

**MINUTES
TOWN BOARD MEETING
MARCH 7, 2016**

The meeting was called to order at 7:00 p.m.

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Attorney: Lemmons;
Planner: Riedesel; Engineer: Studenski.

APPROVAL OF AGENDA (Addition / Deletions): Prudhon moved approval of the agenda with the following amendments: Add New Business 8A) 2016 Non-Union Cost of Living Adjustment – Approval; 8B) Township Day Tent Rental – Approve Rental Quote. Ruzek seconded. Ayes all.

APPROVAL OF PAYMENT OF BILLS: Prudhon moved to approve the payment of bills. Ruzek seconded. Ayes all.

APPROVAL OF MINUTES OF FEBRUARY 17, 2016: Ruzek moved approval of the Minutes of February 17, 2016. Prudhon seconded. Ayes all.

CONSENT AGENDA: Ruzek moved approval of the Consent Agenda as follows: 5A) Based on Staff Review & Recommendation to Notify the Ramsey County Sheriff's Office Water Patrol Unit of the Township's Approval of the 2016 Bald Eagle Ski Team's Slalom Course on Bald Eagle Lake; 5B) Based on Staff Review & Recommendation to Approve the Revisions to the Public Right-of-Way & Public Purpose Easement & Applicable Maintenance Standards Policy Clarifying Tree Trimming Procedures; 5C) Based on Staff Review & Recommendation to Approve WBL School District #624's Use of Township Roads on Saturday, May 21, 2016, from 9:30 - 11:00 a.m., to Hold TheBearPower Family Breakaway Bike Ride & Direct that the Event Coordinator Work with Township Staff Regarding Sign Placement; 5D) Accept Jerry Mahoney's Resignation from the Planning Commission & Authorize Advertisement for Replacement & Direct Staff to Send Letter of Appreciation; 5E) Call Public Hearing at 7:10 p.m., Monday, April 4, 2016, to Approve a Conditional Use Permit to Allow a Commercial/Residential Recording & Film Post Production Studio and Variances to Allow Construction of a Recording Studio, Home Addition, and a Septic System Drainfield; An Exception from Section 5-29 of Ordinance No. 8 to Allow Construction of An Oversized Accessory Building (Studio). Prudhon seconded. Ayes all.

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Prudhon publicly thanked Jerry Mahoney for his volunteer services on the Planning Commission.

OLD BUSINESS: There were no Old Business Agenda Items.

7:10 P.M. PUBLIC HEARING – MOTION TO AMEND ORDINANCE NO. 35- SECTION 7-4 – AIRSPACE ZONES & 7-5 LAND USE SAFETY REGULATIONS IN AIRPORT HAZARD AREAS: The Public Hearing was held at 7:10 p.m. Prudhon moved to waive the reading of Public Notice noting that proper publication was made. Ruzek seconded. Ayes all.

The Town Attorney reported that the reason for the Public Hearing is of the on-going litigation with the Stoddard's. The Town Board felt that it would be in the best interest of the Town to reconsider whether or not an airspace zone of the size that was originally approved is necessary. The Town Board requested that the Planning Commission re-visit that issue. They have done that and their proposal to the Town Board is being considered tonight. The question is whether or not the Safety Zone should be reduced in size. He reported that under the Statutes, if a zoning amendment is to affect less than five acres there must be notice given to all residents within 350 feet of that property. After the matter was placed on the agenda a question was asked if this would affect five acres or less. It was decided to take a conservative view and therefore all property owners within 350 feet must be notified within ten days prior to the Hearing. Because that notice was not sent ten days prior to the Hearing tonight there will be public testimony received tonight, the matter will be kept open and continued to the next Town Board Meeting.

The Planner reported that what is being considered is an amendment to Section 7-4 and Section 7-5 of Zoning Ordinance No. 35. This relates to the airport land use safety zone. The Town originally adopted land use safety zones for the airport in the mid 1980's. At that time a model was provided by MnDOT Aviation which described land use safety zones. The safety zones consist of a 250 foot wide primary zone that extends 200 feet beyond the end of the runway. Beyond that is Safety Zone A, which is 2/3rds the length of the runway which is 1,906 feet in length and is a grass strip runway. Beyond Safety Zone A is Safety Zone B which is an area that is 1/3rd the length of the runway. Safety Zone C extends out about 10,000 feet. He referred to a development proposal which is not under consideration tonight. Only the airport safety zone is under consideration. He reported that Safety Zone A has requirements that no structures are permitted in this safety zone. Safety B allows for structures with lots of three acres. Safety Zone C does not have any specific requirements other than height regulations. The Town's height regulation is 40 feet which is more restrictive than what would be allowed in safety Zone C. He reported that since the adoption of land use safety zones at the airport there have been new models provided by MnDOT Aviation. The safety zones currently existing is for a model for a paved public airport. New models show safety zones for a private grass strip runway which is what Benson's Airport is considered. The difference is that there is no primary zone at the end of the runway

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and the width of the primary zone would be 130 feet versus 250 feet currently. If the Town were to adopt a grass strip private airport runway regulation it would shift the zones back 200 feet. Another option is to eliminate land use safety zones entirely because the State does not require the Town to have any land use safety zoning or a configuration that would modify the safety zones in another way. The Planner reported that the Planning Commission has reviewed amendments to Section 7-4 and Section 7-5 of Ordinance No 35 and has provided a recommendation. They recommend that the safety zones be modified keeping the primary zone intact, the width of the runway at 250 feet intact, Safety Zone A intact at 1,258 feet but to modify Safety Zone B by reducing its current length of 629 feet to 425 feet. The Planner provided overheads showing how the land use safety zones are currently laid out. He stated that reducing Safety Zone B by 200 feet allows the property to get more housing units than what is allowed under the current zoning. A question was asked if the amendment would affect the properties to the north. The Planner stated that in changing the safety zones it also changes the angle of the conical shape of the safety zone. It could potentially put a line over some of the homes on Border Pine Court. That is one of the reasons that the Planning Commission is recommending only a reduction in Safety Zone B. This will not cause any change to the angle of the conical shape of the safety zone.

Prudhon moved to open the Public Hearing for public input. Ruzek seconded. Ayes all.

Al Tschida, Attorney for the Benson estate, and Secretary/Treasurer of Benson Airport provided a copy of his handout from 2009. He urged that the Town not change the safety zone. He acknowledged that the Planner's report is factual and stated that he has spoken with the Town Clerk about the matter. He stated that the Town is not being asked to vacate the safety zone but to shrink it. He stated that the Planner's report stated that the safety zones were based on a paved public airport. He stated that was the standard that was in effect at the time the safety zones were adopted. Now a Special Purpose Airport zoning is being urged. He stated that would be rational except for one thing. He referred to the open space. He stated that the safety zones the Town adopted served its purpose. It kept houses out of the area that they have to fly. He stated that he has flown at Benson's since 1976. He stated that the Department of Aeronautics provided a license to John Benson in 1945. He referred to a document from that time which stated "no commercial operation". He stated that was at that time but that the Department of Aeronautics allowed John Benson to tow gliders for compensation. He stated to simply change the safety zone will solve the Stoddard's lawsuit. He stated that it is a fallacy that by shrinking the zone everything will be fine because the safety zone was stringent back in 1985. No it was not. It served its purpose and kept the open space open. There is limited amount of land that the Stoddard's can build on. They have a 20+ acre parcel and 7 acres of highland. Buildings have been kept off the high land. If the safety zone is shrunk and buildings are allowed there, there will be low flying aircraft coming in and out. People moved in to the north. By and large the airport is recognized for what it is. He stated that he would guarantee, whether the safety zone is modified or not, if houses are put in the open space the Town will receive complaints and will be sued. He stated another fallacy is if

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the safety zone is only shrunk a bit it won't hurt. He stated that it will hurt because houses will be put right where aircraft will have to take off and land over the houses. He stated that people will not only come and complain when there are 19 new houses in the area but ultimately will also sue the Township and the airport. At that point, the airport would have to be closed because of what they have warned the Town about. He stated that back in 2009 there was a statute of limitations. He stated that the Stoddard's have four years for any taking. If they wait around longer than four years it is too late to sue. He stated that the Statutes of Limitations in Minnesota are not advisory but are mandatory. He stated that the letter of 2009 sent to the Town from the Stoddard's then was that the Ordinance was not properly passed and that was the liability. He addressed that in 2009. He read language from State law that states that after a certain number years, a Town Ordinance is it. The Stoddard's deed is dated October 5, 1990. The Stoddard's are more than four years past the passage of the 1985 Ordinance. It is way too late to say that the Ordinance was not properly passed. How is it that Stoddard's can buy in 1990 that it is now 26 years later. It is too late. He stated that the League of Minnesota Cities' attorneys don't care about Benson Airport. They want to minimize their expenditure. Mr. Tschida urged the Town just to say "no". Tell the Insurance Company defense counsel to bring a motion to kill the Stoddard's case based on what he just explained: a motion for summary judgement. It is now way too late to sue. The Stoddard's don't have any standing because they bought 26 years ago. The taking occurred before they bought. How can they complain now that something was taken from them. He stated that he was provided a copy of the lawsuit today and defense counsel did properly raise the statute of limitations and other technical defenses. He stated that he is not present to be belligerent or antagonistic but the Town has been sued and if the Town unilaterally amends the safety zone and believes that the Stoddard's are done with the Town, they are not. He stated not to vacate the safety zone unless it is part of a comprehensive settlement with the Stoddard's. The Town has three things that the Stoddard's want: they need vacation of the safety zone; rezoning to get the 19 lots they want, and they need a PUD. To simply vacate the safety zone and then ask them to love you, it will not work. Prudhon asked Mr. Tschida how the State can say that a safety zone is not needed if the airport is private. Mr. Tschida stated that flying is a hazardous activity. It has existed there since 1945. The Town has the inherent power, the police power, for health, education, safety and public welfare to zone and to protect people. The fact that it is not a public airport does not mean that flying does not go on there and is not a hazardous activity. He stated that it is not logical for them to say a private airport does not need safety zones. He stated that he owns his own airport at North Branch. It is a grass strip longer than the runway at Benson's. He is the one and only airplane that uses it. There is zero activity there. This has a higher level of classic truly private farm strip. That is what Benson's started as in the 1930's – a truly private classic farm strip but it grew over the years. It is used by private owners and is owned by them through an estate for years. As an airport association they are essentially owners and tenants and they have a private right to use it. He stated that at the time that the safety zone was put in in 1985 there was a greater level of use than today. He stated that was the situation that the Stoddard's bought into and now they say that they have been deprived of something.

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There was no further public comment.

Prudhon moved to continue the Public Hearing to Amend Ordinance No. 35 – Section 7-4, Airspace Zones and 7-5, Land Use Safety Regulations in Airport Hazard Areas to 7:10 p.m., March 21, 2016, to allow for notification of all the affected neighbors within 350 feet of the proposed rezoning. Ruzek seconded. Ayes all.

NORTH OAKS COMPANY/ HABLE PROPERTY SUBDIVISION – 1) AUTHORIZE PREPARATION OF FEASIBILITY REPORT FOR THE NORTH OAKS COMPANY/HABLE PROPERTY SUBDIVISION; AUTHORIZE PREPARATION OF FEASIBILITY REPORT TO PROVIDE WATER TO RESIDENTS NORTH OF COUNTY ROAD H-2:

Authorize Preparation of Feasibility Report for the North Oaks Company/Hable Property Subdivision: The Town Engineer reported that this is a follow up to the December meeting. The property is located south of County Road H-2, east of Centerville Road and west of I-35E. He reported that all the information was presented to the Town Board at the December meeting. The developers had submitted a petition to authorize a feasibility report. At that time all the necessary information was not provided by the developer, now it is. He stated that a question at that time was if it would be possible to provide service without looping the system. He stated that since all the information is available the first action is to authorize the preparation of a feasibility report.

Prudhon moved, based on staff review and recommendation, to adopt the Resolution Ordering Preparation of a Report on a Street & Utility Improvement Pursuant to a Petition of 100% of Affected Property Owners. Ruzek seconded. Ayes all.

Authorize Preparation of Feasibility Report to Provide Water to Residents North of County Road H-2: The Town Engineer reported that there is no water in the neighborhood on the north side of County Road H-2. Some residents have requested that the Town look at the cost to provide service for them. The residents have private wells and the request is for a feasibility study to provide water to the north side. The information will come back to the Town Board for review and action.

Prudhon moved, based on staff review and recommendation to adopt the Resolution Ordering Preparation of a Report on a Water Improvement for the properties north of County Road H-2, adjoining the Hable property subdivision. Ruzek seconded. Ayes all.

LOCAL WATER SUPPLY PLAN – AUTHORIZE TKDA TO PREPARE PLAN: The Town Engineer reported that a Local Water Supply Plan is required of the Township. He reported that the four areas that the Township will have to address are: 1) Water Supply System Description and Evaluation; 2) Emergency Preparedness Procedures; 3) Water Conservation Plan; and 4) Items for Metropolitan Area Communities. He reported that the template for the plan lists out all the different components that the Township has to

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work through and put together a document that needs to be submitted to the Department of Natural Resources by December 30, 2016. He reported that this will be a work in progress through this year and that engineering will work with staff to meet the requirements. To complete the current requirements for preparation of a local water supply plan engineering effort will cost approximately \$18,800. This fee is dependent upon the number of exchanges required with the Minnesota Department of Natural Resources to obtain the White Bear Township water supply plan approval. Prudhon asked how often this plan is updated. The Engineer reported every ten years and that this is a third generation plan. When done ten years ago the document was one half of what is required now. There are a lot of new components from what was required in the past. The document sets forth what the Township will do over the next ten years but also projects out for growth, demand, and how the Town will provide the water that is needed. Ruzek asked if there is a roadmap of what the Town will do over the next ten years. The Engineer reported that the first step will be to work with staff and Public Works to get the base information put together to determine how to go forward.

Ruzek moved to authorize TKDA to prepare the Local Water Supply Plans for Metropolitan Communities at an estimated cost of approximately \$18,800, which is dependent upon the length of the approval process with the DNR, with funding from the Water Fund. Prudhon seconded. Ayes all.

WATER TREATMENT REHABILITATION WELL NO. 5 – AUTHORIZE TKDA TO PERFORM ADDITIONAL WORK:

The Town Engineer reported that a contract was awarded to Magney Construction for a base bid of \$366,500 for this project. Bidding included an allowance of \$15,000 of Township directed work in addition to the specified work and an allowance of \$15,000 for one of the Township's preferred instrumentation and controls companies to fully integrate the well water, water served, sewer and pond discharge metering data as required by the DNR, MDH, Met Council, and MPCA, respectively. The bid award also added Alternate 2: remove and recoat interior and exterior of the filter at a cost of \$69,000; and Alternate 4: paint the process room at a cost of \$31,000. He reported that these alternates will extend the life of the filter equipment and eliminate the need for painting for the next 15 years. The integration activities will include plan documentation of the system. At that time engineering costs were not added to oversee and direct that activity. TKDA is requesting authorization to coordinate these activities with the contractor and perform the construction inspection for an amount not to exceed \$9,200. It is anticipated that the additional allotted work in the contract plus the additional engineering will be less than the \$30,000 that is already in the budget. Prudhon asked if the alternatives were included in the original bid amount and Magney was still the low bidder. The Engineer stated that was correct. Kermes asked if the work on the water treatment rehabilitation work on Well No. 5 is on track. The Engineer reported that it is. The contractor began work a month ahead of time and the work will be completed this spring before the increased water demands of the summer. Ruzek asked about the seepage pond behind the facility that is not properly functioning. The Engineer noted that the Town Board has authorized borings

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and plans which are being put together for maintenance of that site. He reported that what is recommended for those improvements will come to the Town Board for review and approval.

Prudhon moved to authorize TKDA to coordinate the completion of Alternate 2) Remove and recoat interior and exterior of the filter; and Alternate 4) Paint the process room, and perform the construction inspection for an amount not to exceed \$9,200.00, with funding from the Water Operating Fund. Ruzek seconded. Ayes all.

2016 I & I PROGRAM – AUTHORIZE TKDA TO OBTAIN TELEVISION QUOTES: The Town Engineer reported that the Town Board awarded a sanitary sewer lining project last fall and this spring for work to be done to eliminate the infiltration in those areas. The Town is going into the second year of that activity. On the east side of Bald Eagle Lake and west of Highway 61 areas of high infiltration and inflow was found when flow monitoring was performed. The next step is to televise the pipe in the area of Buffalo, Ridgeway and Williams Avenue to determine further corrective work to the sanitary sewer pipe to eliminate inflow and infiltration in the sanitary sewer system. He reported that this is an old section of Town with old pipes which need to be addressed. He reported that the project will go out for quotes and come back for Town Board action. The Engineer requested authorization to solicit the televising quotations and perform the bidding process in an amount not to exceed \$1,250.00. The overall project funding will be from the Sanitary Sewer Fund. Ruzek asked the Engineer to explain inflow and infiltration for students in attendance. The Engineer reported that the Township has sanitary sewer pipes that are underground. A lot of the areas are below the ground water. The pipes are old and the joints separate and because of water in the area, instead of just water from the homes going into the pipes there is now ground water and rain water that does not need to be treated. The Town is televising the pipes and performing activities to determine where corrections are needed. Kermes noted that this is a regional issue and other communities are facing the same issues. The Metropolitan Council has informed the communities to fix the problems or they will be fined.

Ruzek moved to authorize TKDA to prepare the televising quotations and perform the bidding process in an amount not to exceed \$1,250.00, with funding from the Sanitary Sewer Fund. Prudhon seconded. Ayes all.

BELLAIRE BEACH LIFEGUARD CONTRACT – YMCA 2016 / 2017 CONTRACT FOR SERVICES: The Planner reported that the Town has been contracting with the YMCA for lifeguard services at Bellaire Beach. He reported that the contract expired in 2015. In 2014 the Town paid a little over \$15,000 and in 2015 the amount was \$16,235.00. The YMCA has provided a two year contract proposal with a cost of \$18,000 to provide the service for 2016 with a 3% increase in 2017. This will provide lifeguard services on a daily basis from noon to 7:00 p.m. from June 20th through August 21 and on weekends only from August 22nd through Labor Day. He reported that the budget for Bellaire Beach operations for 2016 has been proposed at \$20,000 so there are funds to contract

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for lifeguard services. The Park Board reviewed the proposal at their February meeting and recommend approval of the contract. Prudhon asked if the proposed contract has been compared to the past contract to see if the coverage is the same. The Planner reported that primary changes are that the YMCA will wait a little longer than usual to open so the water is warm enough, and then staying open a little longer than usual in August. The hours have been adjusted to when people are at the beach. They will provide lifeguard service from noon to 7:00 p.m. and will remain an additional half hour if people are still in the water. Increases to the minimum wage and other factors have driven up cost for the YMCA. The Town Attorney stated that he has reviewed the Agreement and that the YMCA agrees to indemnify and hold harmless the Town for injuries that may occur on the property.

Ruzek moved, based on Park Board, Town Attorney and staff review and recommendation to approve the execution of the Agreement between the Town of White Bear and the YMCA of the Greater Twin Cities regarding lifeguard services at Bellaire Beach for the 2016 & 2017 seasons and to authorize execution by the Town Board Chair and Town Clerk. Prudhon seconded. Ayes all.

LIFT STATION NO. 10 REPAIR – AUTHORIZE REPAIRS: The Clerk referred to the memo dated February 23, 2016 from Peter Tholen, Field Maintenance Supervisor, which stated that on Tuesday, January 27, 2016, staff removed one of the lift station pumps due to unusually high runtime hours, which can be attributed to debris in the pump impellor or another problem. When staff pulled the pump no debris was found. When they tried to re-seat the pump they could not get the pump flange to seat properly on the base elbow in the wet well. After several attempts the pump was re-seated but there was a lot of liquid leaking between the pump flange and base elbow. Public Works recognized that this was something that they could not repair. Quality Flow discovered that the base elbow in the wet well was loose from the floor and worn from age. They recommended that the base elbow, pump flange, upper and middle brackets and 4x6 adapter brackets be replaced on both pumps. Three quotes were received; 1) Minnesota Pump Works at \$6,354.00; General Repair at \$6,800.00; and Quality Flow at \$7,138.00. Staff is recommending approval of the repair proposal from Minnesota Pump Works for \$6,354.00 with funding from the Sanitary Sewer Fund.

Ruzek moved, based on staff review and recommendation to approve the repair proposed by Minnesota Pump Works in the amount of \$6,354.00, with funding from the Sanitary Sewer Fund. Prudhon seconded. Ayes all.

POLAR LAKES PARK BASEBALL FIELDS MAINTENANCE PROPOSAL FROM WBL SCHOOL DISTRICT #624 – APPROVE AGREEMENT: The Planner reported that White Bear Lake School District 624 performed ballfield maintenance services during the 2014 and 2015 seasons at Polar Lakes Park baseball fields. The District has provided the Town with a proposal for the 2016 season. The District services included in the proposal are similar to last year and include daily maintenance and game preparation, maintenance to aglime (skinned) areas, weekend game preparation, and consulting services on recommended improvements to the existing ballfields. The fee

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for this service is \$6,000 for the 2016 season (the same as 2015) to cover the expenses related to staffing, materials, and ballfield equipment. The School District can also provide hands on training for Township staff on field maintenance as time and manpower allows. Prudhon asked if tournaments are scheduled if there are any fees charged. The Planner stated that the Town does have a Tournament Policy which addresses fees. Prudhon asked if the fees go into the Park Fund. The Planner stated that the fees go into the Town's General Fund.

Ruzek moved, based on Public Works Director's review and recommendation to approve WBLSD 624's proposal to provide the field maintenance services for \$6,000 for the 2016 season based on the last two years' experience and current staffing levels in the Township Public Works Department. Prudhon seconded. Ayes all.

PUBLIC WORKS EMPLOYEE RESIGNATION – RECEIVE RESIGNATION & AUTHORIZE ADVERTISEMENT FOR TWO POSITIONS: The Clerk reported that the Town received a resignation from Joe Reil, a Public Works employee who has been with the Town for nine years. He reported that the Board needs to receive the resignation and to authorize to fill the position along with the added Public Works position approved in the 2016 budget.

Prudhon moved to accept the resignation of Joe Reil, Public Works, recognizing his good work for the Town. Ruzek seconded. Ayes all.

Prudhon moved to authorize advertisement for two open Public Works Maintenance Worker positions. Ruzek seconded. Ayes all.

RICE CREEK WATERSHED DISTRICT 2016 URBAN STORMWATER COST-SHARE AGREEMENT – APPROVE AGREEMENT: The Town Engineer reported that the Barry Lane Detention Pond was determined to be in need of restoration work but was a bigger project than could be done by Public Works and the job would have to be hired out. He reported that one year ago the Town became aware that the Rice Creek Watershed District has a 50% cost-share program. An application was submitted but because of multiple applications in 2015 and limited funds, the Town did not receive a cost-share grant for the project. However, in 2016 the Town has been awarded a cost-share for the project. The cost-share grant is for up to 50% of the eligible project costs, not to exceed \$31,300.00. He reported that the signed agreement must be returned to the RCWD by April 30, 2016, otherwise funding for the project may be cancelled. The project has to be done by the end of 2018. Staff is recommending that the Town Board approve and sign the attached Agreement with RCWD. Kermes asked the Town Attorney if he has reviewed the Agreement. The Town Attorney stated that he has. Normally he would have objected to the indemnification, but given the responsibility of the Township under this Agreement, he thinks that indemnification is proper in this case.

Ruzek moved, based on Public Works Director's review and recommendation to approve the Rice Creek Watershed District cost-share Agreement and authorize

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execution by Town Board Chair noting that the Township has been awarded grant funding through the Urban Stormwater Remediation Cost-Share Program for up to \$31,300 in funding to be used to restore the Barry Lane Detention Pond. Prudhon seconded. Ayes all.

LABOR AGREEMENT BETWEEN WHITE BEAR TOWNSHIP & INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 49 – CONSIDER APPROVAL: The Clerk reported that the Town’s labor agreement for Public Works employees who are members of Local 49 expired at the end of 2015. Starting in November of 2015 negotiations for a new two year contract began. The negotiations included the Business Agent, Shop Steward for 49-ers, Finance Officer, Public Works Director, Town Board Chair and Town Clerk. There was a consensus from the group to the Town Board. The Town Board reviewed the recommendations, made adjustments, and sent it back to the bargaining unit. They made minor adjustments and the matter was again reviewed by the Town Board. The stipulations and adjustments that the Town Board agreed to were submitted to the Union who approved them. The Clerk reviewed the summary of changes. For 2016 – 2017 wages, there will be a 2% increase on January 1st and a 1.0% on July 1st; Economic related allowances is 3.0%; and Uniforms would be increased by \$80.00 per year to provide one high visibility jacket per year. Two of the on-going Memorandums of Understanding are deleted from the contract since they are not applicable any more. He reported that a draft contract has been prepared. Kermes asked if the contract is similar to other communities in the area. The Clerk reported that part of the negotiations is to compare the Town with 13 other communities with similar size operation to determine what the market is.

Prudhon moved, based on Labor Negotiations and staff review and recommendation to approve the Labor Agreement between White Bear Township and International Union of Operating Engineers, Local 49, effective January 1, 2016 through December 31, 2017, and to authorize execution by the Town Board Chair and Town Clerk. Ruzek seconded. Ayes all.

2016 NON-UNION COST OF LIVING ADJUSTMENT – APPROVAL: The Clerk reported that, as done in past years, the wage adjustments that are approved in the Labor Agreement are also applied to non-union employees.

Ruzek moved, based on Town Finance Officer review and recommendation to approve the 2016 non-union cost of living adjustment. Prudhon seconded. Ayes all.

TOWNSHIP DAY TENT RENTAL – APPROVE RENTAL QUOTE: The Planner reported that the Park Board looked at different suppliers for tents for the 2016 Township Day Event. The recommendation is for approval of the Midway Party Rental for a 30’ x 30’ tent at a cost of \$973.74. The amount reflects no tax. The rental includes setting up and removing the tent. The Town takes care of contacting Gopher Utilities for location of any utilities.

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Ruzek moved, based on Park Board and staff review and recommendation to approve the rental quote from Midway Party Rental for the Township Day tent rental in the amount of \$973.74, with funding from the Township Day Fund and to authorize execution by the Town Board Chair. Prudhon seconded. Ayes all.

OPEN TIME: Kermes reminded those in attendance and the viewing audience of the Town's Annual Meeting tomorrow, Tuesday, March 8th, at the Otter Lake Elementary School at 7:00 p.m.

RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS: Prudhon moved to receive all of the agenda materials and supplements for tonight's meeting. Ruzek seconded. Ayes all.

The meeting adjourned at 8:27 p.m.

Respectfully Submitted,

William F. Short
Clerk-Treasurer

Approved as Official Meeting Minutes

Town Board Supervisor

Dated