

**MINUTES
TOWN BOARD MEETING
AUGUST 17, 2020**

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

Present: Supervisors: Prudhon, Ruzek, McCune; Clerk/Treasurer: Christopherson;
Attorney: Lemmons; Town Finance Officer: Tom Kelly

Absent: Town Planner: Riedesel, Public Works Director: Reed, with notice Town
Engineer: Poppler was telephoned in during the Engineer items to answer
any questions and explain the agenda items to the Board.

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved to approve the agenda as submitted with the added supplemental information for agenda item 7A) Special Three Dog License. McCune seconded. Ayes all.

APPROVAL OF PAYMENT OF BILLS: Ruzek moved to approve payment of bills. McCune seconded.

APPROVAL OF MINUTES OF AUGUST 3, 2020 (Additions/Deletions): Ruzek moved to approve the minutes of August 3, 2020. McCune seconded. Ayes all.

CONSENT AGENDA: McCune moved to approve the amended consent agenda as follows: **5A) Tobacco License** – Based on staff review & recommendation approve a new tobacco license for White Bear One Stop LLC, 5960 Highway 61 through December 31, 2020; **5B) Construction Activity Report** – Receive. Ruzek seconded. Ayes all.

EMERGENCY MANAGEMENT TEAM REPORT:

1. Ramsey County COVID-19 Incident Management: The Town Clerk reported that there was just extensive conversation with the joint EDAB/EDA meeting regarding the CARES Act and Town staff is moving forward. There will be discussion regarding the reimbursable public safety expenditures and the HVAC system at the Town Board Executive meeting.

2. Contract Group Update: There will be more to update about the reimbursable public safety expenditures after Thursday the 20th.

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3. Attorney Update: There was nothing new to update.

4. Operations Logistics/Administrative Offices: There is nothing new to update.

SPECIAL THREE DOG LICENSE, 5795 OTTER LAKE ROAD – CONSIDER THE REQUEST FOR A SPECIAL THREE DOG LICENSE: Ruzek moved to note proper publication of the hearing notice in the newspaper & waive reading of the notice. McCune seconded. Ayes all.

Ruzek moved to open the public hearing. McCune seconded. Ayes all.

The Town Clerk reported that this agenda item is for the Board's consideration. In the supplemental packet there is additional information from the Ramsey County Animal Control Officer Mario Lee. He visited the owner of the dogs Maribel Alfaro two times, with the final report on Friday the 14th in the packet. In the regular packet there are two resident emails and one in the supplemental packet, for a total of three emails from neighbors. The neighbors had complained of the barking, and these emails were sent prior to Lee's inspection and report of the condition regarding the three dogs. There was some discussion of the emails, noting if someone writes an email complaint, typically they are pushed past their limit. The owner has been a resident of the Township since 2009 and has no other complaints. There was some discussion as to why she is applying now, if the youngest of the dogs is three years old.

Ruzek moved to open public comment portion – ask for comments. McCune seconded. Ayes all.

Owner Maribel Alfaro, 5795 Otter Lake Road, was present to answer any question and give testimony of the progress regarding the three dogs. She stated that she wasn't aware of any email complaints until the Board had asked about them. She stated that the Animal Control officer came for a first visit, she had been made aware of the ordinance and wanted to make it right. After the first visit with Officer Lee, she purchased devices used to aid the owner in quieting the barking. The first device she purchased was a multi-dog device that she placed outside. She noted that since that one didn't work well, she purchased a second similar device for the back yard that worked well for two dogs. One of the Chihuahuas kept barking, so she purchased another device, a special collar for this dog. She noted that that helped considerably. She didn't know the dogs barked so much as she cannot hear them from inside the house.

There was some minor discussion over ideas Alfaro could implement should the dogs start barking again: like adding slats to the chain fence so visibility is impaired and privacy is added. If dogs can't see cars and people outside the house, they bark less. Alfaro noted that on Officer Lee's second visit, Friday, August 14th, he parked his car and walked up to the fence and the dogs didn't bark. She noted that he was pleasantly

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surprised. Alfaro did note that she has had all three dogs for three years, since the birth of the youngest, but that it isn't a year-round concern since they are inside during the colder months.

The Board asked if Alfaro was comfortable with a review in 90 days. She was. The Board is comfortable granting the request upon review in 90 days. This has been done before as outlined in item 7 regarding licenses. There was some discussion over the change of dates, due to the incorrect year listed. The 8 items should read as follows:

1. This Special Three Dog License shall be limited to three (3) dogs.
2. All Dogs shall have current licenses obtained from White Bear Township.
3. All dogs shall have current rabies vaccinations.
4. The premises shall be cleaned of all feces on daily basis. Unreasonable noise, orders or other annoyances shall be prohibited for the protection of the public and safety.
5. This Special Three Dog License shall be revisited by the Animal Control Officer and reviewed by the Town Board in three (3) months to insure compliance.
6. This Special Three Dog License shall expire on March 31, 2024. Application for renewal shall be completed prior to that date.
7. White Bear Township reserves the right to revisit the action to approve this Special Three Dog License if complaints are received during the license period.
8. State, Federal and local laws and ordinances shall be complied with.

Ruzek motioned to close the public portion of the hearing. McCune seconded. Ayes all.

Ruzek moved to approve special three dog license subject to the changes that we added for items under consideration numbers 5 and 6. McCune seconded. Ayes all.

It was noted that Town staff will reach out to the neighbors to notify them of the Town Board action and the review in 90 days.

PROPERTY TAX ABATEMENTS – AUTHORIZE ABATEMENT OF PROPERTY TAXES: Ruzek moved to note proper publication of the hearing notice in the newspaper & waive reading of the notice. McCune seconded. Ayes all.

Ruzek moved to open the public hearing. McCune seconded. Ayes all.

The Town Finance Officer introduced this agenda item; this is the first time the Town has issued tax abatement bonds. These bonds will fund the two restrooms at Polar Lakes Park and some of the equipment.

Doug Green from Baker Tilly was present give information of the bond process and answer any questions. The stated that cities and municipalities do use these property tax abatements as an opportunity to issue bonds for other purposes. The bonds themselves are just like general obligation bonds or improvement bonds, they just have a different name: abatement bonds. The way these bonds work is that on an

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administrative level, the Town selects properties at random that benefit from a certain park area, in this case Polar Lakes Park. Then the Town allocates the property tax amounts from those properties for the bond that is applying to Polar Lakes Park. This is all done administratively, property tax filing for these properties will look no different. The Town is redirecting tax benefits to pay for the bonds. Green gave an example of a recent client of his who used this type of bond.

The Town Finance Officer gave an example of an improvement that the Town used Tax Increment Financing to help pay for the improvement, but the Town could have also used this type of abatement bond. The Town can also use this type of bond on future projects; one that was noted was the stage. The only other option is to do a referendum. It was noted that the interest rate is the same. The three types of bonds are general obligation abatement, utility, and improvement bonds. There was some discussion on the interest rates of the bonds. The payback period is 10 to 15 years : 10 years for the other improvements, 15 years for the Peterson Road and park improvements.

Ruzek moved to open public comment portion – ask for comments. McCune seconded. Ayes all.

Ruzek motioned to close the public portion of the hearing. McCune seconded. Ayes all. Ruzek moved based on Finance Officer review & recommendation adopt the resolution approving property tax abatements. McCune seconded. Ayes all.

GENERAL OBLIGATION ABATEMENT BONDS – AUTHORIZE SALE OF APPROXIMATELY \$5,900,000 GENERAL OBLIGATION ABATEMENT, IMPROVEMENT & UTILITY BONDS, SERIES 2020A: The Town Finance Officer reported that this is just a necessary step in the process to authorize Baker Tilly to sell bonds for the park, water improvements, restrooms, and for which the other projects the bonds are planned. Doug Green from Baker Tilly was present to answer any questions that the Board may have. There was some discussion over the opening date. Green explained that that date gives the underwriters of the bond some flexibility in how they write the bond.

Ruzek moved based on Finance Officer review & recommendation adopt the resolution proving for the competitive negotiated sale of approximately \$5,900,000 General Obligation Abatement, Improvement & Utility Bonds, Series 2020A. McCune seconded. Ayes all.

STILLWATER STREET SANITARY SEWER PIPE REPAIR – RECEIVE QUOTE – APPROVE QUOTE: The Town Clerk was present to answer questions in place of the Public Works Director. He explained that the memorandum is pretty straight forward and the contractor with the lowest bid has worked for the Town previously. There was some discussion of the pipes underneath a county road. A note was made so the Public Works Director can make sure those pipes under the county road have been looked at. The memorandum explained that the televising and inflow/infiltration work completed in

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August of 2019 was to fix a deficiency. This year the televising is to finish the work with the offset pipe on Stillwater Street. The Town received 3 quotes: Dave Perkins Contracting, Inc. for \$16,805, Pember Companies, Inc. for \$31,000, and Peterson Companies for \$53,000. Staff is comfortable with the lowest bidder performing the work.

McCune moved based on Public Works Director review & recommendation to receive the quotes. Ruzek seconded. Ayes all.

McCune moved based on Public Works Director review & recommendation to approve quote from Dave Perkins Contracting in the amount of \$16,805.00 to perform the Stillwater Street sanitary sewer repair with funding from the sanitary sewer operating fund. Ruzek seconded. Ayes all.

2020 SANITARY SEWER CLEANING & TELEVISIONING – RECEIVE QUOTE – APPROVE QUOTE: The Town Clerk was present to answer questions as best as he was able in place of the Public Works Director. The Memorandum explained that the focus of the quote is for the sanitary sewer lines constructed of PVC. The Town has completed cleaning, televising, and sealing for the Vitrified Clay Pipe. The cleaning and televising quotes have come from 2 contractors: Ritter and Ritter Sewer Service, Inc. for \$24,331.80 and Visu-Sewer for \$26,772.48. It is the requested action to approve the lower quote from Ritter and Ritter Sewer Service, Inc.

McCune moved based on Public Works Director review & recommendation to receive the quotes. Ruzek seconded. Ayes all.

McCune moved based on Public Works Director review & recommendation to approve quote from Ritter & Ritter Sewer Service, Inc., in the amount of \$24,331.80 to perform the 2020 sanitary sewer cleaning & televising with funding from the sanitary sewer fund.

POLAR LAKES PARK RESTROOMS – RECEIVE BIDS & REFER TO PARK BOARD FOR REVIEW & RECOMMENDATION: The Town Clerk reported that the Town received bids from contractors. The Town had received the two separate types of restroom models: the modular and the prefabricated structure. The Town Attorney confirmed that because the bid advertisement stated as such and the potential bidders were notified, there should be no issue. This is a unique item. The memorandum shows the summary of bids. With the Town paying for the cost of the Romtec buildings, the low bidder is Dering Pierson Group with a total cost of \$755,673.00; the second lowest bidder is Ebert Construction at \$782,700.00; and the third lowest bidder is the Public Restroom Company at \$790,431.00. This agenda item will be sent back to the Park Board for review & recommendation.

Ruzek moved based on Town Planner review & recommendation to receive the bids & refer to Park Board for review & recommendation. McCune seconded. Ayes all.

2020-4 – PETERSON ROAD IMPROVEMENTS – APPROVE PLANS & SPECIFICATIONS – ORDER ADVERTISEMENT FOR BIDS: The Town Clerk reported that the Town is looking for approval of plans and specs. The Town Clerk called Town Engineer Larry Poppler on the phone so the Board could ask questions and explain further. The Town Chair and Engineer briefly discussed a situation at Prudhon's residence with a curb stop. The Town Engineer explained that the plans and specs walk through the design a bit more, shows how the road flows. He noted that due to the grading and curve of the road, the road may have to move a bit. He mentioned other aspects of the project and how the designs show it. There was some discussion of logistics when it comes to the manholes on Peterson Road.

Ruzek moved based on Town Engineer review & recommendation to adopt resolution approving plans & specifications for Improvement 2020-4. McCune seconded. Ayes:

Ruzek, McCune; Abstention: Prudhon.

Ruzek moved based on Town Engineer review & recommendation to adopt resolution ordering advertisement for bids for improvement 2020-4. McCune seconded. Ayes: Ruzek, McCune; Abstention: Prudhon.

2020-5 – OTTER RIDGE CIRCLE ROAD IMPROVEMENTS – APPROVE PLANS & SPECIFICATIONS – ORDER ADVERTISEMENT FOR BIDS: The Town Engineer explained that Otter Ridge Circle and Peterson Road are in one bid package. He is hoping with a late bid to get the utility portion completed this year and complete the roadway next year. The Engineer explained the reclamation process with spot curb and gutter replacement. There was some discussion on the pricing and whether the pricing changes based on when the work is completed. It was noted that no, the pricing shouldn't change. And if it does the Board can always reject bids if it doesn't like them.

Ruzek moved based on Town Engineer review & recommendation to adopt resolution approving plans & specifications for Improvement 2020-5. McCune seconded. Ayes all. Ruzek moved based on Town Engineer review & recommendation to adopt resolution ordering advertisement for bids for Improvement 2020-5. McCune seconded. Ayes all.

COLUMBIA PARK PARKING LOT – APPROVE PLANS & SPECIFICATIONS – ORDER ADVERTISEMENT FOR BIDS: The Town Engineer reported that the parking lot is being upgraded from 30 parking spaces to 62 parking spaces, including 3 handicapped. The planned pond is proposed to be a dry pond that is 5 to 6 feet deep. There was some discussion on the ramp from the parking lot to the path, which is concrete tied to the asphalt trail. It will meet ADA requirements. It was noted that there are no trees proposed to be removed, and engineers will also try to avoid the roots. It was noted by the Board that this has been needed for a while and is a good move for the park.

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Ruzek moved based on Town Engineer review & recommendation to approve the plans & specifications. McCune seconded. Ayes all.

Ruzek moved based on Town Engineer review & recommendation to order the advertisement for bids. McCune seconded. Ayes all.

LEIBEL STREET STORMWATER IMPROVEMENT PROJECT – APPROVE PLANS & SPECIFICATIONS – AUTHORIZE OBTAINING RCWD PERMIT: The Town Engineer reported that the Township maintenance staff have reviewed all stormwater treatment areas and ranked the 70 projects. Leibel Street is at the top of the list. The projects on the list range from \$500 to \$100,000, but Leibel Street stormwater project is estimated to be about \$75,000. The scope of work includes removal of the storm sewer manhole pipe. It was noted that the water flows west toward Bald Eagle Lake and crosses at Leibel and Highway 61. There was some discussion on potential grant funding, either through RCWD or the Met Council. Staff will investigate and apply for grants as able.

McCune moved based on Town Engineer review & recommendation to approve the plans & specifications. Ruzek seconded. Ayes all.

McCune moved based on Town Engineer & recommendation to authorize TKDA to obtain the RCWD permit. Ruzek seconded. Ayes all.

CARES ACT – FUNDING REQUEST: The Town Clerk stated that it would be best to hold off on this agenda item until after discussion at the August Executive Town Board meeting. By then staff will have more information regarding the reimbursable expenses of public safety and the HVAC info.

Ruzek motioned to table the Cares Act, item 8H. McCune seconded. Ayes all.

OPEN TIME: There was no one present for Open Time.

ADDED AGENDA ITEMS: There were no added agenda items.

RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS: Ruzek motioned to receive all Agenda Materials & Supplements for tonight's meeting. McCune seconded. Ayes all.

McCune moved to adjourn the meeting at 8:13 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

Patrick Christopherson
Town Clerk-Treasurer

Approved as Official Meeting Minutes

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Town Board Chair

Date