKGROUND / SUMMARY

The City of White Bear Lake has been reconstructing streets since the mid-1980's, replacing deteriorated streets with new engineered gravel bases, concrete curb and gutter and bituminous pavements. Street reconstruction projects also include improvements to the storm sewer system and installation of storm water treatment facilities. The reconstruction program is ongoing and with completion of the 2020 street reconstruction project, the City has reconstructed over 93% of its streets (79 miles) which leaves 6 miles remaining to be improved to current engineering standards.

Each year the City Council selects streets for inclusion in the City's Street Reconstruction Program. The Council receives recommendations for reconstruction projects from the Engineering and Public Works Departments based upon pavement conditions among other factors. The proposed 2020 Street Reconstruction is highlighted in the color blue on the Proposed Street Projects 2020 Map included with this memo.

Based upon our analysis, the following streets are recommended to the City Council for inclusion in a Feasibility Report for the 2020 Street Reconstruction:

20-01 Streets being considered:

Cottage Park Road

(Lakeview Avenue to Old White Bear Avenue)

Circle Drive

(Cottage Park Road to Cottage Park Road)

Fourth Street

(South Shore Boulevard to Old White Avenue)

20-06 Streets being considered:**Bellaire Avenue**
(Orchard Lane to County Road E)

Once streets have been reconstructed to current engineering standards, they can be maintained by routine maintenance techniques such as crack sealing, sealcoating and minor patching. These maintenance techniques should keep bituminous pavements in good condition for approximately 25 years before another major rehabilitation technique such as milling and overlaying is necessary. The life of the pavements between major rehabilitation techniques depends largely on traffic types and volumes. Streets which carry larger vehicles with heavy loads and higher daily volumes of traffic wear out faster than low volume residential streets.

There are streets in the City in which the wearing course (top surface of pavement) is deteriorating to the point where routine patching is no longer able to maintain the street in an acceptable driving condition, making milling and overlaying necessary. Milling and overlaying is a process where the upper 1-1/2" to 2" of asphalt is "milled" (removed with a large grinding machine) and then a new bituminous wearing course is placed, creating a new road surface. Use of this pavement maintenance technique is necessary to ensure the preservation of our street pavements. This type of project extends the length of time required between street reconstructions. As reconstructed pavements age, the City will need to increase the number of mill and overlay projects in order to maintain the serviceability of its pavement infrastructure.

The City has reached a point in its pavement management program where the implementation of a mill and overlay program is necessary to preserve the investment it has made in its street infrastructure. The City incorporated a mill and overlay component into its overall Pavement Management Program for the first time in 2011. The mill and overlay program is a technique by which streets will be rehabilitated in the future when total reconstruction of the roadway is not necessary but just pavement rehabilitation. The mill & overlay program is starting now even though we have not yet completed the street reconstruction program (approximately 7% or 6 miles of streets remain). The City will be challenged as it works to complete the street reconstruction program while undertaking mill and overlay projects at the same time to maintain streets reconstructed 20 – 30 plus years ago. We anticipate that the two programs could overlap for the next 4-6 years before the street reconstruction program is completed as we are continuing to undertake mill and overlay projects.

Similar to the Street Reconstruction Program, each year the City Council will need to select streets, and occasionally City owned parking lots, for inclusion in the City's Mill & Overlay Program. The Council receives recommendations for mill and overlay projects from the Engineering and Public Works Departments based upon pavement conditions among other factors. The proposed 2020 Mill & Overlay Project is highlighted in the color red on the Proposed Street Projects 2020 Map included with this memo.

Based upon our analysis, the following streets are recommended to the City Council for inclusion in a Feasibility Report for the 2020 Mill & Overlay Project:

20-04 City Parking Lots being considered:**Rotary Park** (Parking Lot off of White Bear Parkway)**Podvin Park** (Parking Lot off of 9th Street)**Weyerhauser Park** (Parking Lot North of Debra Street)**20-13 Streets being considered:****Dillon Street**

(Fifth Street to Seventh Street)

Fifth Street

(Karen Place to Wood Avenue)

Woodcrest Road

(Seventh Street to Ninth Street)

Auger Avenue

(Elm Street to County Road E)

Dell Street

(Willow Avenue to 140' west of Midland Avenue)

Dell Court North

(Dell Street to end cul-de-sac)

Dell Court South

(Dell Street to end cul-de-sac)

Elm Street

(Willow Avenue to White Bear Avenue)

Highland Avenue

(Elm Street to County Road E)

Midland Court

(Elm Street to end cul-de-sac)

Rooney Place

(Dell Street to end cul-de-sac)

Sunrise Court

(Highland Avenue to end cul-de-sac)

Willow Court East

(Willow Avenue to Willow Court)

Willow Court

(South limits to Elm Street)

Jansen Avenue

(Bellaire Avenue to Glen Oaks Avenue)

Glen Oaks Avenue

(Elm Drive to end cul-de-sac)

Glen Oaks Court

(Glen Oaks Avenue to end cul-de-sac)

Rolling View Court

(Rolling View Drive to end cul-de-sac)

Rolling View Drive

(Glen Oaks Avenue to County Road E)

Oak Court

(Bellaire Avenue to end cul-de-sac)

Orchard Circle

(Orchard Lane to end cul-de-sac)

The next step in the improvement process is the preparation of a Feasibility Report to determine if the projects are advisable from an engineering standpoint and how they could best be constructed and funded.

A portion of the project cost will be assessed to benefitting properties in accordance with the City's Special Assessment Policy. The assessment rates for 2020 will be reviewed in consultation with the City's appraisal consultant and presented in the Feasibility Report.

The proposed assessment roll is being reviewed by the appraisal firm of Dahlen, Dwyer, Foley and Tinker, Inc. to ensure the proposed assessments are fair, uniform and provide benefit in the amount of the proposed assessments. We have asked the appraiser to specifically look at the large and irregular shaped parcels. Copies of the appraisal reports will be provided to the City Council when it is complete.

RECOMMENDED COUNCIL ACTION

Staff recommends that the Council adopt the resolution and order the preparation of Feasibility Reports for the 2020 Street Reconstruction Project and the 2020 Mill & Overlay Project.

ATTACHMENTS

Resolution

Proposed Street Projects 2020 Map

RESOLUTION NO.:

**RESOLUTION ORDERING PREPARATION OF A FEASIBILITY REPORT
FOR THE 2020 STREET RECONSTRUCTION PROJECT
AND THE 2020 MILL & OVERLAY PROJECT**

CITY PROJECT NOs. 20-01, 20-06 & 20-13

WHEREAS, the City has made a commitment to improving and preserving its bituminous pavement street system by reconstructing deteriorated streets and undertaking maintenance programs such as patching, crack sealing, sealcoating, and milling & overlaying; and

WHEREAS, streets which have been reconstructed and maintained with routine maintenance techniques still require periodic major rehabilitation to maintain a smooth driving surface and protect the integrity of the structural components of the road; and

WHEREAS, it is proposed to improve Cottage Park Road (from Lakeview Avenue to Old White Bear Avenue), Circle Drive (from Cottage Park Road to Cottage Park Road), Lakeview Avenue (from South Shore Boulevard to Old White Bear Avenue), and Bellaire Avenue (from Orchard Lane to County Road E) by installation of utility, storm sewer improvements and street reconstruction, and to assess the benefited properties for all or a portion of the cost of the improvements, pursuant to Minnesota Statutes, Chapter 429; and

WHEREAS, it is proposed to improve Dillon Street (from Fifth Street to Seventh Street), Fifth Street (from Karen Place to Wood Avenue), Woodcrest Road (from Seventh Street to Ninth Street), Auger Avenue (from Elm Street to County Road E), Dell Street (from Willow Avenue to 140' west of Midland Avenue), Dell Court North (from Dell Street to end cul-de-sac), Dell Court South (from Dell Street to end cul-de-sac), Elm Street (from Willow Avenue to White Bear Avenue), Highland Avenue (from Elm Street to County Road E), Midland Court (from Elm Street to end cul-de-sac), Rooney Place (from Dell Street to end cul-de-sac), Sunrise Court (from Highland Avenue to end cul-de-sac), Willow Court East (from Willow Avenue to Willow Court), Willow Court (from South limits to Elm Street), Jansen Avenue (from Bellaire Avenue to Glen Oaks Avenue), Glen Oaks Avenue (from Elm Drive to end cul-de-sac), Glen Oaks Court (from Glen Oaks Avenue to end cul-de-sac), Rolling View Court (from Rolling View Drive to end cul-de-sac), Rolling View Drive (from Glen Oaks Avenue to County Road E), Oak Court (from Bellaire Avenue to end cul-de-sac) and Orchard Circle (from Orchard Lane to end cul-de-sac) by milling and overlaying the bituminous pavement, and to assess the benefited properties for all or a portion of the cost of the improvements, pursuant to Minnesota Statutes, Chapter 429.

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

The proposed improvements be referred to the City Engineer for study and that he is instructed to report to the City Council with all convenient speed advising the Council in a preliminary way as to whether the proposed improvements are feasible and as to whether they should best be made as proposed or in connection with some other improvements, and the estimated cost of the improvements as recommended.

RESOLUTION NO.:

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

vote:

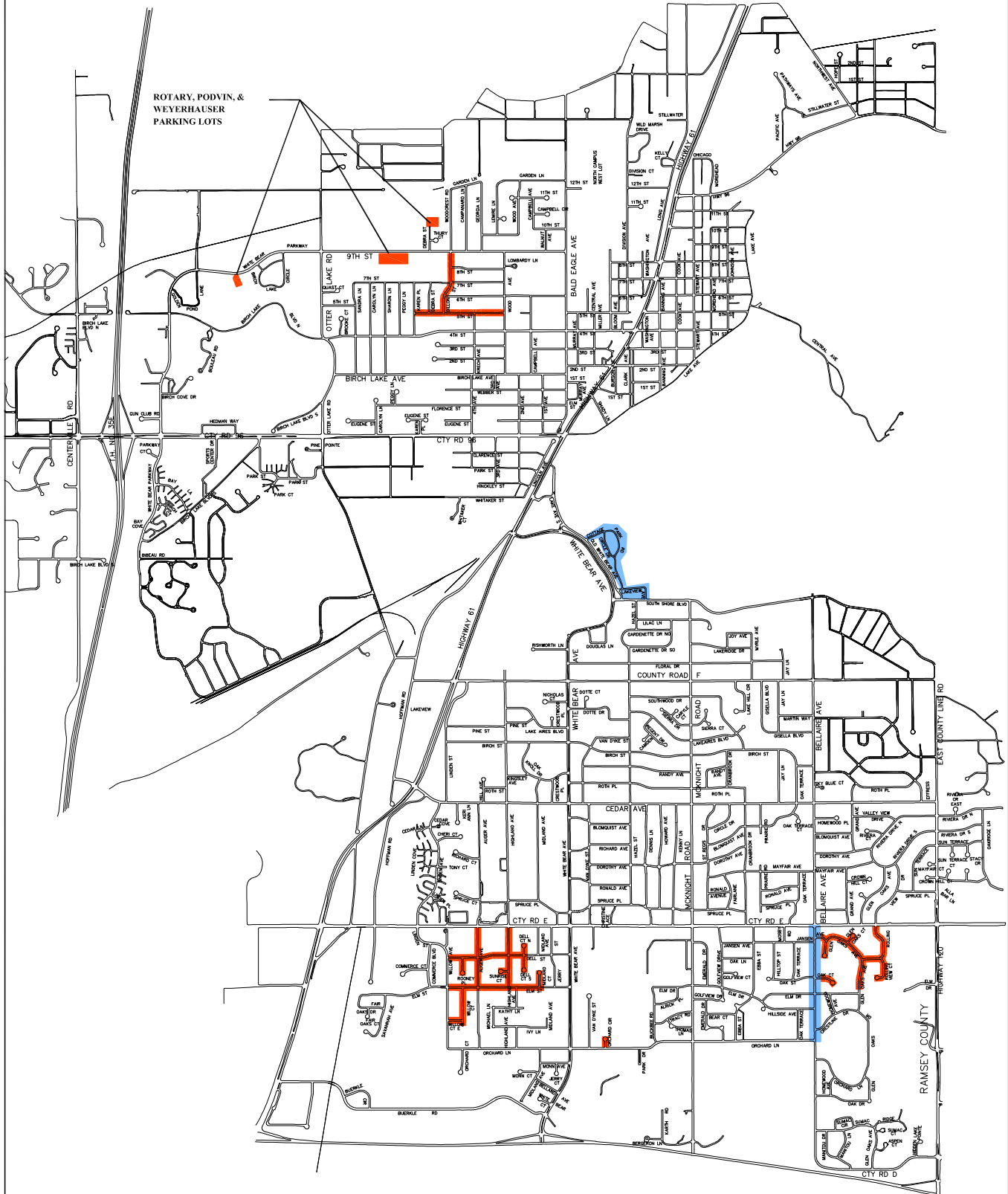
Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

CITY OF WHITE BEAR LAKE PROPOSED STREET PROJECTS 2020



- █ MILL & OVERLAY
- █ RECONSTRUCTION



*MINUTES OF THE MEETING OF THE
HOUSING AND REDEVELOPMENT AUTHORITY
OF WHITE BEAR LAKE, MINNESOTA
HELD ON TUESDAY, JUNE 25, 2019*

1. CALL TO ORDER AND ROLL CALL

HRA Chair Biehn convened the meeting of the Housing and Redevelopment Authority at 7:25 p.m.

Members Kevin Edberg, Steven Engstran, Bill Walsh were present. Member Dan Jones was an excused absence.

2. APPROVAL OF THE AGENDA

It was moved by Member **Walsh** seconded by Member **Engstran** to approve the Agenda as presented.

Motion carried unanimously.

3. APPROVAL OF THE MINTUES

It was moved by Member **Walsh** seconded by Member **Engstran** to approve the Minutes of the May 28, 2019 HRA Meeting.

Motion carried unanimously.

4. RESOLUTION SUPPORTING CENTURY HILLS PARTNERS' PROPOSAL IN RESPONSE TO MINNESOTA HOUSING'S REQUEST FOR PROPOSALS

Community Development Director Kane recalled the April 9, 2019 City Council meeting in which \$6 million in interim bonds were issued on behalf of Century Hills Townhomes to finance its rehabilitation. Century Hills Townhomes now seek permanent financing through Minnesota Housing's competitive request for proposal (RFP), which is issued once per year. Ms. Kane added, they submitted an application requesting \$6 million dollars in funding to facilitate rehabilitation of the townhomes.

Ms. Kane stated Century Hills Townhomes are comprised of 55 multi-family townhome units, which are affordable to residents at 30% area median income (AMI) and lower. She reported, Century Hills Townhomes are proposing to extend their housing assistance payment contract with HUD for an additional 20 years, which preserves naturally occurring affordable housing. Ms. Kane added they are proposing to rehabilitate each of the units at a cost of approximately \$60,000 per unit.

Ms. Kane explained that as part of Minnesota Housing's review, comments are solicited from the City regarding the development proposal. She forwarded staff's recommendation to adopt the resolution as presented, which recognizes City's support of the application. She added, this will preserve critical housing that helps address a specific need in our community for affordable housing.

Member Edberg noted a lack of other non-profit or affordable housing developers, besides Century Hills. Ms. Kane stated this is not the only active affordable housing developer and noted the recent sale of Washington Square on 4th Street, which is planning similar improvements although they are not using Minnesota Housing for financing. Ms. Kane stated that staff has had recent meetings with other affordable housing developers and expects there to be more interest coming before Council.

It was moved by Member **Walsh**, seconded by Councilmember **Edberg**, to adopt **HRA Resolution No. 19-04** supporting Century Hills Partners' proposal in response to Minnesota Housing's Request for Proposals.

Motion carried unanimously.

5. RESOLUTION APPROVING HOUSING NEEDS ASSESSMENT PROPOSAL

Community Development Director Kane recalled the May 8th City Council meeting in which staff received input and approval to seek request for proposals (RFP) for a comprehensive housing needs assessment. She stated the RFP was distributed to four consultants and posted on the City's website and as a result, one proposal was received from Maxfield Research & Consulting "Maxfield". Ms. Kane reported that Maxfield proposed to complete the housing needs assessment for a cost of \$20,000 in approximately four to five months. Ms. Kane relayed that Maxfield has done extensive work and is familiar with the area.

Ms. Kane noted that upon completion of the Housing portion of the 2040 Comprehensive Plan update, it was recognized future policy decisions and staff efforts should be focused on the most needed and effective programs. She stated this housing needs assessment will help staff, Council and the HRA identify which programs would be the most effective for the City to consider.

Ms. Kane mentioned a subquote of \$5,000 by Maxfield to include analysis of the County Road E and Bellaire Avenue intersection; however, Ramsey County is launching a pilot program for a corridor initiative that might provide a better alternative with funding to look at site specific market analysis of the E and Bellaire intersection. She noted preliminary conversations with neighboring municipalities in an effort to submit a joint application to Ramsey County.

Member Edberg expressed uncertainty as to whether his suggestions were incorporated in the RFP, or if they were addressed in Maxfield's proposal. He asked if the scope of work focuses on workforce housing, mid-level affordable housing, tools such as land trusts and cooperatives and other non-tradition structures. Ms. Kane explained that was inclusive in the RFP – the desire to explore more creative financing tools and mechanisms to attract long-term affordability in housing structures.

Ms. Kane invited Members of the HRA to participate in the project kickoff meeting to ensure the scope of the project meets Commissioners' goals and objectives. Members Walsh, Biehn and Edberg all showed interest, so Ms. Hiniker mentioned this could be noticed as a public meeting so that more than two could attend.

It was moved by Member **Walsh**, seconded by Councilmember **Edberg**, to adopt **HRA Resolution No. 19-04** supporting Century Hills Partners' proposal in response to Minnesota Housing's Request for Proposals.

Motion carried unanimously.

6. ADJOURNMENT

There being no further business before the HRA, it was moved by Member **Walsh**, seconded by Member **Engstran**, to adjourn the HRA Meeting at 7:37 p.m.

Doug Biehn HRA Chair

Ellen Hiniker, Executive Director



City of White Bear Lake
Finance Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Kerri Kindsvater, Finance Director

Date: December 2, 2019

Subject: **Housing and Redevelopment Authority Tort Liability**

BACKGROUND

Minnesota Statutes cap municipal tort liability to a maximum of \$500,000 per claimant and \$1.5 million per occurrence. These limits apply whether the claim is against the member, an employee, or both. The Housing and Redevelopment Authority's (HRA) insurance coverage through the League of Minnesota Cities Insurance Trust (LMCIT) provides a standard limit of \$2 million per occurrence. The higher coverage amount through the LMCIT policy recognizes that some types of liability claims are not subject to the statutory tort caps and it is common to see contracts require more than the statutory limit.

SUMMARY

The League of Minnesota Cities Insurance Trust offers a comprehensive liability insurance package that combines coverage for municipal liability, errors and omissions, and police liability into one single policy document with the typical property, casualty, and automobile coverages.

In addition to the overall LMCIT coverage limit of \$2,000,000 per occurrence, there are also annual aggregate limits (that is, limits on the total amount of coverage for the year regardless of the number of claims) for certain specific risks. Aggregate limits apply to the following:

Products	\$3,000,000 annually
Failure to supply utility services	\$3,000,000 annually
Data security breaches (a \$250,000 sublimit, which is part of and not in addition to the annual total for Payment Card Industry fines, penalties, assessments and regulatory fines and penalties)	\$3,000,000 annually
Limited contamination issues	\$3,000,000 annually
Land use and special risk litigation*	\$1,000,000 annually

*The limit applies to both damages and defense costs. The coverage pays for these items related to land use regulation and development litigation on a sliding scale percentage basis

LMCIT does offer excess liability insurance that provides umbrella coverage few instances where a member organization might need coverage greater than \$2 million. Example situations are: claims not limited by statutory tort caps, a loss or claim in one of the areas when there might not be enough aggregate limit to cover the organization's full exposure if a second similar event occurs within the same year, contracts may require higher coverage limits, more than one political subdivision is covered by the one policy. The HRA has not purchased excess liability insurance coverage in previous years since there has not been a situation where any claims have exceeded the statutory limit during a year and the extra premium charge were not cost effective.

The City, Economic Development Authority (EDA), and port authority are each separate political subdivisions. The City maintains a separate general liability policy due, in part, to the independent nature of its activities, and the potential of a civil action against both the HRA and the City.

As the HRA seeks to renew its general liability insurance policy for fiscal year 2020, the HRA must determine if it would like to waive the statutory liability limits or not.

If the HRA chooses not to waive the statutory limits, the statutes limit liability at the amounts listed above, no more than \$500,000 per claimant and \$1.5 million per occurrence. The higher coverage limit of \$2 million would only apply to those types of claims not covered by the statutory limit. Exceptions to the statutory tort caps are situations such as claims under federal civil rights laws, claims of tort liability that the HRA assumed by contract, claims for actions in another state, claims based on liquor sales, and claims challenging land use regulations.

If the HRA chooses to waive the statutory limits, any claimant could recover up to the \$2 million insurance policy coverage amount, or higher if the HRA purchases excess liability coverage. Waiving the statutory liability limits does not give the HRA better insurance protection it only grants a better benefit to the party making the liability claim against the HRA. Because the waiver increases the exposure to higher claim costs, the premium is higher for coverage under the waiver options. Per LMCIT documentation, the cost difference is 3.50% of liability premium for member organizations that choose to waive the statutory liability limits.

RECOMMENDATION

To continue choosing to not waive the statutory limits. This decision remains consistent with prior years' coverages and provides statutory tort liability payment limit of \$500,000 to individual claimants and \$1,500,000 to all claimants for a single occurrence claim against the HRA.

ATTACHMENTS

Resolution

HRA RESOLUTION NO.

RESOLUTION NOT WAIVING THE MONETARY LIMITS ON MUNICIPAL TORT LIABILITY ESTABLISHED BY MINNESOTA STATUTES 466.04 FOR THE HOUSING AND REDEVELOPMENT AUTHORITY

WHEREAS, Minnesota Statutes 466.04 caps tort liability to a maximum of \$500,000 per claimant on any claim to which the statutory tort limits apply; and

WHEREAS, Minnesota Statutes 466.04 caps tort liability to a maximum of \$1,500,000 for the total claimants for a single occurrence to which the statutory tort limits apply.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSING AND REDEVELOPMENT AUTHORITY (HRA) OF THE CITY OF WHITE BEAR LAKE, that the HRA does not waive the statutory liability limits for the Fiscal Year January 1, 2020 – December 31, 2020:

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

Ayes:

Nays:

Passed:

Doug Biehn, HRA Chair

ATTEST:

Ellen Hiniker, Executive Director



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Tracy Shimek, Housing & Economic Development Coordinator

Date: December 5, 2019 for the December 10, 2019 Housing and Redevelopment Authority meeting

Subject: **Proposed Purchase of 2174 8th Street (PID 143022140072)**

REQUEST

Staff is requesting authorization to enter into a purchase agreement to acquire the duplex at 2174 8th Street (“the property”) for the property’s appraised value of \$212,000, additional expenditures for title work and relocation assistance to the current tenants and to enter into an occupancy agreement with the current owner for up to 120 days following closing to allow the current tenants sufficient time to relocate to a new residence. Staff further requests the authority to utilize the services of a property management company to rent both units to households earning no more than 50% of Area Median Income (‘AMI’) at a rent level deemed to be affordable to such a household per Metropolitan Council guidelines regarding housing affordability as an interim use.

SUMMARY

Following Council’s selection of the 7th Street location for the Downtown Rush Line station, staff was approached by the current property owner of 2174 8th Street who indicated a willingness to sell the property to the City for future use in relation to the station. After consideration staff has determined the property acquisition would minimize impacts of the station to the adjacent business, provide a small station parking area if needed and allow additional space for a driver’s relief facility. For these reasons staff recommends the acquisition of the property.

In addition to the aforementioned reasons acquisition of the property provides additional opportunities for the City. By continuing the current use as rental housing in the interim, the property purchase supports goals and priorities in the Draft 2040 Comprehensive Plan regarding affordable housing as the City would be able to rent the property to households earning 50% area median income or less.

The property is located in the Downtown block bounded by 8th Street to the north, 7th Street to the south, Washington Avenue to the west and Highway 61 to the east. In addition to the proposed downtown Rush Line station, the block referenced is in proximity White Bear Lake Area High School North Campus, the site of the future unified high school campus, as well the area guided in the Draft 2040 Comprehensive Plan as Arts District, a burgeoning land use which is expected to continue to increase the vibrancy of the northwestern Downtown area. For these reasons staff

anticipates it to be a highly desirable area for redevelopment in the future and that it is in the best interest of the City to negotiate future redevelopment outcomes by leveraging ownership of the property should its use be unnecessary for the future Rush Line station.

After securing an independent appraisal and entering into negotiations with the current property owner staff has reached what we believe to be a reasonable tentative agreement with the property owner.

Based on an analysis of projected rental revenue, less maintenance and management fees, staff believes it is reasonable to anticipate the City will have recovered more than 50% of the purchase price in rental income within seven years. Additionally staff anticipates recovering the balance of the purchase price should the property be sold to accommodate the future station use or redevelopment.

RECOMMENDED HOUSING AND REDEVELOPMENT AUTHORITY ACTION

Please forward the attached resolution to the Housing and Redevelopment Authority for consideration at its December 10th meeting, which, if approved, authorizes the Chairperson and Executive Director of the Housing and Redevelopment Authority to enter into a purchase agreement for the property at 2174 8th Street including an interim occupancy agreement with the current property owner and associated title fees and relocation reimbursement for the current tenants. The resolution further authorizes Housing and Redevelopment Authority staff to enter into an agreement with a property management service to rent the units to income-qualified households at a level of affordability for 50% AMI or lower.

ATTACHMENTS

Resolution

Location map

**HOUSING AND REDEVELOPMENT AUTHORITY
RESOLUTION NO.**

RESOLUTION APPROVING A PURCHASE AGREEMENT TO BUY LAND

WHEREAS, following the Council's selection of the 7th Street location for Downtown Rush Line station, the current owner of 2174 8th Street approached the City of White Bear Lake with an offer to sell the property to the City; and

WHEREAS, the property proposed for purchase which is described as follows (hereinafter 'the property'); and

Address: 2174 8th Street

Legal Description: Lot 5, Block 27, White Bear, Ramsey County, Minnesota

Parcel ID: 143022140072

WHEREAS, acquisition of the property would minimize impacts to the adjacent business, provide a small station parking area if needed and allow additional space for a driver's relief facility; and

WHEREAS, Minnesota Statutes 469.001 through 469.047 grants the Authority the powers to acquire and sell property within its area of operation for the purposes of providing decent, safe and sanitary housing for persons of low and moderate income; and

WHEREAS, the acquisition of the property will allow the City to provide additional housing affordable to households with incomes at or below 50% Area Median Income as an interim use; and

WHEREAS, the property is located in an area that is anticipated to be desirable for redevelopment in the future; and

WHEREAS, the acquisition of the property will give the City of White Bear Lake leverage in negotiating the outcomes of future redevelopment on the block in which the property is located should its use for the future Rush Line station be unnecessary; and

WHEREAS, staff anticipates recovering the purchase cost through rental income and the future disposition of the property; and

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

1. The Chairman and Executive Director are authorized to execute all documents necessary to purchase the property from the current owner including to enter into a purchase agreement for the parcel described herein for a total of \$212,000 plus additional expenditures for title work and tenant relocation expenses.

**HOUSING AND REDEVELOPMENT AUTHORITY
RESOLUTION NO.**

2. The Chairman and Executive Director are authorized to execute all documents necessary to enter into an interim occupancy agreement with the current property owner.

3. Authority staff are authorized to enter into an agreement with a property management service to rent the units to income-qualified households at a level of affordability for 50% Area Median Income or lower.

Adopted by the Board of Commissioners of the Housing and Redevelopment Authority in and for the City of White Bear Lake, Minnesota this ____ day of _____, 2019.

Doug Biehn, Chairman

ATTEST:

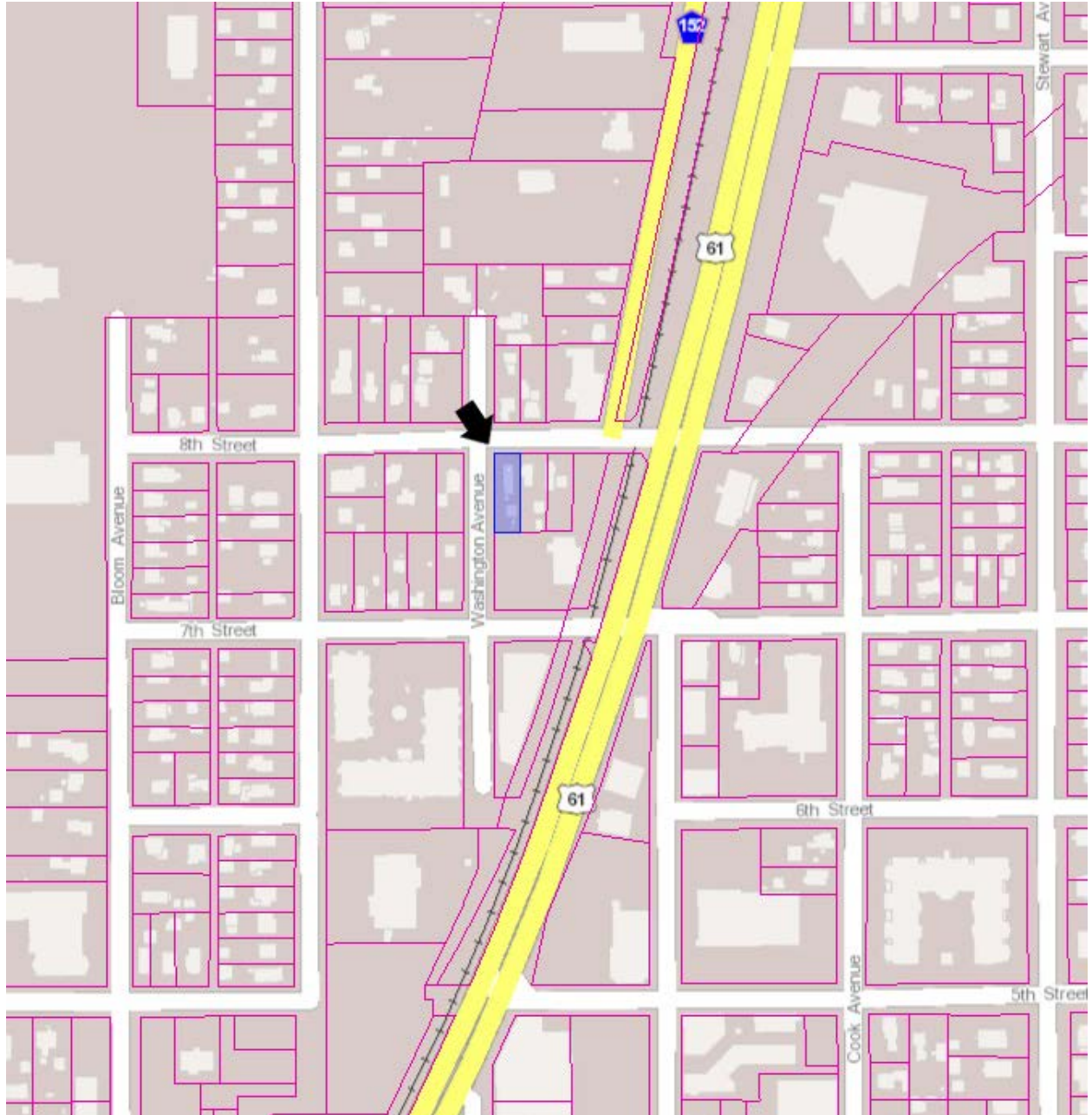
Ellen Hiniker, Executive Director

CERTIFICATION

I, Ellen Hiniker, Executive Director of the Housing and Redevelopment Authority in and for the City of White Bear Lake, County of Ramsey, State of Minnesota, hereby certify that the foregoing is a true and correct copy of Resolution, No. _____ passed by the Authority on the ____ day of ____, 2019.

Ellen Hiniker, Executive Director

2174 8th Street, PID: 143022140072



City of White Bear Lake Environmental Advisory Commission		
MINUTES		
Date: October 16, 2019	Time: 6:30pm	Location: WBL City Hall
COMMISSION MEMBERS PRESENT	Sheryl Bolstad, Pam Enz, Chris Greene, Bonnie Greenleaf, Rick Johnston, Gary Schroeher (Chair), Robert Winkler	
COMMISSION MEMBERS ABSENT		
STAFF PRESENT	Connie Taillon, Environmental Specialist	
VISITORS	Council Member Edberg, Lynzy Tran	
NOTETAKER	Connie Taillon	

1. CALL TO ORDER

The meeting was called to order at 6:38 pm.

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had no changes. Staff added 50th Anniversary of Earth Day to Item 6b New Business. Commissioner Winkler moved, seconded by Commissioner Bolstad, to approve the agenda as amended. Motion carried, vote 7/0.

3. APPROVAL OF MINUTES

a) September 18, 2019 regular meeting

The commission members reviewed the September 18, 2019 draft minutes. Chair Schroeher removed 'received a grant from Hennepin County to add' in the first sentence of item d) Prairie Planting, and added 'is adding' in its place. Commissioner Bolstad moved, seconded by Commissioner Greene, to approve the minutes of the September 18, 2019 meeting as amended. Motion carried, vote 4/0. Commissioners Enz, Greenleaf, and Johnston abstained.

4. VISITORS & PRESENTATIONS

The Environmental Advisory Commission members introduced themselves to Lynzy Tran and Council Member Edberg. Lynzy Tran stated that she is one of fifteen members of the White Bear Lake High School Environmental Club. She was invited by the Mayor to attend an Environmental Advisory Commission meeting and to become a student member of the commission.

Council Member Edberg was invited to attend the meeting to discuss his recent trip to Germany as part of the Climate Smart Municipalities (CSM) program and to answer questions. CSM delegates from five Minnesota communities visited Germany the week of September 23, 2019. Mayor Jo Emerson, Council Member Edberg, Council Member Biehn, and City Manager Ellen Hiniker represented the City of White Bear Lake. They visited the Cities of Münster, Lüdenscheid, Düsseldorf, and Saerbeck. While in Saerbeck, they toured an old army munitions plant that was converted into an energy park. Citizens and businesses invested in the park and sell energy to the grid. In Düsseldorf, the group spoke with an investment banker who described the energy transition as an economic and energy restructuring. The cost of solar has become competitive with most other sources of energy. Council Member Edberg summarized some of the insights of the trip including the need to have cleaner energy and the idea of decarbonizing energy sources, and the awareness that this technology exists as proven by firms in Germany that have accomplished their zero emissions goals. These firms remain connected to the grid but are self-reliant, mostly from solar power. They also conserve energy by utilizing heat exchangers to preheat the air in the building. The main take home messages from Council Member Edberg's

trip to Germany are: 1) we need to rethink our systems by reducing energy use, include renewables such as solar, and monitoring our systems. He would like to see our local leaders in systems management visit Germany as part of a future CSM delegation; and 2) The role of young people are key. A high school club in Lüdenscheid monitors a weather station and has 80 to 100 years of records. This may be a great opportunity for White Bear Lake high school students to collaborate on a project. Council Member Edberg would also like to see a student exchange program created as part of the CSM initiative.

Chair Schroeher asked Council Member Edberg about rooftop solar and his thoughts on potential barriers to installing solar on City buildings. Council Member Edberg stated that with limited funding, we need to prioritize and determine what investments make the biggest impact. He stated that Xcel Energy has made a commitment to be carbon free by 2050, so he questions what role the City should play, how do we leverage with Xcel, and how do we act locally.

The commission members asked what environmental issues are a concern for City Council. Council Member Edberg listed several concerns including drinking water policy, pollutants such as PAH's in stormwater and lead in drinking water, lake water quality and quantity, energy, transportation efficiency, waste reduction, recycling markets, urban forests, emerald ash borer, and invasive species.

Commissioner Bolstad asked if the Environmental Advisory Commission's support for a project is of value to the City Council. Council Member Edberg replied that all commissions play an important role. The Environmental Advisory Commission is already an important part of a system of education, engagement, and messaging. To be effective, Council Member Edberg suggests that the EAC identify a small number of priorities with the greatest chance of return, and to be thoughtful on how to accomplish these priorities. Commissioner Greenleaf stated that she wants the Environmental Advisory Commission to be proactive and a leader on environmental issues.

As the Climate Smart Municipalities, partnership moves forward, Council Member Edberg encourages the Environmental Advisory Commission and newly formed CSM steering committee to define action items and make a case to City Council for each item. He envisions action items categorized into four strategies: engaging the community, creating City policy that will empower individuals to take their own actions, determining where the City will take action, and identifying partners. He also encourages the steering committee and commission to have a vision as part of a broader plan, to prioritize projects, and to be mindful of costs.

The commission members asked Council Member Edberg about his thoughts on Water Gremlin. He stated that public health issues get a lot of attention with City Council; but in the case of Water Gremlin, the City only plays a supporting role.

5. UNFINISHED BUSINESS

- a) Downtown Area Recycling - update
Postponed until the November meeting
- b) 2020 Work Plan
Postponed until the November meeting

6. NEW BUSINESS

- a) Officer election
Postponed until the November meeting
- b) 50th Anniversary of Earth Day
Postponed until the November meeting

7. DISCUSSION

a) Topics of discussion for joint Parks Commission meeting

The commission members discussed topics for the joint meeting with the Parks Commission on November 21, 2019. Topics include increasing pollinator plantings, reducing lawn grass in parks, and inviting the Parks Commission to exhibit at the Environmental Resource Expo. The first hour of the November agenda will be dedicated to the joint meeting.

b) Staff updates

- Goose Lake update

Postponed until the November meeting

- Organics dumpster enclosure

Postponed until the November meeting

- 4th and Otter update

Postponed until the November meeting

- MPCA update

None

- Burning regulations

Postponed until the November meeting

- LEAP Award

The Edgewater ROW prairie planting won a Landscape Ecology Award Program (LEAP) award from Ramsey Washington Metro Watershed District. The awards dinner is on Thursday, November 14 at 6:30pm at Keller Golf Course. There is space for one commission member to attend.

- Volunteer Recognition Dinner – Tuesday, October 29

The volunteer recognition dinner will be held at Boatworks Commons on Tuesday, October 29 at 6pm.

c) Commission member updates

None

d) Do-outs

Postponed until the November meeting

e) November agenda

Include the joint parks commission meeting and the postponed agenda items from the October meeting on the November agenda.

8. ADJOURNMENT

The next meeting will be held at City Hall on Thursday, November 21, 2019 at 6:30pm. Commissioner Greene moved, seconded by Commissioner Greenleaf, to adjourn the meeting at 8:42 pm. Motion carried, vote 7/0.

Park Advisory Commission Meeting Minutes

OCTOBER 17, 2019

6:30 P.M.

CITY HALL

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

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

Approval of the minutes from September 19, 2019 was moved by Mark Cermak and seconded by Ginny Davis.

3. APPROVAL OF AGENDA

Approval of the October 17, 2019 agenda was moved by Mike Shepard and seconded by Victoria Biehn. Motion carried.

4. UNFINISHED BUSINESS

a. Bossard Park

Parking is a problem at Bossard Park. The park lacks a parking lot which makes it difficult to expand the use of the park. Residents that use the park must park on secondary roads. In the past, there has been discussion about putting in a parking lot but it was not well received by residents. The Park Advisory Commission discussed reaching out to the neighborhood to see what they would like the park to look like.

b. Futsal Court

There was continued discussion about the possibility of a Futsal court at Podvin Park in the hockey area. The soccer association would have to fund the hard surface installation for the court. There was talk about using gyms like the Armory or school district.

5. NEW BUSINESS

a) Summer Park Tours

The summer tours were a big hit with the Parks Advisory Commission. It gives everyone a chance to see the locations of the parks and amenities that each park offers as well as the condition of each location and the updates and repairs needed. The park tours will start up again next spring.

b) Budget Reviews

The Park Advisory Commission discussed the 2019 and 2020 budget. One of the large projects for next year will be a larger pavilion at West Park with more power for various events like the Fourth of July. There will be continued discussion on this project as the final design is determined. The Commission also discussed whether the baseball backstop should be removed at West Park. The backstop will stay in place as families continue to use it for pick-up games. The volleyball poles by the bathrooms will be removed next year because there are regularly used volleyball nets down at the beach.

6. OTHER STAFF REPORTS

Andy Wieteki is picking up sample shirts for the Park Advisory Commission to try on for sizing. The City will order shirts for the Commission for their summer park tours.

7. COMMISSION REPORTS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

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

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

REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 pm White Bear Lake City Hall
Minutes of October 15, 2019

APPROVAL DATE: Not approved

1. **CALL TO ORDER** the October 15, 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 Mike Parenteau, Geoff Ratte, Susie Mahoney, Marty Rathmanner, Rylan Juran Absent was Scott Costello and Cameron Sigecon A quorum was present.
3. **AGENDA** – Chair DeSmet asked any changes or additions- none
4. **APPROVAL OF MINUTES OF** – September 2019 board meeting Motion (DeSmet/Second) Moved to approve all aye passed.
5. **PUBLIC COMMENT TIME** – Angela Enroth representing Cottage Park Homeowners Assoc. they were contacted by Mark Ganz because of questions the WBLCD received in regards to easements and dock rules from a neighbor. They want to present their associations documents and to meet with Mark to see if and what things are grandfathered and what should be done prior to next season.
Brian McGoldrick owner/operator Docks of White Bear and Admiral Ds would like to thank Kim Johnson of WBLCD for all her work and persistence in getting applications submitted on time she has saved me over \$6,000 in late fees. We are all very grateful for all she does.
6. **NEW BUSINESS** – Welcome new Board Member Rylan Juran representing Dellwood.
7. **UNFINISHED BUSINESS** – Alan Kantrud, still waiting for year-end report from Washington County on how summer went on the lake etc.
Continuation of buoy discussion, Scott is out this week so next month we will present amendment to Ordinance in regards to buoys.
8. **REPORTS/ACTION ITEMS**
Executive Committee – Bryan DeSmet
No meeting
9. **Lake Quality Committee – Mike Parenteau**
 - Lake level – 925 has stayed at this level all summer
 - Lake temperature – 50 degrees 54 last year at this time
 - October 4th Phragmites were treated will take 3-4 weeks then they will go back and see how well the treatment took. They did say compared to other lakes they treat for phragmites White Bear Lake has the least.
10. **Lake Utilization Committee – Mark Ganz** all reviewed and approved by LUC motion to approve permits (Ganz/second) all aye passed
 - Alicia Heights
 - Chateauguet Condo
 - Russ Becker – with stipulation that dive float have reflective tape add all around to help with visibility
 - Snyder's Beach Club

- Your Boat Club

11. Lake Education - none

12. Treasurer's Report – Motion (Longville /Second) approval of October 15, 2019 Treasurer's report and payment of check numbers 4600-4607 All Aye passed.

13. Board Counsel – none

14. Announcements – Kim Johnson

All of commercial bay have submitted their applications on time (first time) also received many many others as well.

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

Meeting adjourned

ATTEST:

Kim Johnson: *Kim Johnson*
Executive Administrative Secretary
Date:

Bryan: DeSmet: *Bryan DeSmet*
Board Chair
Date:

**MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
NOVEMBER 25, 2019**

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

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Ken Baltzer, Jim Berry, Mary Alice Divine, Pamela Enz, Mark Lynch, Erich Reinhardt, and Peter Reis.

MEMBERS EXCUSED: None.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Richard Farrell.

2. APPROVAL OF THE NOVEMBER 25, 2019 AGENDA:

Community Development Director Kane asked to add Vice-Chair elections as item 5.C under the discussion section.

Member Reis moved for approval of the agenda. Member Berry seconded the motion, and the agenda was approved as amended (7-0).

3. APPROVAL OF THE OCTOBER 28, 2019 PLANNING COMMISSION MEETING MINUTES:

Member Berry moved for approval of the minutes. Member Reis seconded the motion, and the minutes were approved (6-0). Enz abstained.

4. CASE ITEMS:

- A. **Case No. 19-11-V:** A request by **Richard Farrell** for a 1'4" variance from the 2-foot maximum width for an eave, per Code Section 1302.040, Subd.4.a.1, in order to allow the roof overhang to encroach into the required setback at the property located at 4763 Lake Avenue.

Crosby discussed the case. Staff recommended approval of the request with standard conditions.

Member Lynch wondered how this variance differed from what was previously granted. Crosby pointed to the areas of the house that were granted setback variances before, which did not include the proposed eaves. Member Lynch then asked why eaves do not have to meet setback requirements and noted that he was against the original variance because of how it would block

the views of neighbors. Crosby explained that the zoning code allows decorative elements, including chimneys, bay windows, and eaves, to encroach up to two feet into the setback.

Member Baltzer opened the public hearing. As no one spoke, Member Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 19-11-V. Member Reinhardt seconded the motion. The motion passed by a vote of 6-1. Member Lynch opposed.

- B. **Case No. 19-9-Z: A City-Initiated** text amendment to Zoning Code Section 1303.230, Subd.5.c “Stairways, Lifts, and Landings” to clarify that only one stairway down to a waterbody is permitted per property.

Crosby discussed the case. Staff recommended approval of the text amendment.

Member Reinhardt asked if two docks could come down from one stairway. Crosby replied that the conservation district regulates dock density, so the City cannot limit the number allowed per property. Kane added that the conservation district limits docks based on how much of the lake is covered, so the number of docks on a residential property could be limited.

In response to Member Divine’s inquiries, Kane noted that the conservation district has a permitting process if the allowable residential dock standards are exceeded and that the City requires a permit for the construction of all stairways.

Member Reis commented that this is a good proactive move.

Member Enz wondered if lifts would count towards the one stairway. Crosby replied that a staircase would not disallow a lift from being installed. Kane supplemented that some clarifying language could be added to the text amendment to differentiate lifts from stairs.

Member Lynch asked if the one stairway applied to large properties. Crosby confirmed only one stairway is allowed to lead to the waterbody, but it can follow the topography and need not be a straight path.

Member Lynch then expressed concern that the limit could incentivize “goat paths”, i.e. numerous foot trails, leading to issues of erosion. Crosby described how this will only regulate properties with steep inclines. Flat properties that do not need stairs to access the water will not be affected.

Member Baltzer opened the public hearing. As no one spoke, Member Baltzer closed the public hearing.

Member Lynch moved to recommend approval of Case No. 19-9-Z. Member Reis seconded the motion. The motion passed by a vote of 7-0.

- C. **Case No. 19-10-Z: A City-initiated** text amendment to Zoning Code Section 1303.230, Subd.7 “Shoreland Alterations” to create parameters for the use of riprap and reiterate the limitation that retaining walls not exceed four (4) feet in height.

Crosby discussed the case. Staff recommended tabling the text amendment to the next Planning Commission meeting to allow for proper notification of the whole text amendment.

Member Reis asked if staff has looked at making the distinction between nonnative and native plantings, since some things, like purple loosestrife, are bad to introduce. Crosby replied that it was a great idea. Member Reis suggested contacting the Department of Natural Resources (DNR) to verify if they have any oversight on plantings.

Member Lynch asked if there was a way to put language into the text amendment regarding maintaining what is there to preserve the shore as opposed to trying to bring every property into compliance. Crosby stated that the engineering department will have a lot of input on what gets approved and will not allow alterations that will cause great damage.

Member Divine asked about the use of the term “recommend” when discussing the type of rocks and plants used along the shoreline in staff’s report. Crosby clarified the actual text amendment requires the smaller rocks and plants.

Member Baltzer asked if the City is in conflict with the DNR regulation of 30-inch riprap. Crosby explained that the City is able to make rules that are stricter than state rules.

Member Enz asked if the phrase “approved native species” could be added to the text amendment, since homeowners may think something is native when it is actually harmful. Crosby affirmed that could be done, but added that the City’s Environmental Specialist would be involved in approving the plant list of each permit issued.

Member Berry moved to table Case No. 19-10-Z until the January 27, 2020 Planning Commission meeting. Member Reis seconded the motion. The motion passed by a vote of 7-0.

5. DISCUSSION ITEMS:

A. City Council Meeting Minutes of November 12, 2019.

Member Divine asked if the recovery center applicants would be returning with a new application. Kane briefed that the City Council vote was 3 to 1 denying the proposal, with many of the same concerns regarding the number of residents echoed by those in attendance. She informed the Commissioners that staff will be meeting with the applicants to discuss potentially reducing the scale of the proposal and a revised application is anticipated.

Member Lynch requested that staff include a discussion surrounding the parking availability when the next application comes forward because he thinks the schedule worked out in the previous application will still lead to issues.

B. Park Advisory Commission Meeting Minutes of September 19, 2019.

No discussion

C. Vice-Chair Election.

Member Baltzer reported that this meeting would be Member Divine’s last on the Planning Commission. He opened nominations for her replacement as Vice-Chair. Member Reinhardt nominated Member Lynch, Member Divine seconded. Vote was unanimous.

6. ADJOURNMENT:

Member Lynch moved to adjourn, seconded by Member Reis. The motion passed unanimously (7-0), and the November 25, 2019 Planning Commission meeting was adjourned at 7:35 p.m.

DRAFT



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager
From: Kara Coustry, City Clerk
Date: December 3, 2019
Subject: Use of food trucks to service the Hockey Jamboree in Podvin Park

SUMMARY / BACKGROUND

At its meeting on November 12, 2019, the City Council approved the Hockey Association's use of Podvin Park pavilion and ice rink, January 10 - 12, 2020 for an Outdoor Hockey Jamboree. The Hockey Association is still making plans for this event and has requested the ability to allow food trucks in the public parking lot at Podvin Park to serve food to attendees.

Any and all food trucks that may be used for this event would be required to obtain a transient merchant license from the City's licensing authority.

RECOMMENDED COUNCIL ACTION

Staff recommends the City Council approved the attached resolution to allow food trucks on public property at Podvin Park for the Hockey Jamboree event, January 10 – 12, 2020.

ATTACHMENT

Resolution

RESOLUTION NO.

**A RESOLUTION AUTHORIZING USE OF FOOD TRUCKS AT PODVIN PARK
DURING THE OUTDOOR HOCKEY JAMBOREE**

WHEREAS, at its meeting on November 12, 2019, the City Council approved the Hockey Association's Hockey Jamboree event at Podvin Park; and

WHEREAS, the Hockey Association may utilize food trucks to serve food to attendees; and

WHEREAS, the City does not permit food trucks on public property without prior City Council approval; and

WHEREAS, any and all food trucks that may be used for this event would be required to obtain a transient merchant license from the City's licensing authority.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake hereby authorizes the use of food trucks in the Podvin Park parking lot, January 10 - 12, 2020 during the Hockey Jamboree event.

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

Ayes:

Nays:

Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager
From: Kara Coustry, City Clerk
Date: December 3, 2019
Subject: **Big Wood Brewery – Use of public parking lot for Chili Cook-off event**

SUMMARY / BACKGROUND

Big Wood Brewery is requesting permission to host a Chili Cook Off in half of the City-owned parking lot behind the bar in downtown White Bear Lake on Sunday, February 9, 2020 from noon – 10:00 p.m.

The Main Street Group was notified of the request and supportive of the event bringing people into downtown White Bear Lake on a Sunday evening. Consistent with past events operating on public land for commerce, staff is requesting \$100 for use of the partial parking lot (half of what was paid for the full lot during the June 2019 Concert Event). Staff is also requiring appropriate sanitation dependent upon the number of attendees that register for the event. A \$300 refundable damage deposit would be required to ensure the parking lot is returned in good order.

Staff is also requiring that multiple trash carts be placed throughout the parking lot, sufficient to handle trash resulting from a chili cook-off. The group has been made aware that up to three parking stalls may be used for snow accumulation, and that if Public Works staff are otherwise busy clearing snow from the streets, it may not be possible for them to ensure a completely clear lot at the time of the event.

Additional time is needed to work out more details with the Public Safety Division, so a resolution of approval is conditioned upon insurance and plan approval from the Fire Marshal and the Police Department.

RECOMMENDED COUNCIL ACTION

Staff recommends the City Council adopt the resolution as presented.

ATTACHMENT

Resolution

RESOLUTION NO.

A RESOLUTION AUTHORIZING USE OF A PUBLIC PARKING LOT BEHIND BIG WOOD BREWERY FOR COMMERCE

WHEREAS, Big Wood requested permission to host a Chili Cook Off in half of the City-owned parking lot behind the bar on Sunday, February 9, 2020; and

WHEREAS, consistent with past events operating on public land for commerce, staff is requesting \$100.00 payment for use of the property and a \$300.00 deposit to ensure the property is returned in good order; and

WHEREAS, staff is requesting that appropriate sanitation be made available dependent upon the number of attendees who register; and

WHEREAS, final event approval will be contingent the Public Safety Department's review and placement of vendors appropriate to the size of propane tank or smoker.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake hereby authorizes the use of 50% of the City-owned parking lot behind Big Wood Brewery for a Chili Cook Off event on February 9, 2020 from noon - 10:00 p.m. contingent upon insurance coverage and Public Safety plan review.

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

Ayes:

Nays:

Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager
From: Kara Coustry, City Clerk
Date: December 4, 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 Jessica Gustafson for her new business called Reverie Acupuncture, LLC, located at 2025 4th Street, Suite 100, White Bear Lake, MN.

The White Bear Lake Police Department is in the processing of conducting a background investigation in which the applicants' training credentials, insurance coverage, finances and criminal history reports are reviewed. Due to a large gap between end of year Council meetings, staff requesting approval of the massage therapist establishment and massage therapist licenses for Jessica Gustafson, Reverie Acupuncture, LLC, contingent upon a clear background check result by the Police Department.

RECOMMENDED COUNCIL ACTION

Staff recommends the City Council adopt the attached resolution approving licensure contingent upon a clear background check result by the White Bear Lake Police Department.

ATTACHMENTS

Resolution

RESOLUTION NO.

**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, contingent upon a clear background check result from the White Bear Lake Police Department, for the business cycle ending March 31, 2020.

Massage Therapy Establishment License

Jessica Gustafson (owner)	Reverie Acupuncture, LLC 2025 4 th Street, Suite 100 White Bear Lake, MN 55110
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Massage Therapist License

Jessica Gustafson	Reverie Acupuncture, LLC 2025 4 th Street, Suite 100 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:

Nays:

Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
Finance Department
MEMORANDUM

To: Ellen Hiniker, City Manager

From: Kerri Kindsvater, Finance Director

Date: December 2, 2019

Subject: **Municipal Tort Liability**

BACKGROUND

Minnesota Statutes cap municipal tort liability to a maximum of \$500,000 per claimant and \$1.5 million per occurrence. These limits apply whether the claim is against the member, an employee, or both. The City's insurance coverage through the League of Minnesota Cities Insurance Trust (LMCIT) provides a standard limit of \$2 million per occurrence. The higher coverage amount through the LMCIT policy recognizes that some types of liability claims are not subject to the statutory tort caps and it is common to see contracts require more than the statutory limit.

SUMMARY

The League of Minnesota Cities Insurance Trust offers a comprehensive liability insurance package that combines coverage for municipal liability, errors and omissions, and police liability into one single policy document with the typical property, casualty, and automobile coverages.

In addition to the overall LMCIT coverage limit of \$2,000,000 per occurrence, there are also annual aggregate limits (that is, limits on the total amount of coverage for the year regardless of the number of claims) for certain specific risks. Aggregate limits apply to the following:

Products	\$3,000,000 annually
Failure to supply utility services	\$3,000,000 annually
Data security breaches (a \$250,000 sublimit, which is part of and not in addition to the annual total for Payment Card Industry fines, penalties, assessments and regulatory fines and penalties)	\$3,000,000 annually
Limited contamination issues	\$3,000,000 annually
Land use and special risk litigation*	\$1,000,000 annually

*The limit applies to both damages and defense costs. The coverage pays for these items related to land use regulation and development litigation on a sliding scale percentage basis

LMCIT does offer excess liability insurance that provides umbrella coverage few instances where a City might need coverage greater than \$2 million. Example situations are: claims not limited by statutory tort caps, a loss or claim in one of the areas when there might not be enough aggregate limit to cover the city's full exposure if a second similar event occurs within the same year, contracts may require higher coverage limits, more than one political subdivision is covered by the one policy. The City of White Bear Lake has not purchased excess liability insurance coverage in previous years since there has not been a situation where any claims have exceeded the statutory limit during a year and the extra premium charge were not cost effective.

The City's Housing Redevelopment Authority (HRA), Economic Development Authority (EDA), and port authority are each separate political subdivisions. The City's HRA maintains a separate general liability policy due, in part, to the independent nature of its activities, and the potential of a civil action against both the City and HRA. In 2019, the HRA's \$2.0 million coverage requires a premium cost of approximately \$1,200.

As the City seeks to renew its general liability insurance policy for fiscal year 2020, the City Council must determine if it would like to waive the statutory liability limits or not.

If a City chooses not to waive the statutory limits, the statutes limit liability at the amounts listed above, no more than \$500,000 per claimant and \$1.5 million per occurrence. The higher coverage limit of \$2 million would only apply to those types of claims not covered by the statutory limit. Exceptions to the statutory tort caps are situations such as claims under federal civil rights laws, claims of tort liability that the city assumed by contract, claims for actions in another state, claims based on liquor sales, and claims challenging land use regulations.

If the City chooses to waive the statutory limits, any claimant could recover up to the \$2 million insurance policy coverage amount, or higher if the city purchases excess liability coverage. Waiving the statutory liability limits does not give the city better insurance protection it only grants a better benefit to the party making the liability claim against the city. Because the waiver increases the exposure to higher claim costs, the premium is higher for coverage under the waiver options. Per LMCIT documentation, the cost difference is 3.50% of liability premium for member cities that choose to waive the statutory liability limits.

RECOMMENDATION

The City Council continue to choose to not waive the statutory limits. This decision remains consistent with prior years' coverages and provides statutory tort liability payment limit of \$500,000 to individual claimants and \$1,500,000 to all claimants for a single occurrence claim against the City.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION NOT WAIVING THE MONETARY LIMITS ON MUNICIPAL TORT LIABILITY ESTABLISHED BY MINNESOTA STATUTES 466.04

WHEREAS, Minnesota Statutes 466.04 caps municipal tort liability to a maximum of \$500,000 per claimant on any claim to which the statutory tort limits apply; and

WHEREAS, Minnesota Statutes 466.04 caps the municipal tort liability to a maximum of \$1,500,000 for the total claimants for a single occurrence to which the statutory tort limits apply.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, that the City does not waive the statutory liability limits for the Fiscal Year January 1, 2020 – December 31, 2020:

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
Finance Department

MEMORANDUM

To: Mayor and City Council

From: Ellen Hiniker, City Manager
Kerri Kindsvater, Finance Director

Date: December 2, 2019

Subject: **Recension of Internal Loan Repayment to the Non-Bonded Fund**

BACKGROUND

In 2010, the City contributed \$2.775 million to the White Bear Area YMCA for renovation and expansion of their facility. The Non-Bonded Fund provided \$1,000,000 toward this contribution, with the remaining monies coming from the Insurance and Park Improvement Funds. Resolution No. 10604 from November 2009 established a 15-year repayment schedule to make all funds whole, with the Non-Bonded Fund scheduled to receive principal repayment beginning in 2021 and ending in 2025.

SUMMARY

In 2018, the City entered into a partnership with the White Bear Lake Area Hockey Association to renovate the Sports Center. Instead of issuing new debt, staff and Council discussed the option of redirecting the \$132,000 tax levy (*former Sports Center/YMCA debt service*) and \$155,000 from annual marina revenues toward the debt service payments for the renovated Sports Center. This decision resulted in the recension of the internal loan obligation to the Non-Bonded Fund. (The Park Improvement Fund received repayment in full in 2017 and the Insurance Fund will receive repayment in full by 2021). While the 2019 budget reflects this decision, staff is asking for a formal Council resolution to formalize this accounting adjustment.

RECOMMENDATION

Staff recommends the City Council approve a resolution to rescind the internal loan repayment to the Non-Bonded Fund. This action formalizes the Council's 2018 decision to redirect the monies used to repay the internal loan to support for the Sports Center renovation project and provides transparency in the financial reporting of the City.

ATTACHMENTS

Resolution

RESOLUTION NO.

A RESOLUTION RESCINDING RESOLUTION NO. 10604 WHICH ESTABLISHED AN INTERNAL LOAN REPAYMENT TO THE NON-BONDED FUND

WHEREAS, In November 2009, the City Council adopted Resolution No. 10604 to establish a repayment schedule for \$1,000,000 in contributions from the Non-Bonded Fund to the White Bear Area YMCA renovation and expansion project; and

WHEREAS, In 2018 the City Council decided to redirect the \$132,000 tax levy and \$155,000 from annual marina revenues to pay the debt service payments related to the renovated Sports Center.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, to formalize the City Council decision in 2018 to redirect the monies used to repay the internal loan from 2009 and rescind the internal loan repayment schedule to the Non-Bonded Fund set forth in Resolution No. 10604.

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

Ayes:

Nays:

Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager
From: Kara Coustry, City Clerk
Date: December 5, 2019
Subject: **Metropolitan Council Water Efficiency Grant**

BACKGROUND / SUMMARY

The City of White Bear Lake applied for \$49,500 in grants from the Metropolitan Council through funding from the Clean Water Land and Legacy Amendment. The City received notice that due to the large number of grant requests, the amount of funding being granted to White Bear Lake was reduced to \$26,300. A 25% city match is required for this grant funding, which totals \$8,770. The goal of the water efficiency grant program is to encourage water conservation.

This grant will enable the City of White Bear Lake to provide rebates to public water utility customers who replace existing toilets with WaterSense toilets that flush 1.28 gallons or less. Rebates are for out-of-pocket costs for the replacement device, minus tax, not to include installation costs, and will be available as follows:

- Up to a maximum of \$200 for toilets replaced with US EPA WaterSense labeled toilets

Through this initiative, 175 toilet replacements are estimated to save nearly 3.55 million gallons of water annually.

Attached for Council's consideration is a resolution authorizing execution of the attached grant agreement with Metropolitan Council.

RECOMMENDED COUNCIL ACTION

Staff recommends the City Council adopt the resolution as presented.

ATTACHMENTS

Resolution

RESOLUTION NO.

AUTHORIZING THE WATER EFFICIENCY GRANT AGREEMENT BETWEEN THE METROPOLITAN COUNCIL AND THE CITY OF WHITE BEAR LAKE

WHEREAS, the City of White Bear Lake seeks to reduce public utility water consumption; and

WHEREAS, the City of White Bear Lake applied for and was awarded a \$26,300 Water Efficiency Grant through the Metropolitan Council that is funded by the Clean Water Land and Legacy Amendment

WHEREAS, the City of White Bear Lake is required to provide 25% grant match amounting to \$8,770.

WHEREAS, the grant will provide \$200 in rebates for qualifying WaterSense toilet replacements, not to include tax or installation costs.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of White Bear Lake that the City Manager is authorized and hereby directed to execute a contract with Metropolitan Council for a term through June 30, 2022.

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