

**MINUTES  
TOWN BOARD MEETING  
SEPTEMBER 19, 2016**

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

Present: Supervisors: Kermes, Prudhon, Ruzek; Clerk: Short; Attorney: Lemmons;  
Public Works Director: Reed; Engineer; Studenski.

**APPROVAL OF AGENDA (Additions/Deletions):** Ruzek moved approval of the agenda with the following amendments: Add to Consent Agenda: 5F) Call Special Town Board Meeting for Friday, September 23, 2016 at 11:00 a.m. at the Township Administrative Conference Room, 1281 Hammond Road; Add New Business Item 8A) Call Special Town Board Meeting for Thursday, September 29, 2016 at 11:30 a.m. at the White Bear Country Inn, 4940 Highway 61, White Bear Lake, for WBA Chamber of Commerce Membership Luncheon recognizing Boris Miksic, Cortec Corporation. Prudhon seconded.

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

**APPROVAL OF SPECIAL TOWN BOARD MEETING MINUTES OF AUGUST 26, 2016 AND TOWN BOARD MEETING MINUTES OF SEPTEMBER 7, 2016:** Prudhon moved approval of the August 26, 2016 Special Town Board Meeting Minutes. Ruzek seconded. Ayes all.

Ruzek moved approval of the September 7, 2016 Town Board Meeting Minutes with minor grammatical correction. Prudhon seconded. Ayes all.

**CONSENT AGENDA:** Ruzek read the Consent Agenda as follows: 5A) In Accordance with the Township's Special Events Policy, Approve the Joint Otter Lake Elementary/Lincoln Elementary Schools BearScare Fun Run on October 29, 2016, from 9:00 a.m. to 12:00 Noon from Hammond Road to Ninth Street via Otter Lake Road; 5B) Call Public Hearing for Monday, October 17, 2016 at 7:10 p.m. for Special Three Dog License Request at 4195 Lakewood Avenue; 5C) Appoint Heidi Johnson to A Three Year Term on the Economic Development Advisory Board to Expire April 30, 2019; 5D) Proclaim Sunday October 1, 2016 as White Bear Area Senior Housing

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Awareness Day; 5E) Receive Construction Activity Report; F) Call Special Town Board Meeting for Friday, September 23, 2016 at 11:00 a.m. at the Township Administrative Conference Room, 1281 Hammond Road. Ruzek reported that Consent Agenda Item 5A) involves the Township's Special Events Policy. He noted that the language in the Certificate of Insurance for the Township is not as required in the Special Events Policy. He reported that the Town Planner is aware of that and a new Certificate of Insurance to state the Town of White Bear, its Officers, employees and assigns will be forthcoming. The Town Attorney stated that the request may be approved subject to receipt of new Certificate of Insurance. Ruzek moved to approve the Consent Agenda as read, subject to clarification of the Certificate Insurance for the BearScare Fun Run. Prudhon seconded. Ayes all.

**TOWN HALL IMPROVEMENTS: 1) SITE & LANDSCAPING – RECEIVE BIDS & AWARD CONTRACT; 2) BUILDING REPAIRS – REROOF, INCLUDING ROOF/EAVE, STRUCTURAL REPAIR & STUCCO REPAIR – RECEIVE BIDS & AWARD CONTRACT:** The Clerk reported that today three bids were received for Town Hall site and landscaping. The lowest bidder was from Pember Construction in the amount of \$89,460. The other two bids were from Ebert Construction in the amount of \$121,254.098 and Urban Companies in the amount of \$111,668.00. He reported that alternatives were received for: 1) concrete sidewalk; 2) plantings around the Town Hall; and 3) flag plaza plantings. The recommendation is for the Town Board to receive the bids and refer to a Special Town Board Meeting on Friday, September 23rd with review by staff and Project Designer.

The Clerk reported that there was one bid received for building repairs for the Town Hall. That bid was received from Husnik Homes in the amount of \$57,711.50 for re-roofing and structural repair. He stated that at this point the bids will proceed to the Special Town Board Meeting on Friday for review.

Ruzek moved to receive the bids for the Town Hall site and landscaping work and to receive the bid for the Town Hall building/roof repairs and refer to the Special Town Board Meeting on Friday, September 23, 2016 at 11:00 a.m. at the Town Administrative Office, 1281 Hammond Road to review the bids in detail. Prudhon seconded. Ayes all.

**7:10 P. M. PUBLIC HEARING – IMPROVEMENT 2016-2 – SOUTHEAST AREA SEWER RELINING: 1) RESOLUTION ORDERING IMPROVEMENT 2016-2; 2) RESOLUTION ORDERING PREPARATION OF PLANS AND SPECIFICATIONS:** 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. Prudhon moved to open the Public Hearing. Ruzek seconded. Ayes all.

The Town Engineer reviewed the letter sent to all residents affected by the project notifying them of the Public Hearing. He noted that the letter meets all the notification requirements and was advertised as required. The proposed activity covers the Southeast area sewer rehabilitation project. He reported that a draft feasibility report

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has been prepared and approved by the Town Board and includes all the information for the project. The Township held neighborhood informational meetings on April 26<sup>th</sup> and May 3<sup>rd</sup> for all affected property owners. He reported that there was a review of the information used in preparing for the project and if there were any further adjustments they could be addressed. He reported that there was a lot of positive feedback at the neighborhood meetings. He showed pictures of the interior of the sewer pipes which showed cracks in the joints and build up in the pipes caused by increased infiltration. The pipes are both 8" and 10" vitrified clay pipes installed in 1965. In cleaning the pipes Public Works has found more and more cracks causing them to fail. In the last several months there have been a few emergency corrections where the pipes failed along Bellaire Avenue. A contractor was hired to dig down and fix the pipes. He provided pictures of the interior of the sanitary sewer mainline. The mainline typically runs down the middle of the street. The mainline pipe carries the flow from the homes to the lift station and ends up being treated at the MCES Wastewater Treatment plant at Pig's Eye. The pictures of the interior of the pipe shows separation from joints in the pipe caused by roots and other factors. Buildup at the joints also has occurred. When the Township televises the pipes they first flush the system. But at a certain point the flushing activity can only do so much and certain equipment is needed to fix the problem. Buildup from the top of the interior of the pipe restrict flow and other material in the pipe hang up. The buildup also occurs on the bottom of the pipe and blocks the water flow. All these situations can cause substantial backup. If the pipe is plugged, water backs up into the services into the homes. A failure can also shut off the pipe. The Engineer reported that there are poor conditions in the pipes and the pipes need to be improved. The Town looked at ways to fix the problems. The pipes still have good structural use and it was determined that the pipes do not have to be dug up and replaced. With new technology, there is a lining process that is effective. There will be areas in the mainline pipe which have deteriorated and where it needs to be dug up and the pipes fixed. That is a small percentage of the overall project. Lining the pipes does not require digging down to the pipes. He reviewed how the sewer pipes will be lined and provided a picture of the equipment which will be used for installing the lining. Access to the mainline is from manholes which are placed approximately 400 feet apart. The manhole is a 4' diameter structure which is a vertical shaft to the sanitary mainline. The lining process is where a "sock" is forced through the length of pipe manhole to manhole. The lining is flexible when installed. Once the lining is all in, it is heated and cured and becomes a hard rigid membrane within the pipe. A very small amount of the pipe diameter is used up. The lining is a continuous membrane that covers all the cracks in the joints which will allow for a flowing system again. This type of pipe correction minimizes disruption in the area. There is 29,100 feet of pipe which will be lined. That is 5-1/2 miles of pipe. This will involve 40-50 days of work. The life expectancy of the lining is 50 years, the same as a new pipe. However, since there is no digging involved, the project can occur during the winter months. Impact to the residences will only be when the pipe in their street is being lined and the homeowner will only have a few days of limited impact. He reported that the contractors can do several hundred feet each day, manhole to manhole. The daily work is scheduled to begin at 7:00 a.m. and end at 7:00 p. m. The affected residents in the area where work

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is being done are asked to have showers, laundry, etc. done by that time or wait until later in the evening. When the lining runs through it will go past every service. There is a four-inch service pipe that runs from the mainline to the house. That is the storage area for the day. They will only work daylight hours. Once the liner is cured remote controlled equipment finds the individual services and cuts out the hole again. Once the service hole is cut the residence is full-functioning. Before the work is done the contractor runs a robot through the line which identifies all the services and the information is documented. Another way to identify the service is locating the "bulge" in the liner which occurs at each service line. In response to a question the Engineer reported that if there is a problem in the individual service line to the mainline it would not be part of this project. The Township has ownership of the mainline and the homeowner has ownership of the private line from the mainline to the house. He stated that the project is not addressing any of the individual services. If a homeowner is having any issues the Town will provide the contractor's information to the homeowner who can contact the contractor regarding any interest they may have in the lining activity for their service, this would be completely separate from this process. The lining process can be done in a wide range of pipe sizes.

The Engineer reviewed the total project cost of \$1,713,000.00. The residential unit assessment will be \$2,500. There are 452 residential units which will provide \$1,130,000.00 in assessments. There are five commercial units which will provide \$87,500.00 in assessments. The commercial units include: Bellaire Auto (1 unit at \$2,500); Bellaire School (26 units at \$65,000.00); Dental Clinic (4 units at \$10,000.00); South Shore Trinity Church (3 units at \$7,500.00); and Storage Building (1 unit at \$2,500). The total assessment (residential and commercial) is \$1,142,500. The Town's Sanitary Sewer Fund will pay \$570,500.00. The assessment may be paid all at one time or paid over ten years at an interest rate of 4.25%. The Engineer presented a breakdown of what the yearly payments would be including the principal and interest. He reported that a year from now the project would be wrapping up. An assessment hearing will be held after the project is completed.

Jim Morrison, 2876 Lakewood Avenue, stated that he is a plumbing contractor by trade. He related that he has a friend who has a plumbing business in Maple Grove. The friend showed him firsthand how the pipeline looks. Mr. Morrison stated that he was amazed and vouches for the lining. He asked if roots are the problem in the system or if it is more buildup. The Public Works Director reported that annually when they check the system there are always roots. Jim Morrison stated that a few years ago he had problems with roots in his system. His sub-contractor told him to take the service line pipe out. Mr. Morrison dug out the pipe and when he was ten feet from the property line he saw where the cast iron ended and where the clay tile goes into his lot line. He reported that the problem was at the clay tile. He considered patching the area between the cast iron pipe and his lot line but decided to leave it. Within a year he had a backup of roots. He was concerned that when the liner is put in and roots are cut off from the source to the mainline that the roots will gravitate to all the service branches and find their way into their system. The Engineer reported that the whole system is

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being evaluated. For the most part, there are roots. If there is significant concern about the roots the pipe will be replaced. For the vast majority there is very little significant root intrusion. The lining process is not considered to divert the roots or cause any additional issue with the other pipes. Mr. Morrison asked if the budget could include part of the cost of having the contractor line the individual systems. He stated that it would be unfair if he still had problems and the Township did not. He stated that maybe something else should be considered beside just the mainline. Mr. Morrison was asked if he looked into having his individual system relined, Mr. Morrison stated that he did not. Prudhon asked if a number of residents were interested in having their private service lined if it would be a good price. The Engineer stated that there are many situations and some people have already replaced their pipes, others have not had any issues. The lengths are all different. They did not include replacing the services, especially since many do not have any issues. Jim Morrison asked if this is something that should be considered now in case a few years from now a lot of homeowners are having problems. Kermes asked the Public Works Director if the Public Works crews have had residential line failures. The Public Works Director stated that there have been a few. The Clerk reported that when the Town relined the sanitary sewer line for the people who lived on the lakeside of South Shore Boulevard their sanitary sewer line ran between the lake and the backs of their homes, and the Engineer provided contact information to those property owners regarding getting individual bids from the contractor. None of the property owners chose to. Prudhon asked the Engineer what the interior of the lining is like after cured and if it would improve the flow. The Engineer stated that the lining is smooth and rigid and the friction level goes down. Jim Morrison reported that he has seen the lining and it is the most solid thing he has seen. It is incredible. It is very smooth inside and there would be no friction. The Engineer reported that the Town has received five resident comments. All of the comments are in favor of going forward with the project. Kermes asked, when the process moves forward, if they would see any lip buildup as they install the lining. The Engineer reported that a camera will be run through the pipe before any work is done. Every inch of the pipe will be visually inspected and it will be determined what corrections need to be made prior to lining. The entire stretch of pipe will be cleaned out before any work is done. There will be a clean flowing pipe before they do any activity.

There was no further public testimony. Ruzek moved to close the public portion of the Public Hearing. Prudhon seconded. Ayes all.

Prudhon moved, based on Town Engineer review and recommendation and that the Town Board deems the improvement to be necessary, cost effective and expedient and that the Township proceed with the Sanitary Sewer Lining, to adopt the Resolution Ordering Improvement 2016-2. Ruzek seconded. Ayes all.

Prudhon moved, based on Town Engineer's review and recommendation to adopt the Resolution Ordering Preparation of Plans and Specifications for Improvement 2016-2. Ruzek seconded. Ayes all.

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**WATER TOWER MAINTENANCE – NORTHEAST & HAMMOND ROAD TANKS:** The Public Works Director reported that the Township has three water towers in the system. The original construction dates range from 1960 to 1998. As part of the Town's infrastructure management program the tower interiors and exteriors need cleaning and inspections performed on a regular basis to provide information on the tower condition. Information provided by previous cleaning and inspections have identified a lot of mineral sediment in the interior water tower bowls. The accumulation of sediment can be addressed either by physically removing the sediment and/or use a tank mixer to mitigate accumulation in the bowl. The Public Works Director reported that Staff is recommending that the Town drain both the Northeast and Hammond Road water towers this fall to clean and inspect the interiors and install a mixing system to assist in mitigating the accumulation of minerals, prevent variations (thermoclines) in the water temperature within the water tower from developing, and prevent ice buildup during the winter months. Quotes for cleaning the interior and installing a tank mixing system in both the Northeast and Hammond Road tanks, and replacing the mud valve on Hammond Road tank were received from the following contractors: 1) Water Tower Clean and Coat. This quote includes interior cleaning (\$4,400.00); installation of tank mixing system in both the Northeast and Hammond Road towers (\$15,000.00. Does not include electrical supply and connection work); and replacement of mud valve on Hammond Road tower. Total cost: \$21,900.00. Their proposal is based on acceptance of their Certificates of Insurance. If additionally insured provision is required \$300 would be added to the cost of the proposal; 2) KLM Engineering's quote provides for interior cleaning of both the Northeast and Hammond Road towers (\$2,800.00); installation of tank mixing system in both Northeast and Hammond Road towers (\$23,000); installation of mud valve on Hammond Road tower included with interior tower cleaning (labor and supplies for mud valve replacement, not the actual mud valve); Total cost: \$25,800.00; Classic Protective Coatings' quote includes interior cleaning of the Northeast and Hammond Road towers (\$39,840.00. Includes labor, equipment, material and installation for cleaning interior, installing mixer and replacing mud valve supplied by owner for the Hammond Road tank only). Total cost: \$39,840.00. The Public Works Director reported that funding for cleaning the interior on both the Northeast and Hammond Road tanks, installing a tank mixing system in the Northeast and Hammond Road tanks, and replacement of a mud valve on the Hammond Road tank would be provided from the Water Operating Fund.

Ruzek moved, based on Public Works Director review and recommendation to approve the quote from Water Tower Clean and Coat, Inc., for interior cleaning of the Northeast and Hammond Road tanks, the installation of a tank mixing system in the Northeast and Hammond Road tanks, and replacing the mud valve on the Hammond Road tower in the amount of \$21,900 for their base bid plus \$300 to add the Town Board, its assigns and employees to the Certificate of Insurance. Prudhon seconded. Ayes all.

**PERMANENT EMPLOYEE STATUS – MATTHEW SCHNEIDER, PUBLIC WORKS DEPARTMENT:** The Public Works Director reported that pursuant to Section III Probationary Period of the Township Employee Handbook, performance on new

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employees is reported to the Town Board. It is recommended that Matt Schneider be appointed to Township service as a permanent full time employee. Matt is performing all of the essential functions of the position as set forth in the Public Works Maintenance Worker Job Description. His performance meets or exceeds those in the job description. Matt enhances the Public Works Department's personnel dynamics by being a team player and by being willing to tackle any job or task given to him. He also openly communicates with his supervisor and with the other Public Works Maintenance Staff. The Public Works Director stated that he is very pleased with Matt's performance to date and looks forward to working with him to further his career goals with the Township.

Ruzek moved, based on Staff review and recommendation to appoint Matthew Schneider to Township service as a permanent full-time Public Works Employee. Prudhon seconded. Ayes all.

**ORDINANCE NO. 91 (EXCLUSION ZONES & PROHIBITION OF CERTAIN EMPLOYMENT-RELATED ACTIVITIES – ADOPT ORDINANCE:** The Town Attorney reported that the Town Board had established 1,000 feet as the number of feet a sex offender could live from any school, school bus stops, church or place of worship, public park or Town easement or public wooded or open space or any public walkways, as well as any docks located at area beaches. It also included the number of feet within which a sex offender may not loiter from the real property boundary of a child care facility. He reported that the 1,000-foot limit does allow suitable residential opportunities to individuals governed by this ordinance. He noted that once the Ordinance is adopted and summary published in the White Bear Press it will become effective.

Prudhon moved, based on Public Safety Commission, Town Board, and Town Attorney review and recommendation to adopt Ordinance No. 91 being an Ordinance Establishing Exclusion Zones and Prohibition of Certain Activities. Ruzek seconded. Ayes all.

Prudhon moved to authorize execution by the Town Chair and Town Clerk. Ruzek seconded. Ayes all.

Prudhon moved to authorize publication of summary of Ordinance No. 91 in the White Bear Press. Ruzek seconded. Ayes all.

**MOVIE IN THE PARK – APPROVE:** Ruzek reported that earlier this year the Town had a Movie in the Park night with Twilight Zone Outdoor Cinema Services and it was very successful. They were using it as a training opportunity for their staff. They provided no fee other than normal expenses if the Town had a similar event in the park. A number of Town residents attended and the White Bear Food Shelf received donations. Twilight Zone Outdoor Cinema Services is asking to do another Movie in the Park. The Park Board reviewed this in detail at their last meeting and felt that it is a worthwhile event to have again with minimal cost. They prefer to have the event the first

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weekend in October, which is October 1<sup>st</sup>. Funding would come from the Township Day Fund. After all expenses were paid for last weekend's Township Day Event and with revenue from the event there is \$9,800 remaining in the budget. He noted that the cost to the Township for holding the event is approximately \$700.00 and the Park Board is requesting Board approval. In response to a question if the Food Shelf will have a presence at the event this time Ruzek stated that they will be present. Kermes asked if there is a backup date in case of weather. Ruzek stated that Saturday October 15<sup>th</sup> is a backup date.

Ruzek moved, based on Park Board review and recommendation to approve the cost for holding another Movie in the Park event at Polar Lakes Park for either October 1, or October 15, 2016, with funding from the Township Day budget. Prudhon seconded. Ayes all.

**CALL SPECIAL TOWN BOARD MEETING FOR THURSDAY, SEPTEMBER 29, 2016 AT 11:30 A.M., WHITE BEAR COUNTRY INN, 4940 HIGHWAY 61 FOR WBA CHAMBER OF COMMERCE MEMBERSHIP LUNCHEON RECOGNIZING BORIS MIKSIC:**

The Clerk reported that the White Bear Area Chamber of Commerce has scheduled a membership luncheon for Thursday, September 29, 2016, at 11:30 a.m. at the White Bear Country Inn, 4940 Highway 61. The Chamber will be recognizing Township business owner, Boris Miksic, Cortec Corporation. He reported that the Township received EDA authority from the legislature in 1984 to help alleviate the pressures on property owners with light industrial properties to develop. The Clerk reported that the Cortec Corporation was the first Township business to receive economic development assistance. The recognition is a Chamber event but the Township has been asked to participate. Supervisors Kermes and Ruzek will attend the function as Town Board representatives.

Kermes moved to call a Special Town Board Meeting for Thursday, September 29, 2016 at 11:30 a.m. at the White Bear Country Inn, 4940 Highway 61 for WBA Chamber of Commerce membership luncheon recognizing Town business owner, Boris Miksic, Cortec Corporation. Prudhon seconded. Ayes all.

**OPEN TIME:** No one appeared for the open portion of the meeting.

**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 8:37 p.m.

Respectfully Submitted,

William F. Short

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Clerk-Treasure

Approved at Official Meeting Minutes

\_\_\_\_\_  
Town Board Supervisor

\_\_\_\_\_  
Date